

In The Circuit Court for Baltimore City
CIVIL

In the Matter of

WILLIAM V. OZOLIN
VS.
BD. OF APPEALS, DEPT. OF
ECONOMIC AND EMPLOYMENT

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11000000



IN THE CIRCUIT COURT FOR BALTIMORE CITY

CATEGORY APPAA

CASE NO 90243035/CL11886 PAGE 1 of

D.E.

| PARTIES | ATTORNEY(S) |
|--|---|
| <p><u>WILLIAM V. OZOLIN</u></p> <p>VS.</p> <p>BOARD OF APPEALS, DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT AND AUTOMATED INFORMATION MANAGEMENT, INC.</p> | <p>PROPER PERSON</p> <p align="right">589728</p> <p align="right"><i>Amy A. Scherr</i></p> <p align="right"><i>Lynn Weiskittel - 911960</i></p> |

| DATE | DOCKET ENTRIES | NO. |
|------------|---|-----|
| 8-31-90 | ORDER FOR APPEAL FROM THE DECISION OF THE BOARD OF APPEALS DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT, PETITION, & EXHIBITS. | 1 |
| * 9/28/90 | App. of Att. (Amy A. Scherr) for Pltff. (The Board) same day motion to Dismiss & assist. | 2 |
| * 10-15-90 | Pltff's Answer to Motion to Dismiss | 3 |
| 10-19-90 | Order of Court that Appellee's, Board of Appeals, Motion to Dismiss is "Denied" (Rose J.) | 4 |
| 10/26/90 | App. of Att. (Lynn Weiskittel) for Pltff. (The Board) same day answer. | 5 |
| 11/23/90 | Transcript of records (see C.T.F.) | 6 |
| 11/23/90 | Notice sent in accordance with rule B-12 | 7 |
| 12-21-90 | Plaintiff's Memo fl | 8 |
| 12-21-90 | Pltff Waiver of Right to Hearing fl | 9 |
| 1/18/91 | Pltff. (The Board) memorandum | 10 |
| 1/30/91 | Pltff's reply & memorandum of Pltff. (The Board of Appeals.) | 11 |

PRESIDING JUDGE Allen Hollander

COURTROOM CLERK _____

STENOGRAPHER _____

ASSIGNMENT FOR WEDNESDAY FEBRUARY 13, 1991

CASE NUMBER - 90243035
CASE TITLE - OZOLIN VS BOARD OF APPEALS, ETAL CL118862 CL
CATEGORY - APPEAL FROM ADMINISTRATIVE AGENCY
PROCEEDING - COURT TRIAL - FAST TRACK

*AUTOMATED INFORMATION MANGEMENT INC DEFENDANT
SCHERR, AMY DEFENSE ATTORNEY 333-6943
WEISKITTEL, LYNN DEFENSE ATTORNEY 333-6943
OZOLIN, WILLIAM V PLAINTIFF

2/13/91

Decision sub curia

4/5/91

The decision of the Bd of Appeals, etal is "Affirmed"; Costs to be paid by the Appellant

TYPE OF PROCEEDING: (___) JURY (___) NON-JURY (___) OTHER

DISPOSITION (CHECK ONE)

- (___) SETTLED (___) CANNOT SETTLE (___) NEXT COURT DATE
- (___) VERDICT (___) REMANDED (___) NON PROS/DISMISSED
- (___) JUDGEMENT NISI (___) ORDER/DECREE SIGNED (___) OTHER
- (___) JUDGEMENT ABSOLUTE (___) ORDER/DECREE TO BE SIGNED PLEASE EXPLAIN:
- (___) POSTPONED (___) MOTION GRANTED
- () SUB CURIA (___) MOTION DENIED

JUDGE SIGNATURE Allen Hollander DATE 2/13/91

| | | |
|--|---|----------------------------|
| WILLIAM V. OZOLIN | * | IN THE |
| Appellant | * | CIRCUIT COURT |
| v. | * | FOR |
| AUTOMATED INFORMATION MANAGEMENT, INC. | * | BALTIMORE CITY |
| | * | |
| and | * | |
| | * | |
| BOARD OF APPEALS DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT | * | Case No. 90243035/CL118862 |
| | * | |
| Appellee | * | |
| | * | |
| * * * * * | | |

MEMORANDUM OPINION AND ORDER

Hollander, J.

I. Factual Summary

William Ozolin ("Ozolin" or "Appellant") was employed by Automated Information Management, Inc. ("Automated" or "Employer") from August 1, 1988 until September 15, 1989. R.1,2.¹ On September 15, 1989, Ozolin left his job with Automated and obtained employment with International Airports Projects ("International") in Saudi Arabia. R.4,8,48. Ozolin's job with International was terminated on January 13, 1990. Thereafter, on or about February 2, 1990, Ozolin filed for unemployment insurance benefits relating to his prior employment with Automated. A claims examiner of the Department

1. The letter "R" denotes reference to numbered items in the record.

of Economic and Employment Development (the "Department") found that Ozolin was not entitled to unemployment insurance benefits because he had voluntarily quit his employment with Automated, without good cause, within the meaning of Code, Art. 95A, Section 6(a).² Accordingly, Ozolin was denied unemployment insurance benefits. R.12.

Ozolin, who was by then living in Illinois, filed a timely appeal³ from the determination of the claims examiner. Because of the distance, a notice of telephone hearing was issued to Ozolin on April 2, 1990, scheduling a hearing for April 18, 1991 at 11:15 a.m. R.10. When the hearing examiner attempted to contact Ozolin at the scheduled time, no one answered the telephone. As a result, a notice of dismissal was sent to Ozolin, indicating "that the Appeals Division may reopen this case for good cause shown, upon written application of the Appellant." R.22.

On April 30, 1990, Appellant contacted the Department, requesting that the hearing be rescheduled. He stated that there had been a recent change in his telephone area code, from 312 to 708, and that mail service in his area was poor. R.24.

2. Unless otherwise specified, all Code references are to Article 95A.

3. Code, Art. 95A, provides for multiple levels of appeal of unemployment benefit determinations. Pursuant to paragraph (c) an initial determination of benefits is made by a claims examiner. If the claimant or any other party is dissatisfied with that determination, pursuant to paragraph (e), he may "appeal" to the Board of Appeals, which will assign the matter to a designated hearing examiner. The decision of the hearing examiner may then be appealed to the Board of Appeals, pursuant to paragraph (f). An appeal to the Board of Appeals shall be heard by a quorum of the Board. Pursuant to paragraph (h), any party aggrieved by the decision of the Board of Appeals may then appeal to the circuit court.

Although the record shows that the initial hearing notice sent to Ozolin had the 708 area code, R.18, the Department nevertheless accepted Ozolin's request. Accordingly, on May 8, 1990, another notice of telephone hearing was issued to Ozolin in Illinois, scheduling a second hearing for May 21, 1990 at 10:30 a.m..

On May 21, 1990, at the scheduled hearing time, Hearing Examiner John F. Kennedy, Jr. ("Kennedy") called the telephone number on the hearing notice, and heard a recorded message. Kennedy left a message that the hearing was scheduled and instructed Ozolin to call him by 10:40 a.m. However, Ozolin did not contact Kennedy by that time. In a decision dated June 1, 1990, Kennedy found that Ozolin failed to appear at two consecutive hearings without good cause and, consequently, the appeal was dismissed. R.32.

On June 8, 1990, Ozolin requested a review of the hearing examiner's decision. In his appeal, Ozolin conceded he was 15 minutes late for the telephone hearing, but claimed he was confused as to the time due to the recent change to Daylight Savings Time.

On June 27, 1990, the Department's Board of Appeals (the "Board") informed Ozolin that it had received his appeal and that he would be notified of the Board's action. R.51. On July 26, 1990, the Board determined that Ozolin did not show good cause to reopen his case, within the meaning of COMAR 24.02.06.02N(5)(c), and affirmed the decision of the hearing examiner. R.31. The Board concluded that Ozolin was not

entitled to unemployment insurance benefits. It is from the Board's decision that Ozolin has appealed to this court.

II. Scope of Review

Code, Art. 95A, Section 7(h) governs the standard of judicial review in connection with the administrative adjudication of unemployment insurance benefits. It provides, in pertinent part, as follows:

In any judicial proceeding [in regard to claims for benefits], the findings of the Board of Appeals as to the facts, if supported by competent, material and substantial evidence in view of the entire record and in the absence of fraud, shall be conclusive, and the jurisdiction of [the circuit court] shall be confined to questions of law.

Board of Educ. Mont. Co. v. Paynter, 303 Md. 22, 34-35 (1985). See also, Board of Appeals v. City of Baltimore, 72 Md. App. 427, 431-32; Adams v. Cambridge Wire Cloth Co., 68 Md. App. 666, 673 (1986).

Section 7(h), and the case law interpreting it, make clear that "findings of fact made by the Board are binding upon the reviewing court, if supported by substantial evidence in the record." Board of Appeals, supra, 72 Md. App. at 431. See also, Allen v. Core Target City Youth Program, 275 Md. 69 (1975). Any inference to be drawn from the facts is also left to the agency. It is "the province of the agency to resolve conflicting evidence."

Decisions of administrative agencies are prima facie correct. On appeal, the agency's decision must be viewed in the light most favorable to the agency. Paynter, supra, 303 Md. at 35-36. See generally, Bulluck v. Pelham Woods Apts., 283 Md. 505 (1978). Accordingly, "the reviewing court should not substitute its judgment for the expertise of those persons

who constitute the administrative agency from which the appeal is taken." Paynter, supra, 303 Md. at 35 (emphasis in original).

III. Discussion

COMAR 24.02.06.02 sets forth the procedure before the hearing examiner and the Board. The decision of the hearing examiner, dismissing Ozolin's appeal, is consistent with applicable Maryland law and is supported by substantial evidence.

COMAR 24.02.06.02 Section M provides as follows:

Dismissal of Appeal for Failure to Appear. If a party appealing fails to appear at a hearing after having been given the required notice of the hearing, the hearing examiner or Board of Appeals may issue a decision on the facts available or may dismiss the appeal. Failure to be present at the location designated for the hearing within 10 minutes of the time scheduled is a failure to appear within the meaning of this section.

Section T(4) provides:

In the case of a telephone hearing, the failure to answer the phone, the failure to free the phone for a hearing, or the failure to be ready to proceed with the hearing shall be considered as a failure to appear at the hearing if these conditions exist for more than 10 minutes after the scheduled time for the hearing.

It is undisputed that Ozolin was notified as to the second hearing but was not available at the scheduled time, and that this condition existed for more than ten minutes after the scheduled time. By his own admission, Ozolin did not call the hearing examiner until 10:45 a.m., which was 15 minutes after the scheduled hearing time. R.33. Therefore, the hearing examiner correctly concluded that Ozolin failed to appear.

The Board also relied on COMAR 24.02.06.02 Section N with respect to Ozolin's request to reopen his case. Section N provides, in pertinent part:

- (2) A request for the reopening of a case may be granted for the following reasons:
- (a) The party received a notice on or after the date of hearing as a result of:
 - (i) An untimely or incorrect mailing of the hearing notice by the Appeals Division, or
 - (ii) A delay in the delivery of the hearing notice by the United States Postal Service;
 - (b) An emergency or other unforeseen and unavoidable circumstance prevented a party from both attending the hearing and requesting a postponement of the hearing;
 - (c) A party requested a postponement for the reasons listed in Section N(2)(a) and (b), but it was improperly denied.
- (3) Misreading of a properly prepared hearing notice as to the date, time and place of the hearing is not good cause for reopening a dismissed case.
(emphasis added)

Appellant explained that he failed to appear at the second hearing because of his confusion as to the time of the hearing, resulting from the recent change to daylight savings time. Appellant's Memo at 3. Because Ozolin's explanation does not fall within the enumerated exceptions set forth in Section N, the Board properly determined that Ozolin did not show good cause to reopen his case. The Board's decision was therefore supported by substantial evidence and correct as a matter of law.

Based on the foregoing, it is this 5th day of April, 1991, by the Circuit Court for Baltimore City

ORDERED, that the decision of the Board be, and the same hereby is, AFFIRMED.

Costs to be paid by Appellant.

Ellen L. Hollander

Ellen L. Hollander, Judge

cc: Mr. William V. Ozolin, Appellant
Amy Scherr, Esquire
Assistant Attorney General

Bartley F. Goldberg
Mark T. Wakenight

2551 North Clark Street, Suite 505
Chicago, Illinois 60614
Tel (312) 975-0143
Fax (312) 975-1011

February 7, 1991

Civil Assignment Office
Circuit Court for Baltimore City
Clarence Mitchell
100 North Calvert Street
Baltimore, MD 21202

Attn: Fran

RE: #90243035/CL118862

Dear Fran:

In response to the request for me to appear in the above named case on February 13, 1991 at 9:30 A.M., please be advised that I have reached an agreement with Ms. Amy Scherr, Assistant Attorney General, excusing my appearance and allowing the court to resolve the issue before it based solely upon the written arguments previously presented.

Sincerely,

William V. Ozolin

Bill Ozolin

enc.: Waiver to Right to Hearing
xc: A. Scheff

WILLIAM V. OZOLIN

VS.

BOARD OF APPEALS
DEPARTMENT OF ECONOMIC AND
EMPLOYMENT DEVELOPMENT

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY
* #90243035/CL118862
*
*
*

WAIVER OF RIGHT TO HEARING

I, William V. Ozolin, hereby waive my right to a Hearing in this matter, and request that the presiding Judge who is responsible for my case issue a ruling based upon the memorandum presented.

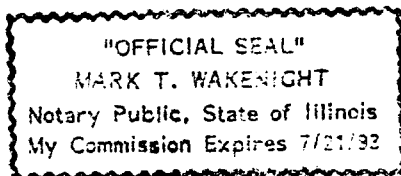
William V. Ozolin

William V. Ozolin

Signed and sealed before me this 19th
day of December, 1990.

Mark T. Wakenight

Notary Public



FILED

JAN 30 1991

**CIRCUIT COURT FOR
BALTIMORE CITY**

WILLIAM V. OZOLIN,
Appellant

v.

AUTOMATED INFORMATION
MANAGEMENT, INC.

and

BOARD OF APPEALS,
DEPARTMENT OF ECONOMIC
AND EMPLOYMENT DEVELOPMENT

Appellees

* * * * *

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY
* #90243035/CL118862

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REPLY TO MEMORANDUM IN SUPPORT OF THE BOARD OF APPEALS.

I. Introduction

The scope of the Memorandum of the Board of Appeals is broader than the issue before the Court, namely, whether I showed good cause to reopen my case.

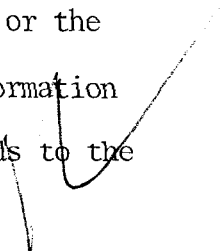
The arguments that exceed the scope of the issue before the Court are irrelevant and an attempt to prejudice the Court, and as a result such excess should be stricken.

II. Statement of Facts

The reference to my case as a "voluntary dismissal" case is irrelevant to my appeal and should be stricken since it is particularly prejudicial.

The Attorney General's Office has failed to rebut the argument that the Hearing Officer never called for the first scheduled hearing as is evidenced in the record by the absence of a transcript from the alleged first hearing.

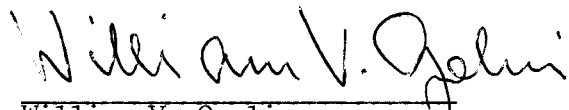
The Attorney General's Office merely repeats on page four (4) of the Memorandum that the "Hearing Officer attempted to contact Ozolin" without advising the Court of the time of the call, the identity of the Hearing Officer, or the number that was dialed, etc., and by inference they admit that this information is important because they supply such information to the Court in regards to the second scheduled hearing.



III. Conclusion

Wherefore I, William V. Ozolin, Pray that this Honorable Court strike those irrelevant and prejudicial portions of the Memorandum in support of the Board of Appeals that exceed the scope of the issue before the Court and that my appeal be sustained.

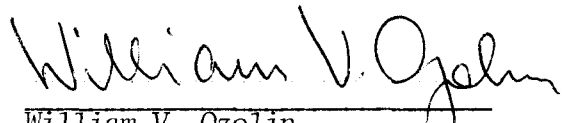
Respectfully submitted,



William V. Ozolin
Appellant in Proper Person
3930 N. Pine Grove Ave., Suite #2201
Chicago, Illinois 60613-3362
(312) 404-6989

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON THIS 25TH DAY OF JANUARY, 1991 a copy of the foregoing Reply To Memorandum In Support Of The Board of Appeals, was mailed, postage prepaid to the Offices of the Attorney General, State of Maryland, Department of Economic and Employment Development, 217 East Redwood Street - Room 1101, Baltimore, Maryland 21202, and the Circuit Court for Baltimore City, Civil Division, Room 462, Court House East, 111 North Calvert Street, Baltimore, MD 21202



William V. Ozolin
Appellant in Proper Person
3930 N. Pine Grove Ave., Suite #2201
Chicago, Illinois 60613-3362
(312) 404-6989

10 B.

FILED

JAN 18 1991

CIRCUIT COURT FOR BALTIMORE CITY

WILLIAM V. OZOLIN,
Appellant

v.

AUTOMATED INFORMATION
MANAGEMENT, INC.

and

BOARD OF APPEALS,
DEPARTMENT OF ECONOMIC
AND EMPLOYMENT DEVELOPMENT,

Appellees

* * * * *

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY
* #90243035/CL118862

MEMORANDUM IN SUPPORT OF THE BOARD OF APPEALS

I. Introduction

The Board of Appeals of the Department of Economic and Employment Development (the "Board"), an Appellee herein, found that William V. Ozolin ("Ozolin"), Appellant, did not show good cause to reopen his dismissed appeal within the meaning of the Code of Maryland Regulations (COMAR), 24.02.06.02N(5)(c). The decision, in effect, affirmed the agency's original decision of March 26, 1990 denying Ozolin unemployment insurance benefits since he had voluntarily left his employment with Automated information Management, Inc. ("Automated") without good cause within the meaning of Maryland Annotated Code, Article 95A, §6(a).¹

Ozolin timely appealed the Board's decision to this Court. This Memorandum demonstrates that the dismissal made

¹Unless otherwise indicated, all statutory references are to Article 95A of the Maryland Annotated Code.

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by the Hearing Examiner and upheld by the Board was procedurally correct and supported by competent, material and substantial evidence in the administrative record; that the Board made no errors of law and that, therefore, the Board's decision should be affirmed.

II. Scope of Review

Judicial review of the administrative adjudication of unemployment insurance appeals is governed by Maryland Annotated Code, Article 95A, §7(h). Findings of fact made by the Board are binding upon this court if there is substantial evidence in the record to support them. Section 7(h); Board of Education of Montgomery County v. Paynter, 303 Md. 22, 491 A.2d 1186 (1985); Allen v. Core Target City Youth Program, 275 Md. 68, 338 A.2d 237 (1975). This court may only determine if reasoning minds could reach the same conclusion from the facts and permissible inferences in the record before the Board. Baltimore Lutheran High School Association, Inc. v. Employment Security Administration, 302 Md. 649, 490 A.2d 701 (1985). If the Board's conclusions could be reached by reasoning minds, the decision is based upon substantial evidence and this court has no power to reject that conclusion. Paynter, 303 Md. at 35, 491 A.2d at 1193; Baltimore Lutheran High School, 302 Md. at 662, 490 A.2d at 707-708.

This Court must decide if there is substantial evidence to support the Board's findings. The determination of the credibility of witnesses' testimony is properly left to the

agency. Board of Appeals, Department of Employment and Training v. Mayor and City Council of Baltimore, 72 Md. App. 427, 530 A.2d 763 (1987); Jacocks v. Montgomery County, 58 Md. App. 95, 472 A.2d 485 (1984).

When faced with conflicting inferences, ". . .it is for the referee to draw the inference, not the reviewing court." Paynter, 303 Md. at 36, 491 A.2d at 1195. "Furthermore, not only is it the province of the agency to resolve conflicting evidence, but where inconsistent inferences from the same evidence can be drawn, it is for the agency to draw the inference." Baltimore Lutheran High School, 302 Md. at 663, 490 A.2d at 708.

The administrative findings in this case are supported by competent, material and substantial evidence contained in the record submitted by the Board. Because no fraud has been alleged, the findings of fact are conclusive, and this court's jurisdiction is confined to questions of law. Section 7(h); Paynter, 303 Md. at 35, 491 A.2d at 1192.

III. The Board's decision of Ozolin's appeal was properly dismissed is correct as a matter of law.

A. Statement of Facts

Ozolin was employed by Automated from August 1, 1988 to September 15, 1989 (R. 1, 2).² On August 28, 1989, Ozolin terminated his employment, and obtained subsequent

²The letter "R" refers to the handwritten, numbered pages of the administrative record submitted to this Court by the Board of Appeals.

employment with International Airports Projects. His employment there was terminated there due to lack of cash flow (R. 4, 8).

Ozolin then filed for unemployment insurance benefits on or about February 2, 1990 and Automated, as a liable employer, notified the agency of the reason for separation, that Ozolin quit. Thereafter, a Claims Examiner of the Department of Economic and Employment Development ("DEED") found that Ozolin voluntarily left his employment with Automated and denied unemployment insurance benefits for the weeks beginning September 10, 1989 until Ozolin becomes reemployed and earns 10 times his weekly benefit amount (R. 12).

Ozolin filed a timely appeal from that determination from his new residence in Park Ridge, Illinois. Because of the distance involved, a notice of telephone hearing was issued on April 2, 1990 scheduling a telephone hearing before a DEED Hearing Examiner on April 18, 1990 at 9:15 a.m. (R. 18, 19). Notice of that hearing was sent to Ozolin (R. 18). On receipt of the notice, Ozolin wrote Ms. Patricia Hackett, a Hearing Examiner notifying her that the scheduled hearing was merely a verbal contest, but indicated that he wished to participate in any case (R. 20).

When the Hearing Examiner attempted to contact Ozolin, no one answered the telephone, so a notice of dismissal was sent to Ozolin. The notice states "that the Appeals Division may reopen this case for good cause shown upon

written application of the Appellant. This application must be made within seven (7) days from the date this dismissal was mailed" (R. 22). The notice was dated April 18, 1990 (Id.).

On April 30, 1990, Ozolin again contacted DEED, writing to Marvin Pazornick, a Hearing Examiner, requesting that his telephone conference hearing be rescheduled. He further stated that there had been a change in his area code from 312 to 708 and that mail service was poor in his area (R. 24). Thereafter, a second notice of telephone conference hearing dated May 8, 1990 was issued to Ozolin and Automated, noting Ozolin's proper telephone number and scheduling a hearing for May 21, 1990 at 10:30 a.m. (R. 26-27).

At the scheduled hearing time, John F. Kennedy, Jr., a Hearing Examiner, contacted the number on the hearing notice and heard a recorded message. Mr. Kennedy left a message on the machine that the hearing was scheduled at 10:33 and gave Ozolin 10 minutes to contact him and begin the hearing (R.29). Ozolin never contacted Kennedy and the hearing was dismissed by a decision of June 1, 1990 (R. 32). On June 8, 1990, Ozolin wrote to the Chief Hearing Examiner stating that he contacted the Hearing Examiner at 10:45 and his case should have been reopened (R. 33-35).

On June 27, 1990, the Board of Appeals registered a timely appeal on behalf of Ozolin and notified him that he would be making his decision in the near future (R. 51-52). Thereafter, on July 26, 1990 the Board affirmed the decision

of the Hearing Examiner holding that Ozolin did not show good cause to reopen his dismissed case within the meaning of COMAR 24.02.06.02N(5)(c).

It is from that decision that Ozolin has appealed to this Court. In his Memorandum to this Court, Ozolin attributes his absence for the telephone hearing to his "confusion with this time due to the recent change to daylight savings time."

IV. Ozolin's appeal was properly dismissed.

Section 7 provides that the Hearing Examiner and Board are not bound by common law or statutory rules of evidence or technical rules of procedure, but may proceed according to Board regulations regarding the conduct of hearings and appeals. COMAR 24.02.06.02 sets forth the procedure for hearings before the Hearing Examiner and Board. Section N sets forth an explicit list of reasons for granting the reopening of a dismissed case.

In this case, Ozolin's only reason for missing the scheduled hearing was that he became confused as to the time zones. However, the list limits the reasons for which a reopening may be granted to:

- (a) the party received a notice on or after the date of hearing as result of:
 - (i) an untimely or incorrect mailing of the hearing notice by the Appeals Division or
 - (ii) a delay in delivery of the hearing notice by the United States Postal Service;
- (b) a emergency or other unforeseen and unavoidable circumstance preventing a party from both attending the hearing and requesting a postponement of the Hearing
- (c) a party requested a postponement for the reasons listed in Section N(2)(a) and (b) but it was improperly denied; (iii) misreading of a properly prepared hearing

notice as the date, time and place of the hearing is not good cause for reopening a dismissed case. (emphasis added).


In this case, because it was Ozolin's own error in determining the time of day he had to be available for a telephone hearing. This was the second such hearing he had missed, and the Board's determination that the appeal be dismissed was entirely proper in view of all of the circumstances in this case.

V. Conclusion

Based upon the foregoing and the record as a whole, the Board's decision is correct as a matter of law and should be affirmed.

Respectfully submitted,

J. JOSEPH CURRAN. JR.
Attorney General of Maryland



AMY S. SCHERR
Assistant Attorney General
217 E. Redwood Street
Room 1101
Baltimore, Maryland 21202
(301) 333-6943

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of January, 1991
a copy of the foregoing Memorandum in Support of the Board
of Appeals was mailed, postage prepaid, to William V.
Ozolin, 3930 N. Pine Grove, #2201, Chicago, Illinois 60613.

Amy S. Scherr (smg)
AMY S. SCHERR

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FILED

DEC 21 1990

CIRCUIT COURT FOR BALTIMORE CITY

WILLIAM V. OZOLIN

VS.

BOARD OF APPEALS
DEPARTMENT OF ECONOMIC AND
EMPLOYMENT DEVELOPMENT

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY
* #90243035/CL118862
*
*
*

WAIVER OF RIGHT TO HEARING

I, William V. Ozolin, hereby waive my right to a Hearing in this matter, and request that the presiding Judge who is responsible for my case issue a ruling based upon the memorandum presented.

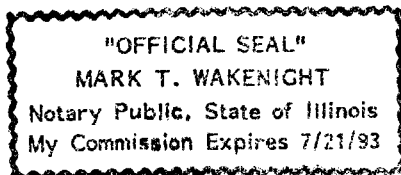
William V. Ozolin

William V. Ozolin

Signed and sealed before me this 19th
day of December, 1990.

Mark T. Wakenight

Notary Public



Q

CERTIFICATE OF SERVICE/MAILING

I HEREBY CERTIFY that on the 19th day of December, 1990, a copy of the WAIVER OF RIGHT TO HEARING was mailed, postage prepaid to the Offices of the Attorney General, State of Maryland, Department of Economic and Employment Development, 217 East Redwood Street - Room 1101, Baltimore, Maryland 21202, and the Circuit Court for Baltimore City, Civil Division, Room 462, Court House East, 111 North Calvert Street, Baltimore, MD 21202.

William V. Ozolin

William V. Ozolin
Appellant in Proper Person
3930 N. Pine Grove, #2201
Chicago, IL 60613

P

FILED

DEC 21 1990

CIRCUIT COURT FOR BALTIMORE CITY

WILLIAM V. OZOLIN

VS.

BOARD OF APPEALS
DEPARTMENT OF ECONOMIC AND
EMPLOYMENT DEVELOPMENT

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY
* #90243035/CL118862
*
*
*

MEMORANDUM

In compliance with Rule B12 this memorandum sets forth a concise statement of the issue raised on appeal and an agreement on the issue.

ISSUE: WHETHER THE BOARD OF APPEALS ERRED IN RULING THAT I, WILLIAM V. OZOLIN, FAILED TO SHOW GOOD CAUSE TO REOPEN A DISMISSED CASE.

Statement of Facts

I am a resident of the State of Illinois and have been during the pendency of this case. As an out of state claimant, a telephone conference hearing was scheduled for April 18, 1990 at 11:15 a.m. EDT to determine my eligibility for benefits (p. 18, RECORD BEFORE THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT BOARD OF APPEALS). Although I was present at the telephone number indicated on the Notice of Hearing at the designated time, the phone call never came and yet my case was dismissed (Id at p. 24). My request for rehearing was granted and a new hearing was scheduled for May 21, 1990 at 10:30 a.m. EDT (Id at p. 26). My

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confusion with this time due to the recent change to daylight savings time resulted in my missing the hearing by 15 minutes and my case was again dismissed (Id at p. 33). My request to reschedule the hearing was denied and I appealed that decision (Id at p. 51). The Board of Appeals denied my appeal and affirmed the decision to deny me a hearing (Id at p. 53 and 54).

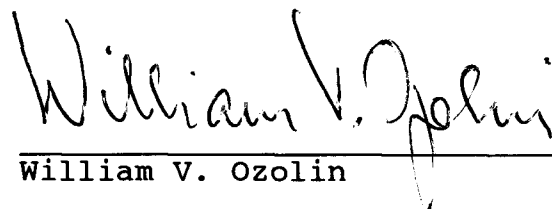
ARGUMENT: I, WILLIAM V. OZOLIN, SHOWED GOOD CAUSE TO REOPEN MY CASE AFTER IT WAS DISMISSED AND THE BOARD OF APPEAL ERRED IN DENYING ME A HEARING.

The record shows that certain procedures are followed by the Hearing Examiner when a telephone hearing takes place (Id at p. 28-30). What the record does not show is any evidence that a hearing took place on April 18, 1990. There is no transcript. There is no evidence as to what telephone number was dialed or whether a telephone number was dialed. There is no evidence that I did not answer the telephone. As I have indicated before, there is good reason why there is no record of that hearing, and that is because while I waited at the designated time and phone number the Hearing Examiner never called (Id at p. 24).

The second hearing I missed due to my confusion about the time of the hearing. The phone number in Park Ridge, Illinois, which is listed on the Notice of Hearing (708-698-2439), is the phone number of my sister and her husband. This explains my brother-in-law's presence at the attempted First Hearing (Id at p. 24). I designated this number early on in my case because I

was uncertain where I would be living. On the date of the second hearing, May 21, 1990, I was living 45 minutes from my sister's home. Daylight savings time had recently taken effect and I became confused as to when I should be at my sister's home for the hearing. I arrived within minutes after my case had been dismissed and immediately called to advise the Hearing Examiner but to no avail (Id at p. 33).

Although the Attorney General presented this as a situation where I have twice failed to be present for a telephone hearing, it is my contention that this is an inaccurate and misleading characterization. All I want is a chance to present my case. Just as it would be unfair to award me benefits because the Hearing Examiner failed to call on April 18, 1990, so too is it unfair to deny my benefits because of my mix up on May 21, 1990. All I am asking for is a hearing, and the Board of Appeals was wrong when it denied my petition to reopen my case because the record shows good cause to do so.



William V. Ozolin

CERTIFICATE OF SERVICE/MAILING

I HEREBY CERTIFY that on the 19th day of December, 1990, a copy of the foregoing MEMORANDUM was mailed, postage prepaid to the Offices of the Attorney General, State of Maryland, Department of Economic and Employment Development, 217 East Redwood Street- Room 1101, Baltimore, Maryland 21202, and the Circuit Court for Baltimore City, Civil Division, Room 462 Court House East, 111 North Calvert Street, Baltimore, MD 21202.

William V. Ozolin

William V. Ozolin
Appellant in Proper Person
3930 N. Pine Grove, #2201
Chicago, IL 60613

WILLIAM V. OZOLIN
3930 N. PINE GROVE AVE, SUITE 2201
CHICAGO, ILLINOIS 60613-3362

AMY S. SCHERR
LYNN M. WEISKITTEL
217 E. REDWOOD ST. - ROOM 1101
BALTIMORE, MARYLAND 21202

1

NOTICE SENT IN ACCORDANCE WITH MARYLAND RULE B-12

WILLIAM V. OZOLIN

Docket:

vs.

BRD. OF APPEALS, DPT. OF ECONOMIC
& EMPLOYMENT DEVELOPMENT, ETAL

Folio:

File: 90243035/CL118862

Date of Notice: 11/23/90

STATE OF MARYLAND, ss:

I HEREBY CERTIFY, That on the 23RD day of NOVEMBER,
Nineteen Hundred and NINETY, I received from the Administrative
Agency, the record, in the above captioned case.

SAUNDRA E. BANKS, Clerk
Circuit Court for Baltimore City

CC-39

NOTICE SENT IN ACCORDANCE WITH MARYLAND RULE B-12

WILLIAM V. OZOLIN

Docket:

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CC-39

RB

J. JOSEPH CURRAN, JR.
Attorney General
JUDSON P. GARRETT, JR.
DENNIS M. SWEENEY
Deputy Attorneys General

NORMAN E. PARKER, JR.
Assistant Attorney General
Counsel to the Department

LAILA K. ATALLAH
Assistant Attorney General
Deputy Counsel to the Department

OFFICES OF
THE ATTORNEY GENERAL



FILED

NOV 23 1990

CIRCUIT COURT FOR
BALTIMORE CITY

AMY S. SCHERR
BARBARA G. SWAIN
BARBARA CURNIN KOUNTZ
ELIZABETH S. ROESE
LYNN M. WEISKITTEL
JAMES G. DAVIS
SHEILA McDONALD GILL
ILENE S. GARTEN
ANITA E. HILSON
Assistant Attorneys General

(301) 333-4813
Fax: (301) 333-8298

STATE OF MARYLAND
DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

217 EAST REDWOOD STREET - ROOM 1101
BALTIMORE, MARYLAND 21202

November 19, 1989

William V. Ozolin
3930 North Pine Grove Avenue
Suite 2201
Chicago, IL 60613-3362

Re: #90243035/CL118862

Dear Mr. Ozolin:

Enclosed is a copy of the administrative record before the Board of Appeals in the above-captioned appeal. This record has been filed with the Clerk of the Circuit Court for Baltimore City.

Maryland Rule B12 requires that you file with the Court a Memorandum setting forth a concise statement of the issues raised by your appeal and legal arguments in support of your position, referencing the enclosed record. The rule provides a thirty (30) day period for filing the Memorandum. The period begins when you receive notification from the Clerk of the Court that the record has been filed. A copy of the Memorandum you filed with the Clerk of the Court must be sent to this office.

Please be further advised that unless a memorandum is filed with the Court in accordance with Rule B12, the Board of Appeals will file a Motion to Dismiss your appeal.

Sincerely,

Amy S. Scherr

Assistant Attorney General

AS:dw
Enclosures

cc: Saudra E. Banks, Clerk
Automated Information Management, Inc.
P.S. - Clerk: Please file the original Administrative
Record attached hereto.

Rule B12. Memoranda.

Within 30 days after being notified by the clerk of the filing of the record, the appellant shall file a memorandum setting forth a concise statement of all issues raised on appeal and argument on each issue, including citations of legal authorities and references to pages of the transcript and exhibits relied on. Within 30 days thereafter any other party desiring to be heard, including the appropriate agency when entitled by law to be a party to the appeal, shall file an answering memorandum in the same form. The appellant may file a reply memorandum within 15 days after the filing of any answering memorandum. This Rule shall not apply to appeals from the Workmen's Compensation Commission.

(Added Oct. 1, 1980, effective Jan. 1, 1981.)

FILED
NOV 23 1990
CIRCUIT COURT FOR
BALTIMORE CITY

WILLIAM V. OZOLIN

vs.

AUTOMATED INFORMATION MANAGEMENT, INC.

and

BOARD OF APPEALS
Department of Economic and
Employment Development

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY
* #90243035/CL118862
*
*

RECORD BEFORE THE
DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT
BOARD OF APPEALS



Maryland

Department of Economic & Employment Development

William Donald Schaefer
Governor
J. Randall Evans
Secretary

Board of Appeals
1100 North Eutaw Street
Baltimore, Maryland 21201

Telephone: (301) 333-5033

WILLIAM V. OZOLIN

vs.

AUTOMATED INFORMATION
MANAGEMENT, INC.

and


BOARD OF APPEALS
Department of Economic and
Employment Development

: RECORD BEFORE THE
:
: DEPARTMENT OF
:
: ECONOMIC AND EMPLOYMENT
:
: DEVELOPMENT
:
: APPEAL NO. 9001423

THIS IS TO CERTIFY that the following is a true copy, to the best of our knowledge, of all documents and papers, and transcript of all testimony taken in the matter, together with findings of fact and decision therein, this 15th day November, 1990.

STATE OF MARYLAND
DEPARTMENT OF ECONOMIC & EMPLOYMENT DEVELOPMENT

BY:



Paul G. Zimmermann, Appeals Counsel
BOARD OF APPEALS

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STATE OF MARYLAND
DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT
OFFICE OF UNEMPLOYMENT INSURANCE

Local Office: 050
Date Completed: 3/9/90

FACT FINDING REPORT

Date Contacted: _____
Claimant's Name: William V. Ozolin
Social Security Number: 485-32-9580
Issue: Voluntarily Leaving Work

- Unresolved Issue (H02)
- Create and Resolve Issue (H03)
- Redetermination/Corrected Determination (H05)

CLAIMANT'S STATEMENT

Claimant present: Yes No if no, how contacted? IB-1
Name of employer: Automated Information Maint Inc
FDW: 8/1/88 LDW: 9/15/89 Rate of Pay: _____
Did you quit to become self employed? Yes No To join a spouse? Yes No To attend school? Yes No
Why did you quit your job? I am separated due to lack of work.

What reason did you give your employer for quitting? n/a

Did you give your employer notice of your intention to quit? Yes No
Name and title of person you notified: _____
Did you have definite prospects for future employment? Yes No n/a
Name and address of this employer: _____
Phone: _____ Starting Date: _____
Advantages of new position: _____
Did you attempt to solve the problem before quitting? Yes No n/a
Who did you talk to? _____ When did you talk to that person?: _____
What was the result of this discussion? _____

Additional information: Called claimant (708) 698-2439 - could not be reached.

Are you able, available and actively seeking full-time work? Yes No If no, explain: _____

CLAIMANT'S REBUTTAL: _____

I have read and hereby affirm under penalties of perjury that the foregoing information is true and correct to the best of my knowledge, information and belief.

Claimant's Signature: _____ 01

FACT FINDING REPORT

EMPLOYER'S STATEMENT

Name of employer/company: Automated Information Mgmt Inc
Separation notice received: 2/26/90
LDW: 9/15/89
Reason for separation from above: Quit - assigned to take employment with another company.
Employer present? Yes No
207 Employer Letter Other
Employer contacted by phone? Yes No Telephone Number:
Name of company officer: Position/title:
Claimant present when telephone information was received? Yes No

ADDITIONAL INFORMATION

IB-BA & IB-11 sent to claimant 3/7/90 - in regards to conflicting statement given by the employee. Possible redetermination upon receipt

BENEFIT DETERMINATION

SSN 485329580 0 NAME CHECK W 020 H02
SEQUENCE NUMBER 01 ISSUE CODE 30 PROGRAM 00 JAVA -
RESOLUTION CODE 30 PENALTY? Y COUNT? Y TIME LAPSE -
STATEMENT NUMBER 0302 TEXT DATE EXAMINER ID 50520
EMPLOYER NUMBER 28708971 NON-CHARGE? Y NON-CHARGE START DATE 02/1/90
START DATE 09/10/89 DISQ. WEEKS 88 OP SOURCE OP FAULT

REDET/CORR. DET REASON
DATE COMPLETED: 3/7/90 CLAIMS EXAMINER: D. Johnson
DEED/OUI 221 (6a) (Revised 1-89) (MABS)

INITIAL INTERSTATE CLAIM

CLAIMANT: Please complete items numbered 1 through 17 ONLY (please print)

| | | | |
|--|--|---|--|
| 1. Name: (First, Middle Initial, Last) WILLIAM V. OZOLIN | | 2. Social Security Number 4 8 5 - 3 2 - 9 5 8 0 | |
| Name Worked Under (if different) SAME | | CLAIMANT: DO NOT WRITE IN THIS SECTION | |
| 3. Local Mailing Address: (No., Street, P.O. Box, RR No., Apt. No.) 853 EAST AVENUE | | A) Today's Date 02 15 90 | |
| City FAAR RIDGE, ILLINOIS State ILLINOIS Zip Code 60060 | | B) Effective Date 02 11 90 | |
| 4. Telephone No. (include area code) (708) 698-2439 | | C) Liabile State Data FIPS 24 Name (do not abbreviate) Maryland | |
| 5. Sex Male <input checked="" type="checkbox"/> Female <input type="checkbox"/> | | D) Backdate Code 0 | |
| 6. Date of Birth Mo. 12 Day 15 Yr. 23 | | E) Residence FIPS Code State 17 County 031 City | |
| 7. Occupation LOGISTICS/DISTRIBUTION MANAGER | | D) Ethnic Code 1 | |
| 8. Have you claimed, received, or applied for unemployment compensation in the past twelve months? If "Yes," enter date, city, and state of the claim in "Remarks" on reverse. Yes* <input type="checkbox"/> No <input checked="" type="checkbox"/> | | G) DOT 184 | |
| 9. I am a citizen or national of the U.S. <input checked="" type="checkbox"/> I am in a satisfactory immigration status <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Alien Registration Number | | H) Agent State Data FIPS 17 Local Office No. 0071 | |
| 10. Are you farming, attending school, self-employed, a corporate officer, related to anyone for whom you worked, or employed on a commission basis? Yes* <input type="checkbox"/> No <input checked="" type="checkbox"/> | | I) Issue Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| 11. Did you receive, will you receive, or are you receiving payment under any type of retirement plan, pension, social security, IRA, KEOGH, etc., based upon previous employment? Yes* <input type="checkbox"/> No <input checked="" type="checkbox"/> | | J) Claim Status New <input checked="" type="checkbox"/> Addl <input type="checkbox"/> Reopen <input type="checkbox"/> | |
| 13. Do you have dependents? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | K) Claim Type UI <input checked="" type="checkbox"/> UCFE <input type="checkbox"/> UCX <input type="checkbox"/> EB <input type="checkbox"/> CWC <input type="checkbox"/> Other* <input type="checkbox"/> | |
| 14. Do you make or owe child support payments? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | L) Last Employer Data Ownership Code 5 SIC 89 | |
| 15. WORK RECORD Complete all items below for each job you have had during the past 24 months. Include all self-employment, part-time work, military service, and employment with a governmental agency. Include all employers regardless of state, type of work performed, or length of job. Use back of form if necessary. | | M) SS# Verified Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | |
| MOST RECENT EMPLOYER Name MINISTRY OF DEFENCEY AVIATION INTERNATIONAL AIRPORTS GAZ | | Telephone No. (include area code) (62-) 685-5598 | |
| Address Where Work Performed P.O. BOX 6326 | | Dates Worked From 9 19 89 Through 16 90 | |
| City JEDDAH 21442 State SAUDI ARABIA Zip Code | | Type of Work Performed MANAGER LOGISTICS UNIT | |
| Payroll Address (if different) SAME | | Reason For Separation <input checked="" type="checkbox"/> Lack of Work <input checked="" type="checkbox"/> Discharged* <input type="checkbox"/> Quit* <input checked="" type="checkbox"/> Other* Logistics Mgrt. | |
| City JEDDAH State SAUDI ARABIA Zip Code | | NEXT EMPLOYER Name AUTOMATED INFORMATION MANAGEMENT, INC. | |
| If Maritime, Enter Name of Vessel | | Enter Country If Work Performed Outside U.S. | |
| Address Where Work Performed 4403 FORBES BOULEVARD | | Telephone No. (include area code) (301) 794-8200 | |
| City LINHAM State MARYLAND Zip Code 20706 | | Dates Worked From 8 1 88 Through 9 15 89 | |
| Payroll Address (if different) SAME | | Type of Work Performed LOGISTICS SPECIALIST | |
| City LINHAM State MARYLAND Zip Code | | Reason For Separation <input checked="" type="checkbox"/> Lack of Work <input type="checkbox"/> Discharged* <input type="checkbox"/> Quit* <input checked="" type="checkbox"/> Other* Logistics Mgrt. | |
| If Maritime, Enter Name of Vessel | | Enter Country If Work Performed Outside U.S. | |
| * Claimstaker: Explain on fact-finding form 1B-11, 1B-11S, or Remarks entry. | | Last Employer <input type="checkbox"/> 1B-3 sent <input type="checkbox"/> 1B-11S taken | |
| | | Telephone No. 2-15-90 | |
| | | Initials ew | |

| | | | | | | | | |
|-----------------------------------|--|--|--|---------|--------------------------------------|-----|-----|-----|
| NEXT EMPLOYER Name | Telephone No. (include area code) () | | Dates Worked | | | | | |
| | From | | | Through | | | | |
| Address Where Work Performed | | | Mo. | Day | Yr. | Mo. | Day | Yr. |
| City State Zip Code | | | Type of Work Performed | | | | | |
| Payroll Address (if different) | | | Reason For Separation | | | | | |
| City State Zip Code | | | <input type="checkbox"/> Lack of Work | | <input type="checkbox"/> Discharged* | | | |
| If Maritime, Enter Name of Vessel | | | <input type="checkbox"/> Quit* | | <input type="checkbox"/> Other* | | | |
| | | | Enter Country If Work Performed Outside U.S. | | | | | |

16. REMARKS

*Claimant worked in Saudi Arabia was paid out of Maryland
Left S.A. 1-15-90 arrived here same day
Family here*

17. CERTIFICATION/AUTHORIZATION

I hereby register for work and claim unemployment benefits. I know that the law prescribes penalties for false statements made in connection with this claim. I CERTIFY under penalty of perjury that the statements made in connection with this claim are true to the best of my knowledge and belief. In accordance with the applicable provisions of the Privacy Act of 1974 (P.L. 93-579), I AUTHORIZE my former employer(s) to release all information requested in connection with my claim for unemployment compensation. I am furnishing my Social Security number as required by the Deficit Reduction Act (DEFRA) (P.L. 98-369) as a condition of eligibility for benefits. I understand that information regarding my claim may be furnished to requesting agencies defined in DEFRA for purposes of income and eligibility verification.

Claimant Signature

Date

18. Claimant elects to file under wage combining arrangement and does not qualify for wage combining under this state's law Yes No

19. UCFE SERVICE DATA

A) Did the claimant have covered Agent State employment after Federal Civilian Service?

Yes No

B) Is the Federal Agency Payroll office and address based on SF-8?

Yes No

If "No," was SF-8 issued?

Yes No

C) UCFE Position Title

D) ES-935 Attached Will be forwarded when proof of earnings is available

E) Claimant's Status: A regular full-time employee An intermittent or part-time employee

20. I HEREBY witness the signature of this claimant and CERTIFY that the claimant has met the registration requirements of this state.

Claimstaker Signature

Date

J. J. [Signature]

2-15-90

Local Office: (No., Address, Telephone Number)

FOR OFFICIAL USE ONLY

ILL. DEPT. OF EMPLOYMENT SECURITY
709 WEST ALDRICH ROAD
ARLINGTON HEIGHTS, ILLINOIS 60004
(708) 931-7000

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 0 |
|---|---|---|---|---|---|---|---|---|---|

STATE OF MARYLAND
DEPARTMENT OF HUMAN RESOURCES
EMPLOYMENT SECURITY ADMINISTRATION

Liabile State Claim Unit
P.O. Box 17059
Baltimore, Maryland 21203

Rebuttal

REQUEST FOR INFORMATION OR CORRECTION

Agent William V. Ozolin Claimant _____
State 853 East Avenue Address _____
Local _____
Address Park Ridge, IL 60068 _____
and No. _____

Itinerant Point Location: _____

SOCIAL SECURITY NUMBER 485-32-9580
Document Attached YES () NO Title and Date of Document (IB-11) Fact Find Report
Is this information required by IB procedures or Handbook () YES () NO

PLEASE FURNISH THE INFORMATION REQUESTED BELOW:

1. Please complete () correct () clarify () verify () Item _____
2. You/The claimant last filed for week ending _____. Please report to the Local Office with this notice. IB-2's for the intervening weeks or an additional IB-1 will be necessary before the claim can be processed. Please submit the appropriate claim(s).
3. You/The claimant were/was determined ineligible on the claim effective _____. If appropriate a new claim should be filed after _____.
4. This office has no record of a claim filed under the Social Security number shown on the attached claim. If Maryland is the correct Liabile State, report to the Local Office and file an IB-1, Initial Interstate Claim.
5. Please submit the attached Physician's Statement.
6. The Claimant/Employer Separation Statement () Low Earnings Report () sent to _____ has been returned by the Post Office for a better address. Please submit the correct name and address of the employer.
7. Please provide the correct address of _____ or submit a Low Earnings Report for the week(s) ending _____.
8. Information given on your recent IB-2/DHR/ESA SR3-219 does not demonstrate an active search for work. You must actively seek work each week that you wish to claim benefits.
() In addition to contacting your union, you must make personal contacts for other suitable work.
() Newspaper ads, telephone calls and letter writing are not considered an adequate search for work. You must make personal contacts.
9. Please complete the attached Fact Finding Report stating the reason for late reporting () early reporting () school attendance () failure to actively seek work () for week ending _____.
10. The Claimant/Employer Separation Statement has been returned by Automated Information Report - Inc stating that you/the claimant Quit employment to take a position with another company.
Please complete the attached Fact Finding Report in detail/Please report to your Local Office to complete a Separation - Fact Finding Report, IB-11S. 03
11. Please complete the attached Fact Finding Report/Please report to your Local Office to complete a Fact Finding Report, IB-11, stating the reason for your failure to accept a referral for employment () for your failure to accept employment () on _____.
12. _____

REPLY IS REQUESTED WITHIN TEN DAYS FROM THE MAILING DATE OF THIS FORM. FAILURE TO SUBMIT THE REQUESTED INFORMATION MAY CAUSE A DELAY OR DENIAL OF BENEFITS. RETURN THE REQUESTED INFORMATION AND THIS NOTICE TO THE ADDRESS ABOVE.

REMARKS: return no later than 3/17/90

Date 3/17/90 By D. Johnson

FACT FINDING REPORT

Rebuttal

Claimant's Name William Ozolin Social Security Number 485 32 9580
 Issue Sep - Automated Information Mgmt Liable State Md.

CLAIMANT'S STATEMENT: Please see attached "Memo to File" which I had written already on 9/11/89 knowing that some day the issue might emerge as to my real reasons for leaving AIM, INC. When I wrote my "letter of resignation" to Mr. Warren Steen, I did not want to go into all the ugly details concerning the cause for the termination of my employment but the management in Lanham, I am certain, and definitely Mr. Steen and Mr. Mitchell were completely aware of the situation surrounding my separation from the AIM, INC., as were all my fellow employees at the Great Lakes Office in Des Plaines, Illinois. I will be happy to provide you with all the necessary names and any other information that you might require regarding this termination. The most unfortunate aspect of this matter is that the employer in Saudi Arabia also terminated my Contract only four months after I had accepted it at their convenience, i.e. lack of money. I find myself now in very serious circumstances, because my wife is terminally ill with cancer in a convalescent home in Iowa and I am having constant setbacks in obtaining a new job because of my age. I am healthy and very eager to work, but Companies just do not hire people my age. Please reconsider your decision; I am enclosing all the relevant data for your review.

The above information is true to the best of my knowledge and belief.

| | | |
|---|--|---|
| CLAIMANT'S SIGNATURE <i>William Ozolin</i> | DATE SIGNED (Month, Day, Year) <i>3-17-90</i> | TELEPHONE NUMBER <i>(312)-880-7310</i> |
|---|--|---|

INTERVIEWER'S STATEMENT: *(Include any properly identified information by persons other than the claimant. If additional space is needed, use and sign reverse side.)*

Use L.O. stamp or enter L.O. address, phone number, and I.D. number.

Maryland State Claims
 Office #40
 7100 Inverness St.
 Baltimore, Md. 21201

Itinerant Point Location _____

| | |
|-------------------------|--------------------------------|
| INTERVIEWER'S SIGNATURE | DATE OF INTERVIEW <i>04</i> |
|-------------------------|--------------------------------|

From the desk of... **W.V. OZOLIN**

DATE 9/1/89

to: Memo to File

Personal Log to verify specific cases where the Project Manager of LSSC AIM, INC., Ms. Rita Slavetskaskas tried to intimidate me into quitting my job because of a "personality clash" using my age as a factor to show that I was not able to perform my job satisfactorily.

8/30/89

Rita called me from Lanham, MA and asked me how my blood pressure and cholesterol count were. I told her that both were just fine and that I was in an excellent condition. It was obviously one of her ways to put fear in me about old age retirement/firing possibilities if I did not quit on my own. It was 2:30 PM.

9/6/89

Rita called me at 7:30 PM from Los Angeles, CA to give me instructions on handling the Darnell Withers case and inform me about the possibility of replacing Dave Kator with Walter Leigh as site supervisor. During her conversation with me she observed that I sounded as if I had had a stroke. I told her that having been awake since 3:00AM I had decided to take a late nap before supper and since she had roused me from a rather deep sleep I was unable to "jump to full attention and give immediate attention to each and every matter she decided to call me day or night." She obviously was not satisfied with my response and asked me again if I have had a recent check-up for a possible arteriosclerosis condition.

9/10/89

Rita called me at 10:30 Chicago time telling me to arrange for her meetings with all the prospective entry level applicants. She was furious that I had not done so already and told me that I had been informed of her arrival times and dates before. This simply was not true as I later veri-

From the desk of... **W.V. OZOLIN**

to: Memo to File (contined)

DATE 9/11/89

fied with the Headquarters Office in Lanham. It then became obvious that Rita was indeed building a case against me as unsuitable for the position, i.e. too old to remember things.

Since I could not talk to her directly because she became abusive each time I had tried to set things straight between us, I told Rich Mitchell, Assistant Project Manager for the Great Lakes Region that I just could not take this abuse from her and that eventhough I had resigned my position with AIM, INC. effective September 15, 1989 (letter to Mr. Warren Steen Vice President), I would like to leave immediately. As of this writing, Rick completely agreed with me, but made the necessary arrangements for me to get paid through the 15th of Sept. Later I informed Mr. Steen as well that the reason for my leaving was that I could not take the abuse from Rita Slavetskias any-longer. He confirmed on the phone that he had been aware of the existng situation for some time but could not interfere since Rita was the Project Manager. I was fortunate that I had another job offer waiting and did indeed leave AIM, INC., voluntarily but only because I was forced out by my immediate superior - Rita Slavetskias Project Manger.

William V. Ozolin

William V. Ozolin

CONFIDENTIAL

28 August 1989

Mr. Warren Steen, Vice President
Automated Information Management, Inc.,
4403 Forbes Boulevard
Lanham, Maryland 20706

Subject: Employment Termination Notice.

Dear Mr. Steen:

This is to inform you that effective September 15, 1989 I am terminating my employment with Automated Information Management, Inc.

I wish to add at this point, Mr. Steen, that it has been a distinctive advantage to work with you personally on the LSSC Project contributing to the growth of the Company.

Doubtlessly AIM, Inc., will continue its progress pattern in the future.

Very sincerely yours,

William V. Ozolin

William V. Ozolin
c/o Kaija I. Kirsteins
853 East Avenue
Park Ridge, Il 60068



مشروع المطارات الدولية
INTERNATIONAL AIRPORTS PROJECTS

MEMORANDUM مذكرة

Ref : IAP-IADMA- 11568

: الرقم

Date : 18 J. Awal 1410
(16 Dec 1989)

: التاريخ

To : Mr. William V. Ozolin
(ILOG)

: اليه

Thru :

: عن طريق

from : Mr. Sameer AR. Hashem
(IADMA)

: من

Subject : Termination of Contract
(Topic 2.1.13)

: الموضوع

Ref.: IAP-ILOG-A09637/AHM dated 13 J. Awal 1410 (11 Dec 1989)

In accordance with the above referenced memo and as per Article 27(A) of your Subcontract for Services, please be advised that IAP has decided to terminate your employment contract effective 16 J.Thani 1410 (13 Jan 90), at IAP's convenience. Therefore, your last working day with IAP is Saturday, 16 J. Thani 1410 (13 Jan 90).

Accordingly, IAP Personnel will undertake the necessary arrangements to process your final entitlement according to your employment contract and to repatriate you to your point of origin in the United States. You are requested to contact the Personnel Division to facilitate the coordination of this process.

We wish you all the success in your future endeavors.

SAMEER AR. HASHEM
Assistant Deputy Director
For Administration

cc: A. A. Saleh (IFIN)
A. H. Al-Madani (ILOG)

08

SEPARATION -- FACT FINDING REPORT

| |
|---------------------------------------|
| LIABLE STATE |
| SOCIAL SECURITY NUMBER 485-32-9580 |

NAME OF CLAIMANT (Last, First, Middle Initial)
OZOLIN, WILLIAM V.

The following information is needed in order that a correct decision can be made on your claim. Please answer all questions and give a complete detailed statement.

CLAIMANT'S STATEMENT:

- I worked for (Name of Company) MINISTRY OF DEFENCE & AVIATION (IAP)
Telephone number (Include Area Code) 2-685-1062, from (Beginning date) 9-19-89
to (Ending date) 1-15-90, as a (Occupation) MANAGER LOGISTICS GROUP
- I worked 9 hours per day, 6 days per week.
- My salary was \$ 45,000.00 per YEAR.
- I am am not the major support of my household.
- I am no longer working for this employer because I quit I was discharged.

IF you quit your job, complete Item 6. IF you were discharged, complete Item 7. IF additional space is needed, use Item 8.

6a. I quit my job because I DID NOT QUIT

b. If you left because of working conditions, describe the situation in detail. MY CONTRACT WAS TERMINATED AT INTERNATIONAL AIRPORTS PROJECTS CONVENIENCE.

c. What did you do before quitting to resolve the problem? (For example, did you ask for a transfer or leave of absence, file a grievance or talk to your supervisor?) I ASKED FOR A TRANSFER FROM JEDDAH TO DIAHRAH AND FILED A GRIEVANCE REPORT WITH MGMT.

7a. I was discharged by (Name of person) AHMED H. AL-MADANI / SAMEER AB. HASHEM
(Title) ASSISTANT DEPUTY DIRECTORS because AT IAP'S CONVENIENCE

b. If you were discharged for violation of a company or union rule, please explain. N/A

Local Office Address and Telephone Number (Use Stamp)

FOR LIABLE OFFICE USE ONLY

09

c. Had your employer ever warned you about the conditions causing your discharge? yes no

If yes, when were you warned and by whom? _____

8. Additional Claimant Statement: (Please add any additional information about your separation from work which you feel is important.)

I WAS DISCHARGED BECAUSE THIS PARTICULAR SAUDI GOVT. AGENCY HAD A SERIOUS CASH FLOW PROBLEM. THEY OFTEN COULD NOT MEET THEIR PAYROLLS FOR TWO TO THREE MONTHS. I WAS HIGHLY PAID (BY THEIR STANDARDS) EMPLOYEE AND HAD TO GO FIRST.

9. I have made this statement for the purpose of obtaining unemployment insurance benefits, knowing that the law provides penalties for false statements. The above facts are true to the best of my knowledge and belief.

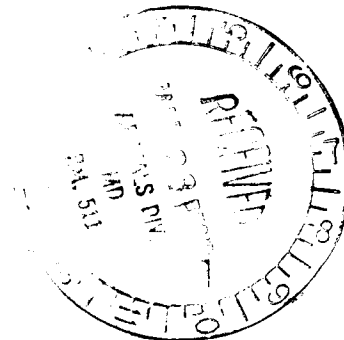
CLAIMANT'S SIGNATURE

William V. John

DATE SIGNED (Mo., Day, Year)

3-19-90

10. Interviewer's Statement: (Contact all local employers and document all information reported, with the source properly identified.)



INTERVIEWER'S SIGNATURE

DATE OF INTERVIEW

CLAIMANT / EMPLOYER SEPARATION STATEMENT

LIABLE STATE

Maryland

PART I. CLAIMANT'S STATEMENT

1. NAME WILLIAM V. OZOLIN

2. SOCIAL SECURITY NUMBER

422-32-7580

Names worked under
(If different)

Ministry of Defense + Aviation
State with Airport PROJ
P.O. Box 6326
Jeddah 21442 Saudi Arabia

3. ENTER NAME AND ADDRESS OF EMPLOYER (Include St. or Box No.), City, State, ZIP Code)

NOTICE TO CLAIMANT:

Your employer will receive a copy of this form.

Fold here

Fold here

| | |
|--|--|
| 4. My last period of work for this employer began on (date) <u>9-19-89</u> and ended on (date) <u>1-16-90</u> | 5. My final rate of pay was \$ <u>4,000</u> <input type="checkbox"/> week <input checked="" type="checkbox"/> month |
| 6. My total gross earnings for this period were at least \$ <u>16,000</u> | 7. The type of work I did was <u>MANAGER</u> <u>LOGISTICS DEPARTMENT</u> |
| 8. My immediate supervisor was (name) <u>GRAHAM SHUTT</u> (title) <u>ADMINISTRATOR</u> | from to |
| 10. I worked <u>5 1/2</u> days per week. | 9. My hours of work were <u>7:00</u> <input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m. <u>5:30</u> <input checked="" type="checkbox"/> p.m. |
| 12. I am no longer employed with this employer because: <input checked="" type="checkbox"/> Lack of work <input type="checkbox"/> quit <input type="checkbox"/> discharged by | 11. I <input checked="" type="checkbox"/> am <input type="checkbox"/> am not the major support of my household. |
| 13. I <input type="checkbox"/> quit <input checked="" type="checkbox"/> was discharged because: (give full details) <u>LACK OF WORK; SHORTNESS OF CASUALTY</u> | |
| 14. What did you do to resolve the problem? <u>CAME BACK TO UNITED STATES TO</u> <u>LOSS V. FDS ANOTHER JOB</u> | |
| 15. CERTIFICATION: I have made this statement for the purpose of obtaining unemployment insurance, knowing that the law provides penalties for false statements or withholding of facts. | SIGNATURE OF CLAIMANT <u>William V. Ozolin</u> DATE (Mo., Day, Yr.) <u>2-15-1990</u> |

CLAIMANT: DO NOT WRITE BELOW THIS LINE.

| | | | |
|---------------------------------|---------------------------------------|--------------------------------|--------------------------|
| 16. MAILING DATE <u>2-15-90</u> | 17. AGENT STATE REP. <u>J. H. ...</u> | 18. AGENT STATE FIPS <u>17</u> | 19. L.O. NO. <u>0007</u> |
|---------------------------------|---------------------------------------|--------------------------------|--------------------------|

NOTICE TO EMPLOYER

The individual named above has filed a claim for unemployment benefits against the State marked below. You, as an interested employer, are entitled to this notification of filing. If you desire an appointment to appear in person, contact your local employment office. Please complete the reverse side and include any facts known to you which may effect this claimant's eligibility for benefits. Your reply MUST BE received mailed postmarked within 4 calendar work days of the mailing date shown in item 16 above, to the address identified below.

MAIL REPLY TO: (check appropriate box)

Seaboard State Claims Unit
P.O. Box 17059
 State of Maryland, 710 ...

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DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

REQUEST FOR SEPARATION INFORMATION

OFFICE OF UNEMPLOYMENT INSURANCE
STATE OF MARYLAND P.O. BOX 17153 BALTIMORE, MARYLAND 21203

The claimant whose name is shown below has filed a claim for Unemployment Insurance Benefits. Our records indicate that the claimant worked for you. Please answer the questions below, sign and mail one copy of this form in the enclosed envelope by the due date. A penalty of \$15 will be assessed if this form is returned late. NOTE: The law provides penalties for false statements.

| | | | | | | |
|------------------------------------|---|-----------------|----------------------------------|-------------------------------------|----------------------|----------------------------|
| SOCIAL SECURITY NO. 485-32-9580 | EMPLOYEE'S INITIALS AND LAST NAME W V OZOLIN | OTHER LAST NAME | EMPLOYER ACCOUNT NO. 28708971 | EFFECTIVE DATE OF CLAIM 02/11/90 | RUN DATE 02/16/90 | DUPLICATE DATE 02/28/90 |
|------------------------------------|---|-----------------|----------------------------------|-------------------------------------|----------------------|----------------------------|

REASON FOR SEPARATION

1. PAYOFF (10 WEEKS OR LESS) (9/1) EXPECTED DATE OF RETURN _____

2. LACK OF WORK (96-)

3. QUIT (30)

4. DISCHARGED (50) 5. VACATION SHUT DOWN (28) START DATE _____ END DATE _____

6. SCHOOL VACATION (22) Does claimant have a written, verbal or implied understanding that he/she will be returning to substantially the same or a better position when school resumes? Yes ___ No ___

7. LABOR DISPUTE (29) 8. OTHER

APPLICABLE TO WAGE TRANSFER
YOUR FORMER EMPLOYER HAS FILED A CLAIM FOR UNEMPLOYMENT IN ANOTHER STATE - AS A RESULT WAGES ARE BEING TRANSFERRED OUT OF STATE. MD HAS NO JURISDICTION OVER THE CLAIM. YOUR ACCOUNT MAY BE CHARGED FOR BENEFITS PAID.

NOTE: If the separation information which you give on this notice differs substantially from that given by your former employer, you may be requested to attend a Pre-determination or Post-determination Hearing for the purpose of resolving this dispute. The determination rendered may result in charges to your account for benefits paid the claimant.

REASON IS resigned to take employment with another company

FOR ANY PERIOD SINCE THE LAST DAY WORKED, HAS THE CLAIMANT RECEIVED, OR WILL HE/SHE RECEIVE:

1. PENSION, OR ANY OTHER RETIREMENT PAYMENT? N/A

2. SEVERANCE PAY \$ _____ DATE PAID _____

3. VACATION PAY \$ 704.52 DATE PAID 9/30/89

4. HOLIDAY PAY \$ _____ DATE PAID _____

5. LUMP SUM \$ _____ DATE PAID _____

6. DID THE CLAIMANT CONTRIBUTE YES NO

7. PROFIT SHARING AMT. \$ _____ DATE PAID _____

8. BONUS OR SPECIAL PAYMENT \$ _____ DATE PAID _____

9. CLAIMANT'S WEEKLY WAGE \$ 847.92 CLAIMANT'S HOURLY RATE \$ 19.57

10. DID THE CLAIMANT WORK ALL AVAILABLE HOURS DURING THE CALENDAR WEEK WHICH INCLUDES THE LAST DAY OF WORK? YES NO IF NO, EXPLAIN _____

11. ENTER THE AMOUNT OF THE CLAIMANT'S EARNINGS FOR THE CALENDAR WEEK WHICH INCLUDES THE LAST DAY OF WORK \$ 1695.83

NOTE: CALENDAR WEEK BEGINS SUNDAY, ENDS SATURDAY

SIGNATURE OF OFFICIAL James George TITLE Director of Finance

DATE 2-23-90 TELEPHONE NO. 301-794-8300

EMPLOYER

AUTOMATED INFORMATION MGMT INC

4403 FORBES BLVD

LANHAM MD 20706-0000

RETURN TO LOCAL OFFICE # **50**

DEED/OFFICE OF UNEMPLOYMENT INS.

LIABLE STATE CLAIMS SECTION

P.O. BOX 17059

BALTIMORE, MD 21203

NOTICE TO APPEALS DIVISION OF LOWER PEAL

SSN: 485 02 9530 DATE RECEIVED/TAKEN BY LO: 03/25/90 ENTRY DATE: 03/26/90

LO: 50 PROGRAM TYPE: 00 BYB: 02/11/90 SPECIALIST ID: 50520

DATE OF APPEAL: 03/19/90 APPEAL DEADLINE: 03/22/90 TIMELY APPEAL? Y

LATE APPEAL REASON:

APPELLANT: CLAIMANT MULTIPLE APPEALS? N TYPE OF APPEAL: LIABLE STATE

ISSUE: VOLUNTARILY QUIT EMPLOYMENT WBA: \$205.00

COMMENTS: CLMT. 708-698-2439 EMPLOY. 794-8200

CLAIMANT: WILLIAM V OZOLIN TELEPHONE: 708 698 2439
ADDRESS: 353 EAST AVE.

PARK RIDGE IL 60066

EMPLOYER: AUTOMATED INFORMATION MGMT INC TELEPHONE: 301 794 8200
ADDRESS:

4403 FORBES BLVD
LANHAM MD 20786-0000

REPRESENTATIVE:

REPRESENTATIVE ADDRESS:

REPRESENTATIVE TELEPHONE:

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BENEFIT DETERMINATION

IT HAS BEEN DETERMINED THAT THE CLAIMANT VOLUNTARILY QUIT EMPLOYMENT WITH AUTOMATED INFORMATION MGMT. INC. ON 091589. AGENCY MADE ATTEMPTS TO OBTAIN SPECIFIC INFORMATION FROM THE CLAIMANT. HOWEVER NOT OBTAINED. INSUFFICIENT INFORMATION HAS BEEN PRESENTED TO PROVE THAT THE QUIT WAS EITHER WITH GOOD CAUSE OR DUE TO A VALID CIRCUMSTANCE. THEREFORE, IT IS DETERMINED THAT THE CLAIMANT VOLUNTARILY QUIT WITHOUT GOOD CAUSE WITHIN THE MEANING OF SECTION 5(A) OF THE MARYLAND UNEMPLOYMENT INSURANCE LAW.

- () BENEFITS ARE ALLOWED.
- () BENEFITS ARE DENIED WEEK BEGINNING AND FOR THE WEEKS ENDING
- (X) BENEFITS ARE DENIED WEEK BEGINNING 09/10/89 AND UNTIL THE CLAIMANT BECOMES REEMPLOYED AND EARNS AT LEAST TEN (10) TIMES HIS/HER WBA \$1050.00
- () BENEFITS ARE DENIED WEEK FROM TO
- () BENEFITS ARE DENIED WEEK BEGINNING UNTIL MEETING REQUIREMENTS OF THE LAW.
- () AS A RESULT OF THIS DETERMINATION, THE CLAIMANT IS FOUND TO HAVE RECEIVED BENEFITS FOR WHICH HE/SHE WAS INELIGIBLE. THIS CREATES AN OVERPAYMENT TOTALLING WHICH MUST BE REPAYED.

STATE OF MARYLAND
DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT
OFFICE OF UNEMPLOYMENT INSURANCE

REQUEST FOR APPEAL HEARING

I wish to appeal the determination dated 3-7-90 written under section 6a of the law because _____

Reason, if late appeal: _____

I understand that I must continue to file claims for each week that I am unemployed pending the outcome of my appeal.

Claimant's Signature Social Security Number

Witness 3/26/90
Date

REQUEST FOR LOWER APPEAL (I01)

SSN 485 32 9589 Name Check W 020

New Address _____

CITY STATE ZIP CODE

Date of Appeal 03/19/90 Late Appeal?

Late Appeal Reason _____

Type of Appeal 2 Appellant Code 1 Resolution Code 30

Sequence Number 01 Multiple Appeals? QC?

Comments cont. 708-698-2439 emply: A.F.M. 4403 Jackson Blvd
Tanham, Md. 794-8200

Date Appeal Received/Taken By Local Office 032390

Appellant Representative _____

Representative Address _____

CITY STATE ZIP CODE

Representative Phone _____

- | TYPE OF APPEAL CODES | |
|----------------------|-------------|
| 1 | Intrastate |
| 2 | Liabe State |
| 3 | Agent State |

ILLINOIS-17

NOTICE OF INTERSTATE APPEAL

1. NAME: William V. Ozolin
(First) (Middle) (Last)

2. MAILING ADDRESS: 853 East Avenue
(No.) (Street or Rural Route)
Park Ridge, IL. 60068
(City) (State) (Zip Code)

3. If you are planning to change your address:
Beginning _____ my new address
will be: _____

4. I appeal and request a hearing for the
following reasons:

(see attached)
Mr Warren Steen (V.P)
+ Rich Mitchell (asst. prof. mgr.)
can be reached at A.I.M
in Lanham, MD. 20706
I have worked 4 months
after AIM for Saudi Arabia
Ministry of Defense + Aviation
(see attached copy of termination)

5. You may attend a hearing in this State or
in the State against which you are appeal-
ing. In which State do you plan to attend
a hearing?

Illinois
(State)
X William V. Ozolin
(Claimant's signature)

Distribution:
Original - Liable-State Interstate Claims Unit
Duplicate - Illinois Appeals Section
(Attach Liable-State Determination)
Triplicate - Illinois Local Office
Quadruplicate - Claimant

Claimant: Do not write in this box

6. SSA No. 485 32 9580
 UI UCFE UCX Other

7. Liable State Maryland

8. (a) Appeal from:
 (1) Determination
 (2) Redetermination
 (3) Referee's Decision

(b) which was dated 3/7/90

(c) Handed to Claimant _____

(d) Mailed to Claimant
(Postmark Date) _____

9. Appeal filed:
(a) in person on 3/19/90
(Date)

(b) by mail:
(1) postmark date _____
(2) receipt date _____

10. Claims Adjudicator's signature
C. Parker

11. For use of liable State

12. Use of L.O. stamp or enter L.O.
address and No. _____

609 S. EPPING ROAD
ARLINGTON HEIGHTS, IL 60005

ILLINOIS DEPARTMENT OF LABOR - BUREAU OF EMPLOYMENT SECURITY
DIVISION OF UNEMPLOYMENT INSURANCE

Notice of Appeal - Interstate

INSTRUCTIONS TO CLAIMANT

1. Preparing this Notice of Appeal:

- A. Be sure your **correct** name and address are typewritten or printed in the spaces provided on the other side.
- B. If you need help in preparing this Notice of Appeal, ask the local office.

2. Why you are appealing:

Give the reasons why you should not be denied benefits and why you think the determination or decision is wrong. This will help the referee in hearing your case.

3. After you file this Notice of Appeal:

- A. Continue to report on your claim on your regular reporting day so long as you are out of work.
- B. If you change your address, notify the local office immediately.

4. The hearing:

A hearing on your appeal will be scheduled before a referee in the State you have indicated.

This will give you an opportunity to present your evidence and your side of the case. You will receive a notice telling you when and where the hearing is to be held.

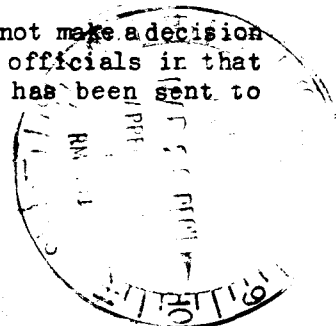
5. The decision:

A record will be made of the hearing on your appeal. It will be sent to the State against which you are appealing. That State will review the record, take any other evidence that may be necessary, and make the decision on your appeal. That State will send a copy of its decision to you.

6. When you will get a decision:

Because the State against which you are appealing cannot make a decision until after your hearing, you should not expect that officials in that State will be able, until after the hearing record has been sent to them, to tell you when you can expect your decision.

7. Keep this instruction sheet.



From the desk of... **W.V. OZOLIN**

to: Memo to File

DATE 9/1/89

Personal Log to verify specific cases where the Project Manager of LSSC AIM, INC., Ms. Rita Slavetskaskas tried to intimidate me into quitting my job because of a "personality clash" using my age as a factor to show that I was not able to perform my job satisfactorily.

8/30/89

Rita called me from Lanham, MA and asked me how my blood pressure and cholesterol count were. I told her that both were just fine and that I was in an excellent condition. It was obviously one of her ways to put fear in me about old age retirement/firing possibilities if I did not quit on my own. It was 2:30 PM.

9/6/89

Rita called me at 7:30 PM from Los Angeles, CA to give me instructions on handling the Darnell Withers case and inform me about the possibility of replacing Dave Kator with Walter Leigh as site supervisor. During her conversation with me she observed that I sounded as if I had had a stroke. I told her that having been awake since 3:00AM I had decided to take a late nap before supper and since she had roused me from a rather deep sleep I was unable to "jump to full attention and give immediate attention to each and every matter she decided to call me day or night." She obviously was not satisfied with my response and asked me again if I have had a recent check-up for a possible arteriosclerosis condition.

9/10/89

Rita called me at 10:30 Chicago time telling me to arrange for her meetings with all the prospective entry level applicants. She was furious that I had not done so already and told me that I had been informed of her arrival times and dates before. This simply was not true as I later veri-

From the desk of... **W.V. OZOLIN**

to: Memo to File (continued)

DATE 9/11/89

fied with the Headquarters Office in Lanham. It then became obvious that Rita was indeed building a case against me as unsuitable for the position, i.e. too old to remember things.

Since I could not talk to her directly because she became abusive each time I had tried to set things straight between us, I told Rich Mitchell, Assistant Project Manager for the Great Lakes Region that I just could not take this abuse from her and that even though I had resigned my position with AIM, INC. effective September 15, 1989 (letter to Mr. Warren Steen Vice President), I would like to leave immediately. As of this writing, Rick completely agreed with me, but made the necessary arrangements for me to get paid through the 15th of Sept. Later I informed Mr. Steen as well that the reason for my leaving was that I could not take the abuse from Rita Slavetskaskas any longer. He confirmed on the phone that he had been aware of the existing situation for some time but could not interfere since Rita was the Project Manager. I was fortunate that I had another job offer waiting and did indeed leave AIM, INC., voluntarily but only because I was forced out by my immediate superior - Rita Slavetskaskas Project Manager.

William V. Ozolin

CONFIDENTIAL

28 August 1989

Mr. Warren Steen, Vice President
Automated Information Management, Inc.,
4403 Forbes Boulevard
Lanham, Maryland 20706

Subject: Employment Termination Notice.

Dear Mr. Steen:

This is to inform you that effective September 15, 1989 I am terminating my employment with Automated Information Management, Inc.

I wish to add at this point, Mr. Steen, that it has been a distinctive advantage to work with you personally on the LSSC Project contributing to the growth of the Company.

Doubtlessly AIM, Inc., will continue its progress pattern in the future.

Very sincerely yours,

William V. Ozolin

William V. Ozolin
c/o Kaija I. Kirsteins
853 East Avenue
Park Ridge, Il 60068



مشروع المطارات الدولية
INTERNATIONAL AIRPORTS PROJECTS

مذكرة MEMORANDUM

رقم : IAP-IADMA- 11568

: الرقم

Date : 18 J. Awal 1410
(16 Dec 1989)

: التاريخ

To : Mr. William V. Ozolin
(ILOG)

: اليه

Thru :

: عن طريق

From : Mr. Sameer AR. Hashem
(IADMA)

: من

Subject : Termination of Contract
(Topic 2.1.13)

: الموضوع

Ref.: TAP-ILOG-A09637-PHM dated 13 J. Awal 1410 (11 Dec 1989)

In accordance with the above referenced memo and as per Article 27(A) of your Subcontract for Services, please be advised that IAP has decided to terminate your employment contract effective 16 J.Thani 1410 (13 Jan 90), at IAP's convenience. Therefore, your last working day with IAP is Saturday, 16 J. Thani 1410 (13 Jan 90).

Accordingly, IAP Personnel will undertake the necessary arrangements to process your final entitlement according to your employment contract and to repatriate you to your point of origin in the United States. You are requested to contact the Personnel Division to facilitate the coordination of this process.

We wish you all the success in your future endeavors.

SAMEER AR. HASHEM
Assistant Deputy Director
For Administration

cc: A. A. Saleh (IFIN)
A. H. Al-Madani (ILOG)

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

STATE OF MARYLAND
APPEALS DIVISION-ROOM 511
1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201

NOTICE OF TELEPHONE CONFERENCE HEARING

| Claimant's Name | Employer's Name | Date | Appeal No. | SS No. |
|-------------------------|--------------------------------------|-----------------|----------------|--------------------|
| WILLIAM V OZOLIN | AUTOMATED INFORMATION MGMT IN | 04/02/90 | 9004383 | 485-32-9580 |

Notice is hereby given that the Hearing Examiner will telephone the claimant at or near his/her home in PARK RIDGE IL Phone 708 698-2439
on 04/18/90 at 11:15 A.M. EDT. The Claimant is to insure that his/her telephone will be free fifteen (15) minutes prior to that time and until the hearing.

Notice is hereby given that the Hearing Examiner will telephone the employer at or near his/her Business Establishment in LANHAM MD Phone 301 794-8200
on 04/18/90 at 11:15 A.M. EDT. The Employer is to insure that his/her telephone will be free fifteen (15) minutes prior to that time and until the hearing.

NOTICE TO THE EMPLOYER AND CLAIMANT:

The Hearing Examiner will conduct the telephone hearing from the Department of Economic and Employment Development, Room 511, 1100 North Eutaw Street, Baltimore, Maryland 21201. Both sides will be given an opportunity to testify and to hear the testimony of the other side. The employer and the claimant will be given an opportunity to ask each other questions and to rebut each other's testimony. Time variances, if any, have been considered in setting the time for the hearing.

The Notice of Telephone Hearing informs all interested parties as to the place, date and time when the Hearing Examiner will call you in order to obtain your testimony via telephone. A recording will be made and the decision will be based on the information received. Please be punctual in answering the phone at the assigned time.

Please telephone the Hearing Examiner if your telephone number shown above is not correct or you wish to subpoena Maryland witnesses or documents, withdraw your appeal or postpone the hearing.

PATRICIA J. HACKETT Hearing Examiner

Mail To: **WILLIAM V OZOLIN**
853 EAST AVENUE
PARK RIDGE, IL 50068

NOTICE TO PARTIES: If you have already received benefits, a partial or total disqualification may be imposed by the Hearing Examiner. If this occurs, you may be required to pay back some or all of the benefits received.

THIS HEARING IS THE LAST STEP AT WHICH EITHER THE CLAIMANT OR THE EMPLOYER HAS THE ABSOLUTE RIGHT TO PRESENT EVIDENCE. THE DECISION WILL BE MADE ON THE EVIDENCE PRESENTED. THE DECISION WILL AFFECT THE CLAIMANT'S CLAIM FOR BENEFITS, AND IT MAY AFFECT THE EMPLOYER'S CONTRIBUTION TAX RATE OR REIMBURSEMENT ACCOUNT. WHETHER THE CLAIMANT IS ABLE, AVAILABLE AND ACTIVELY SEEKING WORK WITHIN THE MEANING OF SECTION 6(C) OF THE LAW IS ALWAYS AN ISSUE THAT MAY BE BUILT ON BY THE HEARING EXAMINER.

If the caller is located outside the state of Maryland use Telephone number 1-800-638-6010 for information calls only.

If the caller is located within the state of Maryland use Telephone number 1-800-492-2137 for information calls only.

Issue: **WHETHER THE CLAIMANT VOLUNTARILY QUIT HIS EMPLOYMENT, WITHOUT GOOD CAUSE, WITHIN THE MEANING OF SECTION 5(A) OF THE LAW. (SECTION 6(B) OR 6(C) MAY ALSO APPLY. SEE OTHER SIDE FOR SECTION 6 ISSUES.)**

DEED/OUI/AD 370C (REV. 12/89)

See the reverse side of this notice for important additional information regarding your rights. In addition, there is a section on instructions for telephone hearings.

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

STATE OF MARYLAND
APPEALS DIVISION-ROOM 511
1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201

NOTICE OF TELEPHONE CONFERENCE HEARING

| Claimant's Name | Employer's Name | Date | Appeal No. | SS No. |
|-------------------------|---------------------------------------|-----------------|----------------|--------------------|
| <u>WILLIAM V OZOLIN</u> | <u>AUTOMATED INFORMATION MGMT INC</u> | <u>04/02/90</u> | <u>9004383</u> | <u>485-32-9580</u> |

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on 04/18/90 at 11:15 A.M. EDT. The Employer is to insure that his/her telephone will be free fifteen (15) minutes prior to that time and until the hearing.

ON APRIL, (EIGHTEENTH) 1990

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Please telephone the Hearing Examiner if your telephone number shown above is not correct or you wish to subpoena Maryland witnesses or documents, withdraw your appeal or postpone the hearing.

PATRICIA J. HACKETT Hearing Examiner

Mail To:

**AUTOMATED INFORMATION MGMT INC
4403 FORBES BLVD
LANHAM, MD 20706**

NOTICE TO PARTIES:

If you have already received benefits, a partial or total disqualification may be imposed by the Hearing Examiner. If this occurs, you may be required to pay back some or all of the benefits received.

THIS HEARING IS THE LAST STEP AT WHICH EITHER THE CLAIMANT OR THE EMPLOYER HAS THE ABSOLUTE RIGHT TO PRESENT EVIDENCE. THE DECISION WILL BE MADE ON THE EVIDENCE PRESENTED. THE DECISION WILL AFFECT THE CLAIMANT'S CLAIM FOR BENEFITS, AND IT MAY AFFECT THE EMPLOYER'S CONTRIBUTION TAX RATE OR REIMBURSEMENT ACCOUNT. WHETHER THE CLAIMANT IS ABLE, AVAILABLE AND ACTIVELY SEEKING WORK WITHIN THE MEANING OF SECTION 6(A) OF THE LAW IS ALWAYS AN ISSUE THAT MAY BE RULED ON BY THE HEARING EXAMINER.

If the caller is located outside the state of Maryland use Telephone number 1-800-638-6010 for information calls only.

If the caller is located within the state of Maryland use Telephone number 1-800-492-2137 for information calls only.

Issue:

WHETHER THE CLAIMANT VOLUNTARILY QUIT HIS EMPLOYMENT, WITHOUT GOOD CAUSE, WITHIN THE MEANING OF SECTION 6(A) OF THE LAW. (SECTION 6(B) OR 6(C) MAY ALSO APPLY. SEE OTHER SIDE FOR SECTION 6 ISSUES.)

See the reverse side of this notice for important additional information regarding your rights. In addition, there is a section on instructions for telephone hearings.

4.18

14 April 1990

Ms. Patricia J. Hackett, Hearing Examiner
DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT
STATE OF MARYLAND
Appeals Division - Room 511
1100 North Eutaw Street
Baltimore, Maryland 21201

Dear Ms. Hackett:

RE: Notice of Telephone Conference Hearing, Appeal No. 9004383

This hearing is scheduled for 11:15 AM EDT on 04/18/90. I see no benefit that I could possibly derive from it. The matter will be simply a contest of who can convince the Hearing Examiner better - the Claimant (myself) or the Employer (AIM, Inc) - whether the claimant voluntarily quit his employment, without good cause, within the meaning of Section 6(a) of the Law.

The answer on my part (the claimant) is a resounding NO! The Employer will, of course, counter to the contrary. So it will, as stated above, a question whom the Hearing Examiner will believe. I can not parade a host of witnesses or any particular documentation before the Hearing Examiner, other than the facts stated in my rebuttal letter submitted through the local Arlington Heights office. I have no additional documentation to present and the witnesses are (except for two) all employees of AIM, Inc.; in no way will they compromise their positions for fear of losing their jobs. The other two witnesses are not able to attend the hearing due to their job restrictions.

Based on the above, the hearing would have little or no value at all, in fact it would only be a waste of time. I contend that I did not quit voluntarily but was forced out of my job by verbal abuse. Miss Rita Slavetskis who caused my involuntary ouster is no longer with AIM, Inc., but she was clever enough not to commit her verbal abuse in writing. My witnesses overheard some of these (mostly) telephonic harassments, but these were not recorded except in my log which I kept at the suggestion of my fellow employees (excerpts of which are already before the Hearing Examiner).

If this hearing is simply a formality required by the statutes of Maryland, then please let me know. I have no intention to withdraw my appeal or let it lapse due to a dismissal, but I would like to know what will be gained by this hearing that is not already in evidence. If you wish me to repeat my rebuttal so that 'everyone can hear it' then I shall, of course, cooperate in any way you deem necessary, but having intimate knowledge of the Employer's tactics, I know that it will be no more than a verbal contest which they hope to win having a corporate staff with legal counsel at their disposal. Consequently I can not comprehend how or in what manner such a hearing would benefit my appeal.

I would be most grateful if you would explain some of the 'mysteries' to me. I have no money to retain, i.e. be represented by a lawyer or ask my witnesses to jeopardize their jobs (livelihood) on my behalf.

rec. 4-18-90
just prior to 11:15 AM hearing
P/H.

Very sincerely yours,
William V. Ozolin
853 East Avenue
Park Ridge, IL 60068
20

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

STATE OF MARYLAND
 APPEALS DIVISION-ROOM 511
 1100 NORTH EUTAW STREET
 BALTIMORE, MARYLAND 21201

NOTICE OF TELEPHONE CONFERENCE HEARING

| Claimant's Name | Employer's Name | Date | Appeal No. | SS No. |
|------------------|--------------------------------|----------|------------|-------------|
| WILLIAM V OZOLIN | AUTOMATED INFORMATION MGMT INC | 04/02/90 | 9004383 | 485-32-9580 |

Notice is hereby given that the Hearing Examiner will telephone the claimant at or near his/her home in PARK RIDGE IL Phone 708 698-2430 on 04/18/90 at 11:15 A.M. EDT. The Claimant is to insure that his/her telephone will be free fifteen (15) minutes prior to that time and until the hearing.

Notice is hereby given that the Hearing Examiner will telephone the employer at or near his/her Business Establishment in LANHAM MD Phone 301 794-8200 on 04/18/90 at 11:15 A.M. EDT. The Employer is to insure that his/her telephone will be free fifteen (15) minutes prior to that time and until the hearing.

NOTICE TO THE EMPLOYER AND CLAIMANT:

The Hearing Examiner will conduct the telephone hearing from the Department of Economic and Employment Development, Room 511, 1100 North Eutaw Street, Baltimore, Maryland 21201. Both sides will be given an opportunity to testify and to hear the testimony of the other side. The employer and the claimant will be given an opportunity to ask each other questions and to rebut each other's testimony. Time variances, if any, have been considered in setting the time for the hearing. The Notice of Telephone Hearing informs all interested parties as to the place, date and time when the Hearing Examiner will call you in order to obtain your testimony via telephone. A recording will be made and the decision will be based on the information received. Please be punctual in answering the phone at the assigned time. Please telephone the Hearing Examiner if your telephone number shown above is not correct or you wish to subpoena Maryland witnesses or documents, withdraw your appeal or postpone the hearing.

PATRICIA J. HACKETT Hearing Examiner

Mail To: WILLIAM V OZOLIN
 853 EAST AVENUE
 PARK RIDGE, IL 60068

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 If the caller is located within the state of Maryland use Telephone number 1-800-492-2137 for information calls only.

Issue: **WHETHER THE CLAIMANT VOLUNTARILY QUIT HIS EMPLOYMENT, WITHOUT GOOD CAUSE, WITHIN THE MEANING OF SECTION 6(C) OF THE LAW. (SECTION 6(B) OR 6(C) MAY ALSO APPLY. SEE OTHER SIDE FOR SECTION 6 ISSUES.)**

See the reverse side of this notice for important additional information regarding your rights. In addition, there is a section on instructions for telephone hearings.

INFORMATION FOR PARTIES TO THE APPEAL HEARING

WITHDRAWAL OF APPEAL

The party who filed the appeal may withdraw it at any time before the hearing if the Administrative Officer approves. If you do not wish to proceed with your appeal, you may request withdrawal by letter, or on Form DEED/OUI/AD 379, which is available from the Claims Specialist in the Local Office, or from the Appeals Division in Room 511, 1100 North Eutaw Street, Baltimore, Maryland 21201.

HEARINGS, ISSUES, AGENTS AND ATTORNEYS

The Hearing Examiner will try to develop all of the facts of this case in order to give a fair hearing to all parties, but the Hearing Examiner will not conduct an investigation, contact witnesses not brought to the hearing or obtain documents which are not mailed to the Hearing Examiner by the parties. The only exception is for Department of Economic and Employment Development records, which you will have the right to see.

The Hearing Examiner will consider the issues in the Claims Examiner's determination which have been appealed. Also, the Hearing Examiner will rule on any issue which may develop in the course of the hearing concerning the Claimant's eligibility for benefits, if it is fair to both parties to do so in the circumstances of each case.

You may be represented by an attorney, or other authorized agent. You must pay your attorney his legal fee, but attorneys representing a claimant may not charge more than the fee approved by the Board of Appeals.

WITNESSES AND SUBPOENAS

Each party should arrange for all necessary witnesses to attend the hearing in their jurisdiction, and for all necessary documents to have been mailed to the Hearing Examiner at least five (5) days prior to the hearing. When witnesses will not come voluntarily, or documents will not be produced voluntarily in the State of Maryland, you may request a subpoena from the Administrative Officer. This request must be in writing and must be received by the Administrative Officer at least five working days before the date of the hearing. The request must also give the name of the person to be subpoenaed, the address to which you want the subpoena delivered, and the name of the Maryland county where the person to be subpoenaed resides or is employed. Regarding records being subpoenaed, the request must include a description of the documents to be subpoenaed as well as the name of the custodian of the records, the address to which you want the subpoena delivered, and the name of the Maryland county where the custodian of the records is located. The Administrative Officer has the power to allow or to deny a request, or to allow part of a request. His jurisdiction only extends in the State of Maryland.

If you request a subpoena, you should call the Administrative Officer to see if your request was granted. Subpoenas are served by the sheriffs of Baltimore City or the different counties in Maryland. If the Administrative Officer grants a request and issues a subpoena, you should check with the sheriff to find out if the subpoena was actually served. If it was not served, you should contact the Administrative Officer immediately.

TABLE OF PENALTIES UNDER SECTION 6

| SECTION OF LAW | QUESTION | IF THE ANSWER IS YES, THE POSSIBLE PENALTY IS: |
|----------------|---|---|
| 6(a) | Did the Claimant voluntarily quit his employment without good cause? | From a 5 week disqualification up to a total disqualification* |
| 6(b) | Was the Claimant suspended or discharged for gross misconduct? | Total disqualification* |
| 6(c) | Was the Claimant suspended or discharged for misconduct? | From a 5 week disqualification up to a 10 week disqualification |
| 6(d) | Did the claimant refuse available, suitable work or fail to apply for it, without good cause? | From a 5 week disqualification up to a total disqualification* |

*A total disqualification lasts until the Claimant is employed again, earns at least ten times his weekly benefit amount, and then becomes unemployed again through no fault of his own.

All penalties under Sections 6(a), (b), (c) or (d) will result in ineligibility for Extended Benefits, and Federal Supplemental Compensation, unless the Claimant is reemployed after the date of the disqualification.

POSTPONEMENT OF HEARING

If you need a postponement of the hearing, you must request it in writing from the Administrative Officer at least five working days before the date of the hearing. The Administrative Officer will grant a postponement only if he agrees that you have good cause for a postponement. If you are not sure whether or not your case has been postponed, you may find out by contacting the Administrative Officer.

DISMISSAL

This appeal will be dismissed if the appealing party does not answer the telephone at this appointed time when called by the Hearing Examiner.

HEARING RULES

The hearing rules are found in Section 7 of Article 95A of the Annotated Code of Maryland and Section 24.02.06 of the Code of Maryland Agency Regulations.

MANDATORY INSTRUCTION FOR TELEPHONE HEARING

A telephone hearing has been scheduled for the interested parties in this case because the distance between the nearest hearing location and the parties make a personal appearance costly and impractical. The out of state party and his witnesses will give testimony from a place convenient to them, but each party must arrange for his own witnesses to be available for the hearing at the proper time. The Hearing Examiner will allow each person to testify, cross-examine, and give rebuttal evidence. The law requires that the hearing be recorded and all testimony be given under oath.

Upon receipt of this notice you should:

a. If the telephone number listed is incorrect, immediately notify the Appeals Division by telephone of the telephone number from which you may be reached at the time of the hearing. If the agency does not have this information at least one week before the hearing date the Hearing Examiner may be unable to arrange for conference call time for you or your witnesses.

b. Send any written evidence immediately to the Appeals Division at the above address that you wish the Hearing Examiner to consider, and also furnish a copy to the other side.

The Hearing Examiner will call the parties at the number provided at the time for the hearing. You must be prepared to present your case at the time assigned for the hearing. The Hearing Examiner will designate who will speak and in what order during the hearing. All persons should speak clearly. Anybody not engaged in questioning or answering questions should remain silent. If you lose your connection or cannot hear the other parties, hang up and call the Hearing Examiner immediately at the telephone number listed on the hearing notice.

All telephone costs for the hearing will be paid by the Maryland Appeals Division.

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

STATE OF MARYLAND
APPEALS DIVISION - ROOM 511
1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201
333-5040
OUTSIDE OF BALTIMORE: 1-800-492-2137

DISMISSAL

| Claimant's Name | Employer's Name | Date Mailed | Appeal No. | SS No. |
|------------------|--------------------------------|-------------|------------|-------------|
| WILLIAM V OZOLIN | AUTOMATED INFORMATION MGMT INC | 04/18/90 | 9004383 | 435-32-9580 |

Appellant: CLAIMANT Date of Hearing: 04/18/90 L.O. No. 050

The appellant having failed to appear at the time, date and place set for this hearing, the appeal is hereby dismissed.

The Appeals Division may reopen this case for good cause shown upon written application of the appellant. This application must be made

within --- SEVEN (7) --- days from the date this dismissal was mailed.

Mail To: WILLIAM V OZOLIN
853 EAST AVENUE
PARK RIDGE, IL 60068

PATRICIA J. HACKETT
Hearing Examiner

Copies Mailed To:

AUTOMATED INFORMATION MGMT INC
4403 FORBES BLVD
LANHAM, MD 20706

DEED/OUI/AD 378 (ISSUED 12/89)

PC

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

STATE OF MARYLAND
APPEALS DIVISION - ROOM 511
1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201
333-5040
OUTSIDE OF BALTIMORE: 1-800-492-2137

DISMISSAL

| Claimant's Name | Employer's Name | Date Mailed | Appeal No. | SS No. |
|------------------|-------------------------------|-------------|------------|-------------|
| WILLIAM V OZOLIN | AUTOMATED INFORMATION MGMT IN | 04/18/90 | 9004383 | 485-32-9580 |

Appellant: CLAIMANT Date of Hearing: 04/18/90 L.O. No. 050

The appellant having failed to appear at the time, date and place set for this hearing, the appeal is hereby dismissed.

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within --- SEVEN (7) --- days from the date this dismissal was mailed.

Mail To: AUTOMATED INFORMATION MGMT INC
4403 FORBES BLVD
LANHAM, MD 20706

PATRICIA J. HACKETT
Hearing Examiner

Copies Mailed To:

WILLIAM V OZOLIN
853 EAST AVENUE
PARK RIDGE, IL 60063

DEED/OUI/AD 378 (ISSUED 12/89)

ed

②

30 April 1990

Mr. M. Pazornick, Hearing Examiner
DEPARTMENT OF EMPLOYMENT DEVELOPMENT
STATE OF MARYLAND
Appeals Division - Room 511
1100 North Eutaw Street
Baltimore, Maryland 21201

Dear Mr. Pazornick:

RE: Request for Rescheduling of Telephone Conference Hearing, Appeal No.9004383

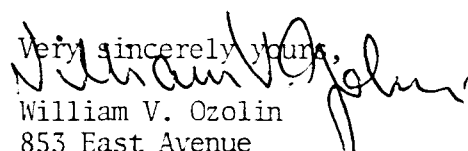
During our telephone conversation on April 30th at 11:17 AM you indicated that I should request a new hearing of this Appeal #9004383 since the Dismissal Notice which had been mailed on 04/18/90 did not reach me until April 28, 1990 with a deadline of seven (7) days from the date this dismissal was mailed.

As I described to you over the telephone, previously discussed with Mrs. Hackett, on April 18, 1990 I was waiting for the conference call from your office from 10:00 AM until 12:00 AM, but no call was recorded during that period. Dr. Andrew Kirsteins, MD, my brother-in-law was waiting with me and is willing to testify to the accuracy of my statements. At 12:00-noon I telephoned Mrs. Hackett to find out why the appeals hearing had been cancelled without informing me. I was then told that Mrs. Hackett was out to lunch and the person who answered the telephone requested me to call back after lunch. I did, indeed, telephone Mrs. Hackett at exactly 13:00 hrs and was told that she had been calling my contact number twice but had received a recorded message. I wonder if the fact that the area code for our telephone had been changed from 312 to 708 had anything to do with it. Regardless, I was there waiting for the call two hours and Mrs. Hackett herself told me to request a re-hearing of the case because of these unfortunate circumstances. The only thing is that she did not give me enough time to respond.

We do not know how it is in Maryland, but the postal service in the Chicago metropolitan area is simply atrocious. This is a well recognized fact by the Federal Government who are trying to do something about it, but for domestic letters to arrive two or more weeks late is not at all unusual. Foreign mail is even worse.

Please let this letter serve as an official Request for Re-Hearing scheduled at a future date at your convenience. I shall be at your disposal at any reasonable date or time, but I feel very strongly about this and if necessary, although I can ill afford such expenses, I will be represented by an attorney.

Please let me know at your earliest convenience of your decision - the main issue is quarters worked and where - not quitting involuntarily. However, for some reason this has been made - the main theme.

Very sincerely yours,

William V. Ozolin
853 East Avenue
Park Ridge, Illinois 60068
Telephone: 708-698-2439

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cc: Bartlev F. Goldberg, Attorney at Law

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

STATE OF MARYLAND
APPEALS DIVISION - ROOM 511
1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201
333-5040
OUTSIDE OF BALTIMORE: 1-800-492-2137

DISMISSAL 1-800-638-6010

| Claimant's Name | Employer's Name | Date Mailed | Appeal No. | SS No. |
|---------------------|--------------------------------|---------------------------|-------------|-------------|
| WILLIAM V. DIOLIA | AUTOMATED INFORMATION MGMT INC | 04/18/90 | 0004383 | 415-30-7530 |
| Appellant: CLAIMANT | | Date of Hearing: 04/18/90 | LO. No. 050 | |

The appellant having failed to appear at the time, date and place set for this hearing, the appeal is hereby dismissed.

The Appeals Division may reopen this case for good cause shown upon written application of the appellant. This application must be made

within --- SEVEN (7) --- days from the date this dismissal was mailed.

Mail To: WILLIAM V. DIOLIA
300 EAST AVENUE
PARK RIDGE, IL 60068

PATRICIA J. HACKETT
Hearing Examiner

Copies Mailed To:
AUTOMATED INFORMATION MGMT INC
4403 FORBES BLVD
LANHAM, MD 20706

Received 4/28/90

55

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

STATE OF MARYLAND
APPEALS DIVISION-ROOM 511
1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201

NOTICE OF TELEPHONE CONFERENCE HEARING

| Claimant's Name | Employer's Name | Date | Appeal No. | SS No. |
|-------------------------|--------------------------------------|-----------------|----------------|--------------------|
| WILLIAM V OZOLIN | AUTOMATED INFORMATION MGMT IN | 05/08/90 | 9004383 | 485-32-9580 |

Notice is hereby given that the Hearing Examiner will telephone the claimant at or near his/her home in **PARK RIDGE IL** Phone **708 698-2439**
 on **05/21/90** at **10:30 A.M. EDT**. The Claimant is to insure that his/her telephone will be free fifteen (15) minutes prior to that time and until the hearing.

Notice is hereby given that the Hearing Examiner will telephone the employer at or near his/her Business Establishment in **LANHAM MD** Phone **301 794-8200**
 on **05/21/90** at **10:30 A.M. EDT**. The Employer is to insure that his/her telephone will be free fifteen (15) minutes prior to that time and until the hearing.
ON MAY, (TWENTY FIRST) 1990

NOTICE TO THE EMPLOYER AND CLAIMANT:

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Please telephone the Hearing Examiner if your telephone number shown above is not correct or you wish to subpoena Maryland witnesses or documents, withdraw your appeal or postpone the hearing.

J. MARTIN WHITMAN Hearing Examiner

Mail To: **WILLIAM V OZOLIN**
853 EAST AVENUE
PARK RIDGE, IL 60068

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Issue: **WHETHER THE CLAIMANT VOLUNTARILY QUIT HIS EMPLOYMENT, WITHOUT GOOD CAUSE WITHIN THE MEANING OF SECTION 6(A) OF THE LAW. (SECTION 6(B) OR 6(C) MAY ALSO APPLY. SEE OTHER SIDE FOR SECTION 6 ISSUES.) WHETHER THERE IS GOOD CAUSE TO REOPEN THIS DISMISSED CASE UNDE COMAR 24.02.06.02N.**

DEED/OUI/AD 370C (REV. 12/89)

See the reverse side of this notice for important additional information regarding your rights. In addition, there is a section on instructions for telephone hearings.

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

STATE OF MARYLAND
APPEALS DIVISION-ROOM 511
1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201

NOTICE OF TELEPHONE CONFERENCE HEARING

| Claimant's Name | Employer's Name | Date | Appeal No. | SS No. |
|-------------------------|--------------------------------------|-----------------|----------------|--------------------|
| WILLIAM V OZOLIN | AUTOMATED INFORMATION MGMT IN | 05/03/90 | 9004383 | 485-32-9580 |

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J. MARTIN WHITMAN Hearing Examiner

Mail To: **AUTOMATED INFORMATION MGMT INC**
4403 FORBES BLVD
LANHAM, MD 20706

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Issue: **WHETHER THE CLAIMANT VOLUNTARILY QUIT HIS EMPLOYMENT, WITHOUT GOOD CAUSE WITHIN THE MEANING OF SECTION 6(A) OF THE LAW. (SECTION 6(B) OR 6(C) MAY ALSO APPLY. SEE OTHER SIDE FOR SECTION 6 ISSUES.) WHETHER THERE IS GOOD CAUSE TO REOPEN THIS DISMISSED CASE UNDE COMAR 24.02.06.02N.**

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DEED/OUI/AD 370C (REV. 12/89)

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TELEPHONE CONFERENCE HEARING

Hearings Examiner: I dialed the claimant's telephone number
(708) 689-2493. I'll try it again.

DIALING AFOREMENTIONED NUMBER

Hearings Examiner: Just dialed the number again, (708) 689-
2439.

RECORDED MESSAGE IS HEARD; HEARINGS EXAMINER LEAVES THE FOLLOWING

MESSAGE: This is the Hearings Examiner, John F. Kennedy, Jr. We
have a telephone unemployment hearing for you today, sir. And
the hearing is scheduled at 10:33. If I don't hear from you by
twenty of, I'll have to dismiss the case.

INAUDIBLE SEGMENT OF TAPE

Hearings Examiner: I have to, sir. Yes, sir.

? Well, I don't think I'm the appropriate
person. I'm the controller.

Hearings Examiner: Well, here's the thing. Let me explain
what happened. This is an unemployment
hearing. The claimant has appealed the
case. And the hearing is scheduled for
10:30. I called him at 10:30 and a
recording answered the phone. So I told
him unless he called - returned the call
by 10:40, we have to dismiss the case.
He was denied benefits because he
voluntarily quit without good cause from
September 10, '89, till he became

reemployed and earns ten times his weekly benefit amount, \$2,050. You can move for a dismissal if you want to. He's not here and we don't have to have the case.

?

Okay.

Hearings Examiner:

All right. You want to move for dismissal, sir?

?

Yes, sir.

C
Hearings Examiner:

All right. Well, I'll dismiss the case, then. The man did not recall me by - call me back on our - the number that we've given him on the notice at the time. So, I'll dismiss the case. Thank you, sir.

?

All right. Thank you.

Hearings Examiner:

Don't hang up. I want to see if I (inaudible).

C
?

All right.

 **Maryland**
Department of Economic &
Employment Development

William Donald Schaefer, Governor
J. Randall Evans, Secretary

William R. Merriman, Chief Hearing Examiner
Louis Wm. Steinwedel, Deputy Hearing Examiner

1100 North Eutaw Street
Baltimore, Maryland 21201

Telephone: 333-5040

— DECISION —

Mailed: 6/1/90

Claimant: William V. Ozolin
853 East Ave.
Park Ridge, IL 60068

Date: 9004383
Appeal No.: 485-32-9580

S. S. No.:

Employer: Automated Information Mgmt., Inc.
4403 Forbes Blvd.
Lanham, MD 20706

L.O. No.: 50

Appellant: Claimant

Issue: Whether the unemployment of the claimant was due to leaving work voluntarily, without good cause, within the meaning of Section 6(a) of the Law.

— NOTICE OF RIGHT TO PETITION FOR REVIEW —

ANY INTERESTED PARTY TO THIS DECISION MAY REQUEST A REVIEW AND SUCH PETITION FOR REVIEW MAY BE FILED IN ANY OFFICE OF THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT, OR WITH THE APPEALS DIVISION, ROOM 515, 1100 NORTH EUTAW STREET, BALTIMORE, MARYLAND 21201, EITHER IN PERSON OR BY MAIL
June 18, 1990

THE PERIOD FOR FILING A PETITION FOR REVIEW EXPIRES AT MIDNIGHT ON

— APPEARANCES —

FOR THE CLAIMANT:
Claimant-
by: Telephone

FOR THE EMPLOYER:
Represented by:
James George,
Director of Finance

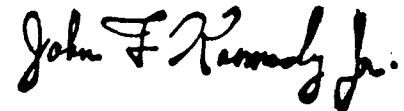
SECOND DISMISSAL

FINDINGS OF FACT

The appellant's hearing was originally scheduled for April 18, 1990 and the appellant, having due notice of this hearing mailed to his last address of record, failed to appear. The appeal was dismissed for non-appearance and the appellant subsequently petitioned for re-opening of the appeal. A new hearing was set for May 21, 1990 and the appellant was again duly notified of the hearing date at his last address of record but again failed to appear to pursue the appeal.

DECISION

It is held that for failure to appear at two consecutive appeal hearings, without good cause shown, the appellant's appeal is dismissed without right of re-opening.



John Kennedy Jr.
Hearing Examiner

Date of Hearing: 5/21/90
ec/Specialist ID: 50520
Cassette No: 5004
Copies mailed on 6/1/90 to:

Claimant
Employer
Out-of-State Claims (MABS)

8 June 1990

Mr. William R. Merriman, Chief Hearing Examiner
DEPARTMENT OF EMPLOYMENT DEVELOPMENT STATE OF MARYLAND
Appeals Division - Room 511
1100 North Eutlaw Street
Baltimore, Maryland 21201

RECEIVED
JUN 12 1990
OFFICE OF BOARD APPEALS

Dear Mr. Merriman:

RE:Petition for Review of Decision on Appeal NO. 9004383.

Since February 15, 1990 we have been trying to file an Out Of State Claim for Unemployment Benefits with the liable State of Maryland, but to no avail. The Department of Economic & Employment Development have used every possible means to get out of paying the monies due us.

I was gainfully employed during the period or quarters required to qualify for unemployment benefits and the dues were paid to the State of Maryland by my ex-employer AIM, Inc., of 4403 Forbes Blvd., Lanham, Maryland 20706. I was fired by the Ministry of Defence and Aviation Airports Projects on January 13, 1990.

Maryland Department of Economic & Employment Development contends that I had left my employ with AIM, Inc. (I fail to see the bearing of this on the case) voluntarily without good cause within the meaning of section 6 (a) of the Law. This is simply not true and I am enclosing various pieces of correspondence in rebuttal of this contention by your office.

I also refuse to accept the "findings of fact" as just another ruse to get out of paying me my benefits. First of all during the originally scheduled hearing on April 18, 1990 I sat for three hours by the telephone waiting for the call which never came. I finally called the respective examiner Ms. Hackett only to be told that she had gone out to lunch. My brother-in-law Dr. Andrew Kirsteins M.D. was waiting with me for the call and is willing to testify that such a call was never heard or recorded on his answering machine.

After my call to your office and my letter dated 30 April 1990 to Mr. M. Pazornick I was granted a second telephone conference hearing on 21 May 1990 at 10:30 AM ETD. I did indeed miss this call by 15 minutes because I had forgotten that just recently Chicago had switched to daylight savings time, but I immediately telephone Mr. J.. Martin Whitman, the appointed examiner at 10:45 EDT to find out why I had not been contacted the second time around and he mentioned the time difference. I asked him to reconsider and call the employer back since it was only a matter of 15 minutes, but he flatly refused to do so stating that he had already dismissed the case; I believe he said at the request of AIM, Inc.,

I can not understand why would anyone even pretend to presume that I would fail to appear for these calls since in my opinion they would only serve my own purpose to bear my own witness in this controversy. Furthermore I can also not understand how the employer can request to dismiss the case. My dealings have been strictly with the State of Maryland and not with AIM, Inc. who are most anxious to drop the case, anyway because they might have to pay additional revenues to the State of Maryland.

Regardless, I am now petitioning for a review of the whole case particularly since the following new facts have come to my attention: originally this entire matter was perceived by me as a personality clash between my project manager Rita Slavetskias and myself, because I found her management style odd to say the least, but now I am certain that it really was a reverse discrimination action deliberately planned by the AIM, Inc., Management., i.e. our office in the Great Lakes Region, one of the most prestigious ones, was 'lily white', because I simply could not get any qualified blacks for the logistics positions in the time-frames given me, and those I hired soon quit. Being a supervisor I was the most visible person to replace and I am certain that my replacement a black man named Clarence Watson was already found to be available when the worst harassment against me started and intensified. We had several positions of senior level logistics specialists authorized by the Federal Aviation Administration open at that time, but these simply were not being filled while all the workload was passed on to me personally to share with the few other contracting specialists we had. When Clarence Watson came aboard all these positions were filled immediately.

After Rita Slavetskias had left AIM'S employ, I telephoned Warren Steen, Vice President of AIM, Inc., from Saudi Arabia asking him to reinstate me and telling him that I would be happy to come back to AIM, Inc. He told me to contact him as soon as I arrived in the United States. So I did, but this was 6 months ago and I still do not have a job. Clarence Watson, my replacement, has resigned and a temporary replacement supervisor is filling in. I have asked many times for my old job back, but was told by Warren Steen that they were looking at a black lady Yolanda Travis who actually started work on the 4th of June 1990 filling this particular position while being trained for it by the replacement- replacement supervisor Jerry Rebone. So much for promises from AIM, Inc.; if you are not black you do not get the job.

On several occasions during my tenure as supervisor I was told by Rita Slavetskias and Warren Steet (separately) both white and eager to keep their high paying positions, to hire blacks, because it did not look good for a black woman owned minority Company - this was one of the main reasons FAA qualified them for this contract - did not have more blacks on their staff.. I found a most qualified black man, Mr. Alcroid, whose wife worked as a lawyer on the FAA staff, but he obviously asked for too much money and was not hired. Cheap mediocrity is what AIM, Inc., wishes to provide for the client (FAA) and the only blacks I could find were competent professionals and therefore too expensive, or entry level people without any experience who had to be trained while we had no employees available to spend any time on training staff.

At the present time AIM's office at the Great Lakes Region is fully staffed predominantly with blacks. I have no idea what they are paying them or how good they really are. There is constant turnover and it took AIM two years to do it while I was asked to perform this 'miracle' in a few months. Job openings were kept unfilled and I was asked to work myself extra time without pay and even distribute work to people from different disciplines who had no idea what contracting was all about - just to get the job done, but not to tell the client (FAA) about it. All this was sheer nonsense, but it came from Maryland Headquarters daily via Rita Slavetskias or Rick Mitchell (deputy project manager) and made my life a living hell. I finally told Rick Mitchell that I could not take this abuse any longer. He told me to leave on the 11th of September 1990, which I did, but 'magnanimously' they paid me through the 15th out of FAA funds, because I was asked by Rick Mitchell to fill the time card out in that manner. This permitted AIM to collect the extra unearned money from FAA. I thought at that time that I was fortunate to have a second job waiting for me in Saudi Arabia and took it, but unfortunately that did not work out either.

RE: Petition for Revi Decision on Appeal No. 90041 - page 3 (3) of three (3).

Now I find myself in desperate circumstances, because my wife is terminally ill with cancer and I am constantly experiencing setbacks in obtaining a new job because of my age.

With a copy of this letter and all the enclosed correspondence I am asking The Honorable William Donald Schaefer, Governor of The State of Maryland, to lend a compassionate ear to this desperate plea for help to remove the obstacles that your Department and my ex-employer are throwing in my path to obtain that which is rightfully mine - if you do not wish to pay me the benefits then please give me a job. I am healthy and strong and more than willing to work hard, but when one is 55+ years old, no one wishes to hire him.

Dear Governor Schaefer, please help me - my wife's illness is catastrophic and nobody is willing to assist me with any of the expenses. At this rate we shall both become wards of the State, but of course not Maryland's responsibility, however, such an act of callousness on the part of the State of Maryland seems improbable even to contemplate.

The Maryland Department of Economic & Employment Development hearing examiners, particularly if they are black, might feel it to be their duty to protect the interests of a (small but rich) black woman minority owned Company, i.e. AIM, Inc., in Maryland, but I wonder if they do consider the immeasurable harm they are doing to an aged couple particularly with one of the spouses on a deathbed. In God's name please relent and help us.

Very sincerely yours,

William V. Ozolin

William V. Ozolin
3930 N. Pine Grove Ave., 2201
Chicago, Illinois 60613-3362

Attachments.

P.S. Please also note the change of address. Your office was duly notified of this, but I am still receiving mail at my sister's house.. My new telephone number is 312-404-6989.

cc: The Honorable William Donald Schaefer
Governor of The State of Maryland
State House
Annapolis, Maryland 21401

 **Maryland**
Department of Economic &
Employment Development

William Donald Schaefer, Governor
J. Randall Evans, Secretary

William R. Merriman, Chief Hearing Examiner
Louis Wm. Steinwedel, Deputy Hearing Examiner

1100 North Eutaw Street
Baltimore, Maryland 21201

Telephone: 333-5040

— DECISION —

Mailed: 6/1/90

Claimant: William V. Ozolin
853 East Ave.
Park Ridge, IL 60068

Date: 9004383
Appeal No.: 485-32-9580

S. S. No.:

Employer: Automated Information Mgmt., Inc.
4403 Forbes Blvd.
Lanham, MD 20706

50
L.O. No.:

Appellant: Claimant

Issue: Whether the unemployment of the claimant was due to leaving work voluntarily, without good cause, within the meaning of Section 6(a) of the Law.

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ANY INTERESTED PARTY TO THIS DECISION MAY REQUEST A REVIEW AND SUCH PETITION FOR REVIEW MAY BE FILED IN ANY OFFICE OF THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT, OR WITH THE APPEALS DIVISION, ROOM 515, 1100 NORTH EUTAW STREET, BALTIMORE, MARYLAND 21201, EITHER IN PERSON OR BY MAIL
June 18, 1990

THE PERIOD FOR FILING A PETITION FOR REVIEW EXPIRES AT MIDNIGHT ON

— APPEARANCES —

FOR THE CLAIMANT:
Claimant-
by: Telephone

FOR THE EMPLOYER:
Represented by:
James George,
Director of Finance

SECOND DISMISSAL

FINDINGS OF FACT

The appellant's hearing was originally scheduled for April 18, 1990 and the appellant, having due notice of this hearing mailed to his last address of record, failed to appear. The appeal was dismissed for non-appearance and the appellant subsequently petitioned for re-opening of the appeal. A new hearing was set for May 21, 1990 and the appellant was again duly notified of the hearing date at his last address of record but again failed to appear to pursue the appeal.

DECISION

It is held that for failure to appear at two consecutive appeal hearings, without good cause shown, the appellant's appeal is dismissed without right of re-opening.

John F Kennedy Jr.

John Kennedy Jr.
Hearing Examiner

Date of Hearing: 5/21/90
ec/Specialist ID: 50520
Cassette No: 5004
Copies mailed on 6/1/90 to:

Claimant
Employer
Out-of-State Claims (MABS)

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

STATE OF MARYLAND
APPEALS DIVISION-ROOM 511
1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201

38

NOTICE OF TELEPHONE CONFERENCE HEARING

| Claimant's Name | Employer's Name | Date | Appeal No. | SS No. |
|------------------|--------------------------------|----------|------------|------------|
| WILLIAM V OZOLIN | AUTOMATED INFORMATION MGMT INC | 05/01/90 | 0004383 | 485-32-958 |

Notice is hereby given that the Hearing Examiner will telephone the claimant at or near his/her home in PARK RIDGE IL Phone 708 608-243
 on 05/21/90 at 10:30 A.M. EDT. The Claimant is to insure that his/her telephone will be free fifteen (15) minutes prior to that time and until the hearing.

Notice is hereby given that the Hearing Examiner will telephone the employer at or near his/her Business Establishment in LAUREL MD Phone 301 794-8000
 on 05/21/90 at 10:30 A.M. EDT. The Employer is to insure that his/her telephone will be free fifteen (15) minutes prior to that time and until the hearing.

NOTICE TO THE EMPLOYER AND CLAIMANT:

Hearing Examiner will conduct the telephone hearing from the Department of Economic and Employment Development, Room 511, 1100 North Eutaw Street, Baltimore, Maryland 21201. Both sides will be given an opportunity to testify and to the testimony of the other side. The employer and the claimant will be given an opportunity to ask each other questions and to rebut each other's testimony. Time variances, if any, have been considered in setting the time for the hearing.

Notice of Telephone Hearing informs all interested parties as to the place, date and time when the Hearing Examiner will call you in order to obtain your testimony via telephone. A recording will be made and the decision will be based on the information received. Please be punctual in answering the phone at the assigned time.

Please telephone the Hearing Examiner if your telephone number shown above is not correct or you wish to subpoena Maryland witnesses or documents, withdraw your appeal or postpone the hearing.

J. MARTIN WHITMAN Hearing Examiner

Mail To:

WILLIAM V OZOLIN
353 EAST AVENUE
PARK RIDGE, IL 60068

NOTICE TO PARTIES: If you have already received benefits, a partial or total disqualification may be imposed by the Hearing Examiner. If this occurs you may be required to pay back some or all of the benefits received.

THIS HEARING IS THE LAST STEP AT WHICH EITHER THE CLAIMANT OR THE EMPLOYER HAS THE ABSOLUTE RIGHT TO PRESENT EVIDENCE. THE DECISION WILL BE MADE ON THE EVIDENCE PRESENTED. THE DECISION WILL AFFECT THE CLAIMANT'S CLAIM FOR BENEFITS, AND IT MAY AFFECT THE EMPLOYER'S CONTRIBUTION TAX RATE OR REIMBURSEMENT ACCOUNT. WHETHER THE CLAIMANT IS ABLE, AVAILABLE AND ACTIVELY SEEKING WORK WITHIN THE MEANING OF SECTION 4(c) OF THE LAW IS ALWAYS AN ISSUE THAT MAY BE RULED ON BY THE HEARING EXAMINER.

If the caller is located outside the state of Maryland use telephone number 1-800-638-6010 for information calls only.
If the caller is located within the state of Maryland use Telephone number 1-800-492-2137 for information calls only.

Issue:

WHETHER THE CLAIMANT VOLUNTARILY QUIT HIS EMPLOYMENT, WITHOUT GOOD CAUSE WITHIN THE MEANING OF SECTION 5(A) OF THE LAW. (SECTION 6(B) OR 6(C) MAY ALSO APPLY. SEE OTHER SIDE FOR SECTION 6 ISSUES.) WHETHER THERE IS GOOD CAUSE TO REOPEN THIS DISMISSED CASE UNDER COMAP 24.02.06.02H.

See reverse side of this notice for important additional information regarding your rights. In addition, there is a section on instructions for telephone hearings.

DEED/OU/AD 370C (REV. 12/89)

30 April 1990

Mr. M. Pazornick, Hearing Examiner
DEPARTMENT OF EMPLOYMENT DEVELOPMENT
STATE OF MARYLAND
Appeals Division - Room 511
1100 North Eutaw Street
Baltimore, Maryland 21201

Dear Mr. Pazornick:

RE: Request for Rescheduling of Telephone Conference Hearing, Appeal No.9004383

During our telephone conversation on April 30th at 11:17 AM you indicated that I should request a new hearing of this Appeal #9004383 since the Dismissal Notice which had been mailed on 04/18/90 did not reach me until April 28, 1990 with a deadline of seven (7) days from the date this dismissal was mailed.

As I described to you over the telephone, previously discussed with Mrs. Hackett, on April 18, 1990 I was waiting for the conference call from your office from 10:00 AM until 12:00 AM, but no call was recorded during that period. Dr. Andrew Kirsteins, MD, my brother-in-law was waiting with me and is willing to testify to the accuracy of my statements. At 12:00-noon I telephoned Mrs. Hackett to find out why the appeals hearing had been cancelled without informing me. I was then told that Mrs. Hackett was out to lunch and the person who answered the telephone requested me to call back after lunch. I did, indeed, telephone Mrs. Hackett at exactly 13:00 hrs and was told that she had been calling my contact number twice but had received a recorded message. I wonder if the fact that the area code for our telephone had been changed from 312 to 708 had anything to do with it. Regardless, I was there waiting for the call two hours and Mrs. Hackett herself told me to request a re-hearing of the case because of these unfortunate circumstances. The only thing is that she did not give me enough time to respond.

We do not know how it is in Maryland, but the postal service in the Chicago metropolitan area is simply atrocious. This is a well recognized fact by the Federal Government who are trying to do something about it, but for domestic letters to arrive two or more weeks late is not at all unusual. Foreign mail is even worse.

Please let this letter serve as an official Request for Re-Hearing scheduled at a future date at your convenience. I shall be at your disposal at any reasonable date or time, but I feel very strongly about this and if necessary, although I can ill afford such expenses, I will be represented by an attorney.

Please let me know at your earliest convenience of your decision - the main issue is quarters worked and where - not quitting involuntarily. However, for some reason this has been made - the main theme.

Very sincerely yours,

William V. Ozolin
William V. Ozolin
853 East Avenue
Park Ridge, Illinois 60066
Telephone: 708-698-2439

APR 30 1990
39

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

STATE OF MARYLAND
APPEALS DIVISION - ROOM 511
1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201
333-5040
OUTSIDE OF BALTIMORE: 1-800-492-2137

DISMISSAL 1-800-638-6010

| Claimant's Name | Employer's Name | Date Mailed | Appeal No. | SS No. |
|---------------------|--------------------------------|---------------------------|-------------|-------------|
| WILLIAM V. SZORIN | AUTOMATED INFORMATION MGMT INC | 04/18/90 | 2004388 | 445-32-2530 |
| Appellant: CLAIMANT | | Date of Hearing: 04/18/90 | LO. No. 050 | |

The appellant having failed to appear at the time, date and place set for this hearing, the appeal is hereby dismissed.

The Appeals Division may reopen this case for good cause shown upon written application of the appellant. This application must be made

within SEVEN (7) days from the date this dismissal was mailed.

Mail To: WILLIAM V. SZORIN
833 EAST AVENUE
PARK RIDGE, IL 60468

PATRICIA J. HACKETT
Hearing Examiner

Copies Mailed To: [Stamp]
AUTOMATED INFORMATION MGMT INC
4400 FORBES BLVD
LANHAM, MD 20706

Received 4/28/90

DEED/CUI/AD 378 (ISSUED 12/89)

14 April 1990

Ms. Patricia J. Hackett, Hearing Examiner
DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT
STATE OF MARYLAND
Appeals Division - Room 511
1100 North Eutaw Street
Baltimore, Maryland 21201

Dear Ms. Hackett:

RE: Notice of Telephone Conference Hearing, Appeal No. 9004383

This hearing is scheduled for 11:15 AM EDT on 04/18/90. I see no benefit that I could possibly derive from it. The matter will be simply a contest of who can convince the Hearing Examiner better - the Claimant (myself) or the Employer (AIM, Inc) whether the claimant voluntarily quit his employment, without good cause, within the meaning of Section 6(a) of the Law.

The answer on my part (the claimant) is a resounding NO! The Employer will, of course, counter to the contrary. So it will, as stated above, a question whom the Hearing Examiner will believe. I can not parade a host of witnesses or any particular documentation before the Hearing Examiner, other than the facts stated in my rebuttal letter submitted through the local Arlington Heights office. I have no additional documentation to present and the witnesses are (except for two) all employees of AIM, Inc.; in no way will they compromise their positions for fear of losing their jobs. The other two witnesses are not able to attend the hearing due to their job restrictions.

Based on the above, the hearing would have little or no value at all, in fact it would only be a waste of time. I contend that I did not quit voluntarily but was forced out of my job by verbal abuse. Miss Rita Slavetskis who caused my involuntary custer is no longer with AIM, Inc., but she was clever enough not to comit her verbal abuse in writing. My witnesses overheard some of these (mostly) telephonic harassments, but these were not recorded except in my log which I kept at the suggestion of my fellow employees (excerpts of which are already before the Hearing Examiner).

If this hearing is simply a formality required by the statutes of Maryland, then please let me know. I have no intention to withdraw my appeal or let it lapse due to a dismissal, but I would like to know what will be gained by this hearing that is not already in evidence. If you wish me to repeat my rebuttal so that 'everyone can hear it' then I shall, of course, cooperate in any way you deem necessary, but having intimate knowledge of the Employer's tactics, I know that it will be no more than a verbal contest which they hope to win having a corporate staff with legal counsel at their disposal. Consequently I can not comprehend how or in what manner such a hearing would benefit my appeal.

I would be most grateful if you would explain some of the 'mysteries' to me. I have no money to retain, i.e. be represented by a lawyer or ask my witnesses to jeopardize their jobs (livelihood) on my behalf.

Very sincerely yours,

William V. Ozolin
853 East Avenue

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DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

STATE OF MARYLAND
 APPEALS DIVISION ROOM 511
 1100 NORTH EUIAW STREET
 BALTIMORE, MARYLAND 21201

42

NOTICE OF TELEPHONE CONFERENCE HEARING

| Claimant's Name | Employer's Name | Date | Appeal No. | SS No. |
|------------------|--------------------------------|----------|------------|------------|
| WILLIAM V OZOLIN | AUTOMATED INFORMATION MGMT INC | 04/01/90 | 2-20133 | 685-1-2000 |

Notice is hereby given that the Hearing Examiner will telephone the claimant at or near his/her home in PARK RIDGE, IL on 04/18/90 at 11:15 A.M. EDT. The Claimant is to insure that his/her telephone will be free fifteen (15) minutes prior to that time and until the hearing.

Notice is hereby given that the Hearing Examiner will telephone the employer at or near his/her Business Establishment in IL on 04/18/90 at 11:15 A.M. EDT. The Employer is to insure that his/her telephone will be free fifteen (15) minutes prior to that time and until the hearing.

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Mail To:

WILLIAM V OZOLIN
 853 EAST AVENUE
 PARK RIDGE, IL 60068

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If the caller is located outside the state of Maryland use telephone number 1 800 638 6010 for information calls only.
 If the caller is located within the state of Maryland use telephone number 1 800 492 2137 for information calls only.

Issue:

WHETHER THE CLAIMANT VOLUNTARILY QUIT HIS EMPLOYMENT, WITHOUT GOOD CAUSE, WITHIN THE MEANING OF SECTION 6(A) OF THE LAW. (SECTION 6(B) OR 6(C) MAY ALSO APPLY. SEE OTHER SIDE FOR FULL ISSUES.)

reverse side of this notice for important additional information regarding your rights. In addition, there is a section on instructions for telephone hearings.

DEED/QUI/AD 370C (REV 12/89)

STATE OF MARYLAND
DEPARTMENT OF HUMAN RESOURCE
EMPLOYMENT SECURITY ADMINISTRATION

Liabile State Claim Unit
P.O. Box 17059
Baltimore, Maryland 21203

Rebuttal

REQUEST FOR INFORMATION OR CORRECTION

Agent William V. Ozolin Claimant _____
State _____ Address _____
Local 853 East Avenue _____
Address _____
and No. Part. Ridge, IL 60068 _____

Itinerant Point Location: _____

SOCIAL SECURITY NUMBER 495-32-9580
Document Attached YES () NO Title and Date of Document (IB-11) Fact Finding Report
Is this information required by IB procedures or Handbook () YES () NO

PLEASE FURNISH THE INFORMATION REQUESTED BELOW:

1. Please complete () correct () clarify () verify () Item _____
2. You/The claimant last filed for week ending _____ Please report to the Local Office with this notice. IB-2's for the intervening weeks or an additional IB-1 will be necessary before the claim can be processed. Please submit the appropriate claim(s).
3. You/The claimant were/was determined ineligible on the claim effective _____ If appropriate a new claim should be filed after _____
4. This office has no record of a claim filed under the Social Security number shown on the attached claim. If Maryland is the correct Liabile State, report to the Local Office and file an IB-1, Initial Interstate Claim.
5. Please submit the attached Physician's Statement.
6. The Claimant/Employer Separation Statement () Low Earnings Report () sent to _____ has been returned by the Post Office for a better address. Please submit the correct name and address of the employer.
7. Please provide the correct address of _____ or submit a Low Earnings Report for the week(s) ending _____
8. Information given on your recent IB-2/DHR/ESA SR3-219 does not demonstrate an active search for work. You must actively seek work each week that you wish to claim benefits.
() In addition to contacting your union, you must make personal contacts for other suitable work.
() Newspaper ads, telephone calls and letter writing are not considered an adequate search for work. You must make personal contacts.
9. Please complete the attached Fact Finding Report stating the reason for late reporting () early reporting () school attendance () failure to actively seek work () for week ending _____
10. The Claimant/Employer Separation Statement has been returned by Automated Information Request Form stating that you/the claimant quit employment to take a position with another company
Please complete the attached Fact Finding Report in detail/ Please report to your Local Office to complete a Separation - Fact Finding Report, IB-11S. _____
11. Please complete the attached Fact Finding Report/ Please report to your Local Office to complete a Fact Finding Report, IB-11, stating the reason for your failure to accept a referral for employment () for your failure to accept employment () on _____
12. _____

REPLY IS REQUESTED WITHIN TEN DAYS FROM THE MAILING DATE OF THIS FORM. FAILURE TO SUBMIT THE REQUESTED INFORMATION MAY CAUSE A DELAY OR DENIAL OF BENEFITS. RETURN THE REQUESTED INFORMATION AND THIS NOTICE TO THE ADDRESS ABOVE.

REMARKS: return no later than 3/12/90

By 5/21/90 _____

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FACT FINDING REPORT

Behrman

Claimant's Name William Ozolin Social Security Number

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 Issue Sep - Automated Information Mgmt Liable State Ind.

CLAIMANT'S STATEMENT: Please see attached "Memo to File" which I had written already on 9/11/89 knowing that some day the issue might emerge as to my real reasons for leaving AIM, INC. When I wrote my "letter of resignation" to Mr. Warren Steen, I did not want to go into all the ugly details concerning the cause for the termination of my employment but the management in Lanham, I am certain, and definitely Mr. Steen and Mr. Mitchell were completely aware of the situation surrounding my separation from the AIM, INC., as were all my fellow employees at the Great Lakes Office in Des Plaines, Illinois. I will be happy to provide you with all the necessary names and any other information that you might require regarding this termination. The most unfortunate aspect of this matter is that the employer in Saudi Arabia also terminated my Contract only four months after I had accepted it at their convenience, i.e. lack of money. I find myself now in very serious circumstances, because my wife is terminally ill with cancer in a convalescent home in Iowa and I am having constant setbacks in obtaining a new job because of my age. I am healthy and very eager to work, but Companies just do not hire people my age. Please reconsider your decision; I am enclosing all the relevant data for your review.

The above information is true to the best of my knowledge and belief.

| | | |
|---|---|------------------------------------|
| CLAIMANT'S SIGNATURE <i>William Ozolin</i> | DATE SIGNED (Month, Day, Year) 3-17-90 | TELEPHONE NUMBER (312)-880-7316 |
|---|---|------------------------------------|

INTERVIEWER'S STATEMENT: (Include any properly identified information by persons other than the claimant. If additional space is needed, use and sign reverse side.)

Use LO. stamp or enter LO. address, phone number, and I.D. number.

Office of State Claims
 Office 450
 1300 N. Eataw St.
 Baltimore, Md. 21201

Itinerant Point Location _____

| | |
|-------------------------|---------------------------------|
| INTERVIEWER'S SIGNATURE | DATE OF INTERVIEW <i>4/4</i> |
|-------------------------|---------------------------------|

From the desk of...

W.V. OZOLIN

DATE 9/1/89

to: Memo to File

Personal Log to verify specific cases where the Project Manager of LSSC AIM, INC., Ms. Rita Slavetskaskas tried to intimidate me into quitting my job because of a "personality clash" using my age as a factor to show that I was not able to perform my job satisfactorily.

8/30/89

Rita called me from Lanham, MA and asked me how my blood pressure and cholesterol count were. I told her that both were just fine and that I was in an excellent condition. It was obviously one of her ways to put fear in me about old age retirement/firing possibilities if I did not quit on my own. It was 2:30 PM.

9/6/89

Rita called me at 7:30 PM from Los Angeles, CA to give me instructions on handling the Darnell Withers case and inform me about the possibility of replacing Dave Kator with Walter Leigh as site supervisor. During her conversation with me she observed that I sounded as if I had had a stroke. I told her that having been awake since 3:00AM I had decided to take a late nap before supper and since she had roused me from a rather deep sleep I was unable to "jump to full attention and give immediate attention to each and every matter she decided to call me day or night." She obviously was not satisfied with my response and asked me again if I have had a recent check-up for a possible arteriosclerosis condition.

9/10/89

Rita called me at 10:30 Chicago time telling me to arrange for her meetings with all the prospective entry level applicants. She was furious that I had not done so already and told me that I had been informed of her arrival times and dates before. This simply was not true as I later veri-

45

From the desk of...

W.V. OZOLIN

to: Memo to File (contined)

DATE 9/11/89

fied with the Headquarters Office in Lanham. It then became obvious that Rita was indeed building a case against me as unsuitable for the position, i.e. too old to remember things.

Since I could not talk to her directly because she became abusive each time I had tried to set things straight between us, I told Rich Mitchell, Assistant Project Manager for the Great Lakes Region that I just could not take this abuse from her and that even though I had resigned my position with AIM, INC. effective September 15, 1989 (letter to Mr. Warren Steen Vice President), I would like to leave immediately. As of this writing, Rick completely agreed with me, but made the necessary arrangements for me to get paid through the 15th of Sept. Later I informed Mr. Steen as well that the reason for my leaving was that I could not take the abuse from Rita Slavetskis any longer. He confirmed on the phone that he had been aware of the existing situation for some time but could not interfere since Rita was the Project Manager. I was fortunate that I had another job offer waiting and did indeed leave AIM, INC., voluntarily but only because I was forced out by my immediate superior - Rita Slavetskis Project Manager.

William V. Ozolin

William V. Ozolin

CONFIDENTIAL

28 August 1989

Mr. Warren Steen, Vice President
Automated Information Management, Inc.,
4403 Forbes Boulevard
Lanham, Maryland 20706

Subject: Employment Termination Notice.

Dear Mr. Steen:

This is to inform you that effective September 15, 1989 I am terminating my employment with Automated Information Management, Inc.

I wish to add at this point, Mr. Steen, that it has been a distinctive advantage to work with you personally on the LSSC Project contributing to the growth of the Company.

Doubtlessly AIM, Inc., will continue its progress pattern in the future.

Very sincerely yours,

William V. Ozolin

William V. Ozolin
c/o Kaija I. Kirsteins
853 East Avenue
Park Ridge, Il 60068



مشروع المطا الدولية
INTERNATIONAL ATOMIC ENERGY AGENCY
ORTS PROJECTS

مذكرة
MEMORANDUM

Ref : IAP-IADMA- 11568

: الرتبة

Date : 18 J. Awal 1410
(16 Dec 1989)

: التاريخ

To : Mr. William V. Ozolin
(ILOG)

: الإلية

Thru :

: عن طريق

From : Mr. Sameer AR. Hashem
(IADMA)

: من

Subject : Termination of Contract
(Topic 2.1.13)


: الموضوع

Ref.: IAP-ILOG-A09637/AHM dated 13 J. Awal 1410 (11 Dec 1989)

In accordance with the above referenced memo and as per Article 27(A) of your Subcontract for Services, please be advised that IAP has decided to terminate your employment contract effective 16 J.Thani 1410 (13 Jan 90), at IAP's convenience. Therefore, your last working day with IAP is Saturday, 16 J. Thani 1410 (13 Jan 90).

Accordingly, IAP Personnel will undertake the necessary arrangements to process your final entitlement according to your employment contract and to repatriate you to your point of origin in the United States. You are requested to contact the Personnel Division to facilitate the coordination of this process.

We wish you all the success in your future endeavors.


SAMEER AR. HASHEM
Assistant Deputy Director
For Administration

cc: A. A. Salah (IFIN)
A. H. Al-Madani (ILOG)

ISSUE
SECTION OF LAW
DATE OF DETERMINATION (A)
SPECIALIST ID

STATE OF MARYLAND
DEPARTMENT OF ECONOMIC & EMPLOYMENT DEVELOPMENT
OFFICE OF UNEMPLOYMENT INSURANCE

LOCAL OFFICE ADDRESS

DATE MAILED

UNEMPLOYMENT INSURANCE ADMIN.
CLAIMS STATE CLAIMS SECTION
P.O. BOX 17000
BALTIMORE, MD 21263

BENEFIT YEAR BEGINS
DETERMINATION:

NOTICE OF BENEFIT DETERMINATION

- PREDETERMINATION HEARING
- PRETERMINATION HEARING
- REDETERMINATION

IT IS DETERMINED THAT THE CLAIMANT VOLUNTARILY QUIT EMPLOYMENT WITH AUTOMATED INFORMATION MGMT. INC. ON 09/18/89. AGENCY MADE ATTEMPTS TO OBTAIN SPECIFIC INFORMATION FROM THE CLAIMANT, HOWEVER, NOT OBTAINED. THE CLAIMANT'S DETERMINATION HAS BEEN PRESENTED TO PROVE THAT THE QUIT WAS EITHER A VALID CASE OR NOT TO A VALID CIRCUMSTANCE. THEREFORE, IT IS DETERMINED THAT THE CLAIMANT VOLUNTARILY QUIT WITHOUT GOOD CAUSE WITHIN THE MEANING OF SECTION 12-103 OF THE MARYLAND UNEMPLOYMENT INSURANCE LAW.

SSN: 489 32 9560

- Benefits are allowed
- Benefits are denied week beginning _____ and for the _____ weeks ending _____
- Benefits are denied week beginning _____ and until the claimant becomes reemployed and earns at least ten (10) times his/her weekly benefit amount \$ _____
- Benefits are denied from _____ to _____
- Benefits are denied week beginning _____ until meeting requirements of the Law.
- As a result of this determination, the claimant is found to have received benefits for which he/she was ineligible. This creates an overpayment totaling \$ _____ which must be repaid. You MUST repay this debt promptly to avoid legal action. In addition, no further benefits will be paid to you until this debt is repaid. Make your check payable to: Department of Economic & Employment Development, and mail it to the Office of Unemployment Insurance, 1100 North Eutaw Street, Cashier's Unit, Room 412, Baltimore, Maryland 21201. PUT YOUR SOCIAL SECURITY NUMBER ON THE CHECK.

WILLIAM V OZOLIN
853 EAST AVE.
PARK RIDGE IL 60068

AUTOMATED INFORMATION MGMT INC.
4403 FORBES BLVD
LANHAM MD 20708-0000

APPEAL RIGHTS (SEE BACK OF FORM)

The last day to file an appeal is 10/1/89

67
19

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT
 OFFICE OF UNEMPLOYMENT INSURANCE
 STATE OF MARYLAND • P.O. BOX 17153 • BALTIMORE, MARYLAND 21203

DETERMINATION OF
 MONETARY ELIGIBILITY

PLEASE REVIEW THIS DOCUMENT CAREFULLY

You have filed a claim for Unemployment Insurance Benefits under the Social Security Number listed on this form. The base period for determining your eligibility for benefits is from 1/01/88 through 1/01/88.

No wages paid to you before or after these dates may be used to determine your eligibility at this time.

YOU SHOULD REPORT WITH THIS DETERMINATION TO YOUR LOCAL OFFICE IF: 1. THE WAGES SHOWN ARE INCORRECT (BRING PROOF OF YOUR WAGES, E.G. PAY STUBS, W-2, ETC.); OR, 2. THERE ARE EMPLOYERS LISTED FOR WHOM YOU DID NOT WORK (FAILURE TO REPORT THIS COULD RESULT IN AN OVERPAYMENT, WHICH YOU WOULD BE REQUIRED TO REPAY); OR 3. THERE ARE EMPLOYERS NOT LISTED FOR WHOM YOU DID WORK (FAILURE TO REPORT THIS COULD RESULT IN AN UNDERPAYMENT WHICH COULD AFFECT YOUR WEEKLY BENEFIT AMOUNT); OR 4. YOU DO NOT UNDERSTAND THIS DETERMINATION.

OUR RECORDS SHOW THAT YOU WERE PAID THE FOLLOWING WAGES IN YOUR BASE PERIOD:

| EMPLOYER NO. | EMPLOYER NAME |
|--------------|---------------|
| | |
| | |
| | |

WHEN YOU REPORT, UI OFFICE PERSONNEL WILL ASSIST YOU IN RESOLVING ANY PROBLEM OR BY ANSWERING YOUR QUESTIONS. HOWEVER, IF YOU STILL DISAGREE WITH THIS DETERMINATION YOU MAY FILE AN APPEAL.

IF YOU FILE AN APPEAL YOU MUST CONTINUE TO FILE BIWEEKLY CLAIM CERTIFICATIONS WHILE YOUR APPEAL IS BEING RESOLVED.

THE LAST DAY TO FILE AN APPEAL IS:

| PERIOD COVERED | PERIOD COVERED | PERIOD COVERED | PERIOD COVERED | TOTAL PAID BY EMPLOYER |
|------------------|----------------|----------------|----------------|------------------------|
| | | | | |
| | | | | |
| | | | | |
| QUARTERLY TOTALS | | | | BASE TOTAL |

| | | | |
|------|---------------------|---------|--------------|
| NAME | SOCIAL SECURITY NO. | PROGRAM | LOCAL OFFICE |
| | | | |

| | | | | | | | |
|---|---------------------------|-----------------------|---------------------|--------------------------|----------------|-------------------|--------------------|
| YOU MAY BE PAID THESE AMOUNTS IF YOU ARE UNEMPLOYED AND ELIGIBLE IN ALL OTHER RESPECTS. | BASIC WEEKLY BENEFIT AMT. | DEPENDENTS' ALLOWANCE | TOTAL WEEKLY AMOUNT | TOTAL AMOUNT OF BENEFITS | EFFECTIVE DATE | BENEFIT YEAR ENDS | DETERMINATION DATE |
| | | | | | | | |

RETAIN FOR YOUR RECORDS
 This document is your verification that you filed a claim for Unemployment Insurance Benefits. You may be required to produce this document as proof of your claim.

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DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

STATE OF MARYLAND
BOARD OF APPEALS - ROOM 515
1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201
333-5032

WILLIAM DONALD SCHAEFER
Governor

NOTICE OF APPEAL

| Claimant's Name | Employer's Name | Date | Appeal No. | SS No. |
|-------------------|-------------------------------|----------|------------|-------------|
| WILLIAM V. OZOLIN | AUTOMATED INFORMATION MGMT IN | 06/27/90 | 9004383 | 435-32-9580 |

Appellant: CLAIMANT

050

The Board of Appeals has received an appeal in this case. The Board may deny a petition for review, it may decide ~~to review~~ the case on the record already established, or it may grant a hearing. You will be notified in the future of the Board's action.

The Board's action may change the result of the Examiner's decision. If the Claimant has been previously disqualified from benefits, that disqualification may be affirmed, modified or reversed.

If the Claimant has been granted benefits, a partial or total disqualification may be imposed by the Board's action. If this occurs, the Claimant may be required to pay back some or all of the benefits received.

It is the duty of all parties to keep the Board of Appeals notified of their current address. Please write to the Board at Room 515, 1100 North Eutaw Street, Baltimore, MD 21201 if your address changes.

Mail To:

WILLIAM V. OZOLIN
3930 N. PINE GROVE AVE, 2201
CHICAGO, IL 60613

PAUL G. ZIMMERMANN

COUNSEL

Copies Mailed To:

AUTOMATED INFORMATION MGMT INC
ATTN: JAMES GEORGE
DIRECTOR OF FINANCE
4403 FORBES BLVD.
LANHAM, MD 20706

DEED/OUI/AD 371 C (Rev. 2/87)

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DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

STATE OF MARYLAND
BOARD OF APPEALS - ROOM 515
1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201
333-5032

WILLIAM DONALD SCHAEFER
Governor

NOTICE OF APPEAL

| Claimant's Name | Employer's Name | Date | Appeal No. | SS No. |
|-------------------|-------------------------------|----------|------------|-------------|
| WILLIAM V. OZOLIN | AUTOMATED INFORMATION MGMT IN | 06/27/90 | 9004383 | 485-32-9580 |

Appellant: CLAIMANT

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Mail To:

AUTOMATED INFORMATION MGMT INC
ATTN: JAMES GEORGE
DIRECTOR OF FINANCE
4403 FORBES BLVD.
LANHAM, MD 20706

PAUL G. ZIMMERMANN

COUNSEL

Copies Mailed To:

WILLIAM V. OZOLIN
3930 N. PINE GROVE AVE, 2201
CHICAGO, IL 60613

DEED/OU/AD 371 C (Rev. 2/87)

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 **Maryland**
Department of Economic &
Employment Development

William Donald Schaefer, Governor
J. Randall Evans, Secretary
Board of Appeals
1100 North Eutaw Street
Baltimore, Maryland 21201
Telephone: (301) 333-5032
Board of Appeals
Thomas W. Keech, Chairman
Hazel A. Warnick, Associate Member
Donna P. Watts, Associate Member

— DECISION —

| | | |
|-----------|---|------------------------|
| | Decision No.: | 731-BR-90 |
| | Date: | July 26, 1990 |
| Claimant: | William Ozolin 3930 N. Pine Grove Ave. Suite 2201 Chicago, IL 60613-3362 | Appeal No.: 9004383 |
| | | S. S. No.: 485-32-9580 |
| Employer: | Automated Information Mgmt., Inc. ATTN: James George, Dir. of Finance 4403 Forbes Blvd. Lanham, MD 20706 | L. O. No.: 50 |
| Issue: | | Appellant: CLAIMANT |

Whether there is good cause to reopen a dismissed case within the meaning of COMAR 24.02.06.02N(5)(c).

— NOTICE OF RIGHT OF APPEAL TO COURT —

YOU MAY FILE AN APPEAL FROM THIS DECISION IN ACCORDANCE WITH THE LAWS OF MARYLAND. THE APPEAL MAY BE TAKEN IN PERSON OR THROUGH AN ATTORNEY IN THE CIRCUIT COURT OF BALTIMORE CITY, IF YOU RESIDE IN BALTIMORE CITY, OR THE CIRCUIT COURT OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

August 25, 1990

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT ON

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

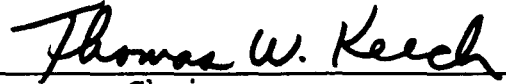
REVIEW ON THE RECORD

Upon review of the record in this case, the Board of Appeals affirms the decision of the Hearing Examiner.

DECISION

The claimant did not show good cause to reopen a dismissed case within the meaning of COMAR 24.02.06.02N(5)(c).

The decision of the Hearing Examiner is affirmed.



Chairman



Associate Member

K:HW

kbm

COPIES MAILED TO:

CLAIMANT

EMPLOYER

OUT-OF-STATE CLAIMS



FILED

WILLIAM V. OZOLIN

vs.

AUTOMATED INFORMATION MANAGEMENT, INC.

and

BOARD OF APPEALS
Department of Economic and
Employment Development

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY

OCT 26 1990

* #90243035/CL118862



A N S W E R

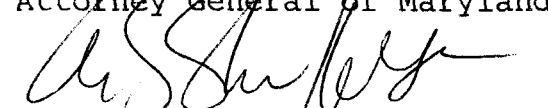
The Board of Appeals, Department of Economic and
Employment Development, in response to Appellant's Petition
states:

1. That it denies the allegation in said Petition.
2. That pursuant to Section 7(h), Article 95A, Maryland
Annotated Code, the jurisdiction of the court is confined to
questions of law, and this is not a trial de novo.
3. That the findings of the Board of Appeals are
supported by competent, material and substantial evidence and,
there being no allegation of fraud, in accordance with Section
7(h), supra, such findings are conclusive.

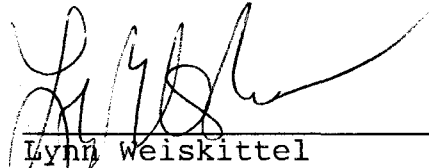
WHEREFORE, the Board of Appeals prays that its decision be
affirmed.

Respectfully submitted,

J. JOSEPH CURRAN, JR.
Attorney General of Maryland



Amy S. Scherr
Assistant Attorney General

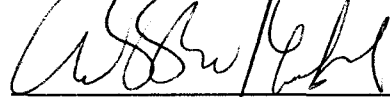


Lynn Weiskittel
Assistant Attorney General
217 East Redwood Street
11th Floor
Baltimore, Maryland 21202
Telephone: (301) 333-6943

CERTIFICATE OF COMPLIANCE

Appellee, Board of Appeals, Department of Economic and Employment Development by its attorney Amy S. Scherr and pursuant to Maryland Rule B2 d, hereby certifies that a written notice of Appellant's appeal, a copy of the appeal, and a copy of the petition were mailed, postage prepaid, to Automated Information Management, Inc., 4403 Forbes Boulevard, Lanham, MD 20706.

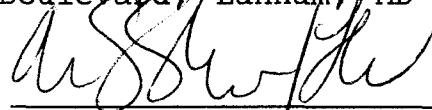
Respectfully submitted,



Amy S. Scherr
Assistant Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of October, 1990, I mailed a copy of the foregoing Answer to William V. Ozolin, Appellant in proper person at 3930 North Pine Grove Avenue, Suite 2201, Chicago, IL 60613-3362 and to Automated Information Management, Inc., 4403 Forbes Boulevard, Lanham, MD 20706, coAppellee herein.



Amy S. Scherr

4

JUDGE DAVID ROSS
Sitting as Motions Judge

TITLE OF CASE:

WILLIAM V. OZOLIN
v.
BOARD OF APPEALS

DATE OF HEARING:

APPEARANCES:

P.P.

C
COURT: Circuit Court for
Baltimore City

FOR PLAINTIFF

DOCKET: PAGE:

Amy S. Scherr

CASE NO.: 90243035/CL118862

FOR DEFENDANT

FOR THIRD PARTY DEFENDANT

RULING BY THE COURT: Oct. 19, 1990

C
Appellee Board of Appeals' motion to dismiss is denied.
Sufficient cause for the brief delay is found.

cc: William V. Ozolin
Amy S. Scherr, Esq.

DR

JUDGE

September 28, 1990

Saundra E. Banks, Clerk
Circuit Court for Baltimore City
Courthouse East, Room 462
111 North Calvert Street
Baltimore, MD 21202

FILED 3

OCT 15 1990

CIRCUIT COURT FOR
BALTIMORE CITY

Dear Ms. Banks:

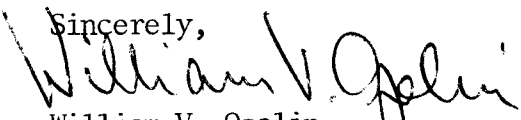
RE: #90243035/CL118862

I have just received a copy of a Motion to Dismiss the above referenced case by the Offices of The Attorney General, State of Maryland Department of Economic and Employment Development on grounds that the Order for Appeal as specified by Rule B4 was filed five days (5) late; i.e. the decision of the Board was made on July 26, 1990 and I filed the Order for Appeal on August 30, 1990. I realized that this was a LATE FILING and gave reasons for it with exhibits supporting it in my PETITION dated August 30, 1990 as detailed below:

- A. LATE FILING was because the form letter prepared by the Board of Appeals advised me of my right to appeal in Circuit Court in the County of Maryland indicating that I had to appeal in person or through an attorney. The fact that I am living outside of Maryland, I could not appear in person nor could I afford an attorney to represent me. The Board's decision marked exhibit "A" was mailed to your office enclosed with my petition.
- B. I had asked the Board, specifically Mr. Thomas W. Keech, how to overcome this obstacle. My letter to Mr. Keech was also enclosed with my Petition marked exhibit "B".
- C. Please note that the reply from the Board of Appeals was mailed only one day before the appeals deadline - please see Exhibit "C" attached to my Petition. In this letter I was told to contact the Office of the Attorney General for information. Upon learning from an Assistant Attorney General how to proceed when filing out-of-State, I immediately did so by Overnight Mail.
- D. In view of the above facts I now repeatedly and most respectfully ask the Court to remand my case to the Agency so that I can have a hearing. I have never been able to participate in a hearing because complications arose from the fact that I was out-of-State and trying to participate in a telephone hearing. I did not have my own telephone, because I could not afford one. Consequently I was using my brother-in-law's telephone for the hearing. My brother-in-law was present and witness to the fact that I was prepared to proceed by telephone, but failed to get a call.

Mr. Daryl C. Plevy, Director Legal Labor and Special Issues also suggested that I contact you Ms. Banks in the hopes to resolve this situation as soon as possible. This was in response to my personal appeal to Governor William Donald Schaefer. I am certainly in need of all the assistance I can get but I can not afford to pay for expensive court costs or I would not be asking for unemployment benefits to support my terminally ill wife and myself.

Sincerely,


William V. Ozolin
3930 N. Pine Grove Ave., Apt.#2201
Chicago, IL 60613-3362

CERTIFICATE OF MAILING/SERVICE

I HEREBY CERTIFY that on the 28th day of September, 1990, a copy of the foregoing detailed explanation for LATE FILING was mailed, postage prepaid to The Offices of The Attorney General, State of Maryland, Department of Economic and Employment Development, 217 East Redwood Street - Room 1101 Baltimore, Maryland 21202.

William V. Ozolin

William V. Ozolin
Appellant in Proper Person
3930 North Pine Grove Avenue
Suite #2201
Chicago, Illinois 60613-332

P.S. The CERTIFICATE OF SERVICE might not have been attached to the proper document at the time of mailing through an oversight of the Appellant, but the memorandum must definitely be in the hands of the defendants attorneys, i.e. Mr. J. Joseph Curran, Jr., Attorney General of Maryland and Ms. Amy Scherr, Assistant Attorney General at this time. A second mailing is being effected today, postage prepaid - the 10th day of October, 1990.

WILLIAM V. OZOLIN
vs.
AUTOMATED INFORMATION MANAGEMENT, INC.
and
BOARD OF APPEALS
Department of Economic and
Employment Development

2
JK

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY
* #90243035/CL118862
*
*

FILED
SEP 23 1990
CIRCUIT COURT FOR
BALTIMORE CITY

MOTION TO DISMISS

The Board of Appeals, Department of Economic and Employment Development ("the Board"), an Appellee herein, moves that the above-captioned appeal be dismissed. The grounds of its Motion are as follows:

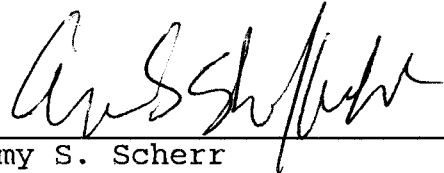
1. The procedure for appeal from a decision of the Board is governed by Subtitle B of the Maryland Rules of Procedure.
2. Specifically, Rule B4 provides that an Order for Appeal be filed with the Circuit Court within 30 days from the date of the action appealed from.
3. The decision of the Board in this case was made on July 26, 1990, and William V. Ozolin, Appellant, ("Ozolin") filed the Order for Appeal on August 31, 1990, after the statutory period for appeal had expired.
4. Because Ozolin's appeal was not timely filed, according to the provisions of Rule B5, dismissal is mandated.

WHEREFORE, the Board requests that the above-captioned appeal be dismissed, with prejudice.

Respectfully submitted,

J. JOSEPH CURRAN, JR.
Attorney General of Maryland

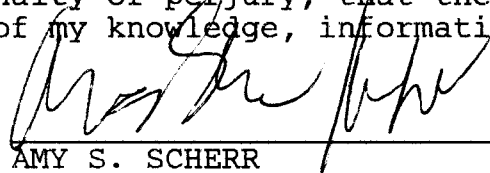
(Handwritten signature)



Amy S. Scherr
Assistant Attorney General
217 East Redwood Street
11th Floor
Baltimore, Maryland 21202
Phone: (301) 333-4813

AFFIDAVIT

I HEREBY AFFIRM, under penalty of perjury, that the
aforegoing is true to the best of my knowledge, information and
belief.



AMY S. SCHERR

WILLIAM V. OZOLIN

vs.

AUTOMATED INFORMATION MANAGEMENT, INC.

and

BOARD OF APPEALS

Department of Economic and
Employment Development

* IN THE

* CIRCUIT COURT

* FOR

* BALTIMORE CITY

* #90243035/CL118862

*

STATEMENT OF GROUNDS AND AUTHORITIES IN
SUPPORT OF MOTION TO DISMISS

Rule B4(a) specifically provides that an Order for Appeal shall be filed within 30 days of the date of the administrative action appealed from. Subsection (c) provides for an extension of time for filing the appeal if a proper request is made to the Court within the thirty-day period allowed for filing an Order for Appeal. No such action was taken in this case.

Rule B5 specifically provides that if an appellant fails to file the Order for Appeal within the time prescribed by Rule B4, "the Court shall dismiss the appeal unless cause to the contrary be shown". There is no requirement under either rule for a showing of prejudice to the adverse party as a prerequisite for the trial court's dismissing a late appeal. Warmack v. Bradley Club, Inc., 242 Md. 394, 219 A.2d 12 (1966).

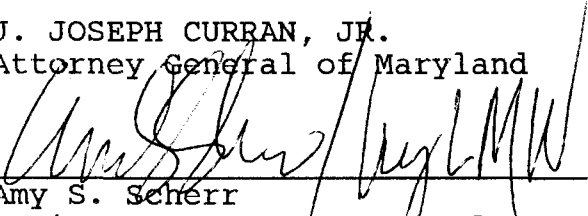
The term "cause" used in Rule B5 has been equated by the Court of Appeals with "good cause" and only a substantial reason has been found to constitute good cause. Francois v. Alberti Van and Storage Co., 285 Md. 663, 404 A.2d 1059 (1979) and Matthew Bender Co., Inc. v. Comptroller of the Treasury, 67 Md. App. 693, 509 A.2d 702 (1986).

The Court of Appeals has repeatedly held that the Maryland Rules of Procedure are ". . .not to be considered as mere guidelines or Heloise's helpful hints to the practice of law but rather precise rubrics that are to be read and followed. . .". Colonial Carpet v. Carpet Fair, 36 Md. 583, 384 A.2d 419, 421 (1977); also, See: Weston International v. Woodlawn Supermarkets, 44 Md. 390, 408 A.2d 781 (1979) and Pride Mark Realty v. Mullins, 30 Md. 497, 352 A.2d 866 (1976).

Rule B5 specifically provides that dismissal is an appropriate sanction in this case, therefore this appeal should be dismissed because of Ozolin's failure to comply with Rule B4.

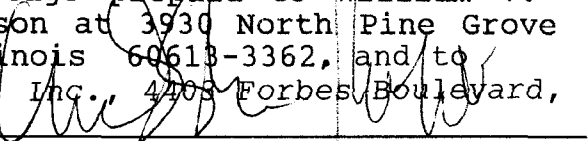
Respectfully submitted,

J. JOSEPH CURRAN, JR.
Attorney General of Maryland


Amy S. Scherr
Assistant Attorney General
217 East Redwood Street
11th Floor
Baltimore, Maryland 21202
Phone: (301) 333-4813

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of September, 1990, a copy of the foregoing Motion to Dismiss and Statement of Grounds and Authorities in Support of Motion to Dismiss and proposed Order were mailed, postage prepaid to William V. Ozolin, Appellant in proper person at 3930 North Pine Grove Avenue, Suite 2201, Chicago, Illinois 60613-3362, and to Automated Information Management, Inc., 4408 Forbes Boulevard, Lanham, MD 20706.


Amy S. Scherr

WILLIAM V. OZOLIN

vs.

AUTOMATED INFORMATION MANAGEMENT, INC.

and

BOARD OF APPEALS

Department of Economic and
Employment Development

* IN THE

* CIRCUIT COURT

* FOR

* BALTIMORE CITY

* #90243035/CL118862

*

*

ORDER

No cause to the contrary having been shown, it is this
_____ day of _____, 1990 by the Circuit
Court for Baltimore City

ORDERED that the foregoing Motion to Dismiss be, and the
same is hereby granted for failure to file a timely Order for
Appeal as required by Rule B4.

J U D G E

WILLIAM V. OZOLIN

vs.

AUTOMATED INFORMATION MANAGEMENT, INC.

and

BOARD OF APPEALS

Department of Economic and
Employment Development

* IN THE

* CIRCUIT COURT

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J U D G E

MAILED BY OVERNIGHT MAIL

FILED

AUG 31 1990

**CIRCUIT COURT FOR
BALTIMORE CITY**

William V. Ozolin

3930 N. Pine Grove Ave.
Suite #2201

Chicago, Illinois 60613-3362

Claimant

v.

BOARD OF APPEALS,
DEPARTMENT OF ECONOMIC
AND EMPLOYMENT DEVELOPMENT
217 E. Redwood Street
Suite 1119
Baltimore, Maryland 21202

and

Automated Information Mgmt., Inc.
Attn: James George, Dir. of Finance
4403 Forbes Boulevard
Lanham, Maryland 20706

Employer

IN THE

90243035

CIRCUIT COURT

FOR

CL 118862

Baltimore City

Case No. 9004383

* * * * *

ACW

ORDER OF APPEAL

Please enter an appeal on behalf of William V. Ozolin
in Proper Person, from Decsion NO. 731-BR-90 issued by the
Board of Appeals, Department of Economic and Employment Development, State
of Maryland, and rendered in the above-captioned matter on July 26, 1990.

William V. Ozolin
(Claimant's signature)

485-32-9580
(Social Security Number)

312-404-6989
(Telephone Number)

CERTIFICATION OF MAILING

I HEREBY CERTIFY that on this 30th day of August, 1990, a copy of the
aforegoing Order for Appeal was mailed BY OVERNIGHT MAIL to Ms. Sandra Banks,
Clerk, Circuit Court for Baltimore City Court House, 111 North Calvert Street,
Baltimore, Maryland 21202.

William V. Ozolin

PETITION OF William V. Ozolin

Proper Person, respectfully represents:

1. Claimant is aggrieved by a decision of the Board of Appeals which denied to him unemployment insurance benefits rightfully due him as a result of his employment.

2. The Board of Appeals and the Appeals Referee erred in the following manner:

A. LATE FILING is because the form letter prepared by the Board of Appeals advised me of my right to appeal in Circuit Court in the County of Maryland indicating that I had to appeal in person or through an attorney. The fact that I am living outside of Maryland, I can not appear in person and I can not afford an attorney. Please find attached the Board's decision marked exhibit "A".

B. I asked the Board, specifically Mr. Thomas W. Keech, how to overcome this problem. Please see my enclosed letter marked exhibit "B".

C. Please note that the reply from the Board of Appeals was mailed only one day before the appeals deadline - see attached letter exhibit "C". In this letter I was told to contact the Office of the Attorney General for information. Upon learning from an Assistant Attorney General how to proceed when filing out-of-state, I have immediately done so by Overnight Mail.

D. In view of the above I now respectfully ask the Court to remand my case to the Agency so that I can have a hearing. I have never been able to participate in a hearing because complications arose from the fact that I was out-of-state and trying to participate in a telephone hearing. I did not have my own telephone, because I could not afford one. Consequently I was using my brother-in-law's telephone for the hearing. My brother-in-law was present and witness to the fact that I was prepared to proceed by telephone, but failed to get a call.

3. The Board erred for such other reasons as may become apparent from reading of the record.

William V. Ozolin

I HEREBY CERTIFY that on this 30th day of August, 1990, a copy of the
aforegoing Petition was mailed by OVERNIGHT MAIL to the Offices of The Attorney
General, State of Maryland, Department of Economic and Employment Development
217 East Redwood Street, Suite 1101, Baltimore, Maryland 21202.

William V. Gohari

 **Maryland**
Department of Economic &
Employment Development

William Donald Schaefer, Governor
J. Randall Evans, Secretary

Board of Appeals
1100 North Eutaw Street
Baltimore, Maryland 21201
Telephone: (301) 333-5032

Board of Appeals
Thomas W. Keech, Chairman
Hazel A. Warnick, Associate Member
Donna P. Watts, Associate Member

— DECISION —

| | | |
|---|---|---------------|
| | Decision No.: | 731-BR-90 |
| | Date: | July 26, 1990 |
| Claimant | Appeal No.: | 9004383 |
| | S. S. No.: | 485-32-9580 |
| <p>William Ozolin 3930 N. Pine Grove Ave. Suite 2201 Chicago, IL 60613-3362</p> | | |
| Employer: | L. O. No.: | 50 |
| | Appellant | CLAIMANT |
| Issue: | <p>Automated Information Mgmt., Inc. ATTN: James George, Dir. of Finance 4403 Forbes Blvd. Lanham, MD 20706</p> | |

Whether there is good cause to reopen a dismissed case within the meaning of COMAR 24.02.06.02N(5)(c).

— NOTICE OF RIGHT OF APPEAL TO COURT —

YOU MAY FILE AN APPEAL FROM THIS DECISION IN ACCORDANCE WITH THE LAWS OF MARYLAND. THE APPEAL MAY BE TAKEN IN PERSON OR THROUGH AN ATTORNEY IN THE CIRCUIT COURT OF BALTIMORE CITY, IF YOU RESIDE IN BALTIMORE CITY, OR THE CIRCUIT COURT OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

August 25, 1990

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT ON

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

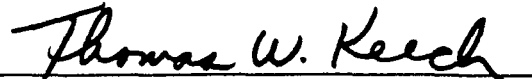
REVIEW ON THE RECORD

Upon review of the record in this case, the Board of Appeals affirms the decision of the Hearing Examiner.

DECISION

The claimant did not show good cause to reopen a dismissed case within the meaning of COMAR 24.02.06.02N(5)(c).

The decision of the Hearing Examiner is affirmed.


Chairman


Associate Member

K:HW

kbm

COPIES MAILED TO:

CLAIMANT

EMPLOYER

OUT-OF-STATE CLAIMS

EXHIBIT "B"

12 August 1990

Mr. Thomas W. Keech, Chairman
Board of Appeals
Department of Economic & Employment Development
State of Maryland
1100 North Eutlaw Street
Baltimore, Maryland 21201

Dear Mr. Thomas W. Keech:

I have received your letter/decision #731-BR-90 dated July 26, 1990 in response to my Appeal No: 9004383.

Since yours was only a form letter which I doubt you have even personally seen or signed, I do not wish to go into a lengthy discourse of the matter again, but only to point out that the Review of the Record in this case in which you, i.e. the Board of Appeals affirms the decision of the hearing examiner, is nothing more than a blatant cover-up. A hearing has never taken place; the hearing examiners involved in this case never made a serious attempt, or for that matter, any attempt at all to contact me. Fortunately I have reliable witnesses to corroborate my statements. The fact still remains that I was forced to resign from my job at Automated Information Management, Inc. and have witnesses who will support this claim also before any court in the land, if necessary.

Regarding your Notice of Right of Appeal to Court, I should be most eager to do so today, but the fact that the appeal must be taken in person or through an attorney in the Circuit Court of Baltimore City or any Circuit Court in the County of Maryland prevents me from doing so at the moment: you very well know that I reside in the State of Illinois; you also very well know that this is an Out-Of-State claim and I certainly do not have the money to travel to Maryland or engage attorneys -I would not be asking for unemployment benefits if that was the case. You certainly have built a case of bureaucratic demagoguery relaying apparently on falsehoods presented to you by the employer as well as some of your own employees.

Since it is absolutely evident that I can not expect any justice from your side, I have no choice but to again ask The Honorable William Donald Schaefer, Governor of the State of Maryland, and the Equal Employment Opportunity Commission to intervene on my behalf in either transferring the case to a Circuit Court in Chicago or appointing an attorney in Maryland to represent me at the expense of the State since I have no money to pay for it.

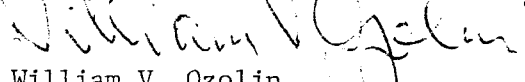
Dear Governor Schaefer, you informed me on July 13th, 1990 that you had asked a member of your staff to investigate this matter. The case as you see from the above narrative has gone from bad to worse. I have no one to turn to and in the name of all that is fair and just I beseech you to either appoint a Public Defendent to represent me at the Circuit Court of Baltimore City, or better yet, have the case transferred to Chicago under the jurisdiction of the Equal Employment Opportunity Commission to be pursued in a local Circuit Court of Chicago.

From the very nice letter you sent me, Governor Schaefer, I perceive you to be a compassionate man. Please help me in this case in which I find myself alone fighting a formidable bureaucratic machine in Maryland and a large and rich Company in

Lanham, i.e. AIM, INC. They operate under the auspices of a small, female owned, minority company, but nothing is further from the truth. It is a large, rich and powerful entity. Even a cursory investigation would reveal this fact.

I certainly pray that you will intervene personally to settle this matter. I know that AIM, INC. is an EEOC employer. I have great respect for the EEOC and I am certain that they will cooperate in case The Department of Economic & Employment Development of The State of Maryland further refuse to own up to their responsibilities. I still count on you, Governor Schaefer, before having to bring suit through the EEOC - again, Sir, in God's name please help an old and destitute couple in their misery.

Very sincerely yours,



William V. Ozolin
3930 North Pine Grove Avenue
Apartment #2201
Chicago, Illinois 60613

Telephone: Home -312-404-6989

cc: The Honorable William Donald Schaefer
Governor of The State of Maryland
State House
Annapolis, Maryland 21401

cc: Equal Employment Opportunity Commission
1801 "L" Street NW
Washington, D,C, 20507

EXHIBIT C

 **Maryland**
Department of Economic &
Employment Development

William Donald Schaefer
Governor
J. Randall Evans
Secretary

Board of Appeals
1100 North Eutaw Street
Baltimore, Maryland 21201

August 24, 1990

Telephone: (301) 333-5033

Mr. William Ozolin
3930 N. Pine Grove Ave.
Suite 2201
Chicago, Illinois 60613

RE: William Ozolin
Appeal No. 9004383
S. S. No. 485-32-9580

Dear Mr. Ozolin:

I have reviewed your letter of August 12, 1990 to Thomas W. Keech, and as attorney to the Board, I would like to respond.

A telephone hearing was set up for April 18, at 11:15 a.m. You were sent notice of the hearing on April 2nd. The Hearing Examiner called at 11:15 and 11:25. Both times, Dr. Kirsteins' answering machine came on the line. The message specifically stated that no one was available to answer the phone. Furthermore, on April 18, the Appeals Division received your letter, dated April 14, wherein you stated that you believed that the hearing would be a waste of time. After receiving the two "no answers", the Hearing Examiner dismissed your appeal.

Upon your request, a hearing was scheduled to give you the chance to explain to the Hearing Examiner why your case should be reopened. Another telephone hearing was set up for 10:30 on May 21. The notice was sent on May 8. Again you failed to be present in order to participate in the hearing. Under COMAR 24.02.06.02T(4), the failure to answer the phone for more than ten minutes after the scheduled time of the hearing shall be considered as a failure to appear. Therefore, you failed to appear for two hearings, after every reasonable attempt was made to contact you. Since you failed to show good cause why your case should be reopened, the dismissal stood.

The Board's obligation on an appeal is to review the record before the Hearing Examiner to determine if the Hearing Examiner made the proper decision in light of the evidence before him. In this case, the Board reviewed the record, including the tape made at the hearing, and determined that the Hearing Examiner made the correct decision.

Neither the Board nor the state has the authority to appoint an attorney to represent you. Furthermore, to my knowledge, the case cannot be transferred out-of-state. However, you may wish to contact Lynn Weiskittel, at the Attorney General's Office (301 333-6943) for further information.

Very truly yours,

BOARD OF APPEALS



Paul G. Zimmermann
Appeals Counsel

PGZ:kmb

From: Jennifer Hafner
 To: Ray Connor, Doris Byrne, Sheila Simms, Edward Papenfuse
 Date: Monday, February 01, 2010 12:53:12 PM
 Subject: MSA SC 5458-82-150, 1990 cases

*RC
 3-1-10/
 Jennifer
 120 pages*

These are the remaining 1990 cases. I have updated the work order.

Mayor AND City Council VS LOUDEN Box 1003 Case No. 90211027 [MSA T2691-3640, OR/11/15/36]
 File should be named msa_sc5458_82_150_[full case number]-####

DESSESAURE VS ST PAUL RENTALS Box 1003 Case No. 90211028 [MSA T2691-3640, OR/11/15/36]
 File should be named msa_sc5458_82_150_[full case number]-####

LANGREHR VS HOBBS Box 1010 Case No. 90215022 [MSA T2691-3647, OR/11/15/43]
 File should be named msa_sc5458_82_150_[full case number]-####

OZOLIN VS BOARD OF APPEALS, ET. AL. Box 1060 Case No. 90243035 [MSA T2691-3697, OR/11/16/9]
 File should be named msa_sc5458_82_150_[full case number]-####

WILLIAMS VS BD. OF APPEALS, ET. AL. Box 1129 Case No. 90285042 [MSA T2691-3766, OR/11/16/77]
 File should be named msa_sc5458_82_150_[full case number]-####

BOST VS DISTANCE Box 1204 Case No. 90331026 [MSA T2691-3841, OR/11/17/68]
 File should be named msa_sc5458_82_150_[full case number]-####

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