

Charles Lake  
PO Box 1237  
Cairo, NY 12413  
Monday, September 04, 2000

Hon. John G. Connor, JSC  
County of Greene  
Supreme Court  
Index No. 95-208  
RJI No. 19-25-6238

SEP - 5 2000

I am writing to up date you to the Friday, August 11, 2000 letter. Attached is a copy of the letter to the U.S. Department of Justice. I also wrote to the Pennsylvania Office of Attorney General and the FBI.

I am still waiting for a response from you on whether or not I should be forwarding my complaints to the other attorneys involved as well as asking them the questions that were never answered.

Mr. Lewis and I still have a strained relationship. In fact, he hasn't responded to the letter dated, August 11, 2000. Even though, after his secretary read it, she said that he would want to speak me.

If this court is looking for the truth, I believe the questions that are in this letter to US Department of Justice, must be answered with documentation by MPC Trucking before a ruling of Res Judicata. I will let you know if I get an answer from those stated above on whether or not they are going to investigate because of the evidence I have supplied.

Respectfully,



Charles Lake

JAN 19 11 54 AM '01  
CLERK'S OFFICE  
CATTARAUGUS COUNTY  
NEW YORK

Charles Lake  
PO Box 1237  
CAIRO, NY 12413  
Monday, September 04, 2000

SEP - 5 2000

U.S. Department of Justice  
950 Pennsylvania Ave., NW  
Washington, DC 20530-0001

On February 21, 2000 I wrote a letter to the U.S. Department of Justice. In April I received a response. Evidently they did not understand what I was trying to say or I sent the information to the wrong department. The response told me if I think the company is breaking the law, get in touch with the FBI. I believe someone from your office should look at my information.

All the information I will be referring to is in my web page:

<http://www.mhonline.net/~bebear/Bearspage/Index.htm>

Mostly under the Workmen's Compensation Page, although the OSHA Page shows how MPC Trucking gave false statements to the OSHA investigator and The Proposed Amendment page shows how MPC Trucking broke the law by hauling Food & Food Products after hauling **ASBESTOS and other toxins.**

I believe that MPC Trucking has committed **Insurance Fraud.** I believe MPC Trucking took money from their independent contractors and/or owner-operators for Workmen's Compensation Insurance, knowing that they never had an insurance carrier to provide the insurance. These are the reasons I believe this:

In the letter from B. Gallagher to owner-operator and/or independent contractors of MPC Trucking dated, January 7, 1991, he makes several points. According to most State laws, independent contractors are not required to be covered by Workmen's Compensation Insurance. Mr. Gallagher stated, he approached an insurance agent to determine if insurance could be extended to the company's owner-operators. The agent said he could place this coverage. However, the agent was not interested in charging each individual separately. He would write the policy to MPC Trucking and in turn, MPC would charge the owner-operators. Mr. Gallagher also stated, unless they could obtain 100% acceptance the rate of the coverage, it would be more than 3.5%.

In the letter from B. Gallagher to C. Lake (myself), on January 30, 1991, Mr. Gallagher makes several points, but the most important being, "if you are involved in an accident and are injured, you do not have any medical or disability coverage that would pay your medical bills or provide any income to support you and your family during your recovery."

In the letter from B. Gallagher to owner-operator and/or independent contractors of MPC Trucking dated, February 15, 1991, Mr. Gallagher states that they did not have 100% acceptance of the Workmen's Compensation Insurance Coverage, but the response to the

program was very good and they were able to keep the premium at 3.5% of the owner-operator's total wages.

Before I go any further, I have questions that I have asked Mr. Gallagher and Mr. Kot of MPC Trucking. Their answer was, it was none of my business and as you can see, none of these documents are signed. I am going to ask you these questions and maybe they will answer you.

Who was the insurance agent and the insurance carrier whom Mr. Gallagher spoke to for this Workmen's Compensation Insurance?

Why did Mr. Gallagher and Mr. Kot deduct the money from my pay if I did not sign the agreement?

How many other owner-operators gave MPC Trucking money for a service that could not be provided by Pennsylvania law? There has to be a good number of them from what the letter from February said.

On March 6, 1991, I was injured and treated in Norwood Hospital, MPC Trucking paid for my injury from miscellaneous insurance and because of that, from then on, I was told that they had the right to deduct the money from my pay because they paid for my injury.

On April 6, 1992, I suffered from what was thought to be, contamination from an unknown substance while unloading food product at C&S Food Warehouse. Mr. Gallagher and Mr. Kot from MPC Trucking, told me to send the bills to MPC Trucking and they would be taken care of the same way as the Norwood Hospital bills were taken care of. I did not agree to this because they refused to let me know what was in the trailer previously and I did not know what they after effects would be. I kept asking them for a Workmen's Compensation Number, they kept refusing.

Finally, in 1995, I filed a Workmen's Compensation Claim against MPC Trucking. On February 28, 1995, I received documentation from State Workmen's Insurance Fund who represented MPC Trucking. I find it very odd that State Workmen's Insurance Fund would represent MPC Trucking even though, at the time of the injury, that they were not the insurance carrier, as stated on their paperwork.

On March 7, 1995, I received a copy of the letter from MPC Trucking to the judge of the Workmen's Compensation Court. In this letter, Mr. Kot from MPC Trucking makes it very clear that I (C. Lake) was an independent contractor who was leased out of Waterford, New York and was never an employee of MPC Trucking. This after paying one claim (Norwood Hospital) and taking 3.5% of my pay for Workmen's Compensation in which Mr. Gallagher's letter of January 7, 1991 said that they checked to make sure it was possible to take this money from an independent contractor's pay. Mr. Kot goes on to state, "MPC Trucking is provided Worker's Compensation insurance through the State Worker's Insurance Fund, policy number: 00279965-941. Coverage is obtained through our parent company, Monsey Products Company."

I have written to State Worker's Insurance Fund. Here are the questions I asked them.

When did State Workmen's Insurance Fund become the Insurance carrier for MPC Trucking?

When did State Workmen's Insurance Fund become the Insurance carrier for Monsey Products Company? Was it before January, 1991?

Did B. Gallagher of MPC Trucking talk to State Workmen's Insurance Fund about Workmen's Compensation Insurance on or before January, 1991?

Was it one of State Workmen's Insurance Fund agents that determined coverage for Workmen's Compensation Insurance could be extended to all of MPC's Truckings independent contractors and-or owner-operators?

Why did State Workmen's Insurance Fund defend or represent MPC Trucking at the Workmen's Compensation Hearings When MPC Trucking did not pay premiums to State Workmen's Insurance Fund at the time of the injury?

Now, I have a couple questions for you.

Shouldn't State Workmen's Insurance Fund have verified that MPC Trucking had a qualified Workmen's Compensation Insurance carrier?

By State Workmen's Insurance Fund defending and/or representing MPC Trucking, are they accessories to the fraud?

The reason I am writing this complaint is because Mr. Gallagher and Mr. Kot of MPC Trucking has refused any and all information about the Workmen's Compensation Program of MPC Trucking. There were 45 or more owner-operators when I was there, and owner-operators would come and go on a constant basis. There could be hundreds of owner-operators over the years that had their money taken without a service being provided.

Could you let me know if giving false statements to OSHA is against the law?

Please contact me as soon as possible to let me know if an investigation can be opened on this matter.

Respectfully,



Charles Lake