

No. 18-8813

July 4th 2019

Supreme Court Of The United States

Washington, DC 20543-0001

Jean Bultman ~ Pro Se ~ Petitioner

vs.

Life Insurance Company Of North America (LINA) et al.

CIGNA

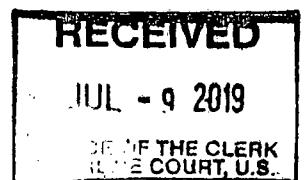
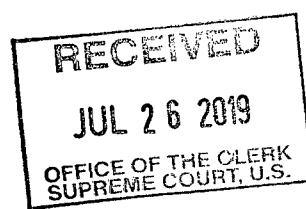
On Petition for Rehearing for Writ of Certiorari

Jean Bultman

PO Box 626

Fargo, North Dakota 58107

No Phone Number



No. 18-8813

Resubmit July 24, 2019

IN THE

Supreme Court Of The United States

Jean Bultman ~ Pro Se ~ Petitioner

vs.

Life Insurance Company Of North America (LINA) et al.

CIGNA - Respondents

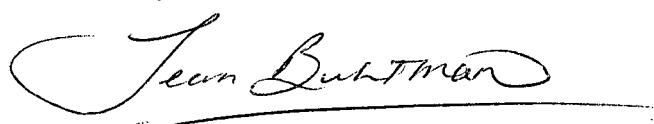
I, Jean Bultman do swear on this date July 24, 2019 as required by The Supreme Court Certify that the petition for rehearing is presented in good faith and not for delay.

The petition briefly and distinctly state it's grounds and are limited to intervening circumstances of substantial or effect to other substantial grounds not previously presented.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 24, 2019

Jean Bultman

A handwritten signature in black ink that reads "Jean Bultman". The signature is fluid and cursive, with "Jean" on the first line and "Bultman" on the second line, which is slightly curved.

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PETITION FOR REHEARING FOR WRIT OF CERTIORARI

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The petitioner Jean Bultman a Citizen of the United States of America in good faith filed for a rehearing and not for delay. To review for final judgment on constitutionality, immediate equitably relief and requests the court to issue a Writ of Certiorari.

The Supreme Court has the final authority on constitutional violations and being the supreme law of the land. The Federal Court decree must be directly responsive to the constitutional violations.

The question I am asking the court is to Please order Life Insurance of North America (LINA)/CIGNA to Immediately reinstate my benefits. I am in dire need of the benefits now that were granted then cancelled under ERISA. I need a court order to LINA/CIGNA to immediately reinstate my benefits.

It is egregious failure to not allow relief. 502 (a) (3), 502 (a)(3)(B) promotes legal authority to allow relief to appropriate equitable relief similar to equitable estoppel.

The abuse of discretion and the failure to act in accordance with the ERISA plan is a negligent breach of fiduciary duty. It violated it's obligations and not just changing the plans to their benefit. Intentional misleading to deny claims this is negligent breach of duty it causes injury to the petitioner. The failure to provide proper judgment is a breach of duty, to extend breach of trust by the fiduciary to provide equitable relief is in violation of ERISA.

The relevant standard of harm remedy is equivalent to equitable estoppel failure to provide proper judgement is in violation of ERISA and injures the employee's of the plan

and the petitioner. ERISA regulations require meaningful dialogue between plan administrator and beneficiaries if benefits are denied. If more information is needed the insurance company must ask for it an not just deny claims and create deception.

Failure to engage in meaningful dialogue violates ERISA claims processing and fiduciary duty of standard.

29 U.S.C.A. 1001(b) breach of contract, standards of conduct and conducting obligations of fiduciary responsibility.

When reviewing constitutional violations I would appreciate looking into the insurance company CIGNA,(LINA) release forms. I feel those waiver of claim papers are unconstitutional. If one signs the papers one is not allowed freedom of speech. If one doesn't sign the release papers the attorney for LINA he said it is a deal breaker and was also acknowledge by an unknown representative for the employer.

It is also a deal breaker to try to amend or improve the release that have any benefit for the employee, petitioner. There was no room for any type of forward movement as everyone is limited. I feel this form is oppressive and needs to be evaluated for unconstitutionality in not allowing the freedom of speech.

On You Tube channel Big Think published on June 27,2011, Abrams shared five court cases that have deeply shaped freedom of speech. [In 1919, Abrams v. United States, a case in which speakers against World War 1 had been outspoken voicing their concern's to the people not to be in support of the War.] In the video the speaker noted that Great Justice Oliver Holmes and another justice emphasized the need to protect the freedom of speech. Suppression of one's freedom of speech can't be allowed.

Limiting the freedom of speech does enormous harm to the public. Sometimes people need to speak up and say something and need the protections of the freedom of speech that is in the first amendment.

The Pentagon Papers case the speaker mentioned during the War in Vietnam. In 1971 The New York Times was given top secret classification information on the secretive study of why and how the United States became involved in the Vietnam war.

The American presidents going all the way back to WW2 let the war expand and the American involvement to continue. The attempt went to the Supreme Court to prevent the public from knowing and to prevent the New York Times from reporting this information.

The supreme court upheld the general principles of no injunctions or restraints of the freedom of speech. The impact has helped we the people and world throughout the years.

The outcome emphasized to the Presidents of the United States to be more transparent with we the people rather than being deceptive to all the people. The speaker mentioned we would be living in a very different world today if we were limited in the freedom of speech and if the Pentagon Paper's case came out differently.

A war time weather modification operations also took place during the Vietnam war called project Popeye.

The insurance companies oppressive,suppressive ways are enormously intrusive and burdensome along with the lack of equal protection or equal concern. The long extenuated delays and complexity of how these ERISA plans are handled by the insurance industry lack respect. It places an injury,stigmatizes the vulnerable groups,the employees,the

petitioner, effects health, physical wellbeing, emotions, hearts and the minds in a way that is unlikely to ever be undone.

The extremely unequal and viciously unjust ways are harmful to employee's, petitions and wrongly violates equal protections. The true purpose of law is not to violate the constitution or we the people's privacy.

As previously submitted, ERISA plans with personal medical information are shared with many affiliated and consulted organizations. This sharing of your personal and medical information though electronic email's, the artificial intelligence, all over in the court's, with attorney's, constitutes an invasion of privacy. This is in violations of HIPPA rules, loosing medical records in some other states in storage units, untruthful deceptive negligent beaches in contract that causes harm to the petitioner. Pulling people medical records without permission is wrong!

When evaluating constitutionality please evaluate with strict scrutiny.

According to Wendall Potter a former employee of LINA/CIGNA in several of his YouTube interviews online. Mr Potter talks about the insurance industry is not telling the truth to the American people or Congress. Mr. Potter said Cigna/LINA are full of lies and misleading statements and shifting the burden of cost and dumps people when they are sick. We the people are getting ripped off. The insurance industry is full of charlatan charmers saying one thing then doing another as they dump people when sick and in most need of health care. Awareness of how the industry misrepresents itself to the public needs review also for constitutional violations. We the people need to have the people in congress and the judiciary system whose pockets are not lined by the insurance giants.

This needs to be addressed and evaluated. If this current system continues people will continue to suffer and poverty will expand due to the unjustice of the insurance industry. The long delays of time and distance threatens one's health. Average American people can't afford health care. The insurance giants and pharmaceutical companies are making billions of dollars off our illnesses! Right now many of the average people are unable to own a home and that's a high percentage of the population. Pension funds are going bankrupt. People need to wake up keep improving health care, to eliminate premiums and deductibles and have coverage for pre-existing conditions. We need transparency. It affects all of humanity so this might involve evaluating the international law as well preventing crimes against humanity. It is our birth right as American citizen to have full coverage health care.

Medicare only covers 80% the other 20% is up to the people who need to purchase several other insurance's to be fully covered. In this system when people go into retirement along with the social security system needs to be improved or people will be in a downward spiral and into poverty. The system's need to eliminate the systems that are being controlled from outside of the United States. If we want full coverage and improved social security for all the people of the world. This needs effective expert evaluation along with transparency of a huge overhaul of all people in Congress and the Judiciary system. When the review of violations for unconstitutionality is in process a remedy of the violations may require a warrant to a recall of the representatives of the people.

President Jimmy Carter in 1978 did send a message to congress to try and improve to do a reorganization of the bureaucratic confusion of the ERISA bureaucratic runaround that is unnecessarily burdensome and the plans are highly criticized by employers and unions.

To this day ERISA still needs and humongous overhaul, all plans for employees need to include a specialized ERISA attorney and medical records in federal court is an invasion of privacy so these plans just need to be fizzled out and replaced with something better.

In requesting a rehearing to review with an equal opportunity to have a right of counsel in The United States Supreme Court.

I am unable to afford the high cost of an attorney and unable to find a pro bono attorney to assist in the complexity of ERISA or the higher level's of the court's judiciary system. Most all governments have taken to implementing the Right to Counsel.

In the case of Clarence Earl Gideon vs. Louie L. Wainwright.

Mr. Gideon was limited by the lower courts and he wasn't able to afford an attorney.

This was considered unconstitutional; the Sixth Amendment requires Equal Protections and Due Process. No state can deprived a person of life, liberty or property is due process of the law.

Trying to find a lawyer willing to go up against giant insurance companies who have the skill set, knowledge and experience in understanding the huge legal complexity of ERISA is enormously difficult to find. Most will not help pro bono and those that have the experience and knowledge work for large corporations, giant insurance companies or for the facilitators of the ERISA plans employers. Some attorneys who are for the petitioner have shared input with the department of labor and ERISA facilitators how these

complicated plans need to continually be reformed to be improved as they are so complex and outcomes are challenging. This makes it incredibly unfair and unequal to the basic employee or petitioner.

Mr. Gideon was limited from the lower courts like I was limited from the lower court making it unfair and unequal. This is why I would like to be given the chance along with the right to a rehearing and right to counsel in the Supreme Court, the highest court of the land for a new look at the right to effective assistance of counsel and the need for an expert to be unlimited.

Federal court decree, must be responsive to constitutional violations including violations of immediate equitable relief, equal protections, freedom of speech and right to privacy. An Immediate order for equitable relief and expert assistance to the right of counsel would be greatly appreciated.

CONCLUSION

The Petitioner requests that the court grant the petition for writ of certiorari/extraordinary certiorari to be granted.

Respectfully Resubmitted,



Jean Bultman

Po Box 626

Fargo, ND 58107

Petitioner

(b) Any person that violates section 519 shall upon conviction be imprisoned not more than 10 years or fined under title 18, United States Code, or both.

[29 U.S.C. 1131] Enacted September 2, 1974, P.L. 93-406, title I, sec. 501, 88 Stat. 891; amended March 23, 2010, P.L. 111-148, sec. 6601(b), 124 Stat. 779.

CIVIL ENFORCEMENT

SEC. 502. [1132] (a) A civil action may be brought—

(1) by a participant or beneficiary—

(A) for the relief provided for in subsection (c) of this section, or

(B) to recover benefits due to him under the terms of his plan, to enforce his rights under the terms of the plan, or to clarify his rights to future benefits under the terms of the plan;

(2) by the Secretary, or by a participant, beneficiary or fiduciary for appropriate relief under section 409;

(3) by a participant, beneficiary, or fiduciary (A) to enjoin any act or practice which violates any provision of this title or the terms of the plan, or (B) to obtain other appropriate equitable relief (i) to redress such violations or (ii) to enforce any provisions of this title or the terms of the plan;

(4) by the Secretary, or by a participant, or beneficiary for appropriate relief in the case of a violation of 105(c);

(5) except as otherwise provided in subsection (b), by the Secretary (A) to enjoin any act or practice which violates any provision of this title, or (B) to obtain other appropriate equitable relief (i) to redress such violation or (ii) to enforce any provision of this title;

(6) by the Secretary to collect any civil penalty under paragraph (2), (4), (5), (6), (7), (8), or (9)⁷² of subsection (c) or under subsection (i) or (l);

(7) by a State to enforce compliance with a qualified medical child support order (as defined in section 609(a)(2)(A));

(8) by the Secretary, or by an employer or other person referred to in section 101(f)(1), (A) to enjoin any act or practice which violates subsection (f) of section 101, or (B) to obtain appropriate equitable relief (i) to redress such violation or (ii) to enforce such subsection;

(9) in the event that the purchase of an insurance contract or insurance annuity in connection with termination of an individual's status as a participant covered under a pension plan with respect to all or any portion of the participant's pension benefit under such plan constitutes a violation of part 4 of this title or the terms of the plan, by the Secretary, by any individual who was a participant or beneficiary at the time of the alleged violation, or by a fiduciary, to obtain appropriate relief, including the posting of security if necessary, to assure receipt by the participant or beneficiary of the amounts provided or to

⁷²The amendment by section 311(b)(1)(E)(ii) of Public Law 111-3 to strike "or (8)" and insert "(8), or (9)" was not carried out because the text to be struck does not appear. See amendment made by section 101(e)(1) of Public Law 110-233 (122 Stat. 886).