

No. 19-5843

USCA9 CASE NO. 18-17263

IN THE

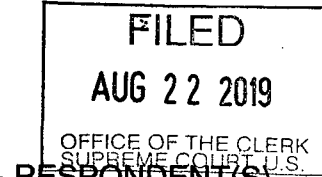
SUPREME COURT OF THE UNITED STATES

GONZALO R. RUBANG JR.

(Your Name)

— PETITIONER

GALLAGHER BASSETT SERVICES, INC., vs.  
KATHLEEN GRUBER



— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

US COURT OF APPEALS FOR THE NINTH CIRCUIT - SAN FRANCISCO, CALIFORNIA

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

GONZALO R. RUBANG JR.

(Your Name)

600 KENTUCKY STREET  
P. O. BOX 971

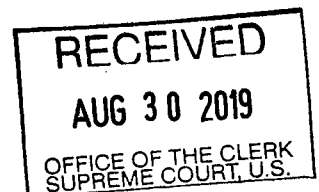
(Address)

FAIRFIELD, CA 94533

(City, State, Zip Code)

415-656-9882

(Phone Number)



## **QUESTION(S) PRESENTED**

Why the US COURT OF APPEALS FOR THE NINTH CIRCUIT adopted the decision from the US DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA - SACRAMENTO with out having a court trial? We should have a court trial this way we hear both sides. Who is telling the truth and who just used all technical issues that the Counsels of the Defendants had been successful to avoid court trial. Always successful in misleading the State and US Courts.

Every time I asked both State and US Courts to allow me to ask GALLAGHER BASSETT SERVICES, INC, why it took them a little over two years before authorizing my medical treatments and it happened twice? Both the State and US Courts never allowed me to ask the Defendants but instead both State and US Courts dismissed the case.

It is unfair to myself and fellow injured UNITED AIRLINES, INC Mechanics and other ground personnel not being heard in court.

## LIST OF PARTIES

- ☒ All parties appear in the caption of the case on the cover page.
- ☐ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

## RELATED CASES

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RUBANG - GALLAGHER BASSETT SERVICES, INC.,  
KATHLEEN GRUBER

### STATUTES AND RULES

I filed my complaint against GALLAGHER BASSETT SERVICES, INC summer of 2015 at the State Court SOLANO SUPERIOR COURT - FAIRFIELD - CALIFORNIA, filed my appealed at the State Court of Appeals, fall 2018 I transferred the case to US DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA - SACRAMENTO and got another dismissal decision from the US COURT OF APPEALS FOR THE NINTH CIRCUIT - SAN FRANCISCO that never had any court trial from both State and US Courts. All I request have a court trial and let GALLAGHER BASSETT SERVICES, INC answer my questions. If the Defendants have a valid answers which they never had, all their Counsels did was used all alibis and technical issues to avoid court trial.

### OTHER

Attached copy of last summer 2018 US Court trial, JEROME JOHNSON, a black person in jail for 30 years. The US Court gave him another chance a court trial, a witness came forward and told the US Court JEROME JOHNSON not guilty of the crime. I should be given a chance to have a court trial, let GALLAGHER BASSETT SERVICES, INC answer my questions, why it took the Defendants a little over a year before authorizing my medical treatment in Aug'2015? GALLAGHER BASSETT SERVICES, INC denied medical treatment Aug'2014 and authorized it Sep'2015. When I filed my complaint in fall of 2015 the following year 2016 GALLAGHER BASSETT SERVICES, INC complied to the medical prescriptions request from Dr. SHABI KHAN 3 times a year every four months While the same medical prescriptions request from Dr. KHAN in 2014 and had been repeatedly denied by the Defendants, and it happened twice. I want to know the reasons and until today GALLAGHER BASSETT SERVICES, INC can careless to respond, that led to both left arm and left shoulder bones grinding each other.

IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☒ is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☒ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

## JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 22 Jul '2019.

☒ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No.   A  .

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was \_\_\_\_\_.  
A copy of that decision appears at Appendix \_\_\_\_\_.

☐ A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No.   A  .

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The attached info in regards to JEROME JOHNSON who spent 30 years in jail, if JEROME JOHNSON given a second chance by the US Court had a court trial. A witness came forward told the US Court JEROME JOHNSON not guilty, I should be given also a second chance to ask the people of GALLAGHER BASSETT SERVICES, INC questions and let the US Court listen. This way the US Court will find out if the response from GALLAGHER BASSETT SERVICES, INC is reasonable or just simply " discriminatory ".

GALLAGHER BASSETT SERVICES, INC intentional " Worker Endangerment ". It did provide introduction letter to all injured workers of UNITED AIRLINES, INC that they are the insurance provider that would assist all injured workers claims. But it intentionally can careless to my own experienced that it took over a year before it granted authorized my medical treatments that it happened twice.

I repeat the US Justice Department had increased effectiveness in prosecuting corporate in violations of " Worker Endangerment ". GALLAGHER BASSETT SERVICES, INC and UNITED AIRLINES, INC are both guilty to its intentional wrong doings to us injured workers, " Worker Endangerment ". That myself and fellow injured UAL workers request the US SUPREME COURT have the US Justice Department will conduct its investigations to the said two companies. US Courts has jurisdictions to this case for the reason it does involves " Federal Money ". The money contract agreement between UNITED AIRLINES, INC and GALLAGHER BASSETT SERVICES, INC made contract agreement between each other to take care of us injured workers but unable to " execute " comply to the said agreement and the monetary payment involvement to both companies possible full of lies and fraud into reporting to the IRS its " Federal Tax " obligations, the US Taxes it paid that we have claims the true services it did to us injured workers, that has question mark. Possible reported claims medical services but inability to show proof if there was such medical services and reported to the US Government this way it can claim for their own benefits deductions so it can avoid paying US Taxes, that it intentionally fraud the US Government. If GALLAGHER BASSETT can care less to myself and possible other injured workers can intentionally neglect unable to provide authorized medical treatments in over a year it can intentionally " fraud " the US Government to its US Taxes obligations. A main question, how many victims similar or exactly the same situation to myself nationwide? Intentional by GALLAGHER BASSETT SERVICES, INC and UNITED AIRLINES, INC.



## STATEMENT OF THE CASE

See attached info that provides view of the intentional irregularities, anomalies of my work insurance provider GALLAGHER BASSETT SERVICES, INC and employer UNITED AIRLINES. GALLAGHER BASSETT Counsel successfully had convinced the State and US Courts had avoided court trials since summer of 2015. Discriminatory gestures from insurance provider GALLAGHER BASSETT intentionally careless denied my doctor's request prescriptions my medical treatments for over a year. Also, discriminatory decisions from both State and US Courts never allowed this case reached in court trials. At the court hearing always blocked by the State Court Judges, the same thing with the US District Court Eastern District of California - Sacramento and the US COURT OF APPEALS FOR THE NINTH CIRCUIT - SAN FRANCISCO. Instead of setting up a calendar this way we hear the comments from the insurance provider GALLAGHER BASSETT, why it denied my doctor'd request for medical treatments for a little over a year and it happened twice? That we have not heard any reply since 2015.

I really want this case be heard in full media coverage this way the entire nation will witness the intentional irregularities and anomalies by both the insurance provider GALLAGHER BASSETT SERVICES, INC and employer UNITED AIRLINES, INC. Myself, fellow injured workers at UAL and other injured workers nationwide, I'd like to speak for themselves especially to those who are unable to speak for themselves. Complete "negligence" by GALLAGHER BASSETT SERVICES, INC ignored every four months prescription request by Dr. SHABI KHAN of Daly City, California for my medical treatments "intentional" denials by GALLAGHER BASSETT the whole year in 2014. Had only authorized medical treatment summer of 2015, a little over a year and it happened twice that led to my injury worsened careless by GALLAGHER BASSETT. Insurance provider is liable to pay monetary damages for its intentional wrong doings that both GALLAGHER BASSETT SERVICES, INC and my employer UNITED AIRLINES, INC I charged "guilty" of complete "Worker Endangerment". That the US SUPREME COURT needs to address. The US Justice Department had increased effectiveness in prosecuting corporate in violation of "Worker Endangerment". UNITED AIRLINES, INC and GALLAGHER BASSETT SERVICES, INC are candidates for the said violation, "Worker Endangerment".

I watched the TV conference of Atty. General WILLIAM BARR dated 12Aug'2019. His statement all "victims deserved Justice". We need Justice.

*To inform the court that I am not available to receive and respond court statements on December'2019 and January'2020.*



JR RUBANG &lt;coljrmc@gmail.com&gt;

## RUBANG - GALLAGHER BASSETT SERVICES, INC; KATHLEEN GRUBER - USCA9 Case No. 18 - 17263

1 message

JR RUBANG &lt;coljrmc@gmail.com&gt;

To: JR RUBANG &lt;coljrmc@gmail.com&gt;

Cc: JR RUBANG &lt;coljrmc@gmail.com&gt;

Wed, Aug 21, 2019 at 11:12 AM

### Statement of the Case :

In respond to the US District Court Judge KENDALL J. NEWMAN comments on his ORDER and FINDINGS and RECOMMENDATIONS dated 1Oct'2018 page 1 paragraph 2, item no. 7, 8 to 9 page 2 ; stating, If plaintiff believes that the state court erroneously dismissed his claims, the proper course of action is to appeal that decision to the state appellate courts, not to file a new action in Federal Court. In summer of 2016 I did file my appeal to California Appeal Court and it happened that I do not have money to hire a Counsel so I filed my " Informal Brief " with out " citations ". Immediately by the California Appeal Court " technical issue " that celebrated by the Defendant Counsel the California Appeal Court " dismissed " the case.

No further evaluations from the US District Court Eastern District of California - Sacramento immediately making its decisions to again " dismissed " the case exactly just like what Judge KENDALL J. NEWMAN did to my previous case in 22Sep'2016, RUBANG - US EEOC Case No. 16 - cv - 0030. Judge KENDALL J. NEWMAN making decision immediately on the spot dismissed the said case US EEOC has " immunity ". On this ongoing case Judge KENDALL J. NEWMAN can careless immediately " dismissed " it. We the injured workers of UNITED AIRLINES, INC, we the " WORKERS of AMERICA " have been victims of insurance provider complete " negligence ", " discrimination " and " fraud " medical services. My exhibit complete denial by GALLAGHER BASSETT SERVICES, INC do not lie. That falls under " Worker Endangerment ".

We the injured workers all we ask is to be heard in court, let the Defendants speak and answer all our questions, no technical issues. Why it took GALLAGHER BASSETT SERVICES, INC a little over a year to grant my authorization for medical treatment? As my doctor knew those weeks, months having pain needs medical treatments total denials from GALLAGHER BASSETT in two years. Two months or 3 months denials there must be a reason but it took a little over a year and it happened twice, it is already complete " negligence " and discriminatory ", intentional can careless to injured" Workers of America ", that the US SUPREME COURT needs to address. If proven guilty of careless, negligence and discrimination to us injured " Workers of America ", KATHLEEN GRUBER - GALLAGHER BASSETT SERVICES, INC - SACRAMENTO REGION Manager needs to go to " Jail ". The other question, how many victims?

We the injured we noticed complete negligence from the USDCEDCA - SACRAMENTO Judge KENDALL J. NEWMAN can careless to us injured " Workers of America " who contribute to the US economy part of the society total discriminatory gesture from USDCEDCA Judge KENDALL J. NEWMAN. With the discriminatory gesture of Judge KENDALL J. NEWMAN the US SUPREME COURT should take action to transfer USDCEDCA - SACRAMENTO Judge KENDALL J. NEWMAN to " Traffic Court ". Just like the SAN FRANCISCO - CALIFORNIA Lady Judge who set free the apartment - condominium trespasser the week of middle Aug'2019. The said Lady Judge has been transferred to the " Traffic Court ". I have another ongoing separate case. The same thing with the Lady Judge who denied my request for INDEPENDENT SERVICE CENTER can careless of our " safety ", she needs to be transferred, ( reference USCA9 Case No. 19 - 16088 ). The gestures of US COURT Judges here in CALIFORNIA, it is an insult to us workers, Labor Day Holiday is just around the corner, surprise us injured " Workers of America " celebrating the Holiday to were we have California " Federal Judges " that we expect should look carefully into Labor that made this " country strong " but these " Federal Judges " can careless. What a shame. This is not the way the Constitution of this country has been set up. It should be Justice for All, not only to those who have, that the US SUPREME COURT needs to address.

## **REASONS FOR GRANTING THE PETITION**

Myself and fellow injured UAL Mechanics and other ground personnel we the " Workers of America " have been victims of employers that the Department of Justice needs to hear our voices. The intentional careless both by insurance provider GALLAGHER BASSETT SERVICES, INC and our employer UNITED AIRLINES, INC. Our employer hired insurance provider to care of us injured workers during working years all the way to disability years. But the issue here is different, GALLAGHER BASSETT SERVICES denied my authorization for medical treatments a little over a year and it happened twice. These intentional " negligence " by GALLAGHER BASSETT SERVICES, INC falls under " Worker Endangerment "

The US Justice Department had increased effectiveness in prosecuting corporate in intentional violations to the said " Worker Endangerment ". And UNITED AIRLINES, INC candidate to the said employer violation " Worker Endangerment "

I request the US SUPREME COURT to grant this petition so we hear the view of insurance provider GALLAGHER BASSETT SERVICES, INC. That until todays date the people of GALLAGHER BASSETT SERVICES, INC can careless to come up with straight answers but instead their Counsels gave all its alibis this way used technical issues to avoid court trial and had been successful since summer of 2015 to this date.

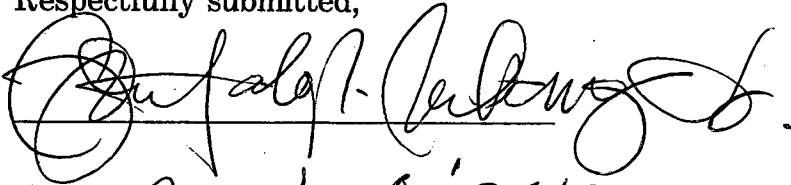
### CONCLUSION

I request a court trial this way I can ask GALLAGHER BASSETT SERVICES, INC, what is their valid reason intentional delayed authorizing my medical treatment a little over a year and it happened twice? A white person will never be denied medical treatment. We should invite the media for full nationwide coverage. Let us have a court trial. " EQUAL JUSTICE UNDER LAW ". I need Justice.

The petition for a writ of certiorari should be granted.

GALLAGHER BASSETT SERVICES, INC and KATHLEEN GRUBER - personnel Manager Sacramento California Region, " guilty of discrimination and negligence " and are liable to pay monetary damages that caused my injury worsened.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kathleen Gruber", written over a horizontal line.

Date:

22 AUG 2019