23-758

ORIGINAL

NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

BRIAN CHANCEY,

Petitioner,

v.

BASF,

Respondent.

On Petition for Writ of Certiorari to the
United States Court of Appeals for the Fifth Circuit
Appeal No. 23-40032

PETITION FOR WRIT OF CERTIORARI

BRIAN CHANCEY
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I. QUESTIONS PRESENTED

Did the Court abuse its discretion in dismissing the amended complaint for disability discrimination and retaliation?

Does an employer violate the ADA's prohibition on discriminatory qualification standards when it imposes daily non-job-related treatment protocols on an employee because it regards the employee as a direct threat without evidence?

Does an employer violate the ADA's prohibition on discrimination when it establishes new exclusionary qualification standards which impose non-job-related treatments and tests?

Did the Court abuse its discretion by failing to consider the Congressional intent and standard of review for ADA pleadings by failing to review defendant's response to determine if it expressed any viable ADA defense?

Is a covered employer required by the ADA to show that the new "COVID policy" qualification standards for employment are job-related for the position in question and consistent with "business necessity"?

Is a covered employer required, by the conditions set forth in the statute, to show that an employee individually and objectively poses a "direct threat" of the specific threat the new qualification standards are designed to mitigate?

Did the Court abuse its discretion by refusing to properly analyze whether certain "COVID policy" medical treatments and tests qualify as non-job-related qualification standards?

Did the Court abuse its discretion by refusing to properly analyze whether the certain "COVID policy" mitigation measures qualify as inquiries designed to assess a (perceived) disability?

Did the Court abuse its discretion by refusing to accept both the plaintiff's and defendant's fact allegations and evidence showing that he was currently being treated *as if* he were a threat of deadly contagious disease?

Did the Court abuse its discretion by failing to consider that the "COVID policy" imposes new qualification standards which meet the definition of prohibited actions?

Is the Court biased and abusing its discretion because the Court has adopted nearly the same discriminatory policies and practices which gave rise to the complaint?

II. PARTIES TO THE PROCEEDINGS

Petitioner, Brian Chancey, was the plaintiff in the District Court and the appellant in the Court of Appeals.

Respondent, BASF, was the defendant in the District Court and the appellee in the Court of Appeals.

III. RELATED CASES

Brian Chancey v. BASF, No. 3:22-CV-34, U.S. District Court for the Southern District of Texas at Galveston. Judgment entered December 29, 2022.

Brian Chancey v. BASF, No. 23-40032, U.S. Court of Appeals, Fifth Circuit. Judgment entered on October 10, 2023.

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Petitioner Brian Chancey respectfully requests the issuance of a writ of certiorari to review the judgment of the United States Court of Appeals for the Fifth Circuit.

VII. DECISIONS BELOW

The Fifth Circuit's October 10, 2023, unpublished and non-precedential decision and judgment denying Chancey's appeal No. 23-40032 are attached as Appendix 3 and 4. The U.S. D.C. Southern District of Texas' December 29, 2022 Opinion and Order issued for 3:22-cv-34 is attached as Appendix 2.

VIII. JURISDICTION

The Fifth Circuit entered judgment on October 10, 2023. Chancey invokes this Court's jurisdiction under *28 USC §2101(e)*, having timely filed this petition for a writ of certiorari within ninety days of the judgment affirming the District Court's order to dismiss Chancey's amended complaint.

IX. STATUTORY PROVISIONS INVOLVED

This case involves the definition of the terms "*disability*" under the "*regarded as*" and "*record of*" prongs (*42 USC §12112), "qualification standards", "job-related", "business necessity*" and "*direct threat*" as defined and implemented by

29 CFR Part 1630. The ADA was amended in 2008 by Congress to expand the definition of the protected class under the ADA-AA.

The intent of Congress as related to the "regarded as" prong definition in paragraph (3) was to reject the Supreme Court's reasoning in *Sutton v. United Air Lines, Inc.*, 527 U.S. 471 (1999) and to reinstate the reasoning of the Supreme Court in *School Board of Nassau County v. Arline*, 480 U.S. 273 (1987) which set forth a broad view of the third prong definition of impairment.

Additionally, there is considerable overlap between the "record of" and "regarded as" prongs in terms of addressing irrational discrimination, such as the one experienced in the context of the "COVID-19 pandemic". Protection from irrational discrimination based upon the fears and stigmas associated with certain conditions is most frequently described as being the purpose of the "regarded as" prong. Indeed, the ADA's legislative history specifically mentions that individuals with perceived conditions are covered under the "regarded as" disability prong. The "record of" prong explicitly outlines that it covers individuals who are misclassified as having such impairment.

In this case, an employer, BASF, engaged in irrational discrimination by treating an employee, Mr. Chancey, *as if* he had a perceived, or undiagnosed, condition of currently being an omnipresent threat of deadly contagious disease and BASF took prohibited actions against the employee on this basis. The employer also misclassified the employee as a safety threat and in need of treatment for the

perceived impairment. In addition, the "COVID policy" measures were new qualification standards for employment which excluded, segregated, and diminished the benefits of employees who were perceived as contagious threats by the employer. BASF imposed these mitigation measures without satisfying the prerequisite conditions that the treatments and tests be "job-related", as defined in the statute, or be a "business necessity" as established by performing the "direct threat" assessment outlined in the statute.

The text of the relevant provisions is contained in Appendix 1.

X. STATEMENT OF THE CASE

BASF is a covered entity under Title I of the ADA-AA. Chancey has been employed by BASF since June of 2020 as an Instrument and Electrical Engineer.

Chancey alleged that BASF had improperly determined that all employees were a "direct threat" of deadly contagious disease when it imposed a "COVID policy" implementing new qualification standards for employment based upon this premise. BASF refused to perform an objective assessment or diagnosis. Chancey claimed that he was being regarded by BASF as having a perceived disability and he alleged several adverse conditions of employment resulted such as: harassment, isolation, segregation, denial of equal access, non-job-related medical examinations and tests; medical inquiries intended to assess perceived disability, discriminatory qualification standards; lack of redress and competent help from HR and EEO

agents and severe limitations placed on invoking his rights and ADA protections. Chancey alleged that the "COVID-19 policies" misclassified him in such a way that his employment opportunities were limited because BASF would not permit him to do his job on-site without first submitting to the new qualification standards.

Chancey gave written notice of his objections to possible ADA violations; BASF nevertheless continued to impose mitigation measures and denied his disability claim under the "record of" and "regarded as" prongs of the ADA.

Chancey alleged that BASF retaliated against him by interfering with his rights (particularly once he claimed his rights); imposing new discriminatory qualification standards; excluding him from the job site for a month; filing false employment records and threatening him with termination.

Mr. Chancey filed a lawsuit against BASF on January 31, 2022 and filed a First Amended Complaint on March 3, 2022. BASF filed a motion to dismiss the complaint for failure to state a claim on April 4, 2022. Chancey filed opposition on April 18, 2022. BASF filed a reply on April 25, 2022.

On April 12, 2022, Chancey requested a Special ADA Master to assist in the proceedings. District Judge Brown denied the request on June 15, 2022. Chancey filed an interlocutory appeal to the Fifth Circuit; the appeal was dismissed on January 4, 2023 for lack of jurisdiction.

On December 29, 2022, Judge Jeffrey Brown granted the motion to dismiss with prejudice.

On January 17, 2023, Chancey filed a notice of appeal.

On February 28, 2023, Chancey filed an Opening Brief. On March 30, 2023, BASF filed its brief and memorandum. On April 19, 2023, Chancey replied. The Circuit Court filed an unpublished Opinion that affirmed the District Court order on October 10, 2023.

The court of first instance had original and exclusive jurisdiction over plaintiff's claims pursuant to *28 USC. §1331*, in that the matters in controversy are brought pursuant to Title I of the ADA and ADA-AA of 2008.

XI. SUMMARY OF THE ARGUMENT

The Circuit Court and the District Court abused their discretion: (1) by ruling that Chancey failed to state a claim for either discrimination or retaliation under the ADA and dismissed it with prejudice; (2) by finding that Chancey did not "plausibly" state a cause of action, rather than finding that BASF was not "plausibly" liable, as is the ADA standard; (3) by finding that a future perceived disability was "alleged" but was not covered by the ADA; (4) by ignoring facts alleged in the complaint in which Chancey established: (i) all necessary elements showing BASF currently regarded Chancey as having a perceived disability; and (ii) that BASF currently mis-classified him as having a perceived impairment, the

treatment for which was BASF's "COVID-19 policy"; (5) by ignoring that BASF failed to establish Chancey was, in fact, a direct threat; (6) by ignoring that the qualification standards, which do not require a showing of disability, were prohibited by not fulfilling the "job-related" requirement; (7) by ignoring allegations which demonstrated: (i) retaliation based upon discrimination; (ii) the causal relationship between prohibited actions, adverse employment actions and the "COVID policy" measures; (iii) Chancey's written notice **informing** BASF that he was regarded as having a perceived disability and was still a "qualified individual" despite new qualification standards; and (iv) BASF's policy demonstrated that BASF regarded him as having a perceived disability, despite BASF's disingenuous denials.

The Courts further abused their discretion by: (8) dismissing Mr. Chancey's efforts to exercise his rights under the ADA as insubordination by *improperly presuming* the COVID policy was a *legitimate* corporate policy despite being upon the *agency guidelines* rather than law. The Courts refused to consider that the ADA afforded Chancey a path to follow, by acting in good faith opposition to the policy, being respectful, attempting to engage in open and constructive communication with his employer, and rightfully refusing discriminatory qualification standards; and refusing to waive his medical privacy rights, and rights to informed consent which are squarely rooted in the ADA, *29 CFR Part 1630.9(d).*

(9) These abuses demonstrate bias because the Courts have adopted the same policies which gave rise to Chancey's complaint.

The Appeals Court further abused its discretion by (1) ignoring alleged facts, which BASF admitted, showing that prohibited qualification standards were are being imposed daily, not at a future date, thus showing a presently perceived disability; (2) failing to find that the qualification standards were prohibited they did not meet statutory conditional standards, ie; "job-related", "direct threat"; (3) improperly disqualifying the pleading by citing a fraud case brought under the Securities Exchange Act instead of citing a legal standard applicable to the ADA; and (4) refusing to set precedent which confuses these important issues even further.

XII. REASONS FOR GRANTING THE WRIT

Petitioner Brian Chancey petitions the United States Supreme Court for a writ of certiorari to the United States District Court of Appeals for the Fifth Circuit, Case No. 23-40032, under the following criteria. **This petition and the proceedings below involve a matter of great public importance and raise one or more significant federal questions that are in the public's interest.**

A. Court's History of Countermanding Congress

The United States District Court and its Appellate Court have a history of overruling federal law and legislating from the bench. The federal court's practice of

countermanding federal law specifically includes whittling down the effectiveness of the purpose intended by Congress to protect people with disabilities from discrimination. Eighteen years after the enactment of the ADA, the United States Congress had to intervene and amend the law to further state what its intent was, and to overcome some of the case law established in the federal appeals circuits and the United States Supreme Court, that had effectively repealed the congressional intent expressed in the 1990 version of the ADA.

Additionally, both the trial and appeals courts have imposed a greater pleading standard upon Chancey than it would for a party represented by an attorney, or a party proceeding only under the "actual" or diagnosed prong of the ADA. The courts have presumed to become gatekeepers of the law that Congress intended to be very accessible for those with disabilities, with an intentionally low standard or threshold to invoke the court's jurisdiction and not this gauntlet of unfair conditions once again fabricated by federal courts. This is nothing new as federal courts have a long history of countermanding Congress, which is demonstrated by the congressional intent for amending the ADA in 2008.

People have a private property right to access the law and use it to protect other rights they have, and the federal courts have taken this right, intruded upon it, and trespassed upon it by impeding and frustrating access to justice, the sole means by which people can reach a remedy for damages to their property rights. The federal courts have no property rights over the law–their role is to provide

access to the law and facilitate justice, not own the law, and deny access to the law and justice. The law cannot be owned any more than mathematics can be owned, or any more than one person can own the thoughts of another. However, this describes very closely the manner in which the federal judges have conducted themselves, as if they own the law and as if they can ration it as they desire in the expression of their own passions and prejudice. This is far from the very least that can be expected of the courts: giving the appearance of justice. This conduct is insolent and defiant for the reason that the federal courts obtained their authority to function solely from the very people they are intended to serve.

Regarding defendant's "standard of review", Congress stated in 2008 that the main focus of the courts should be whether the employer is satisfying its obligations under the ADA. "...[I]t is the intent of Congress that the primary object of attention in cases brought under the ADA should be *whether entities covered under the ADA have complied with their obligations, and to convey that the question of whether an individual's impairment is a disability under the ADA should not demand extensive analysis." (emphasis added).*[1] The standards in *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 127 S. Ct. 1955 (2007), and *Ashcroft v. Iqbal*, 556 U.S. 662, 129 S. Ct. 1937 (2009) cannot be applied without consideration of Congressional intent for the ADA, especially since Congress had to amend the law in 2008 because this very Court had made decisions that countermanded the original intent of Congress and the law. It appears we are here once again, where

[1] 29 CFR Appendix to Part 1630 - Appendix to Part 1630–Interpretive Guidance on Title I of the Americans With Disabilities Act.

the federal courts are attempting to create a higher threshold by their use of a legal fiction known as "implausible allegations". Congress specifically instructed courts to review the *liability* of the entity as the first order of business.

The novel application of a "plausibility" standard to *allegations* made by the plaintiff rather than to the *liability* of the defendant creates a higher threshold for those seeking relief and protection under the ADA than was intended by Congress. This is the same despicable conduct demonstrated in *Tennessee v. Lane*, 541 U.S. 509 (2004). Here, the District Court was not only participating in the same illegal policies as BASF; it denied Chancey access to the court, the law and justice by allowing BASF to simply deny that it discriminated and retaliated, rather than analyzing its compliance.

Furthermore, claims of: improper inquiries designed to assess a perceived disability; or non-job-related medical examinations and tests; or improper requests for disclosure of confidential medical information; or for retaliation may be brought by **any** applicant or employee, not just individuals with disabilities. See, e.g., *Cossette v. Minnesota Power & Light*, 188 F.3d 964, 969-70 (8th Cir. 1999); *Fredenburg v. Contra Costa County Dep't of Health Servs.*, 172 F.3d 1176, 1182 (9th Cir. 1999); *Griffin v. Steeltek, Inc.*, 160 F.3d 591, 594 (10th Cir. 1998).

Instead of reviewing BASF's response to determine if it had expressed any defense that was cognizable under the ADA, the trial court reviewed the complaint under a *distortion* of the standard pleading practice criteria. There is no basis for

the court to presume that Chancey has alleged falsehoods or that the defendant is not a covered entity. There is no basis for presuming Chancey's allegations of his direct experience of being presumed to be a daily source of contagious disease are implausible considering he alleged the "COVID policy" measures as written and BASF admitted the policy measures. There is no basis for the Circuit court to manufacture that Chancey was regarded as having a perceived disability in the future when new qualification standards were currently in place and being enforced.

The trial court should have first reviewed BASF's response for any legally cognizable defense under the ADA, such as having conducted an individualized assessment to determine that plaintiff was a direct threat, or show that it had suffered an undue financial burden because of plaintiff's exercise of his rights under the ADA, or that his exercise of such rights would have fundamentally altered normal operations. The court never considered the fact that the defendant's policy was not even related to plaintiff's essential job function.

BASF's simple denial that it ever acted *as if* plaintiff had a perceived disability is not a legal defense, nor was it objectively true given the facts.

On July 30, 2021, Chancey was sent the 62nd issue of the BASF COVID update which mandated all employees to wear a face mask as directed for reasons of source control and in order to prevent spreading infection.

On August 10, 2021, BASF production manager Skye Picchiottino informed employees that BASF would issue (OSHA) safety violation warnings to those not wearing masks and this could lead to termination. Ms. Picchiottino stated in an email to Chancey that carriers of SARS COV-2 were the "safety hazard" and the purpose of the masks was to provide "source control to prevent spread from infected persons". On August 12, 2021, Chancey spoke to supervisors Jay Garner and Jason Metts to discuss his concerns that the policy was discriminatory and did not provide informed consent. After this meeting, Jay Garner placed a written safety violation in Chancey's personnel file. Garner instructed Chancey to appear on site on August 16, 2021 which would force Chancey to be in violation of the policy again.

Mr. Chancey contacted Lynette Papushak, Assistant General Counsel for BASF and asked to be shown the legal citation giving BASF a duty of care to protect everyone from a known pathogen. He also stated that BASF did not have the medical evidence required to classify him as a direct threat. Papushak responded that an individual assessment was not required because the EEOC declared "the COVID-19 pandemic meets the direct threat standard"[2]. Careful reading of the EEOC guidance Papushak cited shows that the EEOC stated: "...that a significant risk of substantial harm would be posed by having someone with COVID-19, or symptoms of it, present in the workplace at the current time." Clearly, the EEOC means that an individual diagnosed with "COVID-19" can be considered a "direct threat" as the CDC considers the disease to be a substantial risk. "An employee's

[2]"Pandemic Preparedness in the Workplace" EEOC guidance document from "Direct Threat" page 7.

ability to perform essential job functions will be impaired by a medical condition; or [a]n employee will pose a direct threat due to a medical condition."[3] The employee must be diagnosed as having the medical condition in order to establish direct threat.

Mr. Chancey was never diagnosed with "COVID-19", however BASF admitted that it assumed everyone was a direct threat without any objective assessment.

District Court Judge Brown used dicta in *Champion v Mannington Mills,* to decide that "following health guidance does not mean the employer regards an employee as disabled"[4]. The statement does not counter the facts BASF admitted in which Papushak incorrectly claimed that all employees were presumed to be direct threats because of the CDC.

Ms. Papushak also claimed that BASF found a legal duty to prevent Chancey from spreading "COVID-19" in the OSHA regulations. However, the Supreme Court stayed the OSHA ETS advising that Congress has not given OSHA the power to regulate universal hazards to public health and it should focus on workplace specific hazards.

BASF's grandiose claim, although erroneous and hypothetical, that it was "preventing the spread of COVID-19", is not a legal defense to violating the ADA. Claiming there is a pandemic, is not a legal defense under the ADA. Neither is it a

[3]*Ibid* page 6.
[4]*Champion* is dissimilar because it was based upon "actual" disability and being regarded as disabled by association to a person claiming an "actual" disability, which are not Chancey's facts or claims.

defense for BASF to claim that OSHA allowed BASF to ignore established public health law, and federal statute.

B. The Supreme Court Has a Duty to Preserve the Status Quo and the Uniformity of the Laws

One of the functions of the Supreme Court is to preserve the uniformity of the laws and the status quo. Therefore, the Supreme Court has a duty to act which is one of the compelling reasons for review.

The District Court's decision, as affirmed by the Circuit Court, is disrupting the status quo by allowing mere guidelines and orders to overcome established laws. If the Supreme Court does not act it will be allowing the court system to both contradict established public health policy and to facilitate the improper changing of established public health policy to the detriment of everyone.

The Circuit Court affirmed improper actions by the District Court which results in up-ending public health policy which has protected people for over a century. The two rulings create: a) conflicts with state public health laws regarding due process and threat assessment; b) conflicts by allowing employers to improperly assume duties reserved to the Department of Health; c) conflicts with the statutory conditions set forth under "Emergency Use Authorization" guidelines, namely the right to informed consent and the right to refuse experimental treatments; d) conflicts with ADA requirements (which do not require any showing of a disability),

that the employer perform an individualized risk assessment as a pre-condition to treating an employee as a safety threat/direct threat; and e) conflicts with the ADA requirement that in order for a medical treatment, test or inquiry to be a new condition of employment, it must first be established as necessary to perform the essential functions of the job.

The Supreme Court produces and preserves a uniformity of decision through the whole judicial system. The Circuit Court refused to publish its findings of fact and conclusions of law by which it affirmed the District Court's decision. The Circuit court also maintained that its affirmation of the District Court's ruling did not set a precedent and consequently it is not binding. Both Courts failed to perform a proper review of the claims, applied incorrect legal standards, and disregarded alleged facts. The Supreme Court has a duty to act because the lower courts are adopting different and contradictory rules of decision; and by doing so, they are leaving the citizens without remedy and without justice.

The circuit court affirmed an erroneous ruling of disqualifying Chancey from coverage by concluding that BASF perceived Chancey as 1) developing an condition in the future that 2) would not qualify as a substantially limiting disability under the actual prong and thus the court denied Chancey coverage.

The circuit court's baroque finding is neither supported by the rules of construction nor the facts. A claim of perceived disability is required to sufficiently show that adverse actions were taken on the basis of a perceived disability. There

is absolutely no requirement that the perceived disability must be shown to be as substantially limiting as a diagnosed disability. This condition was removed by Congress in 2008, in fact, District Judge Brown specifically alluded to this in his order granting dismissal.

Additionally the Circuit court's notion that Chancey's claims of perceived disability described future perceived conditions is based on made-up facts that were never alleged by Chancey and which are contradicted by the evidence. The circuit court relied heavily on three cases discussed below.

Chancey alleged that he was treated as if he was a threat of contagious disease from the moment BASF adopted a COVID policy. BASF stated that masks were implemented to control the source of infection from infected persons, and it asked all employees to wear masks everyday and submit their temperatures every day for admittance. The use of daily treatment measures demonstrates that BASF considered all employees as active risks of infection.

The Circuit court cited *Darby v. Childvine, Inc.*, 964 F.3d 440, 446 (6th Cir. 2020). Darby decided to get a double mastectomy because her doctor told her she was likely to develop breast cancer in the future. She told her employer that she had cancer. The court ruled that she did not have an "actual" disability based on potentially developing cancer in the future. This case bears no resemblance to Chancey's facts in which his employer is currently imposing treatments for an undiagnosed condition. The fact that BASF does not rely on a diagnosis to impose

these daily treatments shows 1) that Chancey has not claimed a **future** "perceived impairment" and 2) that BASF has failed to perform an individualized assessment.

Shell v. Burlington N. Santa Fe Ry. Co., 941 F.3d 331, 336 (7th Cir. 2019) likewise bears no resemblance to Chancey's suit. Shell's proposed "actual" disability (obesity) was inextricably linked to his claim of "perceived" disability (propensity to diabetes and sleep apnea). Shell was an obese man weighing over 330 pounds whose 47.5 BMI was beyond the 40 BMI range the employer accepted. The court found that Shell was not hired for the non-discriminatory reason of being outside the accepted BMI range.

Because the court had already concluded that Shell was not discriminated against for obesity, the court concluded that any condition stemming from obesity was also excepted from ADA coverage. Shell's employer had a non-discriminatory defense.

Whereas, Chancey does not claim an actual disability at all, he never claimed to "have COVID". He only claims a perceived disability (a contagious threat) and being misclassified with a perceived disability. BASF has failed to properly claim an affirmative defense.

In the third cited case, *EEOC v. STME, LLC*, 938 F.3d 1305, 1318 (11th Cir. 2019) the *EEOC* plaintiff's claim was based solely on the "regarded as" prong, but this case had a unique time component of claiming a perceived disability that was

tied to a future travel date. STME ignorantly believed that an employee's future travel plans to visit Ghana would infect her with Ebola and it fired her before the trip. This particular future-time-based fact placed the employee out of ADA protection according to the court.

Whereas in Chancey, BASF is on record as stating in its 62nd COVID Update that "COVID-19 is everywhere" and demanding daily mitigation protocols. Chancey's allegations turn on BASF's belief that, Chancey is currently and continually a threat of contracting/spreading SARS COV-2 and he must wear a mask at work, reveal his current body temperature and take the COVID drug or "test" weekly because of this perceived condition.

In order for BASF to compliantly exclude Chancey from the workplace because of posing a "direct threat" BASF must make "an individualized assessment of the individual's present ability" to safely perform his job, based on "a reasonable medical judgment that relies on the most current medical knowledge and/or on the best available objective evidence." as outlined in 42 U.S.C. §§12111(3), 12113(a), (b); 29 C.F.R. §§1630.15(b)(2), 1630.2(r). BASF refused to fulfill this condition as shown in various exhibited emails. Chancey has already established that he was written up as a safety threat in August 2021, not because he was objectively assessed, but simply because he told his supervisor that he had concerns about the "COVID policy".

C. This Is a Case of First Impression

Many of the facts and circumstances in the pending appeal are unprecedented and are enumerated by the following:

1. The appellant is proceeding under both the "regarded as" and "record of" prongs of the ADA. The appellee has adopted a policy that instigated and provoked disability discrimination and retaliation and it is the appellant's sincere belief that this is unprecedented.

As the Supreme Court has observed, these protections are particularly necessary to guard employees against misperceptions regarding communicable diseases, given that "[f]ew aspects of a handicap give rise to the same level of public fear and misapprehension as contagiousness." *Arline*, 480 U.S. at 284.

Mr. Chancey is proceeding under the prongs that specifically have no requirement to request any accommodation because (1) the disability is not assessed (diagnosed/"actual"); (2) no provision of the appellee's "COVID-19 policy" was related to appellant's essential job function; and (3) appellee offered no accommodations which were cognizable under the ADA-AA. Again, these facts are unprecedented.

2. Moreover, the facts giving rise to the complaint include the unprecedented situation where the government has declared a public health emergency in which every single American is regarded as a direct threat of carrying a contagious disease by the name "COVID-19". This outrageous presumption is made without requiring

evidence that any specific individual has such contagious disease and without any physical evidence of the existence of such a public health emergency. In fact, even the government's official records from the medical examiner to the coroner to the Department of Health, have no evidence of the existence of such a public health emergency and no evidence of any commensurate change in the mortality or morbidity rates in any jurisdiction. We have only a declaration of it, without any evidence. A covered entity, like BASF, is required to have a reasonable, individualized, objective basis to make such a declaration about an employee. This focus on reasonableness and individualized inquiry is particularly necessary to combat the myth-based hysteria that can accompany well-publicized but misunderstood outbreaks of disease. *Arline*, 480 U.S. at 284-85. Despite the ensuing hysteria, no public health emergency declaration created any new legal duty or legal authority for any of these "COVID-19 policies" or nullified any laws. Again, the backdrop of hysteria mixed with a lack of proper procedure is unprecedented.

3. By its enactment of the ADA-AA, Congress made important changes to the definition of the term "disability" by rejecting the holdings in several Supreme Court decisions and portions of EEOC's ADA regulations. The effect of these changes was to make it easier for an individual seeking protection under the ADA to establish that he or she has a disability within the meaning of the three defining prongs of the ADA.

As required by the ADA-AA, the amended provisions also make it easier for individuals to establish coverage under the "regarded as" prong of the definition of "disability." As a result of the Supreme Court's pre-2008 interpretations, it had become difficult for individuals to establish coverage under the "regarded as" prong. Under the revised ADA-AA, the focus for establishing coverage under the regarded as prong, analyzes how a person has been **treated** because of a perceived physical or mental impairment rather than on quantifying what an employer may have believed about the **limiting nature** of the person's perceived impairment.

The federal court has once again sought to countermand the intent of Congress by imposing superfluous conditions on pleadings by inventing new legal concepts such as: "fails to plausibly allege"; refusing to analyze the defendant's response and legal defense to claims of ADA violations by statutory standards; and erroneously elevating mere website commentary (EEOC, CDC) as some sort of new legal authority which lawfully imposed a new legal duty on the parties; thereby and once again attempting to defeat the intent of Congress.

4. Attorneys lack the training and willingness to represent plaintiffs in these types of cases; specifically, no attorney would agree to represent the appellant in this matter. Appellant was unable to find an attorney who was even competent in this area of law; and yet, he is being held to a higher legal standard than any bar member and the court has frustrated appellant's access to the law by acting as its gatekeeper or owner.

5. There has never been a situation where the court has adopted and implemented the same illegal policies as the defendant, the same "COVID-19 policies", which have given rise to the complaint. Both the District and Appellate Courts refused to explain themselves or acknowledge this conflict. Chancey requested to have a Special Master trained in ADA matters present to assist the District court in this case, but his motion was denied. The conflict has expressed itself in several ways, one of which involves federal judges who have been intervening, intruding upon, and frustrating access to the court for plaintiffs who are attempting to sue their employers for ADA violations, including Mr. Chancey.

6. The policies and practices of BASF, which gave rise to the complaint specifically exclude and ignore having any provisions for those employees with disabilities as defined by the ADA while simultaneously regarding every employee as a perceived direct threat of the same exact contagious disease/disability. Despite BASF disingenuously denying that it regarded any employee as having a perceived disability (contagious disease); this set of facts is apparent on the face of the employer's policy which seeks to involuntarily impose medical treatments upon each employee as if they are a direct threat of a contagious disease.

While it is not relevant whether or not any specific person, including the employer, admits to regarding an employee as having a disability, the courts and the defendant ignore the fact that, by virtue of the government's announcement of a

public health emergency, every employee was regarded as having a perceived disability. The BASF "COVID-19 policy" was clearly based upon this premise.

Moreover, BASF failed to provide any designated representative to competently respond to disability discrimination and retaliation complaints. In fact, the BASF employees who would normally have this designation, are the very ones perpetuating the discriminatory violations (e.g., human resources). Again, this is unprecedented.

7. We are still within an "Emergency Use Authorization" or EUA period, which establishes that any medical treatments, such as "mask wearing" (for the novel purpose of containing the wearer's viral particles), or "COVID testing" (does not yield a *bona fide* diagnosis of "COVID-19" despite positive results mistakenly called "cases"), or the novel mRNA "vaccines" (do not prevent infection or transmission) are clinical trials and epidemiological experiments, none of which have been **approved** by the Food and Drug Administration and are therefore, not *bona fide* "vaccines", tests or medical treatments. Moreover, the pharmaceutical companies disclaim all liability for their experimental "vaccines" and the United States has indemnified the same pharmaceutical companies from having any liability for the manufacture, sale, or distribution of these experimental "vaccines". These "vaccines" are nothing of the sort but are in fact weapon prototypes of the Department of Defense (DOD prototypes) as it functions through the Department of

Health and Human Services and every other government agency to the local county and city.

8. The published and intended function of the Department of Health has been unlawfully circumvented and replaced by the association of private businesses and employers, thereby denying employees the protections normally afforded by public health policy, which places the burden of proof on the Department of Health. In the case of an employer circumventing this authority, the burden of proof is unfairly shifted to the employee, and they are made to suffer the adverse employment action of enduring new exclusionary qualification standards that are unrelated to performing job duties while having no redress to a retaliatory policy which fully intends to eliminate anyone who attempts to claim their rights which then leads to having to incur the unfair burden of trying to seek a remedy in the courts against an employer. In the process, BASF then begins paying a law firm and attorneys hundreds of dollars an hour to oppose Chancey's claim in the corrupted court system.

9. The Circuit Court erroneously determined that Chancey failed to sufficiently plead that the new qualification standards were discriminatory and constituted prohibited actions.[5] The Circuit court cited *Southland Securities v Inspire Ins. Solutions* in support of this finding. However, *Southland* was a fraud case brought under the Securities Exchange Act and does not contain any holding

[5]See Chancey's Amended Complaint ¶¶ 37-39 and the attached exhibit of his job description which lists the qualifications of his position.

which is relevant to analyzing the pleading standards for discrimination claims brought under the ADA. The Circuit court failed to properly analyze Chancey's case by the correct legal standards.

Chancey alleged the provisions of BASF's "COVID-19 policy"; and the policy describes the medical treatments sought to be involuntarily imposed. These new qualification standards do not meet certain statutory conditions which makes them *prohibited actions*, and they come with penalties which makes them *adverse employment actions*; and the causal relationship is written into the policy. However, the Court and BASF disingenuously claim that the pleading fails to describe any adverse employment action or any causal relationship.

The Circuit court refused to properly analyze whether the new qualification standards[6] were *prohibited actions*[7] which excluded Chancey and were neither *job-related* nor found a *business necessity* due to a conclusive *direct threat* assessment. The treatments themselves qualify as *prohibited actions* and, as they are admitted by BASF and documented as corporate policy, are far from "passing and conclusory references" as the Circuit court opined.[8] The Circuit court decided that since Chancey resisted these treatments and tests that this somehow 1) altered their proper designation as *prohibited actions* and *discriminatory qualification standards,* 2) which the court concluded absolved BASF from a violation.[9] In

[6]See Appd'x 1 for CFR 1630.2 (g) which outlines the conditions under which employers are allowed to designate medical treatments (ie; face masks, COVID drugs, unpaid quarantines), and tests (ie; temperature checks, symptom surveys, "COVID tests") as qualification standards for employment.
[7]See Appnd'x 1 CFR 1630.2 (l) which provides a short, non-exhaustive list of prohibited actions.
[8]*Appeal Ruling* Section III B, p.5
[9]*Appeal Ruling* Section III B pp. 4, 5.

analyzing whether Chancey properly alleged discriminatory standards, the focus is not whether Chancey consistently refused them, what is relevant is that BASF *imposed* them.

BASF also refused to accept Chancey's claim of ADA exemption and coerced him to comply under duress, loss of benefits, interference with protected rights and threats of termination which are adverse actions.

10. Moreover, BASF's policy deceptively offers what it refers to or describes as "accommodations" for which it advised the appellant to request. See BASF's various email responses to Chancey which suggested that he apply for an ADA "accommodation" for his "disability" to "wear a mask". Chancey provided sufficient written notice that he was "exempting" himself from the new qualification standards under the protection and guidelines of the ADA, BASF refused to accept it. Further, BASF never explains the criteria for such medical/religious "exemptions" and has reason to know or should have known that neither of these types of "exemptions" were legal rights available to the appellant, and that neither of these "exemptions" are "accommodations" that are cognizable or recognized as legitimate accommodations under *29 CFR Part 1630.2(o)* of the ADA-AA. Appellee's purpose in offering these was to give the appearance of fairness while misleading an employee into a dead-end path where he has no legally enforceable rights.

11. The court and employers (defendant) are receiving compensation for participating in the "pandemic" scheme and have an ulterior motive beyond the

noble-sounding claim of "preventing the spread of COVID-19". None of them have any concern about protecting anyone, especially in view of the fact that no one has any financial responsibility for "preventing the spread of COVID-19", nor any financial responsibility for any adverse health consequences suffered by any employee who complies with the experimental medical treatments, nor can any employee state a cause of action against an employer for having contracted "COVID-19" at work because it would be impossible to establish proximate cause.

It is not even possible to "prevent the spread of COVID-19", because there are no controlled environments by which such a task could be managed, and employers such as BASF have no competence or qualifications for such an undertaking.

Likewise, an employee who participates in the experimental medical treatments of the "COVID-19 policy" is not able to state a cause of action against his employer for suffering any adverse health consequences thereby, for the simple reason that there was no legal duty to impose such a policy, there was no legal authority to impose such a policy, and the policy was not legally binding upon either the employer or the employee.

12. The employer's policy, along with the government's, is disproportionately applied to different groups of employees. First, the "COVID-19 policy" of the appellee fails to even recognize employees claiming the protection of the ADA. On its face, by excluding this group of people, it demonstrates discrimination. Second, the policy fails to: (1) include any provision for those with disabilities as defined by

the ADA; (2) identify any designated representative or employee who can assist those with disabilities and any grievances they have; (3) provide any means of appeal or review of the employer's actions; (4) offer any legitimate accommodations that are recognized or cognizable under the ADA-AA; and (5) provide conspicuous notice, or the means by which such notice should be provided, to any employee, describing the manner in which the policy relates to their essential job function.

The "COVID-19 policy" is applied disproportionately to those who participate (by disclosing their medical records, vital statistics, wearing masks and submitting to "COVID-19 tests"). The policy is then applied differently to employees who object to the policy and in good faith refuse to participate unless the employer satisfies its legal duty to obtain an individualized assessment that determines the employee to be a direct threat.

The policy was applied differently and prejudicially to Chancey who was segregated for a month from the other employees based upon the purely hypothetical and speculative belief that he was a threat of contagious disease.

This of course is unprecedented and imposed on such a large scale that many people are unable to see or comprehend or accept the circumstances for what they are.

D. Everyone Is Implausibly Regarded as Being Infected with "COVID-19"

A contagious disease is defined by the ADA as one type of disability. The moment the President announced a public health emergency on January 31, 2020, specifically for "COVID-19", everyone in the entire nation was suddenly regarded as infected or likely to become infected, with such a disease. All of the states, counties, cities, towns, and government agencies began making the same proclamation. It was based on the exceedingly implausible premise that three-hundred thirty million people could suddenly become infected with or be at risk of incurring the same exact illness within a short period of time, because "COVID is everywhere",[10] and this situation would continue for over two years, however, this is the premise of the emergency declarations and of the COVID-19 policy.

Chancey simply stated the facts of BASF's "COVID-19 policy" with the stated purpose of "preventing the spread of COVID-19", based upon the implausible presumption that every employee is currently a risk of contagion. The District Court invented the legal fiction that because such a conclusion, simply restated by Chancey, is implausible, therefore, Chancey's complaint failed to state a cause of action. This Court must acknowledge that it is the "COVID policy" itself which is implausible, not Chancey's experiences of discrimination because of it.

Denying that plaintiff is currently regarded as disabled (by the government, the CDC, his employer) is not a legal defense to allegations of ADA violations. BASF never made a proper defense cognizable under the ADA, but the court invented the legal fiction that plaintiff's complaint did not state a cause of action because it is

[10]From BASF's 62nd COVID Update.

"not plausible" to allege that everyone is regarded as having a disability, when in fact, this is the very premise of all government proclamations and every single employer's "COVID-19 policy", including the court's.

The entire "pandemic" artifice rests upon the ridiculous and implausible presumption that everyone has incurred the same exact disability, or will imminently incur such a disability, and that everyone should be treated according to a corporate policy published as a "guideline" by the CDC.

A corporate policy is not a *bona fide* medical diagnosis. The policy is **intended** to be imposed without any *bona fide* medical diagnosis and by circumventing the legislative process and the authority of the Departments of Health, at the federal, state and county levels and thereby, circumventing judicial oversight and denying everyone his right to due process based upon evidence. Chancey's due process rights (including but not limited to medical privacy and informed consent) are squarely rooted in *29 CFR Part 1630.9(d)* and when he exercised them, he was penalized by appellee.

E. The Policy Contravenes a Century of Public Health Policy

When has it been necessary for one person to undertake a medical treatment in order to prevent illness in another person? This is the ridiculous, asinine, and illogical premise behind the "COVID-19 policies" adopted and imposed by nearly every employer in the country, including this very Court.

The "COVID-19 policy" imposed by the appellee contravenes long-standing public health policy and ironically, the CDC publishes a list of bench books advising judges on the correct public health policy. These bench books establish that it is only the state legislature which can establish a legal duty to impose medical interventions, and subject to judicial oversight based upon medical evidence. This power cannot be delegated but can only be exercised by the Department of Health, not private businesses and certainly not by a private employer.

It is long-standing public health policy, that the only way to unilaterally impose any medical intervention or mitigation measure on people is by judicial review and approval based upon the affidavit of a physician who conducted a *bona fide* medical examination of an individual with his informed consent; and having diagnosed the contagious disease, then provided an affidavit to the local public health officer. The public health officer could then petition the court to impose isolation or quarantine measures against the individual. Appellee's policy fails to comply with any of this public health policy[11]; in fact, it is clearly **intended** to violate, circumvent, and abolish these long-standing public health policies.

Since when did the mere announcement of a contagious disease create any new legal duties and new legal authorities to violate the rights of people and create new and negligent public health policies? The mere proclamation of a "deadly contagious disease" did not suddenly change hundreds of years of public health

[11]As it pertains specifically to Mr. Chancey, BASF contravenes long-standing public health policy expressed under the Texas Health and Safety Code Title 2 Health. Subtitle D. Chapter 81. (See Appendix 1.)

policy or the intangible private property rights of anyone, or suddenly create any new legal duty or legal authority for anyone to implement or impose the "COVID-19 policies".

F. The Policy Is Negligent and Has Created a Public Health Disaster

BASF's implementation of its illegal and negligent "COVID-19 policy" created the dangerous condition involving the involuntary imposition of the exact same experimental medical treatments on everyone without any *bona fide* diagnosis or assessment of contraindications, without judicial oversight, without any physician's oversight, without any financial responsibility, and in violation of each employee's medical privacy rights and rights to informed consent.

The policy is arbitrary, irrational, and unreasonable because it was based on the implausible scenario that every employee suddenly had become infected with the same exact deadly contagious disease within the same time period.

When did it cease to be *negligent* for laymen with no financial responsibility or professional accountability to impose involuntary medical treatments, that are not the result of a competent and qualified medical examination, but merely the policy of a corporation?

Why was the responsive policy so carelessly and negligently implemented? It excludes any provision for those claiming disabilities, it failed to review applicable ADA provisions; and it penalizes anyone who questions the policy. Further, just

like shouting "fire" in a crowded theater, BASF's "COVID-19 policy" instilled fear, anxiety, and apprehension in every employee such that every time an employee had a cough or a symptom of the common cold, he believed he was not only going to die a horrible death but that he would infect other employees with the same demise. This created a very hostile and antagonistic working environment, especially between those who believed the COVID hysteria or felt compelled to comply to keep their job and those who either were not concerned due to assessing their age and health condition or did not agree with BASF's policy.

BASF's "COVID-19 policy" fails to address the screaming reality that neither BASF, nor any scientific principles known to mankind at this time, has the ability to establish the proximate cause behind any employee becoming infected with "COVID-19". BASF's negligent "COVID-19 policy" fails to address the very obvious reality that each employee ends his shift and leaves the premises and is free to roam about the town or travel to faraway lands and engage with unknown and unidentifiable "risks" or "infected people", and then return to his job to begin his next shift. It is by this fact alone that BASF, no matter what its policies are, is wholly unable to "prevent the spread of COVID-19" by any stretch of the imagination, even if such a risk did exist.

How then is it reasonable or equitable to punish any employee for refusing to participate in such a policy? The policy is completely useless simply because BASF

cannot control any employee's environment every moment of the day, whether at work or away.

G. The Policy Imposes Involuntary Experimental Medical Treatments without Notice, Due Process, FDA Approval, or Informed Consent

Every medical treatment and test in the policy is under Emergency Use Authorization ("EUA")[12], guidelines and is classified as a clinical trial or epidemiological experiment. BASF has not obtained FDA approval to conduct clinical trials, nor has it obtained the informed consent of anyone affected by the policy. There are no "vaccines" during an EUA period as any medical intervention is a clinical trial by definition, not an FDA-approved medical treatment ("authorized" is not "approved").

Every medical intervention that is being administered under the EUA scheme is purely experimental and those participating in them are doing so at their own risk. However, this has not been disclosed by BASF or any government authority, including the Department of Health which is tacitly participating and overtly facilitating.[13]

BASF refused to inform any employee that its "COVID-19 policy" is a clinical trial and that each person submitting to its provisions is a test subject. Chancey asked his employer several times, for a risk/benefit analysis necessary for informed

[12] The Emergency Use Authorization period announced by the Food and Drug Administration continues to this day.

[13] Using the same terms from the most recent table-top exercise known as "Event 201" that preceded the January 31, 2020, announcement of the now, live-action role-playing event.

consent and to receive the EUA disclaimer sheet for each treatment or test BASF imposed; BASF responded that it was not required to give him such information. This violates Title 21 of the Code of Federal Regulations, "Food and Drugs", Part 50.20. No one, including Mr. Chancey, has been given the opportunity to decide whether to consent to this medical experiment free of any element of force, fraud, deceit, duress, coercion, or undue influence. No one, including Mr. Chancey, is required to become the subject in any epidemiological experiment. Mr. Chancey's rights to informed consent and medical privacy, his right to refuse any medical treatment, is squarely rooted in *29 CFR Part 1630.9(d)* which BASF has a legal duty to uphold.

H. More Nearly Identical Cases Are Moving Toward the Supreme Court

According to the Public Access to Court Electronic Records ("PACER"), there are more than a dozen similar cases making their way to the Supreme Court, and if not for the interference of federal judges frustrating plaintiffs' access to the court there would be many more still making their way to the Supreme Court. This does not consider the thousands of plaintiffs who could have and should have made their claims but were too intimidated by the process or unable to learn the process quickly enough or find a competent and willing attorney or were simply frustrated and exhausted as was intended.

I. Budgeted for the Future and a Trillion Dollar Market Cap

There is no end in sight for this "pandemic" scheme, it will continue perpetually, and it is intended to continue perpetually because the banking system has made it profitable to engage in these policies. In its first year, the "pandemic" had a market cap in the billions of dollars, and it is an aspect of the "climate change" agenda, an entirely different scheme that is beyond the scope of this brief. The "pandemic" is a profitable business enterprise for the pharmaceutical companies, governments, and those involved with the collection of data such as medical, biographical, biometric, and other surveillance data collected from online "contact tracing", "vaccine tracking", and "COVID-19 testing" online portals. The repositories for this human data include the university system, specifically Johns Hopkins University.

The Global Preparedness Monitoring Board ("GPMB") includes the World Bank and the World Health Organization (a military operation), and the plan is to provide funding for nations which participate in future schemes. This is explained in hundreds of publications, but see "A World at Risk-- Annual report on global preparedness for health emergencies", September 2019[14]. Please also review the GPMB's "Six solutions for a safe world in 2022"[15], summarized by the following agenda:

> 1. Strengthen global governance; adopt an international agreement on health emergency preparedness and response and convene a Summit

[14] Available at: https://www.gpmb.org/annual-reports/annual-report-2019.
[15] Available at: https://www.gpmb.org/news/news/item/14-02-2022-gpmb-calls-for-a-renewed-global-commitment-to-six-solutions-for-a-safer-world-in-2022.

of Heads of State and Government, together with other stakeholders, on health emergency preparedness and response.

2. Build a strong WHO with greater resources, authority, and accountability.

3. Create an agile health emergency system that can deliver on equity through better information sharing and an end-to-end mechanism for research, development, and equitable access to common goods.

4. Establish a collective financing mechanism for preparedness to ensure more sustainable, predictable, flexible, and scalable financing.

5. Empower communities and ensure engagement of civil society and the private sector.

6. Strengthen independent monitoring and mutual accountability.

This is a banking and military operation that some very evil groups of people intend to thrust upon the entire world's population, and they do not appear to be going away any time soon. The "COVID-19 pandemic" was just another test in a long series of trials that have been taking place for decades. See "From Worlds Apart to a World Prepared, GPMB Report" | 2021[16].

As of October 16, 2020, Congress has enacted four emergency supplemental funding bills to address the "COVID-19" pandemic, which collectively provide almost $3.2 billion for the global response. Of this amount, approximately $2.4 billion (75%) was designated for country, regional, and worldwide programming efforts through the State Department ($350 million), the U.S. Agency for International Development ($1.24 billion), and the CDC ($800 million); the remainder was for operating expenses. I examined the status of global "COVID-19"

[16] Available at: https://www.gpmb.org/annual-reports/annual-report-2021.

country, regional, and worldwide funding to assess how much has been committed to date and where it has been directed. See *U.S. Global Funding for COVID-19 by Country and Region: An Analysis of USAID Data, June 29, 2022*, published by Kaiser Family Foundation.[17]

Countries that are evolving their "COVID-19" pandemic response into longer term investments to strengthen systems for health and pandemic preparedness can consider applying for C19RM Portfolio Optimization (PO) Wave 2. This is a process that allows countries to receive additional C19RM funds and align investments with revised priorities. Eligible Country Coordinating Mechanisms (CCMs) have received letters with instructions on how to apply for funding. See *The Global Fund (theglobalfund.org) February 9th, 2023*[18].

The news is endless. See, *The Pandemic Fund Announces First Round of Funding to Help Countries Build Resilience to Future Pandemics*[19].

> "Washington, Feb. 3, 2023 — The Pandemic Fund Governing Board approved $300 million in financing for its first round of funding to help developing countries better prepare for and respond to future pandemics. The Fund is also inviting interested eligible countries and Implementing Entities to submit Expressions of Interest (EOI) for potential projects to be supported by this initial funding".

[17]https://www.kff.org/global-health-policy/issue-brief/u-s-global-funding-for-covid-19-by-country-and-region-an-analysis-of-usaid-data/

[18] Available at: https://www.theglobalfund.org/en/updates/2023/2023-02-09-additional-funding-from-c19rm-and-the-new-pandemic-fund/.

[19] Available at: https://www.worldbank.org/en/news/press-release/2023/02/03/the-pandemic-fund-announces-first-round-of-funding-to-help-countries-build-resilience-to-future-pandemics#:~:text=3%2C%202023%20%E2%80%94%20The%20Pandemic%20Fund,and%20respond%20to%20future%20pandemics.

This scheme is funded for many years to come, please also see *COVID-19 World Bank Emergency Response: Projects Repository*.[20]

> This was published by Artemis in **2017**:
>
> "Swedish state sector pension fund AP3 was one of the lead investors behind the recent World Bank issuance of $320 million of pandemic catastrophe bonds that support the Pandemic Emergency Financing Facility (PEF).
>
> The World Bank's International Bank for Reconstruction and Development issued $320 million of IBRD CAR 111-112 capital at risk notes, which will offer coverage to developing countries against the risk of pandemic outbreaks across the next five years."

The "pandemic" is the business of the world banking system and the world military (United Nations and World Health Organization). The United States Supreme Court is in a unique position to protect employees from this diabolical scheme and set an example for the world.

XIII. CONCLUSION

This Court should grant certiorari to review the Fifth Circuit's judgment.

DATED this 8th day of January 2024

Respectfully submitted,

Brian Chancey

BRIAN CHANCEY
Petitioner *in Propria Persona*

[20]Please consult:
https://docs.google.com/spreadsheets/d/1416zufQFM7IY9OvHufmOmeF0jiQTT7V7jAlPg3Iqe9Q/edit#gid=0.

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