

1 RODNEY F. STICH
1416 Carleton Drive
2 Concord, Calif. 94520
Telephone: (415) 933-1233
3 Action in Propria Persona
4
5
6
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE CENTRAL DISTRICT OF CALIFORNIA

10 GERALDINE L. FLANAGAN, et al. ,)
11 Plaintiffs,)
12 v.)
13 UNITED STATES GOVERNMENT,)
14 Defendant.)

CIVIL ACTION No. 74-808-PH
and others' involved in MDL 172

AMENDED MOTION TO INTERVENE
AS AMICUS CURIAE; ANSWER TO
OPPOSITION BY DEFENDANT UNITED
STATES GOVERNMENT

15
16 NOW COMES RODNEY F. STICH and amends his motion to intervene
17 as amici curiae and in answer to Opposition by Defendant United States Govern-
18 ment say as follows:

- 19 1. To comply with Local Rules of the Central District of California
20 (Local Rule 3 (e) (2), movant Stich hereby includes the following documentary
21 evidence and affidavits in support of this application to file an amicus brief:
- 22 A. FAA document dated August 8, 1966 (plaintiff's exhibit 10
23 in action before U.S. District Court C-75982RHS). This is
24 a document prepared by Stich while an employee of the FAA,
25 directed to the FAA Administrator, describing findings during
26 the official investigative duties of inspector Stich, including
27 specific corrupt and criminal coverup acts by the FAA, espec-
28 ially as it relates to the 43 deaths in a United Salt Lake City
29 crash. This misconduct relates primarily to the Western Re-
30 gion of the FAA, though it involves all of the FAA including
31 the FAA Administrator. Identified herein as Exhibit "A".
32 //

- 1 B. Affidavit prepared by Rodney F. Stich, dated August 18,
2 1975, describing in part the findings during his official
3 duties as an FAA inspector, as to FAA misconduct. Des-
4 cribed herein as Exhibit "B".
- 5 C. Portions of Stich's closing brief in FAA grievance hearing
6 E-20GFAA. Described herein as Exhibit "C".

7 2. In answer to arguments raised in defendant United State Govern-
8 ment Opposition to Motion To Intervene As Amicus Curiae, the following
9 points are raised:

- 10 A. As to lack of documentary evidence or affidavits in support
11 of movant's application to file an amicus brief, this objec-
12 tion is met with this amended application. The inclusion of
13 such evidence or affidavits had not been submitted with the
14 original application, the intention being to submit them during
15 open court arguments.
- 16 B. As to the dismissal by the trial judge of Stich's mandamus
17 action (C74982RHS), with the serious political implications
18 of that action, more questions are raised than answered
19 by such dismissal. The dismissal was in the face of numerous
20 documents supporting Stich's allegations of corrupt and
21 criminal misconduct by FAA in covering up for major air
22 safety problems that had become involved with air carrier
23 disasters. The mandamus action is now before the United
24 States Court of Appeals (Case 752300). Contrary to what
25 defendant United States Government implied, the primary
26 cause of action in that suit is not for back pay or job rein-
27 statement--these are minor ancillary issues--but to force
28 exposure and corrections of a major air safety scandal in-
29 volving the Federal Aviation Administration primarily, and
30 secondarily--those agencies that covered up for the FAA
31 acts and thus played a key role in the subsequential air
32 disasters such as the UAL Salt Lake City tragedy.

1 C. The motion to intervene as amicus curiae is for the purpose
2 of assisting the court and the parties to these actions, in
3 determining the true role of the FAA in the cause of that
4 tragic DC-10 crash. No objections have been received as
5 to this amicus brief--other than from the United States
6 Government who would be vulnerable to such exposures.

7 D. Defendant United States Government argues that granting
8 motion to intervene would merely delay litigation. Such
9 delay should be minimal. Stich already has supporting doc-
10 uments that are the product of his official air safety duties
11 as an FAA air safety inspector, such documents are already
12 introduced into the mandamus action, and he seeks mainly
13 to make the court and the parties to this action aware of
14 their existence. One phase of discovery would permit obtain-
15 ing still other documents supporting Stich's contention that
16 the FAA habitually engages in corrupt coverup of air safety
17 problems where certain key or powerful interests are in-
18 volved. It would be a travesty of justice if the FAA again
19 is protected from exposure in its long-standing incredible
20 disregard of the consequences of its internal misconduct.
21 Internally, reckless misconduct of key segments of FAA
22 management is well known, and associated with some of the
23 nation's more horrendous and classic air disasters. Most
24 notable in Stich's supporting documents are the classic
25 United Salt Lake City crash and the horrendous DC-8
26 crash into the heart of New York City--the world's worst
27 air disaster of the sixties and the program for which Stich
28 held air safety responsibilities shortly after its occurrence.

29 ///

30 ///

31 ///

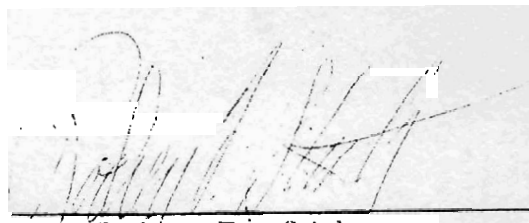
32 ///

1 E. Defendant United States Government argues that plaintiff's
2 counsels have already ferretted out sufficient information as
3 to the DC-10 crash. Actually, the long-standing nature of
4 the FAA coverup is unknown to them or the general public
5 and no person possessing such information has been willing
6 to risk so much in coming forth. Without this knowledge,
7 the court is unable to properly adjudicate the true role of
8 the FAA and assign relative liability in this great air disaster.
9 The serious national and air safety interests--though not
10 directly involved with these actions--arising out of the
11 FAA acts, would again be ignored. It is this type of coverup
12 that permitted conditions to occur where 346 persons died
13 needlessly. This tragedy is only one of many such related
14 occurrences.

15 F. Defendant United States Government argues that plaintiffs
16 would not want Stich acting for them. Not one letter was
17 received opposing his intervention. On the contrary, the
18 two replies received were favorable to such intervention.

19 3. Stich is available to the court and to the parties in these actions
20 for the proper adjudication of the FAA role in this tragedy.

21
22 Dated: August 18, 1975.



23
24
25 Rodney F. Stich
26 appearing in propria persona
27 1416 Carleton Drive
28 Concord, California 94520
29
30
31
32

1 RODNEY F. STICH
1416 Carleton Drive
2 Concord, Calif. 94520
Telephone(415) 933-1233
3 Action in Propria Persona

4
5
6
7
8
9

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

10 GERALDINE L. FLANAGAN, et al.,)
11 Plaintiffs,)
12 v.)
13 UNITED STATES GOVERNMENT,)
14 Defendant.)

CIVIL ACTION No. 74-808-PH
and others,involved in MDL 172

AFFIDAVIT IN SUPPORT OF
MOTION TO INTERVENE AS
AMICUS CURIAE

15
16
17

State of California)
County of Contra Costa) ss. :

18 Rodney F. Stich, being duly sworn, deposes and says:
19 I am the movant in the above motion to intervene as amicus curiae.
20 I have personal knowledge of the matters hereinafter referred to, much of
21 the documentary material attached to the Motion to Intervene, that which
22 could be submitted, and the statements made in support of the amicus motion,
23 arises out of my official duties as a inspector/investigator for the FAA.
24 1. The FAA writing identified as Exhibit "A" is a report that I
25 prepared on August 8, 1966, and submitted to the FAA Administrator.
26 2. The FAA writing identified as Exhibit "C" is the initial closing
27 brief submitted by me on July 21, 1965, in the FAA grievance hearing known
28 as E-20GFAA, and represents facts that I consider to be true.
29 3. During the period of my employment as an inspector for the Fed-
30 eral Aviation Agency, between 1962 and 1967, and as part of my official
31 duties involved with air carrier safety inspections, I encountered and dis-
32 covered many air safety irregularities, including the following, within the

1 FAA Western Region:

2 A. Inspectors ordered not to report air safety irregularities/
3 deficiencies at certain air carriers; reports of violations
4 of air safety deficiencies/irregularities returned for re-
5 traction/destruction. One such instance reported to me by
6 the FAA employee serving as principal inspector, concerned
7 the illegal retraction of two violation reports concerning
8 serious maintenance irregularities at Los Angeles Airways,
9 Shortly thereafter, two tragic crashes occurred, caused by
10 maintenance irregularities.

11 B. Preceding the United Salt Lake City crash, major air
12 safety deficiencies/irregularities, including the identical
13 irregularities later described as the cause of the crash and
14 deaths by the CAB. The FAA response to such reports
15 were numerous acts of hostility when I continued to report
16 such violations of major air safety laws as noncompliance
17 with the emergency evacuation training, unsatisfactory training
18 and check standards and procedures, refusal of the air carrier
19 to allow inspection of highly suspect training records, and
20 other air safety problems.

21 4. For the purpose of showing the long-standing and habitual nature
22 of the FAA coverup of major air safety problems, during the first day of
23 an FAA grievance hearing during which I protested the FAA coverup of major
24 air safety irregularities, I accidentally came into possession of a legal folder
25 belonging to the FAA legal counsel, containing among other writings an FAA
26 report dated October 17, 1960. This October 17th FAA report was photo-
27 copied by me because of its immense importance in showing the long-standing
28 nature of coverup of major air safety irregularities at that powerful air carrier,
29 and because it showed the most probable reason why the world's greatest air
30 disaster of the sixties(United's DC-8 crash into New York City on December
31 16, 1960) occurred. The pertinent part of that FAA report was the last para-
32 graph on page two, which stated:

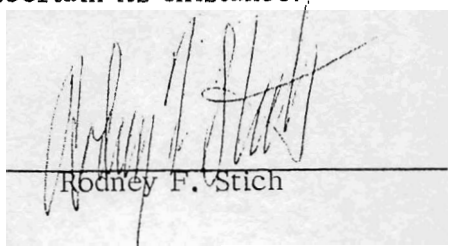
1 Referring to an FAA internal meeting on problems at United Air Lines;
2 "Before the next item was introduced, there was a general
3 discussion about how long a flight check should take in a DC-8
4 or 707. Mr. Rudd said it had been taking about 2:45 to 2:50 at
5 San Francisco for the 707 proficiency checks. Mr. Butler said
6 it had been taking about 2:45 to 2:50 at San Francisco for the
7 707 proficiency checks. Mr. Butler said what had disappointed
8 him was that when he or Harrell were on board the check takes
9 3:00 to 3:30, but on inspection of the log book to see how long
10 they [UAL/ were taking when we were not on board, it had been
11 taking 1:15 to 1:30, and we just could not understand how they
12 could do all the required maneuvers in that time when the
13 second in command was also being checked. "

14 Testimony by Butler during the FAA grievance hearing was that the
15 report was prepared by Frank Harrell, inspector assigned to United's DC-8
16 program.

17 That report was never made available to the CAB accident investigating
18 team, was never entered into the record to show the probable cause of that
19 horrendous crash, and actions were never taken to correct the air safety
20 problems at United which Stich then encountered upon his arrival there as
21 an FAA inspector.

22 5. I have reason to believe that there exists a highly damaging report
23 on FAA mishandling of air safety in the Western Region, such report issued
24 between 1967 and 1969. Discovery could ascertain its existence.

25
26 Subscribed and sworn to before
27 me on this 19 day of August,
28 1975. *Mary Caldera*
29 *Notary Caldera*



Rodney F. Stich

30
31 MARY CALDERA
32 NOTARY PUBLIC CALIFORNIA
COUNTY OF CONTRA COSTA
My Commission Expires Oct. 13, 1975