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RODNEY F. STICH  
P. O. Box 10587  
Reno, Nevada 89510  
Plaintiff in pro se

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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CAROL C. FITZGERALD  
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RODNEY F. STICH, ) No. CV-N-88-554-ECR  
 ) MORE DEFINITE  
Plaintiff, ) STATEMENT OF  
 ) FACTS IN SUPPORT  
vs. ) OF COMPLAINT FOR  
 )  
UNITED AIR LINES, INC.; )  
ALLEGIS CORPORATION; ) DECLARATORY AND  
FEDERAL AVIATION ) INJUNCTIVE RELIEF,  
ADMINISTRATION; ) DAMAGES.  
NATIONAL TRANSPORTATION ) ACTION IN MANDAMUS;  
SAFETY BOARD, )  
 ) TITLE 42 U.S.C. Section  
Defendants. ) 1983, 1985, 1986.  
 ) 18 U.S.C. §§ 1961,1962  
 ) 28 U.S.C. §§ 2201,2202  
 ) REQUEST FOR JURY TRIAL

In response to this court's order for a more definitive statement, in excess of f  
Federal Rule of Civil Procedure 8 providing for a "plain and concise" statement,  
additional statements are submitted, as an enlargement of the original complaint,  
which appears to also meet the requirements for a plain and concise statement.

Plaintiff also submits attached Exhibit "A," entitled: The Unfriendly Skies--an  
Aviation Watergate, which is the second printing of a highly sensitive exposé book by  
plaintiff, which goes into still further details, and surely, meets the requirements for a  
"plain and concise" statement. The attached exhibit is presented to show the details of  
the misconduct by the defendants up until 1979.

1 Plaintiff alleges that the harms suffered by plaintiff were the result of the  
2 entire conspiracy, and not necessarily only that segment of the conspiracy in which  
3 the wrongful acts of United Airlines can be shown. Plaintiff alleged, and again alleges,  
4 that United Airlines was part of an overall conspiracy, the intent of which reached an  
5 agreement or meeting of minds to silence plaintiff's reporting of the United Airlines  
6 misconduct, and the concurrent misconduct by persons within the Federal Aviation  
7 Administration.

8 It was the subsequent misconduct by others that directly caused plaintiff to  
9 suffer the harms alleged in the complaint. If United Airlines had not engaged in the  
10 criminal air safety misconduct, and had not caused the FAA to continue the misconduct  
11 and inflict great and irreparable harm upon plaintiff, the cause of action would never  
12 have arose. It required hard-core misconduct by United Airlines, and the conspiracy  
13 between United Airlines and the FAA, to cause or affect the harm that plaintiff  
14 suffered.

15 The harm occurred during the period from 1963 through 1965, continued  
16 thereafter for years, and then escalated during the period from 1983 through 1988 as  
17 others, drawn into the misconduct for the sole purpose of halting plaintiff's exposure  
18 of the misconduct originating at United Airlines and within the FAA, inflicted  
19 additional harms. United Airlines has a liability for the other stages of the conspiracy  
20 besides the part in which they actively participated.

## 21 ARGUMENT

### 22 I. PLAINTIFF'S ALLEGATIONS STATED THAT A CONSPIRACY EXISTED 23 BETWEEN UNITED AIRLINES AND OTHERS

24 The complaint alleged, and repeats the allegations, that United Airlines engaged  
25 in numerous acts with other members of the conspiracy, specifically, the Federal  
26 Aviation Administration, to violate rights and privileges to which plaintiff was entitled.  
27 United Airlines had "an agreement or meeting of the minds" to violate constitutional  
28 rights, for the purpose of obstructing plaintiff's official duties as a government air

1 safety investigator to report and correct the air safety violations, misconduct, fraud,  
2 perpetrated by United Airlines.

3 The allegations and facts alleged to abundant evidence of cooperative  
4 involvement between United Airlines and the Federal Aviation Administration. The  
5 harms inflicted upon plaintiff to silence his exposure activities would not exist but for  
6 United Airline's misconduct and the horror caused by the misconduct in related airline  
7 crashes. All inferences of the conspiracy between United Airlines and the FAA, which  
8 then escalated to include other branches of government, must be in favor of the  
9 nonmoving party. Matsushita Electric v. Zenith Radio, 475 U.S. 574, 577-88 (1986).

10 The FAA, who made possible the tragedy related misconduct at United Airlines,  
11 had vested interests in obstructing plaintiff's exposure activities, and violating rights  
12 and privileges to destroy plaintiff's attempts to expose the misconduct.

13 A. It Is Not Necessary For United To Be Involved In All Phases  
14 Of the Conspiracy To Have A Financial Liability For All Of  
15 the Conspiracy Activities

16 It is not necessary for United Airlines to be active in all phases of the  
17 conspiracy to be liable. The Ninth Circuit held in United Steelworkers of America v.  
18 Phelps Dodge Corporation, 89 C.D.O.S. 442 (9th Cir. Jan 18, 1989):

19 "To be liable, each participant in the conspiracy need not know the exact  
20 details of the plan, but each participant must at least share the common  
21 objective of the conspiracy, Fonda, 707 F.2d at 438."

22 The objective of United Airlines during the period from 1962 through 1965 was to  
23 silence plaintiff's reporting, exposure, and correction of the air safety violations and  
24 misconduct that played a causative role in a series of fatal airline crashes. This was  
25 the same objective of the Federal Aviation Administration, as it threatened, harassed,  
26 intimidated, and took job actions, against plaintiff. This was the objective of the  
27 judicial scheme which commenced in 1982, involving federal judges who sought to  
28 obstruct plaintiff's reporting of the widening air disaster scandal commenced by the  
wrongful acts of United Airlines. This same objective was the basis for the Department

1 of Justice to sentence plaintiff to prison, and for seizing plaintiff's multi-million dollar  
2 estate, in 1987 and 1988. All were members of the same conspiracy. United Airlines  
3 may or may not have participated in the later phases of the conspiracy. But their  
4 liability for the entire conspiracy and the harm inflicted, continues.

5 United Airlines violated rights and protections plaintiff was entitled to enjoy  
6 under the laws and constitution of the United States as they obstructed plaintiff's  
7 attempts to report and correct the air safety misconduct and felonies which they  
8 perpetrated. If United Airlines had not committed the wrongful acts, the violations of  
9 federal air safety laws, the fraudulent air safety practices, if they had not applied  
10 pressure upon the FAA to remove plaintiff from the air safety duties, the harm that  
11 plaintiff suffered from 1963 through 1988 would not have occurred.

12 United Airlines was the original and principle participant in the conspiracy from  
13 1962 through 1966. The conspiracy then enlarged, as others sought to protect the  
14 United Airlines misconduct, and the FAA misconduct.

15 B. Allegations Of the Conspiracy Must Be Accepted As True

16 An action alleging a conspiracy cannot be dismissed unless they negate inferences  
17 of the existing conspiracy. (See e.g., United Steelworkers of American v. Phelp Dodge  
18 Corporation, 89 C.D.O.S. 442 (Jan. 18, 1989, 9th Cir.)

19 It must be assumed that the allegations in the complaint are true. (FRCivP 12;  
20 Gardener v. Toilet Goods Assn., 387 U.S. 167, 172 (1967). An action, "especially under  
21 the Civil Rights Act, should not be dismissed at the pleadings stage unless it appears  
22 to a certainty that plaintiffs are entitled to no relief under any state of the facts,  
23 which could be proved in support of their claims." Escalera v. N.Y. Housing Auth., 425  
24 F.2d 853, 857 (2nd Cir. 1970). See also Conley v. Gibson, 355 U.S. 41, 45-7 ) 1957);  
25 Sherman v. Yakahi, 549 F.2d 1287, 1290 (9th Cir. 1977); Mark v. Gross, 521 F.2d 1376,  
26 1378 (9th Cir. 1975); York v. Gross, 521 F.2d 1376, 1378 (9th Cir. 1975); York v.  
27 Story, 324 F.2d 450, 453 (9th Cir. 1963). Obviously, plaintiff is entitled to relief.  
28

1 Plaintiff has alleged that defendant United Airlines conspired with officials  
2 within the Federal Aviation Administration to violate rights and protections, which  
3 obstructed plaintiff's reporting and correction of serious air safety misconduct. United  
4 Airlines officials admitted to plaintiff that they would get plaintiff removed from his  
5 air safety position if plaintiff continued to report the air safety misconduct. FAA  
6 officials then instructed plaintiff not to file any reports of air safety problems at  
7 United Airlines. FAA officials threatened plaintiff when plaintiff did file reports. FAA  
8 officials then removed plaintiff from his position, as United officials stated would  
9 happen, and as they stated they caused to happen of plaintiff's predecessor, Frank  
10 Harrell.

11 The inferences are that United Airlines was part of the conspiracy. The  
12 allegations stated in the complaint must be accepted as true. United Airlines's liability  
13 for the acts of the enlarged conspiracy occurring in the period from 1982 through  
14 1988, continues because of their part in the original conspiracy. A conspirator cannot  
15 distance himself from the liability arising in the overall conspiracy by denial of  
16 involvement in later acts. United Airlines was a part of the conspiracy.

17 C. It Is Not Necessary To Prove At This Time the Allegations  
18 Stated In the Complaint

19 Defendant United Airlines, whose alleged misconduct played a causative role in  
20 hundreds of deaths, alleges that the dates were not defined in the complaint. The  
21 parameters of the acts complained of were stated as repeatedly occurring between a  
22 given period of time. Federal Rule of Civil Procedure 8 requires that the complaint  
23 state a "short and plain" statement meets the pleadings requirements.

24 Defendant United Airlines argues that plaintiff has not stated how United  
25 Airlines was responsible for the losses plaintiff suffered. United Airlines is alleged to  
26 be part of a conspiracy, who acted with others, reaching an understanding to violate  
27 rights and privileges, and it was these actions committed initially by United Airlines,  
28 but

1 Defendant United Airlines was part of the conspiracy that commenced in 1962  
2 with the FAA. It is this conspiracy, which expanded commencing in 1982, that resulted  
3 in the harm. Defendant makes no allegations that United Airlines directly was directly  
4 responsible for the injuries, but that United Airlines was a party to the conspiracy  
5 that caused the harms to occur.

6  
7 D. Tolling Of the Statute Of Limitations From the 1960's  
8 Violations

9 If, for argument, the wrongful acts by United Airlines, which occurred in 1962  
10 through 1965, were separate acts, the fact that United Airlines and the FAA engaged  
11 in a conspiracy to defraud plaintiff of his rights and protections, the fraud tolled the  
12 statute of limitations. The harm for which plaintiff seeks financial compensation was  
13 the harm to his personal and property rights occurring directly from the perpetrated  
14 acts, and the harms subsequently suffered.

15 II. REMINDER OF THE COST OF COVERUP

16 Plaintiff reminds everyone that if the allegations in the complaint are true,  
17 hundreds of thousands of persons engaging in air travel are threatened with injury and  
18 death; that many hundreds have already perished in air disasters in which the direct  
19 causes were caused or permitted to occur by the nature of the misconduct stated  
20 herein. These deaths will continue to occur until plaintiff's allegations of gross  
21 misconduct by the defendants, and others, are addressed in a public forum, and  
22 meaningful corrective actions taken. Plaintiff is the only person with the evidence,  
23 and the willingness to risk the infliction of great and irreparable harm, to address the  
24 corruption and dangers inflicted upon unsuspecting air travelers.

25 Because of the highly sensitive nature of the allegations; the involvement of high  
26 government blocks in all three branches of government; and the corrupt seizure of  
27 plaintiff's multi-million dollar assets as part of the overall conspiracy; plaintiff is  
28

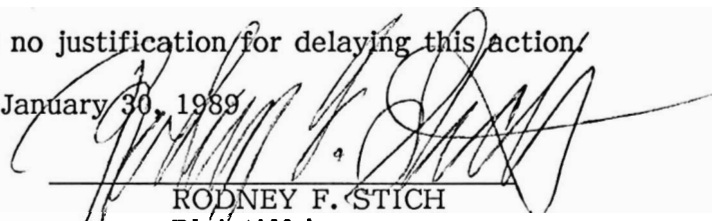
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forced to pursue these defenses in pro se status. It is well recognized that pro se complaints must be construed liberally. A little consideration to the tragedies arising out of the alleged misconduct may induce some consideration for proceeding with this litigation with the minimum legal obstructions.

SUMMARY

There is no justification for delaying this action.

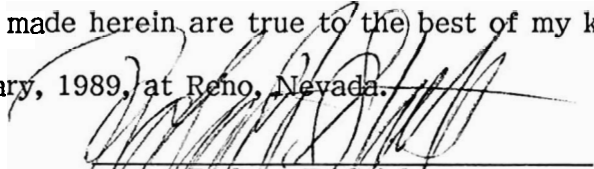
Dated: January 30, 1989

  
\_\_\_\_\_  
RODNEY F. STICH  
Plaintiff in pro se

DECLARATION

I, Rodney F. Stich, declare:

That the statements made herein are true to the best of my knowledge. Executed this thirtieth day of January, 1989, at Reno, Nevada.

  
\_\_\_\_\_  
Rodney F. Stich