

Craig D. Buckley
[REDACTED]
Longmont, Co 80501
cdbuckley@q.com
[REDACTED]

3/18/2011

Ellen Golombek - Executive Director
Colorado Department of Labor and Employment
633 17th Street, Suite 201.
Denver, CO 80202-3660

Re.: DEMAND FOR PRODUCTION OF DOCUMENTS

Claim No.: 0444-10 Buckley v. Dream Stone, Inc.

Director Golombek:

This correspondence shall serve as a letter of demand for production of documents known to be in the possession of the Division of Labor, and evidentiary to Claim No.: 0444-10 Buckley v. Dream Stone, Inc., Buckley v. Dream Stone et al., case # 2009CV991, Ida E. Murphy v. Craig D. Buckley, Case # 2011C121, and fraudulent criminal charges filed against Craig D. Buckley by Ida Murphy, Scott Murphy, and Ron Murphy.

Claimant requests that the Colorado Dept. of Labor – Division of Labor produce the following documents for inspection.

Email from Dream Stone, Inc. secretary/treasurer Ida E. Murphy to DOL compliance officer Juanita Wright dated on, or about Wednesday, May 12, 2010, and containing the following attachment:
Dream Stone Marble - #2 Buckley_09-340504MOTNMotion for Settlement Conference552010154324

It has become necessary for Craig D. Buckley (*Hereinafter referred to as the "Claimant"*) to overstep the authority of Division of Labor, Director Michael McArdle in this matter. On March 18, 2011, the Claimant received a letter from Mr. McArdle directing him to cease all contact with the DOL, then Mr. McArdle concluded his letter with ambiguous threats against the Claimant. Considering the circumstances to be outlined and evidenced below, and the alleged gross mishandling of Claim # 0444-10 by the DOL, Mr. McArdle's words and actions are unacceptable, and may, in fact constitute violations sufficient to cause his termination of employment.

I will attempt to be brief, as this has become very complex matter, and state only those facts which directly concern your agency.

AS GROUNDS:

1. On January 21, 2010, the Claimant filed "Request For Mediation" (Attached as Exhibit #1) with the DOL, with the following qualifier:

" This matter, in addition to the wrongful termination under C.R.S. 8-78-108(4)(c), as having

been determined as a matter of law by the Industrial Claims Appeals Office, is currently before the Weld County District Court, Division 1, Case # 2009CV991.

The purpose of this report is not to initiate mediation, but to effect diligent investigation by the CDLE Director per, C.R.S. 8-4-111(1), in support of civil and/or criminal penalties against the employer, Dream Stone, Inc., for willful and malicious violation of C.R.S. 8-4-109(1)(b), pursuant to those remedies provided by C.R.S. 8-4-113, and C.R.S. 8-4-114, respectively.

Claimants filing of civil action in the Weld County District Court should not preclude investigation of this matter by the CDLE, per C.R.S. 8-4-110(2)

2. The Claimant was allowed to function under the good faith belief that the DOL was investigating the matter as allowed by C.R.S. 8-4-110(2), specifically:

8-4-110. Disputes-fees

(2) Any person claiming to be aggrieved by violation of any provisions of this article or regulations prescribed pursuant to this article may file suit in any court having jurisdiction over the parties without regard to exhaustion of any administrative remedies.

3. It was clearly stipulated that this matter was currently before the Weld County District Court, and that the assistance of the DOL was sought to effect “diligent investigation”, the clear purpose of which was to be an evidence gathering mechanism.
4. Had the DOL maintained any objections to investigating the matter of the Claimant's earned/accrued wage claim, based on the fact that the matter was simultaneously before the Court, upon receipt of the claim would have been the appropriate time. No such objections were timely made by the DOL.
5. It is known, and it has been admitted by compliance officer Juanita Wright, that on May 12, 2010 the Employers, through Dream Stone, Inc. secretary/treasurer Ida E. Murphy, swore to the Division of Labor, and compliance officer, Juanita Wright, specifically, that the matter of Buckley's unpaid accrued vacation pay was before the Weld County District Court, and therefore the Division of Labor had no jurisdiction.
6. It is known that, email and phone conversation to Division of labor compliance Officer Juanita Wright , May 12, 2010, the Employers, Dream Stone, Inc. through secretary/treasurer Ida E. Murphy, claimed the Claimants , earned/accrued wage claim was before the Court, and therefore the DOL had no jurisdiction. Ida E. Murphy's allegations caused the email from Juanita Wright, Wednesday, May 12, 2010 5:23 PM, with attachment to be sent to the Claimant. (Attached as Exhibit #2).
7. In the above referenced and attached email, Juanita Wright admits speaking to Ida E. Murphy on May 12, 2010. Wright's email to the Claimant indicates that she was persuaded by Mrs. Murphy's statements that the matter of unpaid vacation pay was before the Court. Further, Mrs. Murphy had evidently provided to Wright, a copy of the Claimant's (Plaintiff's) Motion For Settlement Conference, filed with the Weld County District Court on May 4, 2010, as so-called “evidence” that the matter was before the Court.

8. The attachment to the email is named in a format known to be used by the Employer's attorneys, Donelson, Ciancio, and Goodwin P.C. Therefore, it is logical to conclude that the Employers' attorneys, and Daniel T. Goodwin was complicit in this act of fraud designed to strip the Claimant of his Due Process Rights before both he DOL and the Court.
9. In a follow up conversation by the Claimant to Juanita Wright, Ms. Wright specifically stated that Ida E. Murphy had specifically told her, May 12, 2010, that the Claimant's accrued wage claim was before the Court.
10. On May 7, 2010 the Employers through their attorneys Donelson, Ciancio, and Goodwin, P.C., and Daniel T. Goodwin, specifically, swore to the Weld County District Court in Civil Case #2009CV991, that the matter of Buckley's unpaid accrued vacation pay was before the Division of Labor, and therefore the Court had no jurisdiction. The document which contained these fraudulent allegations is attached as Exhibit #3: Defendants' Response To Plaintiff's Motion For Settlement Conference, Filed may 7, 2010.
11. By fraud, perjury, and conspiracy, the Employers caused Judge James Francis Hartmann to strip the Claimant (civil Plaintiff) of all relevant discovery a mere sixteen (16) hours before his scheduled deposition.(Order Re: Plaintiff's Motion To Compel Discovery, attached as Exhibit # 4).
12. Prior to May 7, 2010 the Employers (Civil Defendants), prior to May 7, 2010, had admitted by express consent contained in Status Conference admissions (Court Transcript not attached), Discovery letter to the Plaintiff (Attached as Exhibit #5), Rule 26(a)(1) Disclosures (Attached as Exhibit #6), and affirmed by their Certificate of Compliance (Attached as Exhibit #7), that the matter of the Defendant's accrued wages was properly before the Court.
13. Judge James Francis Hartmann allowed the Petitioners and their criminally complicit counsel to ambush the pro se Plaintiff (Claimant), by fraud, conspiracy, and falsification of evidence. The Claimant's (Civil Plaintiff's) case was destroyed by the Employers' acts of fraud. The Claimant's case was dismissed with prejudice after he filed Motion For Protective Orders/Denied, citing the acts of fraud by the Employers, and stating that he would not give deposition to an officer of the Court whom had worked a fraud upon the Court.

CONCLUSION:

The Employers, Dream Stone, Inc., Ron Murphy, Scott Murphy, and Ida E. Murphy, and their criminally complicit counsel, Donelson, Ciancio, and Goodwin P.C., and Daniel T. Goodwin, specifically, have worked a fraud upon the Weld County District Court, and upon the Claimant. The result of the Employers' fraud, perjury, conspiracy, and concealment of evidence has been the dismissal with prejudice of the Claimant's civil case #2009CV91 in Weld County District Court, the wrongful awarding of attorneys' fees to the Employer, and the filing of a fraudulently obtained lien against the Claimant's home by the Employers, and the false incarceration of the Claimant.

On March 3, 2011, the Claimant had, by email, sent the Employers a Demand For Release of Lien. This demand never would have been necessary, had the DOL assisted/cooperated, rather than obstructing access to, and concealing evidence. The Employers, with unclean hands, filed a fraudulent Restraining order, and had the Claimant falsely arrested for harassment. The Claimant was falsely imprisoned as a direct result of the Employers acts of fraud, and attacks on the Claimant's personal

property.

The DOL, and Mr. McArdle's refusal to communicate with, or cooperate in any way with the Claimant has caused untold stress, loss of enjoyment of life, and financial ruin for the Claimant and his family. The evidence before the DOL and the Court was clear and convincing: the employers had told the DOL and the Court that NEITHER had jurisdiction over the Claimant's accrued wage claim, because the matter was before the other.

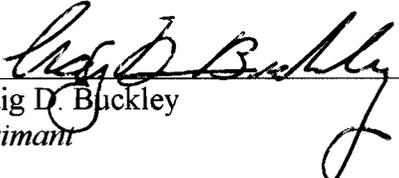
Mr. McArdle, and his staff, have botched this investigation to the point that the Employers have been allowed to make a direct attack on the Claimant's home, and his freedom. Mr. McArdle had then attempted to conceal his wrongdoing by ambiguously threatening the Claimant in his menacing letter of March 15, 2011. This is not acceptable.

The requested documents prove, beyond any reasonable doubt, that the Employers simultaneously swore before the DOL and the Court that NEITHER had jurisdiction over the Claimant/Plaintiff's accrued wage claim, because the matter was before the other. This proves fraud, and malice by the Employers, and their criminally complicit counsel dating back to the date of the Claimant's termination of employment in 2008.

I demand that the requested documents be produced immediately, without wrongfully forcing the Claimant to bear the additional financial burden of serving Subpoena To Appear And Produce upon Mr. McArdle.

To all Cc'd law enforcement; the Claimant demands a full criminal investigation into this matter. Please contact the Claimant for full evidence packet.

Submitted this 18th day of March, 2010,



Craig D. Buckley
Claimant

Cc: (Attachments Omitted- Available upon request)

John W Hickenlooper, Governor
136 State Capitol
Denver, CO 80203-1792

Governor's Office of Legal Counsel
121 State Capitol
Denver, CO 80203

Department of Labor and Employment – Division Of Labor
Attn.: Michael McArdle
633 17th Street' Suite 200
Denver, Co 80202-3611

Office of the Attorney General
1525 Sherman St., 7th floor
Denver, CO 80203

Agent John Gedney
FBI Denver Field Office
8000 East 36th Avenue
Denver, CO 80238

Ann Conroy
Colorado Supreme Court -
Office of Attorney Regulation
1560 Broadway, Suite 1800
Denver, Colorado 80202

CBS4 News
Libby Smith - Special Projects Producer
1044 Lincoln Street
Denver, CO 80203