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1 Q. And if you go down to the end of that --
 2 well, below what I read, there's a paragraph that appears
 3 in bold print. Do you see that?
 4 A. Correct.
 5 Q. That's your answer, right?
 6 A. Yes.
 7 Q. And if you go to the end of that bold print,
 8 there's a sentence that says, "CSSS's actions could have
 9 led to actual injury of employees." Do you see that?
 10 A. Yes, I do.
 11 Q. Did I read that correctly?
 12 A. Yes, you did.
 13 Q. What do you mean by that?
 14 A. What they -- well, they -- in -- in inferring
 15 that I had a weapon and a temper and that having obviously
 16 gotten out, there could have been a panic. People could
 17 have got trampled going down the stairs.
 18 Officer Androwski, had he not been so
 19 self-controlled, when I went for my cigarette very well
 20 may have thrown me to the ground injuring myself.
 21 Q. But none of that happened, right?
 22 A. No, it didn't.
 23 Q. So that's just speculation from your
 24 standpoint?

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1 A. Yes.
 2 Q. You can set that aside.
 3 Do you have or are you aware of any evidence
 4 to support your claims that I have not asked you about
 5 today?
 6 MS. JOHNSON: Objection, vague.
 7 THE WITNESS: I have -- I brought with me one thing
 8 that would -- that would contradict, and I can -- I can
 9 give that to you if you want it.
 10 BY MR. DUFF:
 11 Q. You brought some -- did you bring materials
 12 with you to your deposition?
 13 A. I did, yeah, something that I just found when
 14 I was packing and unpacking boxes in the house, I had
 15 completely forgotten that I had.
 16 Q. What's that?
 17 A. Just something to attest to my character
 18 while working for the VA.
 19 Q. Well, can you give me a copy?
 20 A. Yes.
 21 MR. DUFF: Let's go off the record.
 22 THE VIDEOGRAPHER: Going off the record at
 23 11:56 a.m. We're now off video record.
 24 (A short recess was had from 11:56 a.m.

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1 to 12:02 p.m.)
 2 THE VIDEOGRAPHER: Back on the record at 12:02 p.m.
 3 (Defendant's Deposition Exhibit No. 10
 4 for identification, 07/16/2010.)
 5 BY MR. DUFF:
 6 Q. Mr. Cynowa, before we took a break you or,
 7 actually, I guess it was when we took a break, you
 8 tendered to me something that you said you found when you
 9 were going through some old records?
 10 A. Correct.
 11 Q. I've now marked as Defendant's Deposition
 12 Exhibit No. 10 --
 13 A. Okay.
 14 Q. -- a photocopy of what you just gave me.
 15 Can you confirm that this is a true and
 16 accurate copy of what you gave me?
 17 A. Yes, it is.
 18 Q. And can you identify for the record what
 19 Exhibit 10 is?
 20 A. This is a thank-you card that I received from
 21 one of the many people that I interacted with while at the
 22 VA thanking me for the time and effort that I put in to
 23 solving the issues that she was dealing with.
 24 Q. And is that Sylvia Delsa?

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1 A. Correct.
 2 Q. And what was her position at the VA?
 3 A. I don't recall her exact position, but she
 4 was -- she was one of the key support personnel for a
 5 small site somewhere in the -- I think it was down in
 6 Louisiana or somewhere around there -- New Orleans, yes.
 7 But she was -- she was tasked with supporting
 8 everyone there, and she wasn't a very technical person, so
 9 I helped her through a lot of crises and stuff.
 10 Q. And am I correct in understanding that this
 11 is something that she sent you after you were terminated
 12 by CSSS?
 13 A. No, this was shortly before. Oh, actually,
 14 it looks like the date stamp is June 2006, so --
 15 Q. Okay. So that's when this was sent to you?
 16 A. Correct.
 17 MR. DUFF: I don't have any other questions at this
 18 time, but I'll reserve additional time if there's anything
 19 else that I need to ask you.
 20 EXAMINATION
 21 BY MS. JOHNSON:
 22 Q. Okay. Chris, I'm just going to go back and
 23 try to clarify a few things --
 24 A. Okay.

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1 Q. -- with you.
 2 When you testified this morning that you
 3 would seek other employment so that nobody would get mad
 4 or get hurt, what did you mean by getting hurt?
 5 A. Their feelings.
 6 Q. Okay. Were you in any way referring to any
 7 kind of physical violence?
 8 A. Oh, no, no.
 9 Q. Okay. Was Larry Carver present on your
 10 termination call?
 11 A. I'm not sure if he was. I don't remember him
 12 being on the call, but --
 13 Q. You don't recall?
 14 A. -- he may have been, right.
 15 Q. Okay. When you gave your testimony earlier
 16 regarding your interactions with Officer Androwski, you
 17 indicated that -- that he said -- asked you about an
 18 AK-47?
 19 A. Yes.
 20 Q. When you -- but you -- okay. I would like to
 21 clarify, because what did -- what was said to you when
 22 Nick -- when the Nick -- how do you say his name?
 23 A. Nikiforos.
 24 Q. Nikiforos.

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1 (Continuing) -- when Nikiforos called you to
 2 tell you about the rumor about you, right?
 3 A. Yes.
 4 MR. DUFF: Objection, asked and answered and
 5 leading.
 6 MS. JOHNSON: Okay.
 7 MR. DUFF: And also as to form.
 8 MS. JOHNSON: Okay. Well, just strike the
 9 question.
 10 BY MS. JOHNSON:
 11 Q. Did you read the deposition testimony of
 12 Larry Carver?
 13 A. Yes.
 14 Q. Okay.
 15 A. It's been awhile, but yes.
 16 Q. Okay. Do you recall any information in that
 17 report related to your security clearance that Mr. Duff
 18 asked you about?
 19 MR. DUFF: Form.
 20 THE WITNESS: I don't recall anything in
 21 particular.
 22 BY MS. JOHNSON:
 23 Q. Okay. But you believe you lost your security
 24 clearance?

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1 A. Yes.
 2 Q. Okay. When you were working for CSSS, did
 3 you have a career plan in mind at the time?
 4 A. I did. At the time the -- most of the people
 5 who worked as contractors would get eventually converted
 6 to be full-time employees of the VA.
 7 And that was my goal. The next time they had
 8 a position open up, I was going to put in for it and try
 9 to roll into the VA position.
 10 Q. Were you, in your own opinion, in a good
 11 position to do that?
 12 A. I believe I was, yes.
 13 Q. And why would you want to do that rather than
 14 stay with CSSS?
 15 A. The benefits were better. The retirement was
 16 better. When you get a federal job, it's you work 20
 17 years, and you retire with full pension. And it's a very
 18 secure position. The federal government isn't going to go
 19 out of business, and it's not going to lose a contract.
 20 Q. Do they have paid holidays?
 21 A. Yes.
 22 Q. Do they have paid sick days?
 23 A. Yes.
 24 Q. Do they have paid vacation?

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1 A. Yes.
 2 MR. DUFF: I'm going to object to foundation on all
 3 of these questions.
 4 BY MS. JOHNSON:
 5 Q. Okay. I'm going to back up.
 6 Are you aware of what the federal -- of what
 7 kind of benefits are available at the federal government?
 8 A. Not to the fullest extent, but yes.
 9 Q. Okay. So could you tell me what those are?
 10 A. There are -- they have many additional paid
 11 holidays than the standard company. A lot of companies
 12 don't observe some of the federal holidays, but the
 13 federal government observes all of them.
 14 And the biggest thing for me was the
 15 retirement --
 16 Q. Okay.
 17 A. -- work 20 more years and retire. At the
 18 time I was 38 years old. I would have been 58 -- between
 19 58 and 60 when I retired.
 20 Q. Okay. And when do you expect to retire now?
 21 A. I don't.
 22 Q. Okay. Other than the VA position that you
 23 applied for that was at Hines, did you apply for any other
 24 federal positions in your job search?

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1 **A. I don't recall. I don't think so.**
 2 Q. And why was that?
 3 **A. I'm -- I'm -- I've been relatively happy with**
 4 **the positions that I've had, and it's -- given what's on**
 5 **file with the federal police, I don't believe that I would**
 6 **make it through the background check any longer.**
 7 **I put in for the position the first time and**
 8 **never heard anything back. I believe I've -- I think I've**
 9 **submitted for a similar position as well. I'm not for**
 10 **positive, but I think I put in for two positions.**
 11 **MR. DUFF:** Move to strike, lack of foundation.
 12 **MS. JOHNSON:** I'm sorry? I couldn't hear you.
 13 **MR. DUFF:** I move to strike, lack of foundation.
 14 **BY MS. JOHNSON:**
 15 Q. How many federal jobs do you think you
 16 applied for?
 17 **A. Two.**
 18 Q. And you did not hear back on either one; is
 19 that a correct statement?
 20 **A. Correct.**
 21 Q. Okay. At your current -- how do your current
 22 benefits at your current job compare to what you expected
 23 to get at -- if you were able to work at the federal jobs?
 24 **A. I have no holidays. I have no sick days. I**

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1 **have no vacation time. Insurance just for myself would**
 2 **cost me \$150 every two weeks.**
 3 Q. What type of insurance are you talking about?
 4 **A. Health insurance.**
 5 Q. Okay. So are you saying you don't have
 6 health insurance?
 7 **A. I do not, no.**
 8 Q. Does the federal government provide health
 9 insurance?
 10 **A. Yes.**
 11 Q. To your knowledge --
 12 **A. Yes.**
 13 Q. -- at least? Okay.
 14 **A. I don't have a retirement plan either with**
 15 **this.**
 16 Q. Does the federal government, to your
 17 knowledge, have a retirement plan?
 18 **A. Yes, and a pension.**
 19 Q. What time did you normally start work? What
 20 was your actual start hour?
 21 **A. 7:00 a.m.**
 22 Q. What time did you actually -- did you arrive
 23 at 7:00 or what time did you arrive?
 24 **A. Generally speaking, I got to work between**

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1 **6:00 and 6:30.**
 2 Q. And what would you do between 6:00 and 6:30
 3 or while you were there before starting time?
 4 **A. I would just get logged in and check my**
 5 **e-mail and then read until 7:00 o'clock --**
 6 Q. Okay.
 7 **A. -- drink my coffee and work into the day.**
 8 Q. When you were reading, what were you reading?
 9 **A. Novels, usually James Patterson. That's what**
 10 **interests me.**
 11 Q. You mentioned earlier that Mr. Slater told
 12 you that he didn't want you reading?
 13 **A. Correct.**
 14 Q. Were you reading between 7:00 o'clock and
 15 your quitting time?
 16 **A. No.**
 17 Q. So when you -- when he was talking about your
 18 reading, was he speaking about the reading you were doing
 19 prior to start time?
 20 **A. Correct.**
 21 Q. And did you disagree with him about how you
 22 were using your time prior to your actual official
 23 starting time?
 24 **A. Yes.**

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1 Q. Okay. And what was his response to the fact
 2 that it was your own time?
 3 **A. He said it was irrelevant. I was on the VA**
 4 **property, so I needed to not do it.**
 5 Q. Do you know if other employees ever did
 6 anything that wasn't on -- that was not related to work
 7 prior to or after their quitting time?
 8 **MR. DUFF:** Objection to the form of the question.
 9 **BY MS. JOHNSON:**
 10 Q. Do you know -- did you ever observe any other
 11 employees reading or doing other activities when they were
 12 off the clock at CSSS?
 13 **A. Yes, and I --**
 14 Q. What kinds of things did they do?
 15 **A. Like reading magazines and --**
 16 Q. Do you think that -- was that a common
 17 practice?
 18 **A. It seemed to be. I mean --**
 19 Q. Okay.
 20 **A. One of -- one of CSSS's employees used to go**
 21 **sleep in his car.**
 22 Q. Okay. How many hours a week did you normally
 23 work at CSSS?
 24 **A. Forty.**

1 Q. Did you ever work overtime?
 2 A. **There may have been a rare occasion but**
 3 **generally speaking, no.**
 4 Q. Did you ever sign any performance improvement
 5 plan when Slater spoke with you about your performance?
 6 Did you ever sign a performance improvement plan?
 7 A. **No, I was never given a performance**
 8 **improvement plan.**
 9 Q. So when Slater talked to you about how he
 10 wanted you to stop talking bad about Lisa or other
 11 matters, he didn't ask you to sign anything?
 12 A. **No.**
 13 Q. Okay. So did you think you were on a
 14 performance improvement plan?
 15 A. **No.**
 16 Q. You did not?
 17 A. **No.**
 18 Q. And what was the reason you didn't think you
 19 were?
 20 A. **Because I didn't -- I wasn't given one, and I**
 21 **didn't sign one.**
 22 Q. Had you ever written -- received an employee
 23 manual of conduct or anything like that?
 24 A. **I'm sure there was one in the packet when**

1 **I -- when they first hired me.**
 2 Q. Did you read it?
 3 A. **I skimmed through it.**
 4 Q. Do you know what the performance improvement
 5 plan requirements or procedures were?
 6 A. **No.**
 7 Q. Were you familiar with that?
 8 A. **No.**
 9 Q. Okay. Were you ever sent to diversity
 10 training?
 11 A. **No. Bill Slater told me that he told Lisa**
 12 **Wolford that it wasn't necessary.**
 13 Q. What was the date and year of your
 14 termination?
 15 A. **I believe January 18th.**
 16 Q. Okay. So on occasions where you have stated
 17 at various points in the deposition that you can't recall,
 18 is that due to the length of time that it's been?
 19 A. **Definitely, yes.**
 20 Q. It's been three -- over three years?
 21 A. **Yes.**
 22 Q. Okay. Could you be mistaken on some of the
 23 statements that you may have made regarding how you
 24 learned about the AK-47?

1 **MR. DUFF:** Objection to the form of the question.
 2 **BY MS. JOHNSON:**
 3 Q. Okay. I'll strike the question.
 4 Did you review the complaint that I filed on
 5 your behalf prior to this deposition?
 6 A. **No.**
 7 Q. Okay. So do you recall all the details from
 8 that, what we put down at that time?
 9 A. **No.**
 10 Q. Okay. So is it possible that some dates and
 11 times that you've given may not have been exact?
 12 A. **Fully.**
 13 Q. Okay. And is that -- again, is that due to
 14 the length of time since this was first filed?
 15 A. **Yes.**
 16 Q. During the course of my representing you in
 17 this case, do you ever recall any information given to you
 18 pertaining to Larry Carver and Lisa Wolford's conduct
 19 involving Mr. Carver's testimony?
 20 **MR. DUFF:** Objection to the form of the question.
 21 **BY MS. JOHNSON:**
 22 Q. Do you recall during the case -- any time
 23 during my representation of you any information given to
 24 you regarding Lisa Wolford in relationship to the

1 deposition of Larry Carver?
 2 A. **Yes.**
 3 Q. Can you state what that was?
 4 A. **Well, a lot of it was -- was in the**
 5 **deposition itself. In the deposition, he stated that he**
 6 **was threatened if he did the deposition.**
 7 Q. Threatened by who?
 8 A. **By Lisa Wolford.**
 9 Q. And what was her threat?
 10 **MR. DUFF:** Object. This is hearsay.
 11 **MS. JOHNSON:** I asked him what he was told, what
 12 he -- was communicated to him.
 13 **THE WITNESS:** That he would never work in this town
 14 again, to paraphrase an old Hollywood line, I guess.
 15 **BY MS. JOHNSON:**
 16 Q. Okay. Do you recall receiving any
 17 information from me pertaining to when we tried to serve
 18 process on Lisa Wolford?
 19 A. **Yes.**
 20 Q. Do you recall what you were told?
 21 A. **I was told that the process server was**
 22 **assaulted by Scott Theobald during the service of the**
 23 **process or the service itself.**
 24 Q. Is that what you recall?

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1 **A. Yes, that's what I recall.**
 2 **Q. Okay. Okay. I'm referring to Lisa's**
 3 **Nebraska's office?**
 4 **A. Yes.**
 5 **Q. Okay.**
 6 **A. I recall being told that when the process**
 7 **server walked in and talked to the highest person in**
 8 **charge, who at the time was Scott Theobald, the process**
 9 **server served him, and the papers were thrown back in his**
 10 **face, and he was shoved out of the office.**
 11 **Q. Do you remember the process server's name?**
 12 **A. No, I don't.**
 13 **Q. Okay. Is Insight Global, I mean, what -- is**
 14 **Insight Global an employment agency or --**
 15 **A. It's a consulting firm.**
 16 **Q. Oh. Have you ever had any history of**
 17 **physical violence with any -- anyone?**
 18 **A. No.**
 19 **Q. Okay. Did you ever have any disciplinary**
 20 **altercations while you were in the military --**
 21 **A. No.**
 22 **Q. -- having to do with violence?**
 23 **A. No.**
 24 **THE VIDEOGRAPHER: This will be all for tape No. 3**

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1 at 12:22 p.m. We're now off video record.
 2 (A short recess was had from 12:22 p.m.
 3 to 12:24 p.m.)
 4 **THE VIDEOGRAPHER: This is will be the start of**
 5 **tape No. 4 at 12:24 p.m.**
 6 **BY MS. JOHNSON:**
 7 **Q. Chris, would you still like to work for the**
 8 **federal government if you could?**
 9 **A. Yes.**
 10 **Q. After you were terminated from CSSS, you**
 11 **mentioned that you were -- that you had stress, and**
 12 **counsel asked you -- opposing counsel asked you what were**
 13 **some of the stress factors in your life.**
 14 Were you always under stress with child
 15 **support, or was there an additional stress as a result of**
 16 **being terminated, or what did you mean? Could you**
 17 **clarify?**
 18 **A. Well, when -- when I was working for CSSS, my**
 19 **child support came out automatically. I never had to**
 20 **think about it. It came out. It went over there. There**
 21 **weren't any problems.**
 22 After that I had to -- I had to go and file
 23 **an appearance and get it modified, and that took two or**
 24 **three weeks to get in there. And in that time, the order**

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1 **was sent to the department of unemployment security. So**
 2 **when I started to get my unemployment checks, they were**
 3 **taking about 70 percent of it, because it was based on the**
 4 **order prior to amendment.**
 5 So I basically went from, you know, \$1500
 6 **every two weeks to pay bills and stuff with to -- I think**
 7 **my unemployment benefits at that time were around \$700**
 8 **every two weeks, but they were taking -- what was it at**
 9 **that time -- somewhere around \$450 or so every two weeks**
 10 **out of that. So I went from \$1500 after paying child**
 11 **support to \$300 after paying child support.**
 12 **Q. So were you unable -- were you unable to pay**
 13 **your bills?**
 14 **A. Yes, I had nothing.**
 15 **Q. And did that put you under stress?**
 16 **A. Oh, yes.**
 17 **Q. Did that make you dependent on Deborah**
 18 **Lawson?**
 19 **A. It did indeed, yes.**
 20 **Q. Okay. Do you recall any incident involving**
 21 **Deborah Lawson that happened while you were at work at --**
 22 **I believe it was at Orbitz at that time? I'm not sure.**
 23 **A. Oh, yeah. She -- she was -- I had an order**
 24 **of protection against her.**

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1 **Q. Okay.**
 2 **A. And she had, from what I understand,**
 3 **contacted CSSS's attorneys and arranged to talk to them.**
 4 **And when she came downtown for that appointment,**
 5 **apparently she came down very early and decided to hang**
 6 **out in the train station at the Corner Bakery right at the**
 7 **bottom of the escalator that I had to use to get in and**
 8 **out of my office.**
 9 **Q. Did you see her?**
 10 **A. I did not see her until after she text**
 11 **messaged me and said, I just saw you.**
 12 **Q. And did you see her then?**
 13 **A. I did. I called the police immediately and**
 14 **went downstairs to meet them and saw her sitting there at**
 15 **the table at the bottom of the escalator.**
 16 **Q. Was she with anyone?**
 17 **A. No.**
 18 **Q. Okay. She was alone at that time?**
 19 **A. Yes.**
 20 **Q. Okay. And what happened then?**
 21 **A. The police showed up, and they ran in there**
 22 **to find her, and they couldn't find her.**
 23 **Q. Okay.**
 24 **A. But they -- they took the text message as**

1 evidence, and they put out a warrant for her arrest, and
 2 they arrested her a couple days later.
 3 Q. Okay. So she was arrested?
 4 A. Yes.
 5 Q. For what?
 6 A. For violation of an order of protection.
 7 Q. Okay. Did Deborah Lawson ever attack you?
 8 A. On a number of occasions.
 9 Q. And did you ever, like, attack her back?
 10 A. No. I had -- there were times when I had to
 11 restrain her from hitting me or her children.
 12 Q. Did she ever throw things at you?
 13 A. Oh, yes. She hit me in the head with a cell
 14 phone -- or not a cell phone but a cordless phone. She
 15 came at me with a knife one day.
 16 Q. Okay. All right. So were you afraid of her?
 17 A. I wasn't afraid of her exactly. I was afraid
 18 of what she might do and the actions that I would be
 19 forced to take because of it. I'm not worried about
 20 defending myself because I'm fully capable, so -- but I
 21 don't want to have to suffer the consequences, excuse me,
 22 of someone else's stupid decisions.
 23 MS. JOHNSON: Okay. No further questions.
 24 MR. DUFF: I have a few follow-ups.

1 asking you questions, you started talking about two?
 2 A. Well, you --
 3 Q. So I want to make sure that we're clear.
 4 Is it you remember one, and there might have
 5 been a second?
 6 A. Yes.
 7 Q. You don't have a recollection one way or the
 8 other about whether or not there was a second; you just
 9 think maybe there was one?
 10 A. Correct.
 11 Q. You can't identify for us what it was?
 12 A. Not right now. I can look it up on the
 13 federal job site and let you know for sure.
 14 Q. How would you do that?
 15 A. I would just check on my resume submissions
 16 in their database.
 17 Q. Okay. When you met with Bill Slater with
 18 respect to your performance, did he show you a performance
 19 improvement plan?
 20 A. No.
 21 Q. Did he review a performance improvement plan
 22 with you?
 23 A. No.
 24 Q. Did he discuss with you that there was going

1 FURTHER EXAMINATION
 2 BY MR. DUFF:
 3 Q. Mr. Cynowa, you testified that most of the
 4 CSSS employees at the VA converted their employment to the
 5 VA; is that right?
 6 A. Yes.
 7 Q. How many did that during the time that you
 8 worked for CSSS?
 9 A. Dustin Joyner did. James Babe did. I think
 10 there were three or four.
 11 Q. And during that same time frame that you were
 12 working for CSSS, how many employees left CSSS without
 13 converting to become employees of the VA?
 14 A. Well, there were one, two -- I believe three
 15 of them were fired from CSSS, at least three, and one or
 16 two quit. One I'm sure of. I don't remember the other
 17 one.
 18 Q. You said that you applied for two federal
 19 jobs; is that right?
 20 A. I believe so, yes. I know at least one. I
 21 think I put in for a similar position around the same
 22 time.
 23 Q. Well, when I was asking you questions, you
 24 testified about the one, and then when Ms. Johnson was

1 to be a performance improvement plan?
 2 A. He did not, no.
 3 Q. But he did discuss with you your performance?
 4 A. He discussed with me what he wanted to have
 5 changed so --
 6 Q. With respect to your performance?
 7 A. Well, not my job performance but my personal
 8 performance, yes.
 9 Q. Your personal performance while you were at
 10 work?
 11 A. Yes.
 12 Q. And he was -- he discussed with you ways that
 13 he wanted to see you improve that personal performance
 14 while you were at work?
 15 A. Yes.
 16 Q. Prior to your employment with CSSS, did you
 17 ever apply to the federal government for any position?
 18 A. I don't recall. I don't think so.
 19 Q. Since the time that you left Insight Global,
 20 have you applied for any federal government position?
 21 MS. JOHNSON: Asked and answered.
 22 THE WITNESS: As I said, once, maybe twice. I can
 23 find out.
 24 BY MR. DUFF:

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1 Q. Well, I want to make sure that we're clear on
2 the time frame.
3 I'm talking about the time frame after you
4 left Insight Global.
5 **A. And I'm saying that I don't know if the**
6 **potential second one was immediately after my leaving CSSS**
7 **or if it was after leaving Insight Global or somewhere in**
8 **between. I would have to check on the date for that.**
9 **So I can't tell you with certainty that it**
10 **was after Insight Global.**
11 Q. You don't remember one way or the other?
12 **A. Correct.**
13 Q. Who told you that Scott Theobald assaulted
14 the process server?
15 **A. I believe it was my attorney.**
16 Q. What exactly did she tell you?
17 **A. That he had thrown the paperwork at the**
18 **process server and pushed him out of the office.**
19 Q. Did your attorney tell you that Scott
20 Theobald assaulted the process server or did your attorney
21 tell you that Scott Theobald threw papers at the process
22 server?
23 **A. I think the word "assaulted" was used.**
24 Q. Okay. And what else specifically were you

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1 told about Scott Theobald --
2 **A. That he --**
3 Q. -- and the service of process --
4 **A. -- threw the paperwork at the process server**
5 **and that he pushed him out of the office.**
6 Q. So you're saying that -- okay.
7 Were you told anything else?
8 **A. Not that I can recall.**
9 Q. And all the statements that were provided to
10 you about Mr. Theobald were given to you by Theresa
11 Johnson?
12 **A. Correct.**
13 Q. Have you ever had an argument with anyone
14 during which you put your fist through a wall?
15 **A. Yes.**
16 Q. When was that?
17 **A. When I was with Deborah Lawson, and that was**
18 **after she had thrown the cordless phone at me and hit me**
19 **in the head.**
20 Q. After you were terminated by CSSS, you
21 actively sought other employment?
22 **A. Yes.**
23 Q. And would you say that the amount of time
24 between your termination by CSSS and when you got the job

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1 from Insight Global was a normal amount of time to get a
2 job in that industry at that time?
3 **A. At that time, no, I was surprised that it**
4 **took that long. At that time, there were a lot of jobs.**
5 **It was about three months or so. It wasn't an**
6 **unreasonable amount of time, but it was -- it was a little**
7 **longer than I'm used to.**
8 **MR. DUFF:** I don't have any further questions at
9 this time. You're free to go.
10 **THE WITNESS:** Alrighty then.
11 **MS. JOHNSON:** Okay.
12 **THE REPORTER:** Signature?
13 **THE VIDEOGRAPHER:** This will be all for tape No. 4
14 and the conclusion of this deposition at 12:36 p.m.
15 **MS. JOHNSON:** We reserve signature.
16 **THE VIDEOGRAPHER:** We're now off video record.
17
18 **FURTHER DEPONENT SAITH NOT.**
19
20 (Ending time: 12:36 p.m.)
21
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23
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Page 148

1 STATE OF ILLINOIS)
2 COUNTY OF C O O K) SS:
3
4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
5 COUNTY DEPARTMENT, LAW DIVISION
6 CHRISTOPHER S. CYNOWA,)
7 Plaintiff,)
8
9 -vs-) No. 08 L 000403
10 CSSS, INC., (CLIENT SERVER)
11 SOFTWARE SOLUTION d/b/a)
12 CSSS.NET), LISA WOLFORD,)
13 WILLIAM F. SLATER,)
14 Defendants.)
15
16 I hereby certify that I have read the foregoing
17 transcript of my deposition given on July 16, 2010,
18 consisting of pages 1 to 148, inclusive, and I do again
19 subscribe and make oath that the same is a true, correct
20 and complete transcript of my deposition so given as
21 aforesaid, and includes changes, if any, so made by me.
22
23 Corrections have been submitted
24 No corrections have been submitted

CHRISTOPHER SCOTT CYNOWA

SUBSCRIBED AND SWORN TO
before me this , A.D. 20
of ,

Notary Public

1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF COOK)
4

5 I, NANCY L. BISTANY, a Notary Public within and
6 for the County of Cook, State of Illinois, and a Certified
7 Shorthand Reporter of said state, do hereby certify:

8 That previous to the commencement of the
9 examination of the witness, the witness was duly sworn to
10 testify the whole truth concerning the matters herein;

11 That the foregoing deposition transcript of
12 CHRISTOPHER SCOTT CYNOWA was reported stenographically by
13 me on July 16, 2010, was thereafter reduced to typewriting
14 under my personal direction and constitutes a true record
15 of the testimony given and the proceedings had;

16 That the said deposition was taken before me at
17 the time and place specified;

18 That the reading and signing by the witness of
19 the deposition was agreed upon as stated herein;

20 That the deposition terminated at 12:36 p.m.;

21 That I am not a relative or employee or attorney
22 or counsel, nor a relative or employee of such attorney or
23 counsel for any of the parties hereto, nor interested
24 directly or indirectly in the outcome of this action.

1 IN WITNESS WHEREOF, I do hereunto set my hand
2 and affix my seal of office this 21st day of July, 2010,
3 at Chicago, Illinois.
4
5
6
7

8 Notary Public, Cook County, Illinois
9 My Commission expires December 16, 2013.
10 CSR No. 84-1857.
11
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1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF C O O K)
4

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22 or counsel, nor a relative or employee of such attorney or
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24 directly or indirectly in the outcome of this action.

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IN WITNESS WHEREOF, I do hereunto set my hand
and affix my seal of office this 21st day of July, 2010,
at Chicago, Illinois.



Notary Public, Cook County, Illinois

My Commission expires December 16, 2013.

CSR No. 84-1857.

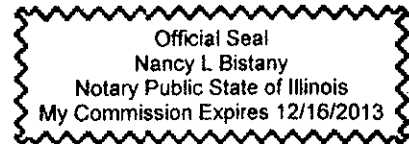


EXHIBIT 4

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

CHRISTOPHER S. CYNOWA,)	
)	
Plaintiff,)	
)	
v.)	No. 08 L 403
)	
CSSS, INC., et al.)	
)	
Defendants.)	

**DEFENDANTS' ANSWER AND AFFIRMATIVE DEFENSES TO
PLAINTIFF'S VERIFIED COMPLAINT AT LAW AND COUNTERCLAIMS**

Now come Defendants, Client/Server Software Solutions, Inc. ("CSSS"), Lisa Wolford ("Wolford"), and William F. Slater ("Slater"), by and through their undersigned counsel, and for their Answer and Affirmative Defenses to Plaintiff's Verified Complaint at Law ("Plaintiff's Complaint") and Counterclaims state as follows:

SECTION I. PARTIES AND VENUE

1. Plaintiff was employed by CSSS, in the position of a Senior Systems Engineer at the Department of Veterans Affairs ("VA") from February 15, 2006, until he was terminated from his employment on January 18, 2007. Plaintiff resides [sic] 941 Hill Crest Drive, Carol Stream, IL 60188.

ANSWER: Defendants admit that Plaintiff was employed with CSSS as a senior systems engineer assigned to perform computer services at the Hines VA Hospital of the U.S. Department of Veteran Affairs in Hines, Illinois ("Hines VA") from January 30, 2006 to January 18, 2007, at which time he was lawfully terminated. Except as admitted, Defendants deny the allegations of ¶ 1 in their entirety.

2. CSSS provides computer supporting services for Hines Veterans Hospital under federal contract. [sic] CSSS local office is located at 2100 S. 5th Ave # III L, Hines, IL, Building 201; however, [sic] CSSS President and headquarters are located at 3906 Raynor Parkway Suite 201, Bellevue, NE 68123. The main office where Defendant Wolford is listed as the registered agent for service of process is located at 5069 South 108th Street, Omaha, NE 68137 (See **GROUP EXHIBIT A**).



ANSWER: Defendants admit that CSSS provides services to the federal government and that CSSS's regional offices are located at 3906 Raynor Parkway Suite 201, Bellevue, NE 68123 and that Wolford is the registered agent. Further answering, Defendants state that the exhibits speak for themselves; and as to them no further response is required. Except as admitted or otherwise stated, Defendants deny the allegations of ¶ 2 in their entirety.

3. Defendant CSSS is not registered as a corporation or as a d/b/a entity in Illinois (See **EXHIBIT B**).

ANSWER: Defendants admit that CSSS is neither an Illinois corporation nor registered to do business with the Illinois Secretary of State's office. Except as admitted, Defendants deny the allegations of ¶ 3 in its entirety.

4. Defendant Wolford is the President of CSSS and resides in Nebraska.

ANSWER: Admitted.

5. Defendant Slater is the site manager and acting representative of CSSS VA Hines contract and is the former CSSS manager of Plaintiff. Slater resides at 1409 N. Ashland Ave. Chicago, IL 60622.

ANSWER: Defendants admit that Slater was Plaintiff's supervisor at the time of his lawful termination on January 18, 2007. Except as admitted, Defendants deny the allegations of ¶ 5 in their entirety.

SECTION II. FACTS

FACTUAL BACKGROUND AND CHRONOLOGY OF KEY EVENTS

1. On December 16, 2006, CSSS sponsored a Holiday Party at Francescas[sic] Fiore restaurant in Forest Park, IL. Plaintiff, one other CSSS employee, and three subcontractors were the only non-management staff to attend the Holiday Party.

ANSWER: Defendants admit that on December 16, 2006, CSSS held a holiday party at Francesca's Fiore, located at 7407 W. Madison Street, Forest Park, IL 60130 wherein various people were in attendance, including Plaintiff. Except as admitted, Defendants deny the allegations of ¶ 1 in their entirety.

2. Defendant Wolford, CSSS'S[sic] President, established a gift "grab bag" and provided three "gifts."

ANSWER: Denied.

3. Maria Milan, a sub-contractor for CSSS, received the *first gift* - a \$50.00 gift card to a shopping mall.

ANSWER: Defendants admit that gift cards were given and one may have been given to Maria Millan. Except as admitted, Defendants deny the allegations of ¶ 3 in their entirety.

4. Thiem[sic] Khaw, also a sub-contractor for CSSS, received the *second gift* - a \$25.00 or \$40.00 gift card to a shopping mall (Plaintiff is uncertain of the exact amount[sic])

ANSWER: Defendants admit that gift cards were given and one may have been given to Thiam Khaw. Except as admitted, Defendants deny the allegations of ¶ 4 in their entirety.

5. Plaintiff, received the *third gift* - a coupon worth \$10.00 off the purchase of \$50.00 or more to a Build-a-Bear Workshop and a chocolate candy bar with a coupon on the inside of the wrapper worth 25% off an online FTD flower order.

ANSWER: Defendants admit that Plaintiff received a Build-a-Bear coupon and possibly another type of coupon. Except as admitted, Defendants deny the allegations of ¶ 5 in their entirety.

6. The Plaintiff took the \$10.00 off \$50.00 purchase of a Build-A-Bear workshop and coupon for 25% off an online FTD flowers purchase as a joke, since the gift, unlike the *first* and *second gifts*, was of no value unless the recipient wanted to enroll in a Build-A-Bear workshop or buy flowers online.

ANSWER: As to how Plaintiff "took" the holiday gifts, Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 6 and, therefore, neither admit nor deny the allegations of ¶ 6 but demand strict proof thereof. Except as stated, Defendants deny the allegations of ¶ 6 in their entirety.

7. Plaintiff, along with several of his co-workers; poked fun at both the gift, and the gift giver.

ANSWER: Defendants admit that Plaintiff made inappropriate comments about the gift he received and his company superiors, including Wolford. Except as admitted, Defendants deny the allegations of ¶ 7 in their entirety.

8. During a conversation at the Holiday party with his friends and co-workers, Plaintiff, joking around, referred to himself as a "Pollock" and to his fiancé as a "Dago".

ANSWER: Defendants admit that during the holiday party at Francesca's Fiore Plaintiff referred to himself and his fiancé in pejorative terms. As to the rest of the allegations, Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 8 and, therefore, neither admit nor deny the allegations of ¶ 8 but demand strict proof thereof. Except as admitted or otherwise stated, Defendants deny the allegations of ¶ 8 in their entirety.

9. On December 18, 2006, Defendant Slater, Plaintiff's immediate manager and local CSSS representative, in his official capacity, spoke with the Plaintiff regarding the fact that Defendant Wolford wanted to send Plaintiff to sensitivity training because of Plaintiff's comments at the Holiday Party referring to himself as a "Pollock" and his fiancé being a "Dago". Defendant Slater also told Plaintiff that he (Slater) discussed Plaintiff's self-directed ethnic comments (i.e., "Pollock" - a slang derogatory term referring to a person of Polish descent, and "Dago" - a slang derogatory term referring to a person of Italian descent.) with Defendant Wolford. Defendant Slater indicated to Plaintiff that he told Defendant Wolford that he (Defendant Slater) did not believe that Plaintiff was prejudiced against either group because of Plaintiff's own self-directed comments or that Plaintiff needed sensitivity training. Defendant Slater also said that "Pollock" and "Dago" are common everyday colloquial language in Chicago. Additionally, Defendant Slater told the Plaintiff that he informed Defendant Wolford that Richard J. Daley, Chicago's mayor, allegedly once publicly stated to the effect, "What is a 'dago' doing as the queen of the Irish parade?" (See **EXHIBIT C**, "Purported ethnic slur by Daley sparks great Chicago furor").

ANSWER: Defendants admit that as a result of Plaintiff's comments and behavior, CSSS recommended that Plaintiff complete a sensitivity training program. Defendants further admit that Slater repeated Mayor Daley's remarks. Defendants further state that the exhibit speaks for itself and as to it no further response is required. Except as admitted or otherwise stated, Defendants deny the allegations ¶ 9 in their entirety.

10. On January 11, 2007, Defendant Slater asked Plaintiff for a meeting with himself and Anthony Slatton, Senior Systems Engineer (on information and belief, apparently acting as a witness). Upon entering his office, Defendant Slater told the Plaintiff that his poking fun at the

Holiday grab bag "gift" may have been construed as offensive by Defendant Wolford and suggested that the Plaintiff should not speak ill of the Defendant Wolford and/or the "gift" anymore.

ANSWER: Defendants admit that on January 10, 2007, Slater requested that Plaintiff meet with him to discuss Plaintiff's behavior and conduct at the holiday party. Anthony Slatton ("Slatton") was also present. Defendants further admit that Plaintiff was advised by Slater that his insubordinate comments about his receipt of the Build-a-Bear coupon and about Wolford should cease. Except as admitted, Defendants deny the allegations of ¶ 10 in their entirety.

11. The Plaintiff informed Defendant Slater of his displeasure over the "gift," that he (Plaintiff) would comply with the Defendant Slater's request, and he (Plaintiff) would be searching for new employment.

ANSWER: Defendants admit that on January 10, 2007, Plaintiff told Slater he was upset about the Build-a-Bear coupon and Plaintiff indicated that he would be searching for new employment. Except as admitted, Defendants deny the allegations of ¶ 11 in their entirety.

12. On January 16, 2007, the Plaintiff arrived at work at 6:00 a.m.

ANSWER: Defendants admit that on January 16, 2007, Plaintiff reported for work at the VA Hines facility. As to the precise time that Plaintiff arrived, Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 12 and, therefore, neither admit nor deny the allegations of ¶ 12 but demand strict proof thereof. Except as admitted or otherwise stated, Defendants deny the allegations of ¶ 12 in their entirety.

13. Through the course of the day on January 16, 2007, Plaintiff was informed that some very high profile email mailbox moves were approved for that night.

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 13 and, therefore, neither admit nor deny the allegations of ¶ 13 but demand strict proof thereof.

14. On January 16, 2007, Plaintiff left the office at 1:30 p.m., went home, took a nap and came back to the office at 7:00 p.m. to perform the high profile email moves himself; Plaintiff continued to work until 3:30 a.m. on January 17, 2007, and then went home to get some sleep.

ANSWER: Defendants admit that Plaintiff reported for work on January 16 and 17, 2007. As to what Plaintiff did while allegedly at home and at work, Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 14 and, therefore, neither admit nor deny the allegations of ¶ 14 but demand strict proof thereof. Except as admitted or otherwise stated, Defendants deny the allegations of ¶ 14 in their entirety.

15. After waking up again on January 17, 2007, Plaintiff checked his work email via the internet and noticed that he had received an email from Defendant Slater stating that Defendant Slater wanted to have a meeting with the Plaintiff in Defendant Slater's office at 10:00 a.m. the following day (January 18, 2007).

ANSWER: Defendants admit that Slater sent Plaintiff an e-mail indicating that Plaintiff was to have a meeting with Slater at 10:00 a.m. on January 18, 2007. As to what Plaintiff did while allegedly at home and work, Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 15 and, therefore, neither admit nor deny the allegations of ¶ 15 but demand strict proof thereof. Except as admitted or otherwise stated, Defendants deny the allegations of ¶ 15 in their entirety.

16. On January 18, 2007, the Plaintiff arrived at work as usual at 6:00 a.m.

ANSWER: Defendants admit that Plaintiff reported for work on January 18, 2007. As to the precise time that Plaintiff arrived, Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 16 and, therefore, neither admit nor deny the allegations of ¶ 16 but demand strict proof thereof. Except as admitted or otherwise stated, Defendants deny the allegations of ¶ 16 in their entirety.

17. On January 18, 2007 at 7:59 a.m., Plaintiff sent a customer satisfaction/survey email to Lynn Sepple, requesting her opinion regarding his work performance. Lynn Sepple was Plaintiff's main contact for VIP work at Veterans Affairs. The email stated the subject as "Honest opinion needed". The email ("Email No.1") (See **EXHIBIT D**) read as follows:

EMAIL NO.1

From: Cynowa Chris (CSSS)
Sent: Thursday, January 18, 2007 7:59 AM
To: Sepple, Lynne
Subject: Honest opinion needed

As one of the most frequent and most important customers, I would like to ask your honest opinion on a few things. If you would be so kind as to give me a rating from 1 to 10 (10 being the best) on the following, I would be most appreciative.

1. Professionalism
2. Competence
3. Technical knowledge
4. Knowing when to escalate and doing so
5. Resolving issues in a timely manner
6. Personal interaction
7. Willingness to go above and beyond to have a job done
8. Attention to detail
9. Following procedures
10. Ensuring complete customer satisfaction;

Thank you for your time on this.

Chris Cynowa
Senior Systems Engineer Department of Veterans Affairs
OI&T - Enterprise Technology Management
Hines OIFO, Building 20, Hines, IL 60141
Office: 708-410-4042
Cell: 030-546-1191
E-mail: chris.cynowa@va.gov

ANSWER: Defendants deny that the referenced e-mail is a customer service survey. Further, Defendants state that the exhibit speaks for itself and as to it no further response is required. Further answering, Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 17 and, therefore, neither admit nor deny the allegations of ¶ 17 but demand strict proof thereof.

18. On January 18, 2007, time-stamped at 7:39 a.m., Plaintiff received the following answer from Lynne Sepple (See **EXHIBIT D**):

EMAIL NO. 2

From: Sepple, Lynne
Sent: Thursday, January 18, 2007 7:39 AM
To: Cynowa Chris (CSSS)
Subject RE: Honest opinion needed

10 on all. 10+ on 1,6,7,8,10 - in fact 10+ on all too. You are VERY easy to work with, personable, technically competent, and detail oriented. And you the type of worker that you only have to tell you something once - and you've got it.

ANSWER: Defendants state that the exhibit speaks for itself and as to it no further response is required. Further answering, Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 18 and, therefore, neither admit nor deny the allegations of ¶ 18 but demand strict proof thereof.

19. On January 18, 2007 around 9:15 a.m., CSSS employee, William Slater, asked VA employee, Gary Knipple, to call Department of Veteran Affairs Police Office and to request that the police standby while CSSS supervisors terminated Plaintiff.

ANSWER: Admitted.

20. Hines VA Police Officer Bob Androwski was assigned by Lt. Unthank to stand by during Cynowa's termination. (See **EXHIBIT E - DEPARTMENT OF VETERANS AFFAIRS VA POLICE REPORT UOR # 07-01-18-0915**).

ANSWER: Defendants admit that according to the police report referenced herein Lt. Unthank dispatched Officer Androwski to standby while Plaintiff was terminated. Further answering, Defendants state that the exhibit speaks for itself and as to it no further response is required. Except as admitted or otherwise stated, Defendants deny the allegations of ¶ 20 in their entirety.

21. While Officer Bob Androwski waited in Defendant Slater's office, Slater, on behalf of CSSS, Wolford, and himself, published the following oral statement (hereafter, "**Publication No.: 1**") to Officer Androwski:

ORAL DEFAMATORY PUBLICATION NO. 1

... Mr. Cynowa has a temper and has had a few verbal confrontations with the staff. Mr. Cynowa mentioned having an AK-47 assault rifle.

ANSWER: Defendants admit that Slater made a statement to Officer Androwski on January 18, 2007, prior to Plaintiff's lawful termination but deny that Slater made the statement as alleged. Except as admitted, Defendants deny the allegations of ¶ 21 in their entirety.

22. On January 18, 2007, at around 9:35 a.m., Plaintiff was working on trouble tickets and at around 9:35 a.m., and finding a proper opportunity for a break, Plaintiff went to Defendant Slater's office and asked Defendants if they could meet before 10 a.m.; however, Defendant Slater said "No," come back at 10:00 a.m.

ANSWER: Defendants admit that Plaintiff requested to meet with Slater prior to 10:00 a.m. As to what Plaintiff did during the time periods referenced in ¶ 22, Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 22 and, therefore, neither admit nor deny the allegations of ¶ 22 but demand strict proof thereof. Except as admitted or otherwise stated, Defendants deny the allegations of ¶ 22 in their entirety.

23. Plaintiff checked in again with Defendant Slater at 10:00 a.m., but Defendant Slater stated he would come and get Plaintiff when he (Defendant Slater) would be ready to meet with Plaintiff. Therefore, Plaintiff continued doing his work and waited for Defendant Slater.

ANSWER: Defendants admit that Slater advised Plaintiff that Plaintiff would be sent for when Slater was ready to meet. As to what Plaintiff did during that time, Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 23 and, therefore, neither admit nor deny the allegations of ¶ 23 but demand strict proof thereof. Except as admitted or otherwise stated, Defendants deny the allegations of ¶ 23 in their entirety.

24. On January 18, 2007 between 10:30 a.m. and 11:00 a.m. Anthony Slatton, came to Plaintiffs desk and stated that the Defendant Slater wanted to meet with the Plaintiff in the small conference room.

ANSWER: Defendants admit that that around 11:00 am Slatton asked Plaintiff to come to Room 209. Except as admitted, Defendants deny the allegations of ¶ 24 in its entirety.

25. Upon entering the conference room, Plaintiff saw Veterans Administration Police Officer Robert Androwski and Defendant Slater.

ANSWER: As to what Plaintiff saw upon entering Room 209, Defendants lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 25 and, therefore, neither admit nor deny the allegations of ¶ 25 but demand strict proof thereof. Further answering, Defendants admit that Officer Androwski and Slater were present. Except as admitted or otherwise stated, Defendants deny the allegations of ¶ 25 in their entirety.

26. Defendant Slater handed Plaintiff a one page document.

ANSWER: Admitted.

27. Defendant Slater read the document out loud in front of the Plaintiff, Anthony Slatton and Police Officer Androwski and Scott Theobald, CSSS employee and HR Director, and Defendant Wolford, CSSS President, were also present via a conference call which was on speakerphone and heard by Plaintiff and unknown others. The document read as follows (See EXHIBIT F):

CONFIDENTIAL COMPANY MEMO

To: Christopher Cynowa, Senior System Engineer
From: William F. Slater, Program Manager
CC: Anthony Slatton, Senior Systems Engineer
Scott Theobald, HR Director
Lisa Wolford, President
Date: January 18, 2007
Subject: Termination of Your Employment at CSSS.NET at the VA Hines OIFO

Chris:

At the request of Ms. Lisa Wolford, President of CSSS.NET, your employment with CSSS.NET at the VA Hines OIFO is hereby terminated effective immediately. You are being terminated for the causes of insubordination and for being a disruptive influence in the workplace by engaging in several negative workplace behaviors. These are in violation of your Employment Agreement, and so your employment at CSSS.NET is being terminated.

You will surrender your Campus Access Pass immediately. A VA Hines Security Guard will escort you back to your desk to gather and pack any personal belongings you may have. You are now no longer authorized to access any not to access any VA computer or network resources. After you pack your personal belongings, you will quietly leave Building 20 without conversation with others, and be escorted by a Security Guard off the VA Hines facility. You are requested to not return VA Hines facility and if you have any other property that belongs to the VA it must be returned as soon as possible to Ms. Kimberly Griffin via U.S. Postal Service.

The CSSS.NET HR Director, Scott Theobald (1-402-393-8059) will contact you regarding final arrangements on your pay and your benefits.

Signed,

**William F. Slater, III, PMP
Program Manager, CSSS.NET**

ANSWER: Defendants admit that Slater read aloud the referenced document. Defendants further admit that Slater, Slatton, Officer Androwski and Plaintiff were present in conference Room 209 and that Wolford and Scott Theobald were present by telephone. Defendants further

state that the exhibit speaks for itself and as to it no further response is required. Except as admitted or otherwise stated, Defendants deny the allegations of ¶ 27 in their entirety.

28. Plaintiff asked CSSS employee/HR Director Theobald for any and all documentation that led to decision of terminating Plaintiff's employment[sic]. Employee Theobald told Plaintiff that all he (Plaintiff) was going to get was in the form of this CSSS.NET Confidential Company Memo document. (**EXHIBIT F**).

ANSWER: Admitted.

29. After reading the CSSS.NET Confidential Company Memo, Police Officer Androwski escorted Plaintiff to his desk where Plaintiff was allowed to collect his personal belongings.

ANSWER: Defendants admit that Slater read the referenced document and Officer Androwski escorted Plaintiff as described. Except as admitted, Defendants deny the allegations of ¶ 29 in their entirety.

30. Officer Androwski then walked with Plaintiff, who was carrying his belongings, to Plaintiff's car.

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 30 and, therefore, neither admit nor deny the allegations of ¶ 30 but demand strict proof thereof.

31. Upon reaching outside of the building, Plaintiff reached into his jacket pocket for a cigarette.

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 31 and, therefore, neither admit nor deny the allegations of ¶ 31 but demand strict proof thereof.

32. Police Officer Androwski, looking very concerned at Plaintiff's reach for his cigarette, said to Plaintiff: *"You aren't reaching for a gun are you?"* to which Plaintiff responded *"I don't even own a gun and would surely not be going to jail for the person that had just fired me, I would let the lawyers do the work."*

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 32 and, therefore, neither admit nor deny the allegations of ¶ 32 but demand strict proof thereof.

33. Officer Androwski then asked Plaintiff: *"Do you have any loaded weapons in your car?"*

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 33 and, therefore, neither admit nor deny the allegations of ¶ 33 but demand strict proof thereof.

34. Plaintiff responded similarly as he did to the first inquiry: *"No, I don't have any weapons in the car and I am not going to "GO POSTAL ".*

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 34 and, therefore, neither admit nor deny the allegations of ¶ 34 but demand strict proof thereof.

35. Plaintiff at no time ever stated that he owned or had ever owned a gun.

ANSWER: Denied on information and belief.

36. Plaintiff did not own a loaded or unloaded weapon (a "gun").

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 36 and, therefore, neither admit nor deny the allegations of ¶ 36 but demand strict proof thereof.

37. No one at CSSS ever saw Plaintiff with a gun.

ANSWER: Denied on information and belief.

38. Upon returning to Plaintiff's home on January 18, 2007, Plaintiff promptly applied to the Illinois Department of Employment Security ("IDES")for[sic] unemployment benefits and began to search for new employment.

ANSWER: Defendants admit that that they were notified in January 2007 that Plaintiff had applied for Illinois State unemployment benefits. Further answering, Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 38 and, therefore, neither admit nor deny the allegations of ¶ 38 but demand strict proof thereof. Except as admitted or otherwise stated, Defendants deny the allegations of ¶ 38 in their entirety.

39. On January 18, 2007 at 13:23 p.m. Plaintiff received the following email from Randy Padal (EXHIBIT G), another CSSS colleague who was also contracted to do the same work as Plaintiff:

EMAIL NO.3

From: Randy Padal
To: ccynowa@yahoo.com
Subject: Job Reference for Hines
Date: Thu, 18 Jan 2007 13:23 p.m.

Chris,

Nobody really knows 100% what happened but rest assured that your coworkers will miss you here at Hines.

I personally appreciated the hard work you did during the migrations. Not many men would work 84 hour weeks for 3 weeks straight and offer not to take a day off at Thanksgiving too. I could always depend upon you to get something done when I needed it done.

I am certain you will use Larry as a reference for your time here at Hines. Feel free to also list me as a reference as you will always get a good one from me. I also noted to Mr. George Jackson that you were available for hire if he had any contracts needing a dedicated hardworking System Engineer. Take care of yourself and your family,

Randy Padal

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 39 and, therefore, neither admit nor deny the allegations of ¶ 39 but demand strict proof thereof.

40. On January 20, 2007, Plaintiff received a telephone call on his cell phone from colleagues with whom he was friendly, Tushar Engreji and Michael Nikiforos, who told Plaintiff the word is spreading amongst VA employees that you had or kept a gun in your car and you were going to come in and start shooting people when you got fired. Some co-workers was [sic] afraid and wanted to lock the doors."

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 40 and, therefore, neither admit nor deny the allegations of ¶ 40 but demand strict proof thereof.

41. On January 22, 2007, Plaintiff completed for the Department of Veteran's Affairs, Hines Police Office a Freedom of Information Act Request form requesting the copy of the Police Report written by the police Officer Bob Androwski on or about January 18, 2007, concerning Plaintiff's termination of employment.

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 41 and, therefore, neither admit nor deny the allegations of ¶ 41 but demand strict proof thereof.

42. On January 23, 2007, Plaintiff received a "notice of local interview" from the Illinois Department of Employment Security (IDES), informing Plaintiff that CSSS was objecting to and fighting against Plaintiff receiving unemployment benefits (**EXHIBIT H**).

ANSWER: Defendants admit that CSSS objected to Plaintiff's request for unemployment benefits and CSSS was informed that Plaintiff would be advised of same. As to when Plaintiff received notice thereof or the occurrence of a "local interview," Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 42 and, therefore, neither admit nor deny the allegations within ¶ 42 but demand strict proof thereof. Except as admitted or otherwise stated, Defendants deny the allegations of ¶ 42 in their entirety.

43. The Illinois Department of Employment Security scheduled a telephone interview with Plaintiff for February 5, 2007 at 10:00 a.m.

ANSWER: Defendants lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 43 and, therefore, neither admit nor deny the allegations of ¶ 43 but demand strict proof thereof.

44. On January 26, 2007, Plaintiff filed a motion to abate his child support and daycare obligations (for his young daughter, 5years[sic] old at the time) since Plaintiffs loss of income prevented Plaintiff from being able to fully fulfill his child/support daycare obligations. The court date was set for February 5, 2007 at the Kane County Courthouse in St. Charles, IL.

ANSWER: Defendants state that the Kane County Clerk's records speak for themselves and therefore no further response is required. As to the reason that Plaintiff filed the alleged motion, Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 44 and, therefore, neither admit nor deny those allegations of ¶ 44 but demand strict proof thereof. Except as otherwise stated, Defendants deny the allegations of ¶ 44 in their entirety.

45. On January 31, 2007, Plaintiff picked up Officer Bob Androwski's Police Report printed on the same date.

ANSWER: Defendants lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 45 and, therefore, neither admit nor deny the allegations of ¶ 45 but demand strict proof thereof.

46. The Report given to Plaintiff had all names redacted (**EXHIBIT I**) - i.e., it had been "sanitized" by the Hines Police. The non-sanitized Hines Police Report (**EXHIBIT E**) published in pertinent part, the following information (hereafter, "**Publication No.: 2**"):

DEPARTMENT OF VETERANS AFFAIRS
VA POLICE REPORT UOR # 07-01-18-0915

Investigation:

On January 18, 2007 at 0915 hrs, I was dispatched to go to bldg 20 around 0950 to standby while an employee is given termination papers. I met with Mr Gary Knippel and he brought me to Mr William Slater's office.

I waited in Mr Slater's office while he was completing some phone calls. Mr Slater during this time stated "that Mr Cynowa has a temper and has had a few verbal confrontations with the staff. He also said that Mr Cynowa mentioned having an AK-47 assault rifle". Mr Slater was nervous about how Mr Cynowa would react to receiving the termination papers. Mr Cynowa and myself walked to the conference room and waited for Mr Cynowa. Mr Slater and Mr Slatton walked in and Mr Slater handed Mr Cynowa the termination paper. He appeared to be slightly mad and surprised. He did remain under control and professional. He did ask some questions of Mr Slater and then walked to his desk. He retrieved all his belongings and then handed his badge over to Mr Slater. We then walked to his car and got his parking pass. Before entering his car, I did ask him if he had any weapons in the car. He replied "No, I don't have any weapons in the car and I'm not going to go POSTAL". We walked back upstairs to check if anything was forgotten and then he handed the parking pass over. We then walked back downstairs and he departed the facility. This was around 1047hrs.

Disposition:

This investigation is closed. Mr. Cynowa exited the facility without any incident occurring.

Bob Androwski #3542
Investigating officer

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of these allegations within ¶ 46 and, therefore, neither admit nor deny those

allegations within ¶ 46 but demand strict proof thereof. Defendants further state that the exhibits speak for themselves and as to them no further response is required.

47. On February 5, 2007, a Kane County divorce court reduced Plaintiffs child support order from \$486.60 bi-monthly to \$ 73.40 per week based on expected unemployment compensation from CSSS which CSSS challenged.

ANSWER: Denied on information and belief.

48. On February 5, 2007, the Plaintiff received a call from Illinois Department of Employment Security for Plaintiffs interview regarding the circumstances surrounding Plaintiff's termination.

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 48 and, therefore, neither admit nor deny the allegations of ¶ 48 but demand strict proof thereof.

49. The interviewer informed Plaintiff that she would call CSSS for a rebuttal discussion, and that Plaintiff would be notified via mail of the outcome.

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 49 and, therefore, neither admit nor deny the allegations of ¶ 49 but demand strict proof thereof.

50. On or about April 2, 2007, Plaintiff, after 3 months of unemployment, began new employment for a private employer who does not perform work on U.S. federal contracts.

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 50 and, therefore, neither admit nor deny the allegations of ¶ 50 but demand strict proof thereof.

SECTION III. COUNTS

COUNT I - Defamation "Per Se"- Imputing Criminal Offense- Slander PUBLICATION No.1: Defendant's[sic] Slater's Oral Statement January 18, 2007

50. Plaintiff re-alleges the Section II Facts above as through they were fully incorporated herein and further alleges as follows:

ANSWER: Defendants reallege and reincorporate their Answer to Section II (*supra* at pp. 2-16 of their Answer) as though fully set forth herein as ¶ 50 of this Answer.

51. On January 18, 2007, Defendant Slater on behalf of CSSS, with full knowledge and approval from Lisa Wolford and Scott Theobald, as agents for CSSS, made oral statement(s) to the Hines VA Police Officer Androwski that the Plaintiff *"has a temper and has had a few verbal confrontations with the staff ... "*, he also said the Plaintiff *"mentioned having an AK-47 assault rifle"*.

ANSWER: Denied.

52. Officer Bob Androwski walked with Plaintiff who was carrying his belongings to Plaintiff's car.

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 52 and, therefore, neither admit nor deny the allegations of ¶ 52 but demand strict proof thereof.

53. Upon reaching the outside of the building, Plaintiff reached into his jacket pocket for a cigarette.

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 53 and, therefore, neither admit nor deny the allegations of ¶ 53 but demand strict proof thereof.

54. Officer Bob Androwski, looking very concerned at Plaintiff reach for his cigarette, said to Plaintiff: *"You aren't reaching for a gun are you?"* to which Plaintiff responded *"I don't even own a gun and would surely not be going to jail for the person that had just fired me, I would let the lawyers do the work. "*

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 54 and, therefore, neither admit nor deny the allegations of ¶ 54 but demand strict proof thereof.

55. Officer Bob Androwski then asked Plaintiff: *"Do you have any loaded weapon in your car?"* Plaintiff responded similar as he did to the first inquiry: *"No, I don't have any weapons in the car and I am not going to GO POSTAL. "*

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 55 and, therefore, neither admit nor deny the allegations of ¶ 55 but demand strict proof thereof.

56. The above questions of Officer Bob Androwski, asked of Plaintiff, when taken together make it clear that CSSS'S[sic] defamatory statements made Officer Androwski afraid that Plaintiff was armed, dangerous and that plaintiff might shoot his co-workers.

ANSWER: Denied.

57. The statements in Publication 1 above, which were made orally are *false* and *defamatory "per se"* in that they state that Plaintiff is unable to control his temper (a necessary virtue of being an officer/worker), and that Plaintiff would even go to the extent of using an AK47 assault rifle[sic](which Plaintiff allegedly possessed or said he possessed) to kill people in response to information of employment termination.

ANSWER: Denied.

58. Defendants, through *oral* statements in the Hines VA Police Report, *imputed to Plaintiff the commission of a criminal offense.*

ANSWER: Denied.

59. *CSSS office employees, believing that the Plaintiff would, in fact, "GO POSTAL" and commit an act of workplace terrorism, made requests for the door at the CSSS office to be secured.*

ANSWER: Denied.

60. Defendants' Publication 1 oral statements are false and defamatory per-se.

ANSWER: Denied.

61. The Illinois Criminal Code makes it is a crime to make a false report of danger.

ANSWER: Defendants state that ¶ 61 calls for a legal conclusion for which no response is required. To the extent any allegations in this ¶ 61 are alleged by Plaintiff to be construed against Defendants, they are denied.

62. Defendants, acting in the scope of their employment (CSSS, Defendant Wolford, and Defendant Slater), acted together in their respective official capacities to defame Plaintiff.

ANSWER: Denied.

COUNT II - Defamation "Per Se" Imputing Criminal Offense- Libel
WRITTEN PUBLICATION No.1: Defendant's[sic] Slater's

Written Police Report Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

ANSWER: Defendants reallege and reincorporate their Answer to Section II (*supra* at pp. 2-16 of their Answer) as though fully set forth herein as ¶ 50 of this Answer.

51. Defendants' false statements, Publication 1 of Count I above, which were made orally to the Hines VA Police Officer Androwski were recorded by Officer Androwski in *written* statements in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the U.S. Attorney's office (a federal office), (EXHIBIT E) are *false* and *defamatory "per se"* in that they state that Plaintiff is unable to control his temper, (a necessary component of working in an office), even to the extent of using an AK-47 assault rifle(which Plaintiff allegedly possessed or allegedly said he possessed) in response to being informed of his job termination.

ANSWER: Denied.

52. The impact of CSSS'S[sic] *written* statements to others was a perceived *workplace terror threat*.

ANSWER: Denied.

53. The Illinois Criminal Code makes it is a crime to make a false report of danger.

ANSWER: Defendants state that ¶ 53 calls for a legal conclusion for which no response is required. To the extent any allegations in this ¶ 53 are alleged by Plaintiff to be construed against Defendants, they are denied.

54. Defendants, through *written* statements, *imputed to Plaintiff the commission of a criminal offense and caused CSSS office employees to believe that the Plaintiff would in fact "GO POSTAL" and commit an act of workplace terrorism.*

ANSWER: Denied.

**COUNT III - Defamation "Per Se" - Imputing Lack of
Ability in PLAINTIFF'S Trade, Profession or Business-Slander
ORAL PUBLICATION No.1: Defendant's Slater's Oral Statement January 18, 2007**

51. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

ANSWER: Defendants reallege and reincorporate their Answer to Section II (*supra* at pp. 2-16 of their Answer) as though fully set forth herein as ¶ 51 of this Answer.

52. Defendants, through their *oral* statements *imputed to Plaintiff an inability to perform or want of integrity in the discharge of duties of employment.*

ANSWER: Denied.

53. The statements in paragraph 3 of Count I above, which were made orally and were written in Officer Androwski' s Police Report are *false* and *defamatory "per se"* in that they state that Plaintiff is unable to control his temper, a necessary component of working in an office,

even to the extent of using an AK - 47 assault rifle (which Plaintiff allegedly possessed or said he possessed) in "response to information of termination.

ANSWER: Denied.

COUNT IV - Defamation "Per Se". Imputing Lack of Ability in PLAINTIFF'S Trade, Profession or Business-Label WRITTEN PUBLICATION No.2: Defendant's Slater Written Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

ANSWER: Defendants reallege and reincorporate their Answer to Section II ((*supra* at pp. 2-16 of their Answer) as though fully set forth herein as ¶ 50 of this Answer.

51. The statements of paragraph 3 of Count I above, which were made orally to the police officer Androwski and recorded in *written* remarks in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the US Attorney's office, (EXHIBIT D) are *false* and *defamatory "per se"* in that they state that Plaintiff is unable to control his temper, a necessary component of working in an office, even to the extent of using an AK- 47 ASSAULT RIFLE(which Plaintiff allegedly possessed or said he possessed) in response to information of termination.

ANSWER: Denied.

52. Defendants, through their *written* statements *imputed to Plaintiff an inability to perform or want of integrity in the discharge of duties of employment.*

ANSWER: Denied.

COUNT V-Defamation "Per Ouod"- Criminal Offence- Slander ORAL PUBLICATION No.: 1: Defendant's Slater Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

ANSWER: Defendants reallege and reincorporate their Answer to Section II ((*supra* at pp. 2-16 of their Answer) as though fully set forth herein as ¶ 50 of this Answer.

51. The statements in paragraph 3 of Count I above, which were made orally to the Hines VA Police Officer Androwski by CSSS'S[sic] employees are *false* and *defamatory "per quod" ill that I) they were about Plaintiff, II) the statements were false: a)Plaintiff did not own AK-47 assault rifle. b) Plaintiff never stated that he owned an AK-47 assault rifle.*

ANSWER: Denied.

52. No one from CSSS had ever seen Plaintiff with a gun nor was there any statement made by the Plaintiff Cynowa himself that he possessed a gun.

ANSWER: Denied.

53. The impact of CSSS'S[sic] *oral* statements to others is a perceived *workplace terror threat*. In fact, the Illinois Criminal Code makes it is a crime to make a false report of danger.

ANSWER: Defendants state that ¶ 53 calls for a legal conclusion for which no response is required. To the extent any allegations in this ¶ 53 are alleged by Plaintiff to be construed against Defendants, they are denied.

54. Defendants through *verbal* statements *imputed to Plaintiff the commission of a criminal offence and caused employees to believe that the Plain tiff would in fact "GO POSTAL" and commit an act of workplace terror*.

ANSWER: Denied.

55. The foregoing defamatory statements were made by the Defendants et al. with the knowledge of their falsity, with actual malice, or with reckless disregard for the truth, and *impute to Plaintiff criminal offence*, so as to justify an award of punitive damages.

ANSWER: Denied.

56. As a *proximate result* of the aforementioned defamatory statements by Defendants, Plaintiff suffered damages/injuries as follows:

- a. Loss of his job;
- b. Loss of wages in the approximate amount of \$16,923.08 and benefits for 11 weeks from January 18, 2007, until April 12, 2007, including medical benefits of approximately \$1,060.00;
- c. Inability to pay adequate child support for his 5 year old daughter;
- d. Injuries to professional and personal reputation;
- e. Humiliation and emotional and physical distress.

ANSWER: Denied.

COUNT VI- Defamation "Per Ouod"- Criminal Offense- Libel
WRITTEN PUBLICATION No.2: Defendant Slater's Written Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

ANSWER: Defendants reallege and reincorporate their Answer to Section II (*supra* at pp. 2-16 of their Answer) as though fully set forth herein as ¶ 50 of this Answer.

51. The statements in paragraph 3 of Count I above, which were made orally to the Hines VA Police Officer Androwski by CSSS'S[sic] employees and recorded in *written* remarks in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the US Attorney's office, (EXHIBIT D) are false and defamatory "per quod" in that I) they were about Plaintiff, II) the statements were false: a) Plaintiff did not own AK-47 assault rifle. b) Plaintiff never stated that he owned an AK-47 assault rifle.

ANSWER: Denied.

52. Plaintiff Cynowa did not and does not own a gun.

ANSWER: Defendants lack knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of ¶ 52 and, therefore, neither admit nor deny the allegations of ¶ 52 but demand strict proof thereof.

53. No one from CSSS had ever seen Plaintiff with a gun nor was there any statement made by the Plaintiff Cynowa himself that he possessed a gun.

ANSWER: Denied on information and belief.

54. The impact of CSSS'S[sic] *written* statements to others is a perceived *workplace terror threat*. In fact, the Illinois Criminal Code makes it is a crime to make a false report of danger.

ANSWER: Defendants state that ¶ 54 calls for a legal conclusion for which no response is required. To the extent any allegations in this ¶ 54 are alleged by Plaintiff to be construed against Defendants, they are denied.

55. Defendants, through *written* statements *imputed to Plaintiff the commission of a criminal offence and caused employees to believe that the Plaintiff would in fact "GO POSTAL" and commit an act of workplace terror*.

ANSWER: Denied.

56. The foregoing defamatory statements were made by the Defendants with the knowledge of their falsity, with actual malice, or with reckless disregard for the truth, and impute criminal offence, so as to justify an award of punitive damages.

ANSWER: Denied.

57. As *approximate result* of the aforementioned defamatory statements by Defendant, Plaintiff suffered damages/injuries as follows:

- a. Loss of his job;
- b. Loss of wages in the approximate amount of \$16,923.08 and benefits for 11 weeks from January 18, 2007, until April 2, 2007, including

- medical benefits of approximately \$1,060.00;
- c. Inability to pay adequate child support for his daughter in 2007;
- d. Injuries to professional and personal reputation;
- e. Humiliation and emotional and physical distress.

ANSWER: Denied.

COUNT VII - Defamation "Per Ouod"- Imputing Lack of Ability in PLAINTIFF'S Trade, Profession or Business - Slander ORAL PUBLICATION No.: 1: Defendant Slater's Oral Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

ANSWER: Defendants reallege and reincorporate their Answer to Section II (*supra* at pp. 2-16 of their Answer) as though fully set forth herein as ¶ 50 of this Answer.

51. The statements in paragraph 3 of Count I above, which were made *orally* to the Hines VA Police Officer Androwski by CSSS'S[sic] employees are *false* and *defamatory "per quod" in that I) they were about Plaintiff, II) the statements were false: a)Plaintiff did not own AK-47 assault rifle, b) Plaintiff never stated that he owned an AK-47 assault rifle.*

ANSWER: Denied.

53. No one from CSSS had ever seen Plaintiff with a gun nor there were any statements made by the Plaintiff Cynowa himself that he possessed a gun.

ANSWER: Denied on information and belief.

54. The foregoing defamatory statements were made by the Defendants et al with the knowledge of their falsity, with actual malice, or with reckless disregard for the truth, and *imputed to Plaintiff an inability to perform or want of integrity in the discharge of duties of employment*, so as to justify an award of punitive damages .

ANSWER: Denied.

55. As *approximate result* of the aforementioned defamatory statements by Defendant, Plaintiff suffered damages/injuries as follows:

- a. Loss of his job;
- b. Loss of wages in the approximate amount of \$16,923.08 and benefits for 11 weeks from January 18, 2007 until April 2, 2007 including medical benefits of approximately \$1,060.00;
- c. Inability to pay adequate child support for his 5 year old daughter;
- d. Injuries to professional and personal reputation;
- e. Humiliation and emotional and physical distress.

ANSWER: Denied.

COUNT VIII - Defamation "Per Quod"- Imputing Lack of Ability in PLAINTIFF'S Trade, Profession or Business - Libel PUBLICATION No.2: Defendant Slater's Written Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

ANSWER: Defendants reallege and reincorporate their Answer to Section II (*supra* at pp. 2-16 of their Answer) as though fully set forth herein as ¶ 50 of this Answer.

51. The statements in paragraph 3 of Count I above, which were made orally to the Officer Androwski by CSSS'S employees and recorded in *written* statements in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the US Attorney's office, (**EXHIBIT D**) are *false and defamatory "per quod" in that I) they were about Plaintiff. II) the statements were false: a)Plaintiff did not own AK-47 assault rifle, b)Plaintiff never stated that he owned an AK-47 assault rifle.*

ANSWER: Denied.

52. The foregoing defamatory statements were made by the Defendants et al with the knowledge of their falsity, with actual malice, or with reckless disregard for the truth, and *imputed to Plaintiff an inability to perform or want of integrity in the discharge of duties of employment*, so as to justify an award of punitive damages. No one from CSSS had ever seen Plaintiff with a gun nor there were any statements made by the Plaintiff Cynowa himself that he possessed a gun.

ANSWER: Denied.

54. As a *proximate result* of the aforementioned defamatory statements by Defendant, Plaintiff suffered damages/injuries as follows:

- a. Loss of his job;
- b. Loss of wages in the approximate amount of \$16,923.08 and benefits for 11 weeks from January 18, 2007, until April 2, 2007, including medical benefits of approximately \$1,060.00Inability to pay adequate child support for his 5 year old daughter;
- c. Injuries to professional and personal reputation;
- d. Humiliation and emotional and physical distress.

ANSWER: Denied.

COUNT IX

False light against all Defendants

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

ANSWER: Defendants reallege and reincorporate their Answer to Section II (*supra* at pp. 2-16 of their Answer) as though fully set forth herein as ¶ 50 of this Answer.

51. Moreover, in the IT industry in which Plaintiff worked, personal reputation and references are of utmost importance and Plaintiffs credibility, both personal and professional was severely compromised by CSSS'S[sic] defamatory conduct.

ANSWER: Denied.

52. The statements of paragraph 3 of Count I above, which were made orally to the police officer Androwski and the recorded *written* in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the US Attorney's office, **EXHIBIT D** are *false*, and *defamatory "per se"* in that they state that Plaintiff is unable to control his temper (a necessary virtue of an office worker) even to the extent of using an AK-47 assault rifle(which Plaintiff allegedly possessed or said he possessed) in response to information of termination.

ANSWER: Denied.

53. Plaintiff was placed in a false light before the public as a result of the CSSS'S actions because the publications made orally and subsequently reduced to writing, and were communicated to Plaintiffs colleagues, friends and co-workers. Many of those persons took the publication seriously - i.e., that Plaintiff had an AK - 47 assault rifle and that he posed a likely threat of workplace terror was likely and some co-workers fearful for their safety requested a "lock-down" of the building.

ANSWER: Denied.

54. The false light in which the Plaintiff was placed would be highly offensive to a reasonable person.

ANSWER: Denied.

55. CSSS acted with actual malice, that is, with knowledge that the statements were false or with reckless disregard for whether the statements were true or false. CSSS had no cause to ever believe that Plaintiff was a dangerous person or whether Plaintiff actually owned any firearms.

ANSWER: Denied.

COUNT X

Intentional Infliction of Emotional Distress (IIED) against all Defendants

50. PLAINTIFF re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

ANSWER: Defendants reallege and reincorporate their Answer to Section II (*supra* at pp. 2-16 of their Answer) as though fully set forth herein as ¶ 50 of this Answer.

51. DEFENDANTS' false statements that Cynowa "has a temper" and has "an AK-47 assault rifle, taken together, characterize Cynowa as a work place terrorist.

ANSWER: Denied.

52. DEFENDANTS' conduct was *extreme* and *outrageous* and goes beyond all possible bounds of *decency*, and is to be regarded as intolerable in civilized society.

ANSWER: Denied.

53. DEFENDANTS' conduct directly caused PLAINTIFF'S severe emotional distress.

ANSWER: Denied.

54. PLAINTIFF was forced to obtain medical attention and medications for emotional distress as a direct result of the DEFENDANT'S *extreme* and *outrageous* conduct.

ANSWER: Denied.

55. DEFENDANTS either intended to inflict severe emotional distress upon PLAINTIFF or knew that there was a high probability that their conduct would cause sever emotional distress to PLAINTIFF.

ANSWER: Denied.

56. DEFENDANT'S *intentional infliction of emotional distress* resulted additional grave injury to PLAINTIFF as follows:

- a. PLAINTIFF'S blood pressure reached dangerous levels.
- b. PLAINTIFF incurred medical expenses.
- c. PLAINTIFF suffered financial injury in excess of \$16,900.00 for loss and other damage for late payment of his bills.
- d. PLAINTIFF lost his ability to support himself, his 5 year old child, his fiancé, and his fiancé's 3 minor children
- e. PLAINTIFF suffered serious damage to their professional reputations.

ANSWER: Denied.

PRAYER FOR RELIEF AS TO COUNTS I-X

WHEREFORE, Defendants deny that Plaintiff is entitled to any relief and Defendants pray for:

- A. Judgment in their favor and against the Plaintiff;
- B. An award of their costs incurred in this action; and

- C. Such other relief as this Court deems just and appropriate.

AFFIRMATIVE AND OTHER DEFENSES

Defendants, for their defenses to the Plaintiffs' Complaint, without assuming the burden of persuasion on any of the defenses except as established by law, based generally on and incorporating by reference their Answers to Plaintiff's Complaint, Defendants' Motion to Dismiss and Reply brief in support thereof, state the following defenses:

Absolute Privilege

1) On the morning of Plaintiff's termination the Hines VA police were requested to be present during Plaintiff's termination and to escort Plaintiff from the premises.

2) The Hines VA police department sent Officer Bob Androwski ("Officer Androwski") to be present during Plaintiff's termination and to escort Plaintiff from the premises.

3) When Officer Androwski arrived he requested information that may be relevant to Plaintiff's termination and escorting Plaintiff from the premises.

4) To the extent that any of the alleged statements are deemed defamatory, they were made to a policeman within the scope of his duties and to facilitate the safe termination of Plaintiff.

5) Accordingly, the alleged statements are barred by an absolute privilege.

Qualified Privilege

6) Any alleged statements were made with good faith in response to a police officer's inquiry.

7) Defendants had a duty to ensure the safety of their employees and their workplace.

8) Further, the statements that were made were made to a limited number of persons and under qualified circumstances during the lawful termination.

9) Consistent with the interests of the Defendants and the Hines VA facility, as well as the interests of the public, the Hines police officer and the Defendants had a duty to protect the public and ensure safety.

10) Therefore, the statements are subject to a qualified privilege.

Opinion

11) The alleged statements can be construed as opinions regarding Plaintiff and the circumstances of his termination.

12) As opinions, the alleged statements are protected free speech and therefore not actionable.

Innocent construction

13) The alleged statements are subject to an innocent construction. In particular, they may be readily construed as providing the type of information that a police officer may want or need to know in circumstances like those alleged here.

14) In addition, the alleged statements are not actionable because having a temper and having an AK-47 rifle is legal here in Illinois.

15) Further, these alleged statements also simply indicate character traits.

16) Thus, the alleged statements are subject to an innocent construction and therefore are not actionable.

Truth of Statement

17) Prior to the events in question, upon information and belief, Plaintiff made statements indicating that he possessed and/or had access to weapons.

18) Further, prior to the events in question Plaintiff got into verbal confrontations with staff and exhibited aggression, hostility, and a temper on many occasions in the workplace.

19) In addition to the disparaging and defamatory remarks that the Plaintiff made as detailed below and herein, during the events in question Plaintiff hurled obscenities such as “I can’t believe this shit” while exhibiting aggressive body language.

20) At the time of Plaintiff’s termination, Plaintiff made threats as to CSSS management, in particular Slater and Wolford, that each would in turn “get his” and “get hers.”

21) With the assistance of VA Police, Plaintiff’s termination was completed without physical violence or incident and Plaintiff was escorted from the workplace.

22) Thus, to the extent that the alleged statements were made, they are also true.

23) Accordingly, Plaintiff would not be entitled to any relief.

Set-Off

24) Plaintiff’s claims should be set off by the amount of any recovery Defendants are entitled to.

COUNTERCLAIMS

Defendants and Counter-plaintiffs, incorporate their Answer to Plaintiff’s Complaint and their Affirmative Defenses as though fully set forth herein and for their Counterclaims, Defendants state as follows:

PARTIES, JURISDICTION AND VENUE

1) Defendant and Counter-plaintiff Lisa Wolford (“Wolford”) is the President of Client/Server Software Solutions, Inc., a company that provides services to the federal government’s Hines VA Hospital of the U.S. Department of Veteran Affairs in Hines, Illinois (“Hines VA”) under federal contract. Wolford served in the United States Marine Corps.

2) Defendant and Counter-plaintiff William Slater (“Slater”) is a resident of Illinois and on January 18, 2007 was Plaintiff’s direct supervisor.

3) Defendant and Counter-plaintiff Client/Server Software Solutions, Inc. (“CSSS”) is a company that provides computer services to the federal government’s Illinois Hines VA facility.

4) Plaintiff and Counter-defendant Christopher Cynowa (“Plaintiff”) is a resident of Illinois.

5) Cook County, Illinois is the appropriate venue in that the relevant conduct and actions took place in Cook County, Illinois.

FACTS COMMON TO ALL COUNTS

6) On January 30, 2006, Plaintiff began his employment with CSSS as a senior systems engineer where he performed computer services at Hines VA.

7) During the course of Plaintiff’s employment and up to his date of termination on January 18, 2007, Plaintiff exhibited improper workplace conduct and behaviors and made inappropriate and offensive statements for which he was counseled by management on numerous occasions. These same improper workplace behaviors and conduct contributed to the decision to terminate Plaintiff’s employment with CSSS.

8) In particular as to CSSS, Wolford, and Slater, Plaintiff made several statements which were not only inappropriate and insubordinate, but were also defamatory and disparaging.

9) For example, Plaintiff stated on several occasions, including during Plaintiff’s termination on January 18, 2007, that Wolford and Slater were running CSSS into the ground, that the services Wolford, Slater and CSSS provided to the Hines VA facility were poor, and that they lacked integrity, treated their employees poorly and failed to value CSSS’s employees. These statements about Defendants were made in the presence of Larry Carver, Anthony Slatton, and McIntosh Ewell, who were fellow CSSS employees. These statements were false and said with malice in that Plaintiff knew that such statements were false.

10) In addition, Plaintiff made statements in the presence of Slater, Carver, Slatton, and Ewell that Wolford was a disgrace as and was not a real Marine. These statements were false and said with malice in that Plaintiff knew that such statements were false.

11) As to Slater, Plaintiff stated that Slater lacked integrity as a manager. These statement were false and said with malice in that Plaintiff knew that such statements were false.

12) Plaintiff further went on to state that CSSS's services to its customers had declined and that CSSS would not be in business for long under the current management structure. These statement were false and said with malice in that Plaintiff knew that such statements were false.

COUNTERCLAIMS

Count I- Commercial Disparagement as to a all Defendants

13) Defendants repeat and reallege ¶ 1-12 of this Counterclaim as though fully set for the herein.

14) Plaintiff stated that the quality of the services provided at the VA Hines facility by Defendants had declined and that based on the quality of these services Defendants would be out of business.

15) Plaintiff made false, misleading and demeaning statements regarding the quality of the goods and services provided by Defendants. Plaintiff also knew that these statements were false and would demean the services that Defendants provided to their customers thereby damaging Defendants.

16) Plaintiff had no basis to make those statements as Defendants provided and continues to provide quality goods and services to its customers and has had a successful working relationship with the Hines VA facility.

Count II-Defamation as to Wolford and Slater

17) Defendants repeat and reallege ¶ 1-12 of this Counterclaim as though fully set for the herein.

18) Plaintiff's statements that Wolford was not a real Marine, running CSSS into the ground, treated employees poorly and lacked integrity were false and misleading and imputed lack of integrity in her person and profession as CSSS's president. Plaintiff knew these statements were false yet he acted with malice in repeating them on January 18, 2007 and, upon information and belief, on other occasions and to other people. Plaintiff also had no basis to make these statements, as Wolford ran a successful company and treated her employees with integrity and honesty. Further, Plaintiff was a United States Marine and is a United States Marine Veteran.

19) Plaintiff's statements that Slater lacked integrity and treated employees poorly imputed lack of integrity in his person and profession as a CSSS supervisor. Plaintiff knew these statements were false yet he acted with malice in repeating them on January 18, 2007 and, upon information and belief, on other occasions and to other people. Plaintiff also had no basis to make these statements, as Slater successfully managed a staff of twenty-one employees for CSSS.

20) Plaintiff's statements caused harm to the reputation of Defendants, as well as their reputation among CSSS employees and in the federal community and deterred people from associating with them.

Count III- False Light as to Wolford and Slater

21) Defendants repeat and reallege ¶ 1-12 and ¶ 18-20 of this Counterclaim as though fully set for the herein.

22) Plaintiff's statements placed Defendants in a false light before the public.

23) The false light in which Defendants were placed in was highly offensive to any reasonable person.

24) Plaintiff acted with actual malice, that is the knowledge that the statements were false or with reckless disregard for whether the statements were true or false.

PRAYER FOR RELIEF AS TO ALL COUNTERCLAIMS

WHEREFORE, Defendants CSSS, Wolford and Slater pray for:

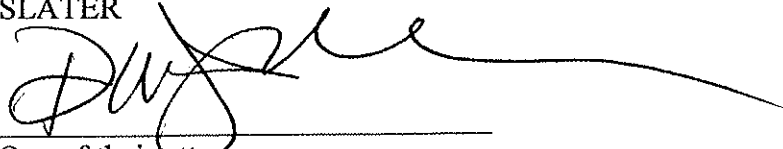
- A. Judgment in their favor and against the Plaintiff;
- B. An award of compensatory damages and their costs incurred in this action;
- C. An award of damages for suffering and emotional anguish for Wolford and Slater;
- D. Punitive damages; and
- E. Such other relief as this Court deems just and appropriate.

Dated: January 14, 2009

Respectfully submitted,

CSSS, INC., LISA WOLFORD, and WILLIAM F.
SLATER

By:



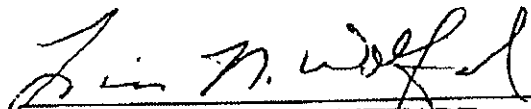
One of their attorneys

Kevin B. Duff
Darnella J. Ward
Rachlis Durham Duff & Adler, LLC
542 South Dearborn, Suite 900
Chicago, Illinois 60605
(312) 733-3950
(312) 733-3952 (fax)

VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters stated to be on information and belief, and as to such matters, the undersigned certifies as aforesaid that she verily believes the same to be true.

By:

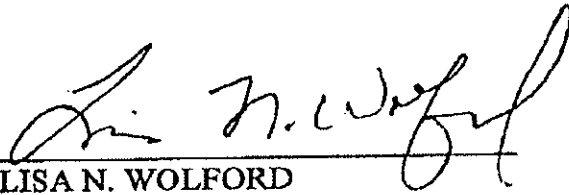


**CLIENT/SERVER SOFTWARE
SOLUTIONS, INC. by its President,
LISA N. WOLFORD**

VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters stated to be on information and belief, and as to such matters, the undersigned certifies as aforesaid that she verily believes the same to be true.

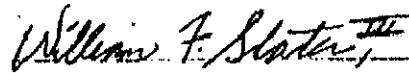
By:


LISA N. WOLFORD

VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters stated to be on information and belief, and as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true.

By:



WILLIAM F. SLATER, III

January 13, 2009

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY
DEPARTMENT, LAW DIVISION

CHRISTOPHER S. CYNOWA,)	
)	
Plaintiff,)	
)	
v.)	No. 08 L 403
)	
CSSS, INC. (CLIENT SERVER)	Calendar C
SOFTWARE SOLUTION d/b/a)	
CSSS.NET), LISA WOLFORD, and)	Hon. Ronald S. Davis
WILLIAM F. SLATER,)	
)	
Defendants.)	

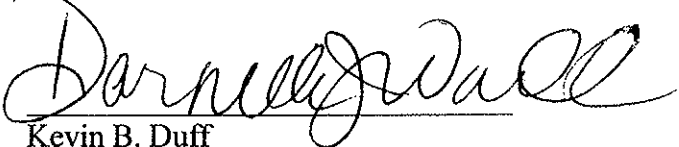
NOTICE OF FILING and CERTIFICATE OF SERVICE

To: Theresa V. Johnson
Law Office of Theresa V. Johnson
200 E. Chicago Avenue, Suite 200
Westmont, IL 60559

PLEASE TAKE NOTICE that on January 14, 2009, the undersigned filed with the Clerk of the Circuit Court of Cook County, Illinois **Defendants' Answer and Affirmative Defenses to Plaintiff's Verified Complaint at Law and Counterclaims**, a copy of which is attached hereto.

A copy of this notice and the aforementioned pleading was served upon Plaintiff's counsel identified above via U.S. Mail, postage prepaid, on Wednesday, January 14, 2009.

CSSS, INC., LISA WOLFORD,
and WILLIAM F. SLATER

By: 

Kevin B. Duff
Darnella J. Ward
Rachlis Durham Duff & Adler, LLC
542 South Dearborn, Suite 900
Chicago, Illinois 60605
(312) 733-3950
(312) 733-3952 (fax)

EXHIBIT 5

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

CHRISTOPHER S. CYNOWA,)
)
Plaintiff,)
) No. 08 L 403
v.)
)
CSSS, INC., et al.)
Defendants,)

**PLAINTIFF'S REPLY TO DEFENDANT'S
AFFIRMATIVE AND OTHER DEFENSES**

NOW COMES Plaintiff, CHRISTOPHER S. CYNOWA, ("CYNOWA") by and through his attorney, Theresa V. Johnson, of the Law Office of Theresa V. Johnson, and as for PLAINTIFF'S REPLY TO DEFENDANT'S AFFIRMATIVE AND OTHER DEFENSES, replies in **bold** as follows:

Absolute Privilege

1. On the morning of Plaintiff's termination the Hines VA police were requested to be present during Plaintiff's termination and to escort Plaintiff from the premises.

Admit.

2. The Hines VA police department sent Officer Bob Androwski ("Officer Androwski") to be present during Plaintiff's termination and to escort Plaintiff from the premises.

Admit.

3. When Officer Androwski arrived he requested information that may be relevant to Plaintiff's termination and escorting Plaintiff from the premises.

Deny.

4. To the extent that any of the alleged statements are deemed defamatory, they were made to a policeman within the scope of his duties and to facilitate the safe termination of Plaintiff.

Deny.

5. Accordingly, the alleged statements are barred by an absolute privilege.

Deny.



Qualified Privilege

6. Any alleged statements were made with good faith in response to a police officer's inquiry.

Deny.

7. Defendants had a duty to ensure the safety of their employees and their workplace.

Plaintiff admits that as an employer CSSS has the duty of employee safety. To the extent that this allegation asserts or implies that Defendants were insuring employee safety by advising

Officer Androwski that Plaintiff Cynowa mentioned owning an AK-47, Plaintiff denies.

Further answering, because CSSS had a duty of employee safety they had a duty NOT to make false allegations of Cynowa's possession of an AK-47 and of Cynowa's alleged temper.

CSSS' actions could have led to actual injury of employees.

8. Further, the statements that were made were made to a limited number of persons under qualified circumstance during the lawful termination.

Deny.

9. Consistent with the interests of the Defendants and the Hines VA facility, as well as the interests of the public, the Hines police officer and the Defendants had a duty to protect the public and ensure safety.

Plaintiff admits that as an employer CSSS has the duty of employee safety. To the extent that this allegation asserts or implies that the Hines police officer and the Defendants were

exercising a duty to protect the public and ensure safety by advising Officer Androwski that

Plaintiff Cynowa mentioned owning an AK-47, Plaintiff denies. Further answering, because

CSSS had a duty of employee safety they had a duty NOT to make false allegations of

Cynowa's possession of an AK-47 and of Cynowa's alleged temper. CSSS' actions could have

led to actual injury of employees.

10. Therefore, the statements are subject to a qualified privilege.

Deny.

Opinion

11. The alleged statement can be construed as opinions regarding Plaintiff and the circumstances of termination.

Deny.

12. As opinions, the alleged statements are protected free speech and therefore not actionable.

Deny. Further answering, a first year law student learns that yelling "Fire!" in a crowded theatre does not qualify as constitutionally protected free speech.

Innocent Construction

13. The alleged statements are subject to an innocent construction. In particular, they may be readily construed as providing the type of information that a police officer may want or need to know in circumstances like those alleged here.

Deny.

14. In addition, the alleged statements are not actionable because having a temper and having an AK-47 rifle is legal here in Illinois.

Deny.

15. Further, these alleged statements also simply indicate character traits.

Deny.

16. Thus, the alleged statements are subject to an innocent construction and therefore are not actionable.

Deny.

Truth of Statement

17. Prior to the events in question, upon information and belief, Plaintiff made statements indicating that he possessed and/or had access to weapons.

Deny.

18. Further, prior to the events in question Plaintiff got into verbal confrontations with staff and exhibited aggression, hostility, and a temper on many occasions in the workplace.

Deny.

19. In addition to disparaging and defamatory remarks that the Plaintiff made as detailed below and herein, during the events in question Plaintiff hurled obscenities such as "I can't believe this shit" while exhibiting aggressive body language.

Deny.

20. At the time of Plaintiff's termination, Plaintiff made threats as to CSSS management, in particular Slater and Wolford, that each would in turn "get his" and "get hers."

The allegation mischaracterizes the statements made, therefore, deny.

21. With the assistance of VA Police, Plaintiff's termination was completed without physical violence or incident and Plaintiff was escorted from the workplace.

Admit.

22. Thus, to the extent the alleged statements were made, they are also true.

Deny.

23. Accordingly, Plaintiff would not be entitled to any relief.

Deny.

Set – Off

24. Plaintiff's claims should be set off by the amount of any recovery Defendants are entitled to.

Deny.

WHEREFORE Plaintiff, CHRISTOPHER S. CYNOWA, requests this Honorable Court Order the following requested relief:

- A. Deny any and all of Defendant, CSSS INC.'S AFFIRMATIVE AND OTHER DEFENSES from their responsive pleading filed January 14, 2009, titled DEFENDANT'S ANSWER

AND AFFIRMATIVE AND OTHER DEFENSES TO PLAINTIFF'S VERIFIED
COMPLAINT AT LAW AND COUNTERCLAIMS; and

- B. For additional and other relief as this Court determines is appropriate given the facts and issues in this matter.

Respectfully Submitted:

Dated: August 14, 2009

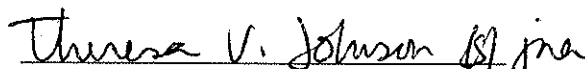
Theresa V. Johnson *bjna*
THERESA V. JOHNSON
Attorney for Plaintiff

Theresa V. Johnson, Attorney for Plaintiff
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, IL 60559
Telephone: (630) 321-1330
Fax: (630) 321-1185
Cook County Attorney No. 37363

CERTIFICATE OF SERVICE

I, Theresa V. Johnson, hereby certify that a copy of the foregoing **PLAINTIFF'S REPLY TO DEFENDANT'S AFFIRMATIVE AND OTHER DEFENSES** was tendered to Defendant's counsel, as listed below, via facsimile, and U.S. Mail, postage prepaid, this 14th day of August, 2009.

Darnella J. Ward
Rachlis Durham Duff & Adler, LLC
542 South Dearborn, Suite 900
Chicago, Illinois 60605
(312) 733-3950
(312) 733-3952 (fax)


Theresa V. Johnson

Theresa V. Johnson, Attorney for Plaintiff
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, IL 60559
Telephone: (630) 321-1330
Fax: (630) 321-1185
Cook County Attorney No. 37363

EXHIBIT 6

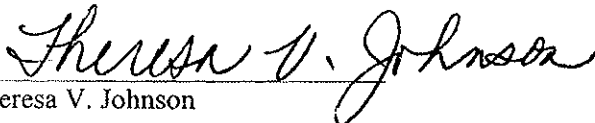
IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

CHRISTOPHER S. CYNOWA,)
)
Plaintiff,)
) No. 08 L 403
v.)
)
CSSS, INC., et al.)
Defendants,)

NOTICE OF FILING

TO Kevin Duff
John Murray
Rachlis Durham Duff & Adler, LLC
542 South Dearborn, Suite 900
Chicago, Illinois 60605
(312) 733-3950
(312) 733-3952 (fax)

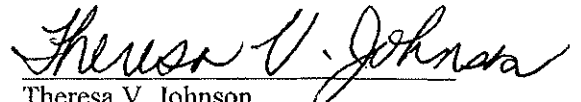
PLEASE TAKE NOTICE that on the 17th day of September, 2010, the undersigned causes to be filed with the Cook County Clerk of Circuit Court for the Law Division, the attached copies of **PLAINTIFF'S VERIFIED AMENDED COMPLAINT ADDING NOEL FLANAGAN AS DEFENDANT**, a copy of which is attached hereto.


Theresa V. Johnson

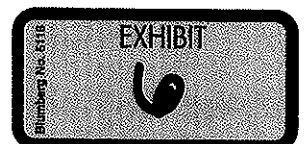
PROOF OF SERVICE

I, Theresa V. Johnson, the attorney, certify under penalties as provided by law pursuant to 735 ILCS 5/1-109, that the statements set forth herein are true and correct; that I served this Notice by causing a copy to be faxed to each of the parties listed above before 5:00 p.m. on September 17, 2010.

Respectfully Submitted:


Theresa V. Johnson
Attorney for Plaintiff

Theresa V. Johnson
Law Office of Theresa V. Johnson
200 E. Chicago Ave., Suite 200
Westmont, Illinois 60559
Tel.: 630-321-1330
Fax: 630-321-1185
Cook County Atty No.: 37363



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

CHRISTOPHER S. CYNOWA,)
)
Plaintiff,)
) No. 08 L 403
v.)
)
CSSS, INC., et al.)
)
Defendants,)

**PLAINTIFF'S VERIFIED AMENDED COMPLAINT
ADDING NOEL FLANAGAN AS DEFENDANT**

NOW COMES Plaintiff, CHRISTOPHER CYNOWA, by and through Attorney, Theresa V. Johnson, and pursuant to Court order files **PLAINTIFF'S VERIFIED AMENDED COMPLAINT ADDING NOEL FLANAGAN AS DEFENDANT** and adds additional allegations as follows.

1. That Plaintiff sought leave of court to add Mr. NOEL FLANAGAN as a defendant in this matter.
2. That the Court granted Plaintiff leave to file an pleading adding Mr. NOEL FLANAGAN as a defendant by September 17, 2010 and this pleading complies with the Order of the Court and is timely filed. *Exhibit A*
3. That Plaintiff fully incorporates by reference herein PLAINTIFF'S VERIFIED COMPLAINT which remains at issue in this matter. *Exhibit B*
4. That upon information and belief, Mr. NOEL FLANNIGAN told CSSS, Inc. staff and/or employees a statement to the effect that Plaintiff Christopher S. Cynowa possessed a weapon, a gun, and/or an AK-47.
5. That upon information and belief, Mr. NOEL FLANNIGAN told CSSS, Inc. staff and/or employees a statement to the effect that Plaintiff Christopher S. Cynowa is a bad temper.

2010 SEP 17 PM 1:50
CORRENY BROWN
CLERK


6. That upon information and belief, Mr. NOEL FLANNIGAN told CSSS, Inc. staff and/or employees a statement to the effect that Plaintiff Christopher S. Cynowa could be dangerous and that Mr. NOEL FLANNIGAN communicated this message to Bill Slater and other CSSS, Inc. staff and/or employees.

7. That investigation continues in this matter as it relates to Mr. NOEL FLANNIGAN and Plaintiff reserves the right to seek to amend underlying pleadings as necessary to properly litigate Plaintiff's claims in this matter.

WHEREFORE, and for the foregoing reasons, Plaintiff Christopher S. Cynowa, prays for the following relief:

- a. Order the inclusion of Mr. NOEL FLANNIGAN as an additional Defendant in this matter, applying all underlying allegations and relief requested to Mr. NOEL FLANNIGAN; and
- b. For such further and other relief as the court deems just.

Respectfully Submitted:



THERESA V. JOHNSON
Attorney for Plaintiff

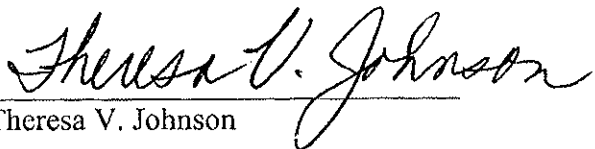
Dated: September 17, 2010

Theresa V. Johnson, Attorney for Plaintiff
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, IL 60559
Telephone: (630) 321-1330
Fax: (630) 321-1185
Cook County Attorney No. 37363

CERTIFICATE OF SERVICE

I, Theresa V. Johnson, hereby certify that a copy of the foregoing **PLAINTIFF'S VERIFIED AMENDED COMPLAINT ADDING NOEL FLANAGAN AS DEFENDANT** is tendered to Defendant's counsel, as listed below, by fax, this 17th day of September, 2010.

Kevin Duff
John Murray
Rachlis Durham Duff & Adler, LLC
542 South Dearborn, Suite 900
Chicago, Illinois 60605
(312) 733-3950
(312) 733-3952 (fax)


Theresa V. Johnson

Theresa V. Johnson, Attorney for Plaintiff
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, IL 60559
Telephone: (630) 321-1330
Fax: (630) 321-1185
Cook County Attorney No. 37363

for service of process is located at 5069 South 108th Street, Omaha, NE 68137 (See **GROUP EXHIBIT A**).

3. Defendant CSSS is not registered as a corporation or as a d/b/a entity in Illinois. (See **EXHIBIT B**).

4. Defendant Wolford is the President of CSSS and resides in Nebraska.

5. Defendant Slater is the site manager and acting representative of CSSS VA Hines contract and is the former CSSS manager of Plaintiff. Slater resides at 1409 N. Ashland Ave., Chicago, IL 60622.

6. The acts Plaintiff complains of in this Verified Complaint took place in Cook County, IL, and therefore jurisdiction and venue are proper in Cook County.

SECTION II. FACTS

FACTUAL BACKGROUND AND CHRONOLOGY OF KEY EVENTS

1. On December 16, 2006, CSSS sponsored a Holiday Party at Francescas Fiore restaurant in Forest Park, IL. Plaintiff, one other CSSS employee, and three subcontractors were the only non-management staff to attend the Holiday Party.

2. Defendant Wolford, CSSS'S President, established a gift "grab bag" and provided three "gifts."

3. Maria Milan, a sub-contractor for CSSS, received the *first gift* - a \$50.00 gift card to a shopping mall.

4. Thiem Khaw, also a sub-contractor for CSSS, received the *second gift* - a \$25.00 or \$40.00 gift card to a shopping mall (Plaintiff is uncertain of the exact amount

5. Plaintiff, received the *third gift* - a coupon worth \$10.00 off the purchase of \$50.00 or more to a Build-a-Bear Workshop and a chocolate candy bar with a coupon on the inside of the wrapper worth 25% off an online FTD flower order.

6. The Plaintiff took the \$10.00 off \$50.00 purchase of a Build-A-Bear workshop and coupon for 25% off an online FTD flowers purchase as a joke, since the gift, unlike the *first*

and *second gifts*, was of no value unless the recipient wanted to enroll in a Build-A-Bear workshop or buy flowers online.

7. Plaintiff, along with several of his co-workers; poked fun at both the gift, and the gift giver.

8. During a conversation at the Holiday party with his friends and co-workers, Plaintiff, joking around, referred to himself as a "Pollock" and to his fiancé as a "Dago".

9. On December 18, 2006, Defendant Slater, Plaintiff's immediate manager and local CSSS representative, in his official capacity, spoke with the Plaintiff regarding the fact that Defendant Wolford wanted to send Plaintiff to sensitivity training because of Plaintiff's comments at the Holiday Party referring to himself as a "Pollock" and his fiancé being a "Dago". Defendant Slater also told Plaintiff that he (Slater) discussed Plaintiff's self-directed ethnic comments (i.e., "Pollock" – a slang derogatory term referring to a person of Polish descent, and "Dago" – a slang derogatory term referring to a person of Italian descent.) with Defendant Wolford. Defendant Slater indicated to Plaintiff that he told Defendant Wolford that he (Defendant Slater) did not believe that Plaintiff was prejudiced against either group because of Plaintiff's own self-directed comments or that Plaintiff needed sensitivity training. Defendant Slater also said that "Pollock" and "Dago" are common everyday colloquial language in Chicago. Additionally, Defendant Slater told the Plaintiff that he informed Defendant Wolford that Richard J. Daley, Chicago's mayor, allegedly once publicly stated to the effect, "What is a 'dago' doing as the queen of the Irish parade?" (See **EXHIBIT C**, "Purported ethnic slur by Daley sparks great Chicago furor").

10. On January 11, 2007, Defendant Slater asked Plaintiff for a meeting with himself and Anthony Slatton, Senior Systems Engineer (on information and belief, apparently acting as a

witness). Upon entering his office, Defendant Slater told the Plaintiff that his poking fun at the Holiday grab bag "gift" may have been construed as offensive by Defendant Wolford and suggested that the Plaintiff should not speak ill of the Defendant Wolford and/or the "gift" anymore.

11. The Plaintiff informed Defendant Slater of his displeasure over the "gift," that he (Plaintiffs) would comply with the Defendant Slater's request, and he (Plaintiff) would be searching for new employment.

12. On January 16, 2007, the Plaintiff arrived at work at 6:00 a.m.

13. Through the course of the day on January 16, 2007, Plaintiff was informed that some very high profile email mailbox moves were approved for that night.

14. On January 16, 2007, Plaintiff left the office at 1:30 p.m., went home, took a nap and came back to the office at 7:00 p.m. to perform the high profile email moves himself; Plaintiff continued to work until 3:30 a.m. on January 17, 2007, and then went home to get some sleep.

15. After waking up again on January 17, 2007, Plaintiff checked his work email via the internet and noticed that he had received an email from Defendant Slater stating that Defendant Slater wanted to have a meeting with the Plaintiff in Defendant Slater's office at 10:00 a.m. the following day (January 18, 2007).

16. On January 18, 2007, the Plaintiff arrived at work as usual at 6:00 a.m.

17. On January 18, 2007 at 7:59 a.m., Plaintiff sent a customer satisfaction/survey email to Lynn Sepple, requesting her opinion regarding his work performance. Lynn Sepple was Plaintiff's main contact for VIP work at Veterans Affairs. The email stated the subject as "Honest opinion needed". The email ("Email No. 1") (See **EXHIBIT D**) read as follows:

EMAIL NO. 1

From: Cynowa Chris (CSSS)
Sent: Thursday, January 18, 2007 7:59 AM
To: Sepple, Lynne
Subject: Honest opinion needed

As one of the most frequent and most important customers, I would like to ask your honest opinion on a few things. If you would be so kind as to give me a rating from 1 to 10 (10 being the best) on the following, I would be most appreciative.

1. Professionalism
2. Competence
3. Technical knowledge
4. Knowing when to escalate and doing so
5. Resolving issues in a timely manner
6. Personal interaction
7. Willingness to go above and beyond to have a job done
8. Attention to detail
9. Following procedures
10. Ensuring complete customer satisfaction;

Thank you for your time on this.

Chris Cynowa
Senior Systems Engineer Department of Veterans Affairs
OI&T – Enterprise Technology Management
Hines OIFO, Building 20, Hines, IL 60141
Office: 708-410-4042
Cell: 630-546-1191
E-mail: chris.cynowa@va.gov

18. On January 18, 2007, time-stamped at 7:39 a.m., Plaintiff received the following answer from Lynne Sepple (See EXHIBIT D):

EMAIL NO. 2

From: Sepple, Lynne
Sent: Thursday, January 18, 2007 7:39 AM
To: Cynowa Chris (CSSS)
Subject RE: Honest opinion needed

10 on all. 10+ on 1,6,7,8,10 – in fact 10+ on all too. You are VERY easy to work with, personable, technically competent, and detail oriented. And you the type of worker that you only have to tell you something once – and you’ve got it.

19. On January 18, 2007 around 9:15 a.m., CSSS employee, William Slater, asked VA employee, Gary Knipple, to call Department of Veteran Affairs Police Office and to request that the police standby while CSSS supervisors terminated Plaintiff.

20. Hines VA Police Officer Bob Androwski was assigned by Lt. Unthank to stand by during Cynowa’s termination. (See **EXHIBIT E - DEPARTMENT OF VETERANS AFFAIRS VA POLICE REPORT UOR # 07-01-18-0915**).

21. While Officer Bob Androwski waited in Defendant Slater’s office, Slater, on behalf of CSSS, Wolford, and himself, published the following oral statement (hereafter, “**Publication No.: 1**”) to Officer Androwski:

ORAL DEFAMATORY PUBLICATION NO. 1

...Mr. Cynowa has a temper and has had a few verbal confrontations with the staff. Mr. Cynowa mentioned having an AK-47 assault rifle.

22. On January 18, 2007, at around 9:35 a.m., Plaintiff was working on trouble tickets and at around 9:35 a.m., and finding a proper opportunity for a break, Plaintiff went to Defendant Slater's office and asked Defendants if they could meet before 10 a.m.; however, Defendant Slater said “No,” come back at 10:00 a.m.

23. Plaintiff checked in again with Defendant Slater at 10:00 a.m., but Defendant Slater stated he would come and get Plaintiff when he (Defendant Slater) would be ready to meet with Plaintiff. Therefore, Plaintiff continued doing his work and waited for Defendant Slater.

24. On January 18, 2007 between 10:30 a.m. and 11:00 a.m. Anthony Slatton, came to Plaintiff's desk and stated that the Defendant Slater wanted to meet with the Plaintiff in the small conference room.

25. Upon entering the conference room, Plaintiff saw Veterans Administration Police Officer Robert Androwski and Defendant Slater.

26. Defendant Slater handed Plaintiff a one page document.

27. Defendant Slater read the document out loud in front of the Plaintiff, Anthony Slatton and Police Officer Androwski and Scott Theobald, CSSS employee and HR Director, and Defendant Wolford , CSSS President, were also present via a conference call which was on speakerphone and heard by Plaintiff and unknown others. The document read as follows (See EXHIBIT F):

CONFIDENTIAL COMPANY MEMO

To: Christopher Cynowa, Senior System Engineer
From: William F. Slater, Program Manager
CC: Anthony Slatton, Senior Systems Engineer
Scott Theobald, HR Director
Lisa Wolford, President
Date: January 18, 2007
Subject: Termination of Your Employment at CSSS.NET at the VA Hines OIFO

Chris:

At the request of Ms. Lisa Wolford, President of CSSS.NET, your employment with CSSS.NET at the VA Hines OIFO is hereby terminated effective immediately. You are being terminated for the causes of insubordination and for being a disruptive influence in the workplace by engaging in several negative workplace behaviors. These are in violation of your Employment Agreement, and so your employment at CSSS.NET is being terminated.

You will surrender your Campus Access Pass immediately. A VA Hines Security Guard will escort you back to your desk to gather and pack any personal belongings you may have. You are now no longer authorized to access any not to access any VA computer or network resources. After you pack your personal belongings, you will quietly leave Building 20 without conversation with others, and be escorted by a Security Guard off the VA Hines facility. You are requested to not return VA Hines

facility and if you have any other property that belongs to the VA it must be returned as soon as possible to Ms. Kimberly Griffin via U.S. Postal Service.

The CSSS.NET HR Director, Scott Theobald (1-402-393-8059) will contact you regarding final arrangements on your pay and your benefits.

Signed,

William F. Slater, III, PMP
Program Manager, CSSS.NET

28. Plaintiff asked CSSS employee/HR Director Theobald for any and all documentation that led to decision of terminating Plaintiff's employment. Employee Theobald told Plaintiff that all he (Plaintiff) was going to get was in the form of this CSSS.NET Confidential Company Memo document. (EXHIBIT F).

29. After reading the CSSS.NET Confidential Company Memo, Police Officer Androwski escorted Plaintiff to his desk where Plaintiff was allowed to collect his personal belongings.

30. Officer Androwski then walked with Plaintiff, who was carrying his belongings, to Plaintiff's car.

31. Upon reaching outside of the building, Plaintiff reached into his jacket pocket for a cigarette.

32. Police Officer Androwski, looking very concerned at Plaintiff's reach for his cigarette, said to Plaintiff: "*You aren't reaching for a gun are you?*" to which Plaintiff responded "*I don't even own a gun and would surely not be going to jail for the person that had just fired me, I would let the lawyers do the work.*"

33. Officer Androwski then asked Plaintiff: "*Do you have any loaded weapons in your car?*"

34. Plaintiff responded similarly as he did to the first inquiry: *"No, I don't have any weapons in the car and I am not going to "GO POSTAL".*

35. Plaintiff at no time ever stated that he owned or had ever owned a gun.

36. Plaintiff did not own a loaded or unloaded weapon (a "gun").

37. Noone at CSSS ever saw Plaintiff with a gun.

38. Upon returning to Plaintiff's home on January 18, 2007, Plaintiff promptly applied to the Illinois Department of Employment Security ("IDES") for unemployment benefits and began to search for new employment.

39. On January 18, 2007 at 13:23 p.m. Plaintiff received the following email from Randy Padal (**EXHIBIT G**), another CSSS colleague who was also contracted to do the same work as Plaintiff:

EMAIL NO. 3

From: Randy Padal
To: ccynowa@yahoo.com
Subject: Job Reference for Hines
Date: Thu, 18 Jan 2007 13:23 p.m.

Chris,

Nobody really knows 100% what happened but rest assured that your coworkers will miss you here at Hines.

I personally appreciated the hard work you did during the migrations. Not many men would work 84 hour weeks for 3 weeks straight and offer not to take a day off at Thanksgiving too. I could always depend upon you to get something done when I needed it done.

I am certain you will use Larry as a reference for your time here at Hines. Feel free to also list me as a reference as you will always get a good one from me. I also noted to Mr. George Jackson that you were available for hire if he had any contracts needing a dedicated hard working System Engineer.

Take care of yourself and your family,

Randy Padal

40. On January 20, 2007, Plaintiff received a telephone call on his cell phone from colleagues with whom he was friendly, Tushar Engreji and Michael Nikiforos, who told Plaintiff “the word is spreading amongst VA employees that you had or kept a gun in your car and you were going to come in and start shooting people when you got fired. Some co-workers was afraid and wanted to lock the doors.”

41. On January 22, 2007, Plaintiff completed for the Department of Veteran’s Affairs, Hines Police Office a Freedom of Information Act Request form requesting the copy of the Police Report written by the police Officer Bob Androwski on or about January 18, 2007, concerning Plaintiff’s termination of employment.

42. On January 23, 2007, Plaintiff received a "notice of local interview" from the Illinois Department of Employment Security (IDES), informing Plaintiff that CSSS was objecting to and fighting against Plaintiff receiving unemployment benefits (**EXHIBIT H**).

43. The Illinois Department of Employment Security scheduled a telephone interview with Plaintiff for February 5, 2007 at 10:00 a.m.

44. On January 26, 2007, Plaintiff filed a motion to abate his child support and daycare obligations (for his young daughter, 5years old at the time) since Plaintiff’s loss of income prevented Plaintiff from being able to fully fulfill his child/support daycare obligations. The court date was set for February 5, 2007 at the Kane County Courthouse in St. Charles, IL.

45. On January 31, 2007, Plaintiff picked up Officer Bob Androwski's Police Report printed on the same date.

46. The Report given to Plaintiff had all names redacted (**EXHIBIT I**) – i.e., it had been “sanitized” by the Hines Police. The non-sanitized Hines Police Report (**EXHIBIT E**) published in pertinent part, the following information (hereafter, “**Publication No.: 2**”):

DEPARTMENT OF VETERANS AFFAIRS
VA POLICE REPORT UOR # 07-01-18-0915

Investigation:

On January 18, 2007 at 0915 hrs, I was dispatched to go to bldg 20 around 0950 to standby while an employee is given termination papers. I met with Mr Gary Knippel and he brought me to Mr William Slater's office.

I waited in Mr Slater's office while he was completing some phone calls. Mr Slater during this time stated "that Mr Cynowa has a temper and has had a few verbal confrontations with the staff. He also said that Mr Cynowa mentioned having an AK-47 assault rifle". Mr Slater was nervous about how Mr Cynowa would react to receiving the termination papers. Mr Cynowa and myself walked to the conference room and waited for Mr Cynowa. Mr Slater and Mr Slatton walked in and Mr Slater handed Mr Cynowa the termination paper. He appeared to be slightly mad and surprised. He did remain under control and professional. He did ask some questions of Mr Slater and then walked to his desk. He retrieved all his belongings and then handed his badge over to Mr Slater. We then walked to his car and got his parking pass. Before entering his car, I did ask him if he had any weapons in the car. He replied "No, I don't have any weapons in the car and I'm not going to go POSTAL". We walked back upstairs to check if anything was forgotten and then he handed the parking pass over. We then walked back downstairs and he departed the facility. This was around 1047hrs.

Disposition:

This investigation is closed. Mr. Cynowa exited the facility without any incident occurring.

Bob Androwski #3542
Investigating officer

47. On February 5, 2007, a Kane County divorce court reduced Plaintiff's child support order from \$486.60 bi-monthly to \$ 73.40 per week based on expected unemployment compensation from CSSS which CSSS challenged.

48. On February 5, 2007, the Plaintiff received a call from Illinois Department of Employment Security for Plaintiff's interview regarding the circumstances surrounding Plaintiff's termination.

49. The interviewer informed Plaintiff that she would call CSSS for a rebuttal discussion, and that Plaintiff would be notified via mail of the outcome.

50. On or about April 2, 2007, Plaintiff, after 3 months of unemployment, began new employment for a private employer who does not perform work on U.S. federal contracts.

SECTION III. COUNTS

COUNT I – Defamation “Per Se”- Imputing Criminal Offense- Slander PUBLICATION No. 1: Defendant's Slater’s Oral Statement January 18, 2007

50. Plaintiff re-alleges the Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. On January 18, 2007, Defendant Slater on behalf of CSSS, with full knowledge and approval from Lisa Wolford and Scott Theobald, as agents for CSSS, made oral statement(s) to the Hines VA Police Officer Androwski that the Plaintiff *“has a temper and has had a few verbal confrontations with the staff....”*, he also said the Plaintiff *“mentioned having an AK-47 assault rifle”*.

52. Officer Bob Androwski walked with Plaintiff who was carrying his belongings to Plaintiff's car.

53. Upon reaching the outside of the building, Plaintiff reached into his jacket pocket for a cigarette.

54. Officer Bob Androwski, looking very concerned at Plaintiff reach for his cigarette, said to Plaintiff: *“You aren't reaching for a gun are you?”* to which Plaintiff responded *“I don't even own a gun and would surely not be going to jail for the person that had just fired me, I would let the lawyers do the work.”*

55. Officer Bob Androwski then asked Plaintiff: *"Do you have any loaded weapons in your car?"* Plaintiff responded similar as he did to the first inquiry: *"No, I don't have any weapons in the car and I am not going to GO POSTAL."*

56. The above questions of Officer Bob Androwski, asked of Plaintiff, when taken together make it clear that CSSS'S defamatory statements made Officer Androwski afraid that Plaintiff was armed, dangerous and that plaintiff might shoot his co-workers.

57. The statements in Publication 1 above, which were made orally are *false* and *defamatory "per se"* in that they state that Plaintiff is unable to control his temper (a necessary virtue of being an officer/worker), and that Plaintiff would even go to the extent of using an AK-47 assault rifle(which Plaintiff allegedly possessed or said he possessed) to kill people in response to information of employment termination.

58. Defendants, through *oral* statements in the Hines VA Police Report, *imputed to Plaintiff the commission of a criminal offense.*

59. *CSSS office employees, believing that the Plaintiff would, in fact, "GO POSTAL" and commit an act of workplace terrorism, made requests for the door at the CSSS office to be secured.*

60. Defendants' Publication 1 oral statements are false and defamatory per-se.

61. The Illinois Criminal Code makes it is a crime to make a false report of danger.

62. Defendants, acting in the scope of their employment (CSSS, Defendant Wolford, and Defendant Slater), acted together in their respective official capacities to defame Plaintiff.

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

A. Special damages for all economic losses of wages, benefits and vacation dates;

- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT II – Defamation “Per Se” Imputing Criminal Offense- Libel
WRITTEN PUBLICATION No. 1: Defendant's Slater's
Written Police Report Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. Defendants' false statements, Publication 1 of Count I above, which were made orally to the Hines VA Police Officer Androwski were recorded by Officer Androwski in *written* statements in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the U.S. Attorney's office (a federal office), (EXHIBIT E) are *false and defamatory “per se”* in that they state that Plaintiff is unable to control his temper, (a necessary component of working in an office), even to the extent of using an AK-47 assault rifle (which Plaintiff allegedly possessed or allegedly said he possessed) in response to being informed of his job termination.

52. The impact of CSSS'S *written* statements to others was a perceived *workplace terror threat*.

53. The Illinois Criminal Code makes it is a crime to make a false report of danger.

54. Defendants, through *written* statements, *imputed to Plaintiff the commission of a criminal offense and caused CSSS office employees to believe that the Plaintiff would in fact “GO POSTAL” and commit an act of workplace terrorism.*

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;

- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT III – Defamation “Per Se” - Imputing Lack of Ability in PLAINTIFF’S Trade, Profession or Business-Slander ORAL PUBLICATION No. 1 : Defendant’s Slater’s Oral Statement January 18, 2007

51. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

52. Defendants, through their *oral statements imputed to Plaintiff an inability to perform or want of integrity in the discharge of duties of employment.*

53. The statements in paragraph 3 of Count I above, which were made orally and were written in Officer Androwski’s Police Report are *false and defamatory “per se”* in that they state that Plaintiff is unable to control his temper, a necessary component of working in an office, even to the extent of using an AK - 47 assault rifle(which Plaintiff allegedly possessed or said he possessed) in response to information of termination.

• **WHEREFORE**, Plaintiff Cynowa Christopher S., respectfully prays that this Honorable Court rules in his favor and render judgment against Defendants et. al., Jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT IV – Defamation “Per Se”. Imputing Lack of Ability in PLAINTIFF’S Trade, Profession or Business-Libel
WRITTEN PUBLICATION No. 2: Defendant's Slater Written Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. The statements of paragraph 3 of Count I above, which were made orally to the police officer Androwski and recorded in *written* remarks in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the US Attorney’s office, (EXHIBIT D) are *false and defamatory “per se”* in that they state that Plaintiff is unable to control his temper, a necessary component of working in an office, even to the extent of using an AK - 47 ASSAULT RIFLE (which Plaintiff allegedly possessed or said he possessed) in response to information of termination.

52. Defendants, through their *written* statements *imputed to Plaintiff an inability to perform or want of integrity in the discharge of duties of employment.*

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT V – Defamation “Per Quod”- Criminal Offence- Slander
ORAL PUBLICATION No.: 1: Defendant's Slater Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. The statements in paragraph 3 of Count I above, which were made orally to the Hines VA Police Officer Androwski by CSSS'S employees are *false and defamatory "per quod" in that I) they were about Plaintiff, II) the statements were false: a)Plaintiff did not own AK-47 assault rifle, b)Plaintiff never stated that he owned an AK-47 assault rifle.*

52. No one from CSSS had ever seen Plaintiff with a gun nor was there any statement made by the Plaintiff Cynowa himself that he possessed a gun.

53. The impact of CSSS'S *oral* statements to others is a perceived *workplace terror threat*. In fact, the Illinois Criminal Code makes it is a crime to make a false report of danger.

54. Defendants through *verbal* statements *imputed to Plaintiff the commission of a criminal offence and caused employees to believe that the Plaintiff would in fact "GO POSTAL" and commit an act of workplace terror.*

55. The foregoing defamatory statements were made by the Defendants et al. with the knowledge of their falsity, with actual malice, or with reckless disregard for the truth, and *impute to Plaintiff criminal offence*, so as to justify an award of punitive damages.

56. As a *proximate result* of the aforementioned defamatory statements by Defendants, Plaintiff suffered damages/injuries as follows:

- a. Loss of his job;
- b. Loss of wages in the approximate amount of \$16,923.08 and benefits for 11 weeks from January 18, 2007, until April 2, 2007, including medical benefits of approximately \$1,060.00;
- c. Inability to pay adequate child support for his 5 year old daughter;
- d. Injuries to professional and personal reputation;
- e. Humiliation and emotional and physical distress.

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT VI – Defamation “Per Quod”- Criminal Offense- Libel
WRITTEN PUBLICATION No. 2: Defendant Slater’s Written Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. The statements in paragraph 3 of Count I above, which were made orally to the Hines VA Police Officer Androwski by CSSS’S employees and recorded in *written* remarks in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the US Attorney’s office, (EXHIBIT D) are *false and defamatory “per quod” in that I) they were about Plaintiff, II) the statements were false: a) Plaintiff did not own AK-47 assault rifle, b)Plaintiff never stated that he owned an AK-47 assault rifle.*

52. Plaintiff Cynowa did not and does not own a gun.

53. No one from CSSS had ever seen Plaintiff with a gun nor was there any statement made by the Plaintiff Cynowa himself that he possessed a gun.

54. The impact of CSSS’S *written* statements to others is a perceived *workplace terror threat*. In fact, the Illinois Criminal Code makes it is a crime to make a false report of danger.

55. Defendants, through *written* statements *imputed to Plaintiff the commission of a criminal offence and caused employees to believe that the Plaintiff would in fact “GO POSTAL” and commit an act of workplace terror.*

56. The foregoing defamatory statements were made by the Defendants with the knowledge of their falsity, with actual malice, or with reckless disregard for the truth, and impute criminal offence, so as to justify an award of punitive damages.

57. As a *proximate result* of the aforementioned defamatory statements by Defendant , Plaintiff suffered damages/injuries as follows:

- a. Loss of his job;
- b. Loss of wages in the approximate amount of \$16,923.08 and benefits for 11 weeks from January 18, 2007, until April 2, 2007, including medical benefits of approximately \$1,060.00;
- c. Inability to pay adequate child support for his daughter in 2007;
- d. Injuries to professional and personal reputation;
- e. Humiliation and emotional and physical distress.

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT VII – Defamation “Per Quod”- Imputing Lack of Ability in PLAINTIFF’S Trade, Profession or Business – Slander
ORAL PUBLICATION No.: I: Defendant Slater’s Oral Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. The statements in paragraph 3 of Count I above, which were made orally to the Hines VA Police Officer Androwski by CSSS’S employees are *false and defamatory “per quod” in that I) they were about Plaintiff, II) the statements were false: a)Plaintiff did not own AK-47 assault rifle, b)Plaintiff never stated that he owned an AK-47 assault rifle.* } *etc*

53. No one from CSSS had ever seen Plaintiff with a gun nor there were any statements made by the Plaintiff Cynowa himself that he possessed a gun.

54. The foregoing defamatory statements were made by the Defendants et al with the knowledge of their falsity, with actual malice, or with reckless disregard for the truth, and *imputed to Plaintiff an inability to perform or want of integrity in the discharge of duties of employment, so as to justify an award of punitive damages.*

55. As a *proximate result* of the aforementioned defamatory statements by Defendant , Plaintiff suffered damages/injuries as follows:

- a. Loss of his job;
- b. Loss of wages in the approximate amount of \$16,923.08 and benefits for 11 weeks from January 18, 2007 until April 2, 2007 including medical benefits of approximately \$1,060.00;
- c. Inability to pay adequate child support for his 5 year old daughter;
- d. Injuries to professional and personal reputation;
- e. Humiliation and emotional and physical distress.

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT VIII – Defamation “Per Quod”- Imputing Lack of Ability in PLAINTIFF’S Trade, Profession or Business – Libel PUBLICATION No. 2 : Defendant Slater’s Written Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. The statements in paragraph 3 of Count I above, which were made orally to the Officer Androwski by CSSS’S employees and recorded in *written* statements in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the US Attorney’s office, (EXHIBIT D) are *false and defamatory “per quod” in that I) they were about Plaintiff, II) the statements were false: a)Plaintiff did not own AK-47 assault rifle, b)Plaintiff never stated that he owned an AK-47 assault rifle.*

52. The foregoing defamatory statements were made by the Defendants et al with the knowledge of their falsity, with actual malice, or with reckless disregard for the truth, and *imputed to Plaintiff an inability to perform or want of integrity in the discharge of duties of employment*, so as to justify an award of punitive damages. No one from CSSS had ever seen Plaintiff with a gun nor there were any statements made by the Plaintiff Cynowa himself that he possessed a gun.

54. As a *proximate result* of the aforementioned defamatory statements by Defendant , Plaintiff suffered damages/injuries as follows:

- a. Loss of his job;
- b. Loss of wages in the approximate amount of \$16,923.08 and benefits for 11 weeks from January 18, 2007, until April 2, 2007,

including medical benefits of approximately \$1,060.00 Inability to pay adequate child support for his 5 year old daughter;

- c. Injuries to professional and personal reputation;
- d. Humiliation and emotional and physical distress.

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT IX

False light against all Defendants

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. Moreover, in the IT industry in which Plaintiff worked, personal reputation and references are of utmost importance and Plaintiff's credibility, both personal and professional was severely compromised by CSSS'S defamatory conduct.

52. The statements of paragraph 3 of Count I above, which were made orally to the police officer Androwski and the recorded *written* in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the US Attorney's office, **EXHIBIT D** are *false* and *defamatory "per se"* in that they state that Plaintiff is unable to control his temper (a necessary virtue of an office worker) even to the extent of using an AK-47 assault rifle (which Plaintiff allegedly possessed or said he possessed) in response to information of termination.

53. Plaintiff was placed in a false light before the public as a result of the CSSS'S actions because the publications made orally and subsequently reduced to writing, and were communicated to Plaintiff's colleagues, friends and co-workers. Many of those persons took the publication seriously – i.e., that Plaintiff had an AK - 47 assault rifle and that he posed a likely threat of workplace terror was likely and some co-workers fearful for their safety requested a "lock-down" of the building.

54. The false light in which the Plaintiff was placed would be highly offensive to a reasonable person.

55. CSSS acted with actual malice, that is, with knowledge that the statements were false or with reckless disregard for whether the statements were true or false. CSSS had no cause to ever believe that Plaintiff was a dangerous person or whether Plaintiff actually owned any firearms.

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT X

Intentional Infliction of Emotional Distress (IIED) against all Defendants

50. PLAINTIFF re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. DEFENDANTS' false statements that Cynowa "has a temper" and has "an AK-47 assault rifle, taken together, characterize Cynowa as a work place terrorist.

52. DEFENDANTS' conduct was *extreme* and *outrageous* and goes beyond all possible bounds of *decency*, and is to be regarded as intolerable in civilized society.

53. DEFENDANTS' conduct directly caused PLAINTIFF'S severe emotional distress.

54. PLAINTIFF was forced to obtain medical attention and medications for emotional distress as a direct result of the DEFENDANT'S *extreme* and *outrageous* conduct.

55. DEFENDANTS either intended to inflict severe emotional distress upon PLAINTIFF or knew that there was a high probability that their conduct would cause sever emotional distress to PLAINTIFF.

56. DEFENDANT'S *intentional infliction of emotional distress* resulted additional grave injury to PLAINTIFF as follows:

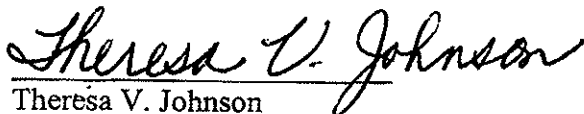
- a. PLAINTIFF'S blood pressure reached dangerous levels.
- b. PLAINTIFF incurred medical expenses.
- c. PLAINTIFF suffered financial injury in excess of \$16,900.00 for loss and other damage for late payment of his bills.
- d. PLAINTIFF lost his ability to support himself, his 5 year old child, his fiancé, and his fiancé's 3 minor children
- e. PLAINTIFF suffered serious damage to their professional reputations.

WHEREFORE, PLAINTIFF Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

Date: January 14, 2008

Respectfully Submitted:


Theresa V. Johnson

Attorney at Law
Law Office of Theresa V. Johnson
200 E. Chicago Ave. Suite 200
Westmont, IL 60559
Tel: 630-321-1330
Fax: 630-321-1185
Cook County ID: 36373

ATTORNEY'S STATEMENT

I, the undersigned, state that I am the attorney of record in the above entitled cause and representing the party who has signed the foregoing pleading. My business address is 200 East Chicago, Suite 200, Westmont, Illinois 60559. I certify that I have read the foregoing pleading and that to the best of my knowledge, information, and belief, formed after reasonable inquiry of my client, said pleading, and it is well-grounded in fact and is warranted by existing law or good faith argument for the extension, modification, or reversal of existing law, and that said pleading is not interposed for any improper purpose, such as to harass or cause unnecessary delay or needless increase in the cost of litigation.

Theresa V. Johnson Dated: January 4, 2008
THERESA V. JOHNSON

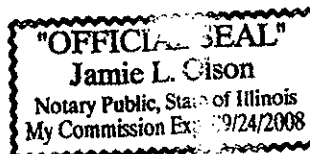
CLIENT'S VERIFICATION

UPON PENALTY OF PERJURY, I, the undersigned, state that I have read the foregoing pleading, including the "Attorney Statement". I further state that I have provided to the attorney who has signed this document, information which, to the best of my knowledge and belief, is true and accurate. I further state that this pleading is being filed with my consent and as part of my attorney's required duties in representing me. I further state that my attorney has explained to me by signing this verification, I am acknowledging that my attorney is acting with my consent and my direction and that my attorney has based his statement on the factual information provided to her by me.

CS Dated: 1-4-08
CHRISTOPHER S. CYNOWA

Subscribed and Sworn to before me this 4th day of January, 2008

[Signature]
NOTARY PUBLIC



Theresa V. Johnson, Attorney for Plaintiff
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, IL 60559
Telephone: (630) 321-1330
Fax: (630) 321-1185
Cook County Attorney No. 37363

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SOS Account Number: 1565372

Principal Office Address

Not Available

Registered Agent and Office Address

LISA N. WOLFORD
5069 SOUTH 108TH ST
OMAHA, NE 68137

Nature of Business	Entity Type	Date Filed	Account Status
COMPUTER SOFTWARE CONSULTING	Domestic Corp .	Jul 22 1997	Active

Corporation Position	Name	Address
President	LISA WOLFORD	3202 S 90TH AVE OMAHA, NE 681240000
Treasurer	LISA WOLFORD	3202 S 90TH AVE OMAHA, NE 681240000

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PP	Proof of Publication	Sep 03 1997	
<input type="checkbox"/>	TR Tax Return	Mar 31 1999	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	TR Tax Return	Apr 18 2000	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	TR Tax Return	Feb 05 2001	\$0.45 = 1 page(s) @ \$0.45 per page

Group EXHIBIT A
Cynowa v. CSSS
2 of 6

- Nebraska Secretary of State - John A. Fiala

<input type="checkbox"/>	TR	Tax Return	Jan 18 2002	\$1.00 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	TR	Tax Return	Jan 22 2003	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	AO	Change of Agent or Office	Mar 04 2003	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	TR	Tax Return	Jan 21 2004	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	TR	Tax Return	Feb 28 2006	\$0.45 = 1 page(s) @ \$0.45 per page

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- I want to order an online/electronic Letter of Good Standing for the Corporation which is immediately available for viewing or printing from my desktop. \$6.50

- Certificate of Good Standing

- I want to order a Certificate of Good Standing for the Corporation which contains the State Seal and signature of the Secretary of State. The certificates are mailed from the Secretary of State's office within 2-3 business days. \$10.00

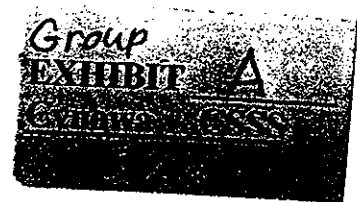
[Click Here](#) to view FAQ for explanation for requesting a Letter of Good Standing available online or Certificate of Good Standing available from Secretary of State's office.

[Select All](#) | [Select None](#)

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For Help/Information about Images, please view the [FAQ](#). Thank you!





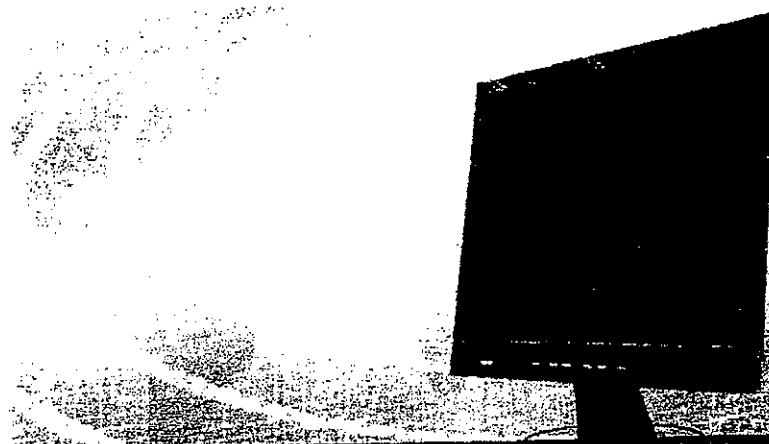
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- VETS GWAC

Office Locations

Washington, D.C.
 729 15th Street NW
 Suite 600
 Washington, DC 20005
 Telephone 202.393.5464
 Fax 202.393.5468

Corporate Office
 Bellevue, Nebraska
 3906 Raynor Parkway
 Suite 201
 Bellevue, NE 68123
 Telephone 402.393.8059
 Fax 402.393.1825



System Engineering and Integration

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November 23, 2007 - Ex-Marine breaks into business of government technology

Lisa Wolford's name is followed by adjectives not typically found among defense company CEOs - [read more...](#)

November 20, 2007 - Northrop Grumman will mentor CSSS.NET through the Mentor-Protégé Program

The National Geospatial Intelligence Agency (NGA) has awarded a new Mentor-Protégé Program agreement to Northrop Grumman, which will mentor CSSS.NET - [read more...](#)

August 23, 2007 - First-ever

Group
 EXHIBIT
 CYBOWA
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Company Information:

Name: CSSS, Inc.
Address: 401 W. Lincoln Ave.
Anaheim, CA 92805-2911

UNITED STATES
Phone: (800) 995-1489
Fax: (800) 707-8818
Email: bjo@central-station.com
Website: www.central-station.com

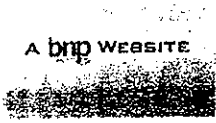
Company Description
CSSS, Inc. has been in business for 29 years. We have one of the most experienced teams in the industry with an average employee experience of 7.5 years, and an average senior staff experience of 14.5 years. We are dedicated to providing the highest quality of monitoring services for all technologies and industries.

Other Services:

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SERVICES PROGRAMS PRESS PUBLICATIONS DEPARTMENTS CONTACT

CORP/LLC - CERTIFICATE OF GOOD STANDING

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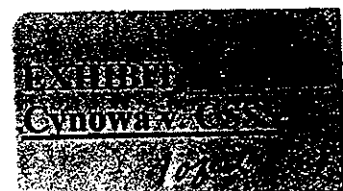
Purported ethnic slur by Daley sparks great Chicago furor

Milwaukee Journal Sentinel, The, Apr 5, 1998 by STEPHEN BRAUN

A lot gets done in this town by political muscle. Favours are redeemed, strings are pulled and, presto: Street people become landed voters. Neighborhoods disappear and highways emerge in their place. Lifelong political vendettas are forgotten.

But Chicagoans last week witnessed a phenomenon that is startling even for a place inured to the excesses of civic life. Something happened or did not happen in a City Hall meeting room filled with people, an event so disputed that it left the town's popular mayor, Richard M. Daley, near tears and provoked a running battle with a politically seasoned columnist for the Chicago Tribune.

Last week, Chicagoans have debated whether Daley might have uttered an ethnic slur about a 20-year-old college student with an Italian surname and Irish heritage who was crowned queen of the city's St. Patrick's Day parade. Columnist John Kass quoted the parade queen, Jennifer Battistoni, as saying she had overheard Daley laughingly refer to her as a "dago" during a photo session last month before a crowded City Hall news conference. Battistoni, Kass wrote, then confronted the mayor, who began sweating and "started giggling, you know, the way people do when they're nervous." Daley, crimson-faced and shaken, called a news conference to deny the remarks. He was seconded by Battistoni, who insisted that she had never heard the mayor using the slur and that Kass, a veteran of Chicago political coverage, had gotten it wrong. "I know my words sometimes get tangled and I leave you wondering just what it is I was trying to say," said Daley, who inherited his penchant for mangling English into tortured syntax from his father, onetime Mayor Richard J. Daley. "But this was not one of those times." Battistoni, who could not be reached for comment, denied on a radio talk show that she had heard any slur. Kass has declined to elaborate outside the confines of three columns. But James O'Shea, the Tribune's deputy managing editor for news, said that the college student's mother worked as a city police officer and that both were "obviously getting jittery" and susceptible to pressure from City Hall to change their story. The furor harks back to a legendary 1989 controversy, Kass reminded his readers, over a statement Daley made to a gathering of supporters as he prepared for his first mayoral election against Timothy C. Evans, a black politician running as the heir to the late Mayor Harold Washington. Evans' backers howled that Daley, referring to Washington's fractious tenure, had been overheard saying it was time Chicago had a "white mayor." Daley replied that he had been talking about a "wet mayor" a reference, he said, to a joke about drinking. The reported remark had no bearing on the election; Daley breezed to victory. Now, a similar purported quip that could maim the careers of most politicians is again glancing off. O'Shea marveled at Daley's seeming invulnerability to bad press a testament to his political clout and his undiminished popularity with Chicagoans. "I don't think it's damaging him," O'Shea said. "Half the people believe him,



half don't, and he just goes on." Several of the city's influential Italian-American fraternal organizations rushed to back Daley, not flay him. Louis Rago, a funeral director who heads the Joint Civic Committee of Italian-Americans, said: "The mayor didn't say it, and we believe him."

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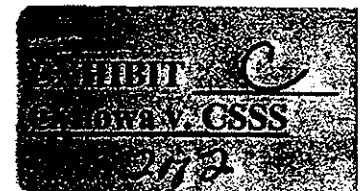


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1 - 2 - Next



Cynowa, Chris (CSSS)

From: Sepple, Lynne
Sent: Thursday, January 18, 2007 7:39 AM
To: Cynowa, Chris (CSSS)
Subject: RE: Honest opinion needed

10 on all. 10+ on 1, 6, 7, 8, 10 - in fact 10+ on all too. You are VERY easy to work with, personable, technically competent, and detail orientated. And you the type of worker that you only have to tell you something once - and you've got it.

From: Cynowa, Chris (CSSS)
Sent: Thursday, January 18, 2007 7:59 AM
To: Sepple, Lynne
Subject: Honest opinion needed

As one of my most frequent and most important customers, I would like to ask your honest opinion on a few things. If you would be so kind as to give me a rating from 1 to 10 (10 being the best) on the following, I would be most appreciative.

1. Professionalism:
2. Competence:
3. Technical knowledge:
4. Knowing when to escalate and doing so:
5. Resolving issues in a timely manner:
6. Personal interaction:
7. Willingness to go above and beyond to get the job done:
8. Attention to detail:
9. Following procedures:
10. Ensuring complete customer satisfaction:

Thank you for your time on this.

Chris Cynowa
Senior Systems Engineer
Department of Veterans Affairs
OI&T - Enterprise Technology Management
Hines OIFO, Building 20, Hines, IL 60141
Office: 708-410-4042
Cell: 630-546-1191
E-mail: chris.cynowa@va.gov

DEPARTMENT OF VETERANS AFFAIRS
VA POLICE
UNIFORM OFFENSE REPORT
UOR# 07-01-18-0915

A Facility
DWARD HINES, JR HOSPITAL
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Date/Time Printed
JUL 06, 2007@09:57

DATE/TIME RECEIVED: JAN 18, 2007@09:15
DATE/TIME OF OFFENSE: JAN 18, 2007@09:15
ENDING DATE/TIME OF OFFENSE: JAN 18, 2007@10:47
LOCATION: Bldg 20

WEAPON USED:
INVESTIGATING OFFICER: ADROWSKI, BOB
METHOD OF OPERATION:

A employee requested that the police standby while another employee was terminated.

CLASSIFICATION CODE: NON-CRIMINAL/INFORMATION

***** COMPLAINANT DATA *****

COMPLAINANT NAME: KNIPPEL, GARY
STATUS: EMPLOYEE
HOME ADDRESS:
HOME PHONE:
WORK ADDRESS:
WORK PHONE: X25804

***** COMPLAINANT DATA *****

COMPLAINANT NAME: SLATER, WILLIAM
STATUS: EMPLOYEE
HOME ADDRESS:
HOME PHONE:
WORK ADDRESS:
WORK PHONE:

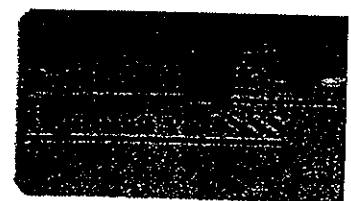
***** OFFENDER DATA *****

OFFENDER NAME: CYNOWA, CHRISTOPHER
SSN: -- DOB:
SEX: RACE:
WEIGHT: HAIR COLOR:
SKIN TONE: SCARS/MARKS:
STATUS: EMPLOYEE
DRIVER'S LICENSE & STATE:
PERSONAL DESCRIPTION:

AGE:
HEIGHT:
EYE COLOR:

HOME ADDRESS:
HOME PHONE:
WORK ADDRESS:
WORK PHONE:

WAS CIP WEAPON USED?
WAS POLICE BATON USED?



DEPARTMENT OF VETERANS AFFAIRS
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OTHER AGENCY NOTIFIED

U.S. ATTORNEY NOTIFIED

***** NARRATIVE *****

ORIGIN:

Per Lt Unthank, I was dispatched to bldg 20 to standby during the termination of an employee.

INITIAL OBSERVATION:

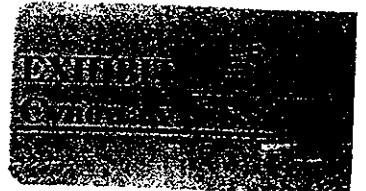
None

INVESTIGATION:

On January 18, 2007 at 0915hrs, I was dispatched to go to bldg 20 around 0950 to standby while an employee is given termination papers. I met with Mr Gary Knippel and he brought me to Mr William Slater's office.

I waited in Mr Slater's office while he was completing some phone calls. Mr Slater during this time stated "that Mr Cynowa has a temper and has had a few verbal confrontations with the staff. He also said that Mr Cynowa mentioned having an AK-47 assault rifle." Mr Slater was nervous about how Mr Cynowa would react to receiving the termination papers.

Mr Slater and myself walked to the conference room and waited for Mr Cynowa. Mr Cynowa and Mr Slatton walked in and Mr Slater handed Mr Cynowa the termination paper. He appeared to be slightly mad and suprised. He did remain under control and professional. He did ask some questions of Mr Slater and then walked to his desk. He retrieved all his belongings and then handed his badge over to Mr Slater. We then walked to his car and got his parking pass. Before entering his car, I did ask him if he had any weapons in the car. He replied "No, I don't have any weapons in the car and I'm not going to go POSTAL". We walked back upstairs to check if anything was forgotten and then he handed the parking pass over. We then walked back downstairs and he departed the facility. This was around 1047hrs.



DEPARTMENT OF VETERANS AFFAIRS
VA POLICE
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UOR# 07-01-18-0915

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DISPOSITION:

This investigation is closed. Mr Cynowa exited the facility without any incident occurring.

BOB ADROWSKI # 3542
INVESTIGATING OFFICER





Confidential Company Memo

To: Christopher Cynowa, Senior System Engineer
From: William F. Slater, III, Program Manager
CC: Anthony Slatton, Senior Systems Engineer
Scott Theobald, HR Director
Lisa Wolford, President
Date: January 18, 2007
Subject: Termination of Your Employment with CSSS.NET at the VA Hines OIFO

Chris:

At the request of Ms. Lisa Wolford, President of CSSS.NET, your employment with CSSS.NET at the VA Hines OIFO is hereby terminated effective immediately. You are being terminated for the causes of insubordination and for being a disruptive influence in the workplace by engaging in several negative workplace behaviors. These are in violation of your Employment Agreement, and so your employment at CSSS.NET is being terminated.

You will surrender your Campus Access Pass immediately. A VA Hines Security Guard will escort you back to your desk to gather and pack any personal belongings you may have. You are now no longer authorized to access any not to access any VA computer or network resources. After you pack your personal belongings, you will quietly leave Building 20 without conversation with others, and be escorted by a Security Guard off the VA Hines facility. You are requested to not return VA Hines facility and if you have any other property that belongs to the VA it must be returned as soon as possible to Ms. Kimberly Griffin via U.S. Postal Service.

The CSSS.NET HR Director, Scott Theobald (1-402-393-8059) will contact you regarding final arrangements on our pay and your benefits.

Signed,

William F. Slater, III, PMP
Program Manager, CSSS.NET



YAHOO! MAIL

Print - Close Window

From: "Randy Padal" <rpadal@hotmail.com>
To: ccynowa@yahoo.com
Subject: Job Reference for Hines
Date: Thu, 18 Jan 2007 13:23:49 -0600

Chris,

Nobody really knows 100% what happened but rest assured that your coworkers will miss you here at Hines.

I personally appreciated the hard work you did during the migrations. Not many men would work 84 hour weeks for 3 weeks straight and offer not to take a day off at Thanksgiving too. I could always depend upon you to get something done when I needed it done.

I am certain you will use Larry as a reference for your time here at Hines. Feel free to also list me as a reference as you will always get a good one from me. I also noted to Mr. George Jackson that you were available for hire if he had any contracts needing a dedicated hard working Systems Engineer.

Take care of yourself and your family,

Randy Padal
819 Erie Drive
Romeoville, IL 60446
rpadal@hotmail.com
Cell 815-685-6158

EXHIBIT G
Cynowa v. CSSS

LAW OFFICE OF THERESA V. JOHNSON	
FEB 07 2007	
BY: <u>JUG</u>	
R	E C E I V E D

DEPARTMENT OF EMPLOYMENT SECURITY
30 DUPAGE COURT
ELGIN, IL 60120

DATE: 01-23-2007 SSN: 356-64-8091

CHRISTOPHER S CYNOWA
2043 LEEWARD LN
HANOVER PARK, IL 60133

NOTICE OF LOCAL OFFICE INTERVIEW
IMPORTANTE NOTICIA DE UNA ENTREVISTA EN LA OFICINA LOCAL

A question has been raised regarding your eligibility for unemployment insurance benefits for the period beginning 01-21-2007. To resolve this question, it will be necessary for you to be interviewed and to supply information regarding your discharge for misconduct connected with work. Section 602A of the Illinois Unemployment Insurance Act applies to your eligibility in this case. This interview is requested because YOU WERE TERMINATED FROM CLIENT SERVER SOFTWARE SOLUTIONS INC. WE WILL CALL YOU ON THE DATE SHOWN BELOW. At the time of your interview, you should be prepared to present any information you have regarding your case.

YOU HAVE BEEN SCHEDULED TO BE INTERVIEWED BY TELEPHONE ON: 02-05-2007 at 10 00 AM. We will telephone you at this time or within ten minutes after this time at 6305461191. the contact telephone number which you provided to us. If this number is incorrect, contact the Claims Adjudicator whose name and phone number appear at the bottom of this letter and correct the number. If a questionnaire is enclosed with this Notice, please complete it and be prepared to answer the questions when we call. If you have witnesses who can provide information helpful to your case, you should have them available when we telephone you.

If you wish to be interviewed in person rather than by telephone, CONTACT THE ILLINOIS DEPARTMENT OF EMPLOYMENT SECURITY AT THE TELEPHONE NUMBER LISTED BELOW.

This notice is for your protection and is not a denial of benefits. A final determination regarding your eligibility for benefits will not be made until after you have had an opportunity to discuss this matter with our office. Failure to make yourself available at the time stated above will result in a determination being made on the basis of information then available to the Claims Adjudicator. YOUR BENEFITS MAY BE SUSPENDED, TERMINATED OR RECOUPED.

IF YOU EXPECT TO BE WORKING, OR FOR ANY OTHER GOOD REASON, YOU WILL NOT BE AVAILABLE FOR THE INTERVIEW, COMPLETE THE ENCLOSED FORM AND MAIL IT TO THIS OFFICE TO RESCHEDULE YOUR INTERVIEW.

Esta noticia es para avisarle que hay una duda sobre su eligibilidad para seguro de desempleo. Para aclarar esta duda usted puede hablar por telefono a la hora y el dia antes mencionados o presentarse a esta oficina para una entrevista en la fecha y la hora indicada. Faltar a entrevistarse por telefono o en persona resultara en una determinacion basada en la informacion al corriente y puede afectar sus beneficios de desempleo. Sus beneficios pueden ser suspendidos, terminados o devueltos en base lo indicado arriba. Si Ud. esta trabajando en la fecha y la hora indicada, complete esta trajeta y enviela por correo a la oficina tan pronto le sea posible.

- 150

ES Service Representative
Phone 847-888-7900 Ext.

Fax 847-888-5547

FORM NBR: Bis-307AR
MIS REF NBR: 00934

(304)

EXHIBIT H
Cynowa v. CSSS

LAW OFFICE OF THERESA V. JOHNSON	
FEB 07 2007	
BY: <u>AVG</u>	
R	E C E I V E D

H

DEPARTMENT OF VETERANS AFFAIRS
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UOR# 07-01-18-0915

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Automated VA Form 10-1393

Date/Time Printed
JAN 31, 2007@10:53

DATE/TIME RECEIVED: JAN 18, 2007@09:15
DATE/TIME OF OFFENSE: JAN 18, 2007@09:15
ENDING DATE/TIME OF OFFENSE: JAN 18, 2007@10:47
LOCATION: Bldg 20

WEAPON USED:
INVESTIGATING OFFICER: ADROWSKI, BOB
METHOD OF OPERATION:

A employee requested that the police standby while another employee was terminated.

CLASSIFICATION CODE: NON-CRIMINAL/INFORMATION

***** COMPLAINANT DATA *****

COMPLAINANT NAME: [REDACTED]
STATUS: EMPLOYEE
HOME ADDRESS:
HOME PHONE:
WORK ADDRESS:
WORK PHONE: X25804

***** COMPLAINANT DATA *****

COMPLAINANT NAME: [REDACTED]
STATUS: EMPLOYEE
HOME ADDRESS:
HOME PHONE:
WORK ADDRESS:
WORK PHONE:

***** OFFENDER DATA *****

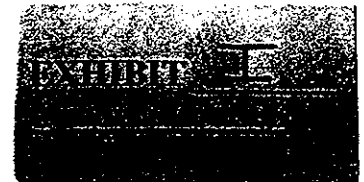
OFFENDER NAME: [REDACTED]
SSN: --
SEX:
WEIGHT:
SKIN TONE:
STATUS: EMPLOYEE
DRIVER'S LICENSE & STATE:
PERSONAL DESCRIPTION:

AGE:
HEIGHT:
EYE COLOR:

DOB:
RACE:
HAIR COLOR:
SCARS/MARKS:

HOME ADDRESS:
HOME PHONE:
WORK ADDRESS:
WORK PHONE:

WAS CIP WEAPON USED?
WAS POLICE BATON USED?



DEPARTMENT OF VETERANS AFFAIRS
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Date/Time Printed
JAN 31, 2007@10:53

OTHER AGENCY NOTIFIED

U.S. ATTORNEY NOTIFIED

***** NARRATIVE *****

ORIGIN:

Per [REDACTED], I was dispatched to bldg 20 to standby during the termination of an employee.

INITIAL OBSERVATION:

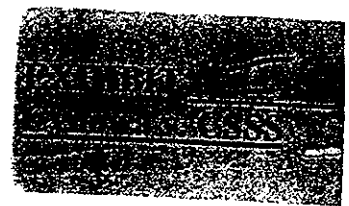
None

INVESTIGATION:

On January 18, 2007 at 0915hrs, I was dispatched to go to bldg 20 around 0950 to standby while an employee is given termination papers. I met with Mr [REDACTED] and he brought me to Mr [REDACTED] office.

I waited in Mr [REDACTED] office while he was completing some phone calls. Mr [REDACTED] during this time stated "that [REDACTED] has a temper and has had a few verbal confrontations with the staff. He also said that Mr [REDACTED] mentioned having an AK-47 assault rifle." Mr [REDACTED] was nervous about how Mr [REDACTED] would react to receiving the termination papers.

Mr [REDACTED] and myself walked to the conference room and waited for Mr [REDACTED]. Mr [REDACTED] and Mr [REDACTED] walked in and Mr [REDACTED] handed Mr [REDACTED] the termination paper. He appeared to be slightly mad and suprised. He did remain under control and professional. He did ask some questions of Mr [REDACTED] and then walked to his desk. He retrieved all his belongings and then handed his badge over to Mr [REDACTED]. We then walked to his car and got his parking pass. Before entering his car, I did ask him if he had any weapons in the car. He replied "No, I don't have any weapons in the car and I'm not going to go POSTAL". We walked back upstairs to check if anything was forgotten and then he handed the parking pass over. We then walked back downstairs and he departed the facility. This was around 1047hrs.



COPY 2-11-08 11:00 AM

IN THE CIRCUIT COURT COOK COUNTY, ILLINOIS
LAW DIVISION

CHRISTOPHER S. CYNOWA,
Plaintiff,

v.

CSSS, INC.
(CLIENT SERVER SOFTWARE SOLUTION
d/b/a CSSS.NET),
LISA WOLFORD,
WILLIAM F. SLATER.
Defendants.

Case No.: 08L000403

JURY DEMAND

The undersigned demands, pursuant to Cook County local rule 12.14, that the above captioned matter be tried by a Jury.

Date: January 14, 2008

Respectfully Submitted:

Theresa V. Johnson
Theresa V. Johnson

Attorney at Law
Law Office of Theresa V. Johnson
200 E. Chicago Ave. Suite 200
Westmont, IL 60559
Tel: 630-321-1330
Fax: 630-321-1185
Cook County ID: 36373

DOROTHY BROWN

 **COPY**

IN THE CIRCUIT COURT COOK COUNTY, ILLINOIS
LAW DIVISION

CHRISTOPHER S. CYNOWA,
Plaintiff,

v.

CSSS, INC.
(CLIENT SERVER SOFTWARE SOLUTION
d/b/a CSSS.NET),
LISA WOLFORD,
WILLIAM F. SLATER.

Defendants.

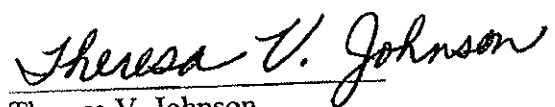
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) **08L000403**
) Case No.:
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AFFIDAVIT OF DAMAGES

The undersigned being first duly sworn upon oath, deposes and states that she is the Attorney of record for Plaintiff, Christopher S. Cynowa, who is a party to the above entitled cause of action, seeking money damages in excess of \$50,000.00.

Date: January 14, 2008

Respectfully Submitted:


Theresa V. Johnson

Attorney at Law
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