

Janet and all supervisors were out of the office today so I spoke to Mr. Brown. He was concerned about receiving the bill for collection. He explained that the day the fire occurred, it was a prime time to conduct a burn on his property, especially since the land was wet. He believes that all parties involved in the suppression efforts "overkilled" the situation by bringing in aircrafts, bulldozers, etc. He stated that the while he was burning, a gust of wind occurred and must have caused a spark to fly onto NF lands, which resulted in the forest burning 20 acres. He does not believe he was negligent in causing the fire, rather it was an act of God.

Mr. Brown also stated that he originally received a bill in 2/2005. After his attorney submitted a letter to the forest (Stanley Moore) rebutting the bill, he did not hear back for the FS until recently when he received another bill with additional charges. Mr. Brown was hoping he could have the charges reduced. I asked him to submit a letter in writing requesting this action and if he had a copy of the letter his attorney submitted to include that, as well. Mr. Brown read me a few sentences from the attorney's letter which stated that Mr. Brown was not negligent. Mr. Brown wanted me to look at the bill, but I told him I was not the claims specialist and did not have a copy of the file in front of me. He wanted to know when Janet would return and I told him 31 Mar 08. He gave me his cell phone number [REDACTED] to contact him.

(b)(6)

Mr. Brown submitted a letter to me indicating that we did not respond to the letter from his attorney of February 18, 2005; therefore, he should not be paying interest on the original bill. He also stated that he believed use of the helicopter was excessive and he shouldn't pay for the helicopter.

[REDACTED]

(b)(5)

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Donna M
Carmical/WO/USDAFS
03/25/2008 03:24 PM

To Jesse L King/WO/USDAFS
cc Hank Kashdan/WO/USDAFS@FSNOTES, Tim
DeCoster/WO/USDAFS@FSNOTES, Michael
Clonts/WO/USDAFS@FSNOTES
Subject Re: Henry Brown

Jesse, as we briefly discussed, I did call Henry Brown regarding the billing, he indicated that he thought this was settled long ago as we had never responded to a written letter from his attorney dated 2/18/05.

A couple of things for your information--

- 1 - Ltr dated Jan 28, 2005 - Mr. Brown received a letter from claims officer Stanley Moore demanding payment of the \$4,747
- 2 - Ltr dated Feb 18, 2005 - Mr. Brown's attorney sends letter to Stanley Moore indicating that under SC law the FS must prove negligence to support the claim of \$4,747 and furthermore that the FS damaged \$9,040 in Mr. Brown's property in 1989.

3 - [REDACTED]

4 - [REDACTED]

5 - Mr. Brown also stated that there has been no consistency in these cases. [REDACTED]

(b)(5)

[REDACTED] (b)(5)

Mr. Brown indicated that he would just like to make this go away and that he objects to the statements that he was "negligent" as he has a great love for the land and the forest and does much to preserve the land for future generations.

He stated that the billing is not credible, the fire was controlled quickly and we responded with a bit of overkill. We billed him for a helicopter and there was no need for a helicopter, there were a bunch of people sitting around and we fed them lunch, the fire was controlled quickly. We billed him \$3,547 for time (the majority at premium pay), \$90 for meals, \$1,102 for helicopter and additional \$1,025 in penalties.

He is asking that we waive the penalties and drop the unnecessary helicopter costs and he will pay the \$3,642. I asked Mr. Brown to send a written request to this effect and I would further research our options.

[REDACTED] (b)(5)

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Jesse L King /WO/USDAFS

03/25/2008 01:23 PM

To: Donna M Carmical/WO/USDAFS@FSNOTES
cc: Tim DeCoster/WO/USDAFS@FSNOTES, Hank
Kashdan/WO/USDAFS@FSNOTES
Subject: Re: Henry Brown

In Janet's absence why don't you call him?
Jesse L King
Chief Financial Officer
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Fax: 202-690-6006
jking@fs.fed.us

Donna M Carmical

----- Original Message -----

From: Donna M Carmical
Sent: 03/25/2008 03:19 PM
To: Jesse King
Cc: Tim DeCoster; Hank Kashdan
Subject: Henry Brown

Jesse, I found out that Congressman Brown called the Contact Center today requesting to speak to Janet, he left his phone number (conversation below). Do you want someone to call him back or would you prefer that you and Tim handle, his cell phone number [REDACTED] (b)(6)

Just as an FYI, Ruby, the level 2 claims analyst should have referred this to a supervisor in claims. There