

1. UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

4 **David White, Pro Se.**
5 research@cctruth.org,

Case 1:24-CV-1301-MC
10 MILLION DOLLARS
REQUEST FOR SUMMARY
JUDGEMENT BY RULE 56

8
9 **Plaintiff**

10 v.

11 **Defendant 1. (D1)**
12 **Chairman Willie L. Phillips, in**
13 **his Personal capacity as**
14 **chairman of**
15 **Federal Energy Regulatory**
16 **Commission (FERC)**
17 **202-502-8550**

19 Vs

20 Defendant 1. (D1)
21 Chairman Willie L. Phillips, in his
22 personal capacity as chairman of
23 Federal Energy Regulatory
24 Commission (FERC)

25 Chairman_Phillips_Meetings@ferc.gov
26 202-502-8550

27
28 **Defendant 2. (D2)**
29 **Commissioner Mark Christie in his**
30 **Personal capacity as Commissioner of**
31 **Federal Energy Regulatory Commission (FERC)**
32 **202-502-8110 Commissioner_Christie_Meetings@FERC.gov**
33

1 **Defendant 3 (D3)**
2 **Commissioner David Rosner in his**
3 **Personal capacity as Commissioner of**
4 **Federal Energy Regulatory Commission (FERC)**
5 **202-502-6500 Commissioner_Rosner_Meetings@FERC.gov**

6
7 **Defendant 4 (D4)**
8 **Commissioner Lindsay S. See in her**
9 **Personal capacity as Commissioner of**
10 **Federal Energy Regulatory Commission (FERC)**
11 **[Commissioner See Meetings@FERC.gov](mailto:Commissioner_See_Meetings@FERC.gov)**

12
13 **Defendant 5 (D5)**
14 **Commissioner Judy W. Chang in her**
15 **Personal capacity as Commissioner of**
16 **Federal Energy Regulatory Commission (FERC)**
17 **[Commissioner Chang Meetings@FERC.gov](mailto:Commissioner_Chang_Meetings@FERC.gov)**

18
19 **Debbie-Anne A. Reese 6 D6**
20 **in her personal capacity as**
21 **Secretary, Federal Energy Regulatory**
22 **Commission**
23 **888 First Street, N.E.**
24 **Washington, D.C. 20426**
25 **No contact email provided**

26
27

Legal Counsel for all defendants

28
29
30 **TABLE OF AUTHORITIES**

- 31
32 1) 18 U.S.C. § 1001 False Statements, Concealment.
33
34 2) 28 U.S.C. §191 Proceedings in forma Pauperis.
35
36 3) 8 U.S. Code § 1324c - Penalties for document fraud.
37

1 4) Rule 5. Serving and Filing Pleadings and Other Papers.

2
3 5) Rule 11. Signing Pleadings,

4
5 6) 18 U.S.C. 1621 Perjury.

6
7 7) Rule 21 Writ of Mandamus.

8
9
10 Federal Case Law:

11 8) Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): Pagtalunan
12 was Pro Se and made numerous mistakes in filing his complaint
13 resulting in the case being dismissed. However, upon appeal, the
14 higher Court ruled that the lower Court was in error because they did
15 not give allowance for Pagtalunan's lack of legal training.

16
17 9) 22–451 June 28th, 2024 Loper Bright Enterprises v. Raimondo and
18 Relentless, Inc. v. Department of Commerce.
19 https://www.supremecourt.gov/opinions/23pdf/22-451_7m58.pdf US
20 Supreme Court Ruled on 6/28/2024 that courts can no longer function
21 as Administrative Law Courts. They must convene as Article III of the
22 U.S. Constitution Courts, in compliance with the judge's sworn oath of
23 office. Also Entities such as FERC cant cherry pick data anymore.
24 The Chevron document was voided.

25
26 Background:

27
28 Plaintiff heads a legal team of 3 professionals. One is a 40-year

29
30 veteran Federal Attorney who is a seasoned expert in the application of

1 Federal and Case law. Another is an investigative journalist who
2
3 provides research and serves as Legal Editor of all Court Documents.

4
5 These shall demonstrate with clear and concise evidence that

6
7 Defendants have no legitimate pleadings before the court.

8
9 Defendants clearly broke their own rules in providing Klamath River

10
11 Renewal Corp the license to illegally remove the Klamath River

12
13 dams and proceed without supervision to create an unresolved,

14
15 environmental disaster. Klamath River Renewal Corp and Resource

16

1 Environmental Services are in fact pseudo-scientists who don't
2
3 perform anything by correct science.
4
5 They ignored the Scientific Method, which requires initial collection
6
7 and consideration of all existing data. They arrogantly dismissed the
8
9 opinion of 80% of Klamath River basin stakeholders who were
10
11 adamantly opposed to the dam removal in opinion polls and public
12
13 hearings. Instead of this scientific input, they based their opinion
14
15 solely on the emotional pleadings of one small upstream faction who
16

1 demonstrated no concern for other stakeholders or for sound

2

3 Environmental Science. The result is an unresolved environmental

4

5 catastrophe on the scale of the notorious Exxon-Valdez oil spill of

6

7 the last century.

8

9 The amateurs employed by Klamath River Restoration Corporation

10

11 have naively or maliciously papered over their destructive vandalism

12

13 by simply planting grass and shrubs on miles of riverbank now

14

15 contaminated by lethal levels of arsenic and chromium.

16

1 https://salmonprotectiondevive.com/CDM_2011_0119_Screening-
2 [Level-Evaluation-of-Contaminants-in-Sediments.pdf](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-)

3

4 Testing of silt behind the dams commissioned by the Department of

5

6 Interior in 2009-11 has shown this silt to contain poison in some

7

8 cases as high as 40-200 times the EPA safe limit. Fishermen, fish,

9

10 and other native wildlife are now in grave danger of lethal poisoning

11

12 due to this incompetence and negligence.

13

14 Argument:

15

16 Consequently, this project must now be relicensed to

17

1 salmonprotectiondevice.com to first, clean up the environmental
2
3 disaster and second, rebuild the vandalized dams with fish ladders
4
5 and Salmon Protection Devices, as necessary. Plaintiff's legal team
6
7 has followed all court procedures to the letter of Federal Law and
8
9 Case Law rules in arriving at these conclusions. Plaintiff, with a
10
11 lifetime of experience as a Chemical Engineer, knows how to scrub
12
13 the Arsenic and Chromium 6 from the silt. Time is of the essence
14
15 because of the clear and present danger to which the public and
16

1 native wildlife are now still exposed. No warning signs of any kind
2
3 have been posted to warn of the unseen danger lurking at the River
4
5 banks, and many locals are now led to assume “that all is well, and
6
7 safe.”

8
9 Defendants have not disputed anything in Plaintiff’s complaint or
10
11 Injunction, thus in effect admitting their guilt. Defendants have not so
12
13 much as logged into the case within the required 21 days which
14
15 expired on midnight, August 29.

16
17 The service of the Complaint and Injunction by Federal Rule 3 was made

1
2 on August 8, 2024, by third-party legal email service provider,
3
4 thelawisyourattorney.com. If needed, Plaintiff stands ready to request and
5
6 produce in a Pleading the delivery and read receipts from the service of
7
8 said third party system.

9
10 Defendants were thus legally served the Complaint and
11
12 Injunction on August 8, 2024. Additionally, on August 26, 2024 Plaintiff
13
14 filed the MEMORANDUM OF IGNORED STAKEHOLDER TESTIMONY
15
16 and served it to defendants that same hour. One doctor said that his wife
17
18 died due to Chromium 6 from being near the river and he spends much of
19
20 his time treating patients with Chromium 6 poisoning, many of whom had
21
22 eaten the fish. There was still no response except a phone call from a
23
24 Clerk at FERC commissioner's office on August 13, 2024, inquiring about
25
26 the complaint.

27
28 By Rule 3, filing of the Complaint with the Court Clerk or online starts
29
30 the 21-day clock for Defendants' response. That 21-day time window
31
32 expired at midnight on August 29, 2024, with no legitimate claim of
33
34 Defendants' filed in the case. Therefore, a general summary judgment in
35
36 Plaintiff's favor is legally required by Rule 21 Writ of Mandamus. Rule 56
37

1 e, (2) and (3), which require the court to grant Summary Judgment of the
2
3 rulings requested in the Complaint and Injunction. Rule 56 G is not
4
5 applicable because of the well-documented legal and other facts in the
6
7 Complaint, Injunction and Plaintiff's Pleadings.
8
9
10

11 Conclusion

12 Defendants have filed no motions in response, thus conceding that they
13

14 agree with the Complaint and Injunction rulings and award of money in
15

16 said Complaint and Injunction.

17
18 Plaintiff therefore moves the Federal court to Summary Judgment in
19

20 Plaintiff's favor of ten million dollars.
21

22 Plaintiff contends that the facts are so indisputable that any Appeals Court
23

1 would grant the summary judgment without hesitation.

2

3 Therefore, Plaintiff files this in the Federal Court with a 1 Writ of
4 Mandamus which forces the Trial Court Judge to rule in Respondents
5 favor because
6
7 respondent has all the law and constitution in his favor.
8

10

11 Therefore, the Trial Court Judge must do what Respondent says in
12 This filing. It is hereby ORDERED, ADJUDGED, AND DECREED that
13 Plaintiff recover from defendant the principal amount of \$10 million for
14 a total
15 judgment of \$10 million with any post-judgment interest as provided
16 by law.
17

18

19 It is also hereby ORDERED, ADJUDGED, AND DECREED that
20
21 Plaintiffs following rulings are ordered.
22

23

- 24 1. Remove all Klamath River Renewal Corporation license in
25 Docket(s): P-14803-001 or any other docket.
- 26 2. Relicense the project to salmonprotectiondevice.com. To fix the
27 environmental damage by Klamath River Renewal Corporation
- 28 3. Acknowledge Defendants cherry picked data against a Supreme
29 Court ruling to illegally take out the Klamath river dams.

30

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1 Dated:

2 By the Court,

3

4

5

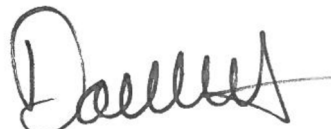
6

 Deputy Clerk

7 Respectfully

8

9 Dated: 09/05/2024



David White

10

11

12

13

14 **CERTIFICATE OF SERVICE**

15 I hereby certify that on August 30th, 2024, a true and correct copy of the
16 above document was electronically filed with the Clerk of the Court using
17 paper. A copy of the document will be served to interested parties via the
18 US mail and email. Additionally, a courtesy copy is being provided as
19 follows:

20

21 Michael Porter, P.C. (DLC) mike.porter@millernash.com

22 Miller Nash LLP

23 1140 SW Washington St, Ste 700 |

24 Portland, OR 97205

25 Direct: 503.205.2330

26 Via hand delivery

27 Via U.S. Mail, 1st Class,

28 Postage Prepaid

29 Via Overnight Delivery

30 Via Facsimile

31 Via Email

32 Via CM/ECF notification

33 to the extent registered DATED: 9/05/2024.

1 By: David White
2 Fed. R. Civ. P. 4(e)". says (e)(1) "following state law for serving a summons
3 in an action brought in courts of general jurisdiction in the state where the
4 district court is located or where service is made; However, by Oregon law
5 email service is allowed. UTCR 8 21.10 (2) explains a document may be a
6 pleading or many other documents.