

1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF OREGON  
3 MEDFORD DIVISION

4 **David White, Pro Se.**  
5 [research@cctruth.org](mailto:research@cctruth.org),

6 **Case 1:24-CV-1301-MC**  
7 **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**

18  
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**  
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27 Legal Counsel for all defendants  
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29

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

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

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3 5) Rule 11. Signing Pleadings,

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

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7 7) Rule 21 Writ of Mandamus.

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10 Federal Case Law:

11 1) 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.

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17 2) Loper Bright Enterprises v. Raimondo and Relentless, Inc. v.  
18 Department of Commerce US Supreme Court Ruled on 6/28/2024  
19 that courts can no longer function as Administrative Law Courts. They  
20 must convene as Article III of the U.S. Constitution Courts, in  
21 compliance with the judge's sworn oath of office.

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23 Background:

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

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

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29 Federal and Case law. Another is an investigative journalist who

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2 provides research and serves as Legal Editor of all Court Documents.

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4 These shall demonstrate with clear and concise evidence that  
5 Defendants have no legitimate pleadings before the court.

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7 Defendants clearly broke their own rules in providing Klamath River

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9 Renewal Corp the license to illegally remove the Klamath River

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11 dams and proceed without supervision to create an unresolved,

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13 environmental disaster. Klamath River Renewal Corp and Resource

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15 Environmental Services are in fact pseudo-scientists who don't

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17 perform anything by correct science.

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They ignored the Scientific Method, which requires initial collection and consideration of all existing data. They arrogantly dismissed the opinion of 80% of Klamath River basin stakeholders who were adamantly opposed to the dam removal in opinion polls and public hearings. Instead of this scientific input, they based their opinion solely on the emotional pleadings of one small upstream faction who demonstrated no concern for other stakeholders or for sound Environmental Science. The result is an unresolved environmental

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

2

3 the last century.

4

5 The amateurs employed by Klamath River Restoration Corporation

6 have naively or maliciously papered over their destructive vandalism

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8 by simply planting grass and shrubs on **300** of riverbank now

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10 contaminated by lethal levels of arsenic and mercury.

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12 [https://salmonprotectiondevive.com/CDM\\_2011\\_0119\\_Screening-](https://salmonprotectiondevive.com/CDM_2011_0119_Screening-)

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

14

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

16

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

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

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

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6 due to this incompetence and negligence.

7 Argument:

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9 Consequently, this project must now be relicensed to

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11 salmonprotectiondevice.com to first, clean up the environmental

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13 disaster and second, rebuild the vandalized dams with fish ladders

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15 and Salmon Protection Devices, as necessary. Plaintiff's legal team

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1 has followed all court procedures to the letter of Federal Law and

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3 Case Law rules in arriving at these conclusions. Plaintiff, with a

4

5 lifetime of experience as a Chemical Engineer, knows how to scrub

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7 the Arsenic and Chromium 6 from the silt. Time is of the essence

8 because of the clear and present danger to which the public and

9

10 native wildlife are now still exposed. No warning signs of any kind

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12 have been posted to warn of the unseen danger lurking at the River

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14 banks, and many locals are now led to assume “that all is well, and

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16 safe.”



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Defendants have not disputed anything in Plaintiff's complaint or Injunction, thus in effect admitting their guilt. Defendants have not so much as logged into the case within the required 21 days which expired on midnight, August 29.

The service of the Complaint and Injunction by Federal Rule 3 was made on August 8, 2024, by third-party legal email service provider, thelawisyourattorney.com. If needed, Plaintiff stands ready to request and produce in a Pleading the delivery and read receipts from the service of said third party system.

Defendants were thus legally served the Complaint and Injunction on August 8, 2024. Additionally, on August 8, 2024 Plaintiff filed the MEMORANDUM OF IGNORED STAKEHOLDER TESTIMONY and served it to defendants that same hour. One doctor said that his wife

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2 died due to Chromium 6 from being near the river and he spends much of  
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4 his time treating patients with Chromium 6 poisoning, many of whom had  
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6 eaten the fish. There was still no response except a phone call from a  
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8 Clerk at FERC commissioner's office on August 13, 2024, inquiring about  
9  
10 the complaint.

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12 By Rule 3, filing of the Complaint with the Court Clerk or online starts  
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14 the 21-day clock for Defendants' response. That 21-day time window  
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16 expired at midnight on August 29, 2024, with no legitimate claim of  
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18 Defendants' filed in the case. Therefore, a general summary judgment in  
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20 Plaintiff's favor is legally required by Rule 21 Writ of Mandamus. Rule 56  
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22 e, (2) and (3), which require the court to grant Summary Judgment of the  
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24 rulings requested in the Complaint and Injunction. Rule 56 G is not  
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26 applicable because of the well-documented legal and other facts in the  
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28 Complaint, Injunction and Plaintiff's Pleadings.

## 32 Conclusion

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

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

said Complaint and Injunction.

Plaintiff therefore moves the Federal court to Summary Judgment in

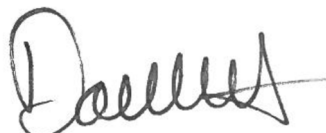
Plaintiff's favor of ten million dollars.

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

would grant the summary judgment without hesitation.

Plaintiff makes the request with a Rule 21 Writ of mandamus which  
requires the Federal Court to perform what it is legally required to do.

Respectfully Dated: 09/1/2024



David White

**CERTIFICATE OF SERVICE**

1 I hereby certify that on September 1st, 2024, a true and correct copy of the  
2 above document was electronically filed with the Clerk of the Court using  
3 paper. A copy of the document will be served upon interested parties via  
4 the US mail and email. Additionally, a courtesy copy is being provided as  
5 follows:

6  
7 **CERTIFICATE OF SERVICE**

8 I hereby certify that on September 1st, 2024, a true and correct copy  
9 of the above document was electronically filed with the Clerk of  
10 the Court using CM/ECF. A copy of the document will be served  
11 upon interested parties via the Notices of Electronic Filing that are  
12 generated by CM/ECF. Additionally, a courtesy copy is being  
13 provided as follows:

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15 All FERC commissioners.

16  
17  Via hand delivery  
18  Via U.S. Mail, 1st Class,  
19 Postage Prepaid  
20  Via Overnight Delivery  
21  Via Facsimile  
22  Via Email  
23  Via CM/ECF notification  
24 to the extent registered DATED: August 31st, 2024.  
25 By: David C. White Pro Se. August 31st, 2024

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30 Fed. R. Civ. P. 4(e)". says (e)(1) "following state law for serving a summons  
31 in an action brought in courts of general jurisdiction in the state where the  
32 district court is located or where service is made; However, by Oregon law  
33 email service is allowed. UTCR 8 21.10 (2) explains a document may be a

- 1 pleading or many other documents. ORS 9 G says all Court Documents
- 2 may be served by email.