From: CHancuff@aol.com
To: thomas.colclough@eeoc.gov, rdoggett@oag.state.va.us, Katie.cummings@scc.virginia.gov, robert.dalton@scc.virginia.gov, michael.knight@scc.virginia.gov, wkincaid@oag.state.va.us, twilson@fcc.gov, dcjohnso@fcc.gov, wdever@fcc.gov
CC: sara_brown@webb.senate.gov, milton.mayo@eeoc.gov, ada.complaint@usdoj.gov, rkirsch@healthcareforamericanow.org, info@healthcareforamericanow.org, electlaw@aol.com, agoldstein@healthcareforamericanow.org, dwhelan@forbes.com, readers@forbes.com, scoop@huffingtonpost.com, pwalsh@13wham.com, news@13wham.com, news-tips@nytimes.com, national@washpost.com, vcm@cnn.com, suzanne.nyfeler@eeoc.gov, rosalynd.hall-smith@eeoc.gov, peter@rad-info.net, twocents@thestreet.com, eanderson@timesunion.com, mike@seekingalpha.com
Sent: 10/26/2010 1:24:30 P.M. Eastern Daylight Time
Subj: Additional FCC and SCC Filing Contesting PAETEC and Cavalier Merger

I include Mr. Colclough of the EEOC here, as a courtesy.

The Gang of Four

On September 13, 2010, PAETEC and Cavalier Telephone, with much fanfare announced their planned merger, in the following News Release:

http://www.paetec.com/surf/static-assets/about-us/press-releases/2010/PAETEC-Cavalier-Announcement-Release.pdf

Listed at top, front and center as **PAETEC Investor Contact** is:

Pete Connoy
585.340.2649
peter.connoy@paetec.com

In this release Cavalier and PAETEC jointly announce, along with a bunch of business drivel designed to obfuscate that this deal is a high-risk high-wire act, the following:

"The transaction is subject to the expiration or termination of the applicable waiting period under the Hart-Scott-Rodino AntiTrust Improvements Act of 1976, approvals by the FCC and state public service commissions in the states where the combined company will operate, and other customary closing conditions. **The companies expect that the transaction will close within four to six months**."

They also share for investors consideration:

"Concurrent with the execution of the merger agreement, PAETEC entered into a financing commitment letter with Deutsche Bank AG Cayman Islands Branch, Deutsche Bank Securities Inc., Banc of America Bridge LLC, and Banc of America Securities LLC, pursuant to which these parties committed to provide **$420 million in financing** for this **leverage neutral transaction**."

"PAETEC's ratio of net-debt to LTM adjusted EBITDA will continue at the relatively constant level of 3.4x. **Cavalier's outstanding net indebtedness of approximately $336 million will be repaid at closing."**

I fully understand and support the business sense of leveraging, especially when the economy provides opportunity to make hay. I respect it as a truly valuable tool to grow profits for one's investors quite quickly. This is precisely how Brad Evans, the brains behind of the Founders of Cavalier, grew their business meteorically in the fallout of the 2000 Dot Com Disaster.

Cavalier is a very young company; as such I crossed paths with many co-workers who were there at the beginning. I never heard anyone one of these original employees refer to Jeff Snyder in this success story, other than mention wistfully that Mr. Jeff was in the right place at the right time and that they wished they were him. Some might suggest that the ROI for this business groupie is incalulable.

Let me be clear, I have no grudge against investors and financiers having their investments pay hundreds of millions in dividends, if not more, each and every year. I only take exception when circumstances, like this one, warrant it.

On September 16, 2010 I wrote:

Jeff Snyder; Cavalier Co-Founder and EVP-HR jsnyder@cavtel.com, (804) 422-4505
Francis McComb; EVP-Law and Public Policy femccomb@cavtel.com, (267) 803-4349
Danny Bottoms; Cavalier Chief Executive Officer, dbottoms@cavtel.com (804)-422-4203
David Lynch; Former EVP-Sales (my former boss' boss' boss.)

An email (copy attached) stating:
==========
This is a primer. **Approximately 300 pages to be forwarded by land mail soon** **(my EEOC filing turned out to only be 196 pages)**. The final touches are still being made.
Some would suggest that finding a reason to postpone your FCC and SCC filings until the rest arrives for you folks to sort through is an idea that has merit. As of this morning no filings have taken place.

David, I would like to state, again, that?creating a new position for Tiffany Mondillo was one of the best corporate engineering implementations I've ever been exposed to. I'm sorry this has become an necessity. Others here have had many opportunities to avoid this. Some folk tend to become fussy when companies, who self-fund their employees' health insurance, anoint themselves a "death panel".
Ms. Francie, it is with great warmth in my heart that I cordially introduce you to Mr. Jeff. **Some would find it fool-hearty if you choose to involve the police and the town of Herndon, or any other law enforcement agency you fancy as a corporate tool, again ... especially the Pennsylvania Bar.**

Sincerely,
Cliff Hancuff
==========

On September 20, 2010 Two Business Days Later the FCC received a joint petition from Cavalier and PAETEC for **"Streamline Process";** filing DA 10-1890, FCC Case #10-192.

Let this serve as the official date The Gang of Four was formed.

On September 30, 2010 FCC provided first Public Notice this streamlining had begun:

http://www.fcc.gov/Daily_Releases/Daily_Business/2010/db0930/DA-10-1890A1.pdf

On September 14, 2010 a first e-filing of my first FCC Public Comment occurred. Due to technical problems I had at their e-filing web page, a FCC attorney made this electronic filing on my behalf.

On September 14, 2010
Sent: 10/14/2010 1:57:17 P.M. Eastern Daylight Time
"As a measure of my compliance with e-filing procedure I've filled out, and signed the **SCC's "Electronic Document Filing Authorization form**". It is attached.

Sent: 10/14/2010 2:58:27 P.M. Eastern Daylight Time
As a result of submitting the eFiling Authorization form with the Clerk's Office of the Virginia State Corporation Commission, **a new eFiling account has been created for you**.

I submitted the following to Virginia State Corporation Commision: SSC REQUEST FOR PERMISSION TO E-FILE.pdf (attached)

On September 14, 2010 The Gang of Four filed **jointly** a Public Comment response at the FCC.

My ghast was flabbered. In my widest dreams I never thought the cumulative brain trust of **The Gang of Four** could possibly be this recklessly, pathetically incompetent in regards to representing all their stockholders, investors' and financiers' interests.

"Here, Mr. Hancuff has already taken his allegations to the proper forum, and the EEOC has considered – and rejected – his employment-related allegations, stating that "based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes." **(Dismissal and Notice of Rights, EEOC Charge No. 438-2008-01993, July 29, 2010.**)

... and then continues to babble on with senseless drivel, **"Commission has neither the authority or competence to adjudicate private disputes." (remember this stroke of genius for a moment. I will address its idiocy below.)**

ReplytoHancuffFCCComments101510.pdf (attached)

On September 22, 2010 The Gang of Four represented by PAETEC and Bingham filed a Public Comment response at the Virginia SCC.

"..for approval of a transaction whereby control of the Cavalier Entities will be transferred to PAETEC, which Application was deemed complete by the Commission as of the date of filing and **has been accepted for streamlined review as of October 5, 2010**."

"**The Joint Applicants have merely asked that the Commission employ its standard streamlined procedures and process the application within the statutory 60-day timeframe.**

"His Letter simply requests that the Commission hold this transfer of control proceeding in abeyance **while he continues to litigate his allegations at EEOC**."

"All of the allegations set forth in Mr. Hancuff's Letter have to do with an employment dispute, none of which are remotely related to the types of public interest considerations relevant and material to the Commission's review of transfers of control. As Mr. Hancuff acknowledges, his allegations have already been raised at the EEOC, and Joint Applicants agree that the EEOC is the proper agency to consider and resolve his employment related dispute. We point out, however, that the EEOC has already held a hearing to consider – and then rejected – Mr. Hancuff's employment-related allegations, stating that "based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes." (Dismissal **and Notice of Rights**, EEOC Charge No. 438-2008-01993, dated July 29, 2010.) There is no basis whatsoever for the Commission to consider or second guess that decision or delay the processing of the Application **while Mr. Hancuff seeks to re-open the EEOC proceeding**, particularly since the employment dispute is in no way relevant or material to whether the acquisition of Cavalier and its operating subsidiaries by PAETEC is in the public interest.1
1 **The notion that CavTel is "rushing the Virginia regulatory approval of this sale in order to avoid civil responsibility" is patently absurd.**

"As Mr. Hancuff acknowledges, his allegations have already been raised at the EEOC, and **Joint Applicants agree that the EEOC is the proper agency to consider and resolve his employment related dispute.**"

"We point out, however, that the EEOC has already held a hearing to consider - and then rejected – Mr. Hancuff's employment-related allegations, stating that "based upon its investigation, the EEOC is unable to conclude that the information

obtained establishes violations of the statutes."

This, of course, begs the **obvious multifaceted** question, "What nincompoop thinks the EEOC has ever held a hearing of this type **or** has replaced Federal Courts in settling Employment disputes **and** thinks this doesn't provide both the FCC and SCC all the proof anyone needs to see that The Gang of Four is doing nothing but feverishly trying to rush both FCC and SCC processes? It also begs the question, "How could any of these attorneys hope to retain their **membership in any Bar** having filed this with state agency? Oh yeah, one more question, "What makes **The Gang of Four** think they haven't exposed themselves to massive lawsuits for both Cavalier and PAETEC investors and financiers seeking compensatory damages?

This make sense, of course only from the perspective that if this sleezy con-job succeeds, as these malicious greedy narcissistic dweebs point out:

"Moreover, Joint Applicants note that the Application requests approval of a transfer of control of CavTel and the other Cavalier Entities and that CavTel will continue to operate in Virginia as a PAETEC subsidiary."

How could anyone miss that one of the folks included in the CC's of this filing is Pete Connoy, found above as the PAETEC's Investor contact in the September 13, 2010 News Release.

PAETEC Investor Contact is:

Pete Connoy
585.340.2649
peter.connoy@paetec.com

VALetter-Hancuff.pdf (attached)

Here's where it passed way beyond the pale in into the realm of Theater of the Absurd.

What has undoubtedly NOT escaped the notice of Cavalier's long time EVP of HR, Mr. Jeff, is that "Dismissal and Notice of Rights" is an abbreviated version of "**Dismissal and Notice of Rights to Sue**"

Everyone knows that, including Mr. Thomas Colcough of the EEOC. He uses this very right when he pronounced **his personal opinion** as representative of the US Congress intent, when they passed The Americans with Disabilities Act, in a second act of utter disdain for federal law Mr Colclough issued at 11PM two days ago, Sunday October 26, 2010.

I can't imagine any EEOC dismissal that more clearly demonstrates the likeliness that the involved parties have succeeded in getting Coclough to accept substantial bribes. At the very least I believe Colclough may have a drug or alcohol problem. **In this self-destructive dismissive he refers to Cavalier's so called "accommodation" as "60 phone calls per week".**(attached)

If it looks like corruption, smells like corruption ...

God bless all you **useless infestations** to our great country in whatever you future brings. How anyone could think a filing with the Federal Court on my behalf isn't already taking place **or** is somehow affected by Mr. Coclough's sordid blessing of this deal, is very likely to become viral among law schools.

Hell they may even created September 20, 2010 as a Legal Profession Memorial Day, where the BBQ's get lit for the last time of the season and toasts are made to the valiant Attorneys who sacrificed their careers, and exposed themselves to grave risks of being convicted of crimes, all in the name of service to clients in their attempts to create an illusion for themselves their efforts to see me dead and their profits enact have proceeded, unfettered.

As any high schooler could have figured out this filing at Federal Court spells the end of any assurances **The Gang of Four** that no consumer consequence will occur when the C gets removed from CLEC. Somebody is going to have to pay for the costs of the dozens of lawsuits about to be launched that could well result in liabilities that total a billion dollars, or more. If not US PAETEC Cavalier customers, both current and future, who?

When both PAETEC and Cavalier customers abandon their contracts on either financial or moral grounds, who's going to compensate **The Gang of Four's** stockholders, investors and financiers?

In the history of the practice of law there can only be a handful of instances where anyone **lights their hair on fire, then pours gasoline on it** as a way of demonstrating **The Gang of Four** **are not rushing** the FCC and Virginia's SCC's approval. I'm pretty sure the stares of bewilderment from both the FCC and SCC that **The Gang** has made it obvious they are willing to do and say anything in order to rush this process along, **specifically to avoid civil responsibility**.

Now, forgive me if when I'm perplexed I get plainspoken in a struggle to gain some clarity for myself: I don't know what artificial flavoring they sprayed on it, but the turd Snyder, McComb and Bottoms assisted by Kelley Drye & Warren LLP* had performed an astonishing feat --- PAETEC and Bingham McCutchen LLP** swallowed this turd whole, without chewing.

*Among "Telecoms and broadcast: regulatory" a Third Tier law firm
**Among "Telecoms and broadcast: regulatory" a Third Tier law firm

Based on this single act of "patently absurd", nay **...blatantly and irrevocably idiotic act of self-emulation**, these two formerly Third Tier Among "Telecoms and broadcast: regulatory law firms" will likely find themselves placed in the category of "among Duodecagigarillion Tier law firms", sans qualifier "among", taking the reputations of their respective clients with them. You can say a lot of disparaging things about **The Gang of Four** but you can't say they're disloyal to each other.

Thusly **The Gang of Four** have distinguished themselves as unworthy of the public's trust in any matters more significant than each of their individual employee's contributions to their respective City Council meetings.

If these employees wish to cluster themselves into the various neighborhoods, I'm sure they can kick some serious butt at HOA, PTA and City Council meetings. They could even host quarterly meetings to bring the old gang together to revel in tales of each chapter pillaging their local communities.

Once these financial matters contained in this FCC/SCC filing are cleared up to everyone's satisfaction, I fully intend to see all principle participants who contributed to my years of suffering who are attorneys held fully accountable by the ethics committees of every bar of which they are members. I will not rest until they are censured and/or disbarred. I will then follow this with my seeking the filing criminal complaints with the appropriate state and federal agencies and trust Virginia's Office of Attorney General as well as branches of US Justice Department, likely to include the FCC, FTC and SEC, and let them decide if they wish to investigate and file criminal charges.

I am personal friends with many outstanding attorneys, about half men and half women. I will not sit back and let their reputations be soiled by the blithering imbecilic attorneys who have played key rolls in my misery and likely demise. I don't care of they're Celebrity Circuit Court judges, Martindale-Hubbell Kung Fu Panda (5 out of 5 stars) Partner, or a junior leaguer At Counsel trying to attain Associate status ... though the latter may find value in abandoning their employment immediately and taking what evidence they can with them, to them in a position to negotiate becoming a prosecution witness. All At Counsel attorneys involved here would do well to forward this email with attachments to their home address to read later. There is little value in reading the rest of this email for those who understand their professional career and liberty is soon to be adversely affected with consequences far less chronic than their life, as it is with me here today.

The Gang of Four puts the ire in Ireland. I'm Irish. When they willfully and maliciously conscribed considerable horsepower to **Cavalier's private sector health insurance Death Panel** through repetitive escalating malicious acts with intention to deceive the entirety of our country's consumers, they got my undivided attention. I'm sure this has caught the attention of many other consumers as well.

Attention The Gang of Four and stockholders, investors and financiers: I am willing to negotiate the civil rights related issues quite rationally. I'm VERY unlikely to budge on related criminal issues, but I might.

HOWEVER, DO NOT LET ANYONE'S PERSONAL INTEREST supercede the interests of The Gang of Four, their stockholders, investors and financiers.

I enjoyed the company of some very good people while working at Cavalier, including David Lynch, Tiffany Mondillo, Rosita Doer, Tod McAtee, Noah Bason, Jay McGhee and Christina Moses. I would hate for any of these folks who remain employed by Cavalier affected by the path taken in cleaning up this evil and malicious and intentionally created mess.

I hate to leave this an a down note, so please indulge me if I add one bit of cheer. In my most trying of times in the last month I've watched this youtube video and found it really lifted my spirits. It's become my theme song.

Perhaps The Gang of Four and their stockholders, investors and financiers will find some good cheer in this video, too.

ASHKON: DON'T STOP BELIEVING - GIANTS 2010 ANTHEM (OFFICIAL VIDEO)
http://www.youtube.com/watch?v=AyVdbfyvwso

Sincerely,
Cliff Hancuff
PS: I've also attached the main pages of my 196 page filing to the FCC that Mr. "I'm important, you're not" Colclough stamped his cockamamie opinions on. It is found in two parts, Colclough Letter. pdf and EEOC Complaint 10-20-2010.pdf