

**From:** Mike Lary  
**To:** Jones, Nancye  
**Date:** 11/21/05 10:28AM  
**Subject:** Re: Wyckoff

yep

>>> Nancye Jones 11/21/05 10:27 AM >>>  
Oh yes, I agree. So, is this offer acceptable to you?

>>> Mike Lary 11/21/05 10:25 AM >>>  
We release him from any fraud charges.

>>> Nancye Jones 11/21/05 10:07 AM >>>  
I'm a little slow today - why do we give him one?

>>> Mike Lary 11/21/05 9:42 AM >>>  
Okay but the releases will be a condition because we still have the option to pursue the fraud angle. So he gives us a release and we give him one?

>>> Nancye Jones 11/21/05 9:38 AM >>>  
Denise and I have discussed and her feels that offering \$22000, inclusive of costs and atty's fees is more than fair. She said, at most, \$22500. She also reminded me that there is a lien from his first atty (not sure how much) so they will have to satisfy that as well. Denise advises that we have spent the following so far on him:  
medicals: \$47,741  
comp: \$61,584

If we can get rid of him completely, it would probably be worth it - although I'm sure we will run into some kind of an issue with the general release, just like Bandorf. Let me know your thoughts please so I can call Dennis back. Thanks

>>> Mike Lary 11/18/05 3:55 PM >>>  
I'd be glad to give them the \$3875 for their efforts and give Wychoff nothing.  
Stating that felt real good.  
What's it worth to you, Denise, to get him out of our lives?

>>> Nancye Jones 11/18/05 3:49 PM >>>  
Looking for input: Mr. Wyckoff's atty has now taken his demand for \$50,000 down to the \$20,000 we previously offered and has asked if we would consider fee of \$2750 and costs of \$1125 on top of that for a total of \$23875. I told him that I would ask but not to expect it.  
I do recall that we offered the \$20,000 at mediation and said it was a 24 hr. offer, take it or leave it. Then last week, after Denise's depo, when he asked me to try to get more authority, I told him we might still consider offering the \$20,000.  
This is a PT claim but Denise does not believe that he is PT or that he would be able to prove it to the Judge. In addition, we are still considering the fraud issue so.....that said, I told him that I would ask the people with the authority to agree to it. As I recall, the original \$20,000 was conditioned on Claims approval. Let me know you thoughts please. Thanks

**From:** Denise Bowman  
**To:** Jones, Nancye  
**Date:** 11/9/2005 3:40:23 PM  
**Subject:** Wyckoff

I spoke to Susan Holt. She says that misconduct alone does not cancel out the retirement. The merit rules says it has to be from a felony and it gives examples. If we were to proceed with fraud and we win, it will make a difference in whether or not he is entitled to retirement. We need to let Mike and Susan know what we decide to do.

Denise Bowman  
Sr. W.C. Specialist