

Rebecca Britton
211 Andover Dr.
Exton PA 19341

September 24, 2019

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Filing Room
Harrisburg, PA 17120

Re: Rebecca Britton v. Sunoco Pipeline L.P.; Docket No. C-2019-3006898

Meghan Flynn. et al. v. Sunoco Pipeline L.P.; Docket Nos. C-2018-3006116 and
P-2018-3006117;

**REBECCA BRITTON'S MOTION FOR SANCTIONS AGAINST SUNOCO
FOR VIOLATION of DISCOVERY ORDER issued by ALJ ORDER JUNE
6, 2019**

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is Rebecca Britton's motion for sanctions for Sunoco's violation of discovery order from ALJ issued June 6, 2019.

If you have any questions regarding these filings please do not hesitate to contact me.

Very Truly Yours,



Rebecca Britton
Pro se
September 24, 2019

September 24, 2019

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Filing Room
Harrisburg, PA 17120

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Rebecca Britton :
211 Andover Dr. :
Exton, PA 19341 : Docket No. C-2019-3006898
Complainant :

Consolidated :
MEGAN FLYNN *et al* : **Docket Nos.C-2018-3006116**

v. :

SUNOCO PIPELINE L.P., :
Respondent. :

NOTICE TO PLEAD

To All Parties of Record,

The Pro Se Complainant, Rebecca Britton, has filed a motion for sanctions for violation of Discovery Order in the above captioned matter for failure to comply with ALJ Amended Protective order from June 6, 2019. In accordance with PA Code 52 § 5.371.

Sanctions—general. In accordance with 5.371 (b) I am requesting a written response from Respondent within 5 days of service or, the PUC rule on the matter without further input.

Respectfully Submitted,



Rebecca Britton

September 24, 2019

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Rebecca Britton	:	
211 Andover Dr.	:	
Exton, PA 19341	:	Docket No. C-2019-3006898
Complainant	:	
Consolidated	:	
MEGAN FLYNN <i>et al</i>	:	Docket Nos.C-2018-3006116
v.	:	
SUNOCO PIPELINE L.P.,	:	
Respondent.	:	
	:	

REBECCA BRITTON’S MOTION FOR SANCTIONS AGAINST SUNOCO FOR VIOLATION of DISCOVERY ORDER issued by ALJ ORDER JUNE 6, 2019

Complainant has not received access to the confidential security information as ordered in ALJ’s June amended protective order.

A. Introduction.

1. My proceeding has been filed since January.
2. Respondent insisted I be consolidated in the Flynn matter.
3. I did not want to be consolidated for fear of unforeseen prejudice this consolidation could

create.

4. I have made good faith and earnest attempts to comply with PUC codes, the hearing process and with Respondent.
5. Here we are less than a month from trial and Respondent has ignored my request to review confidential security information for 2 months.
6. Respondent only saw fit to answer my requests for access after I cc'd other lawyers in my communication and, Her Honor, on an email asking for release of said documents.
7. Respondent then admonished me for violation of procedure knowing full well they are violating discovery orders. While my procedure was wrong it had no ill intent unlike the behavior that has been on going by Sunoco in regards to this matter.
8. Respondent then made a motion over email to not respond to my request for 20 days, knowing full well, this violates the commission's rules of procedures and tried to “buy” themselves another 20 days to answer my request. Even though Your Honor has ruled all answers to motions should be answered in 7.
9. I believe that Sunoco is conducting themselves in a manner that is unbecoming of an “attorney” before the commission. Their actions speak for themselves and indicate they wish to “stymie” my ability to present a case.
10. The information being denied to me is critical to present my case.
11. Under § 5.371. Sanctions—general; we find that (a) The Commission or the presiding officer may, on motion, make an appropriate order if one of the following occurs:
 - 1) A party fails to appear, answer, file sufficient answers, file objections, make a designation or otherwise respond to discovery requests, as required under this subchapter.
And
 - (2) A party deponent or an officer or managing agent of a party refuses to obey or induces another to refuse to obey an order of a presiding officer respecting discovery, or induces another not to appear.
12. Complainant avers that Sunoco is failing to respond to discovery requests and refusing to obey judges orders. The conduct is willful and deliberate.
13. Respondent alleges that “the order entered for discovery precludes (me) from having

access to the confidential information after signing the nondisclosure agreement” email attached.

14. Complainant avers Respondent is incorrectly defining “attorney” or “statutory advocate” using 52 pa code 1.8. “Attorney” is not defined in the language here. Furthermore, statutory advocates are not relevant to this case the way 52 code 1.8 is defined.
15. Complainant avers, I am a party to this proceeding and I am a Pro Se litigant as defined by US CODE 28 U.S.C. § 1654. “In all courts of the United States the parties may plead and conduct their own cases personally or by counsel as, by the rules of such courts, respectively, are permitted to manage and conduct causes therein.”
16. I respectfully requested Respondent re-evaluate their decision as it is not in line with the protective order issued. I respectfully requested they do this without further delay as they are significantly hindering my ability to present a case. Email attached.
17. Respondent could have given me this opinion in July instead of dragging me along.
18. I believe the amended order was poorly managed if the intent of the 7 respondent lawyers was to now allow pro se filers to see the documents.
19. Respondent could have not motioned for consolidation if they could not manage the burden of Pro Se litigants alongside intervenors and complainants with counsel.
20. Respondent could have motioned to have the protective order amended after they received my signed confidentiality agreement dated July 26, 2019.
21. Respondent should have been more clear with Judge Barnes prior to her issuing the order.
22. There is nothing in the language of the protective order that specifically indicates Respondent wanted to prohibit Pro Se litigants from viewing
23. If Respondent is allowed to continue to hinder my ability to present my case then I would pray the court explain why Pro Se complainants must submit themselves to the complaint process? This conduct, if allowed, directly impacts my ability to comply with the Verification form attached hereto. That form reads, “I, Rebecca Britton, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the

penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).”

24. If Sunoco is allowed to continue I will be irreparably harmed and biased. I will not be able to come to a finding of fact in support of any of the relief sought in my complaint.

B. Relief

15. I have provided evidence of good faith attempts by me to gain access to the information attached to this motion.

16. I have provided evidence of unscrupulous conduct by counsel attached to this motion as accounted in 4-8 of this motion.

I respectfully pray, Your Honor, Judge Barnes enter an order forthwith directing Sunoco to immediately; ,

15. Provide access to me **immediately**, to **ALL** materials as I have signed for in my non disclosure agreement.

16. To pay a reasonable sum for a legal council to represent me going forward as Respondent has thus far proven themselves to be predatory in their deliberate and willful conduct that breeds distrust for the Pro Se complaint process.

17. To provide relief to a-j of Mr. Bomstein’s motion for sanctions and discovery order filed with the commission on Sept 9, 2019.

Truly Yours,

A handwritten signature in black ink that reads "Rebecca Britton". The signature is written in a cursive, flowing style.

Rebecca Britton

September 24, 2019



From: rebecca britton
<rbrittonlegal@gmail.com>
Sent: Wednesday, September 11, 2019 1:04 PM
To: Diana Silva <dsilva@mankogold.com>;
Michael Bomstein <mbomstein@gmail.com>;
Rfox@Mankogold.com; Thomas Sniscak
<TJSniscak@hmslegal.com>; Whitney Snyder
<WESnyder@hmslegal.com>
Subject: Fwd: Flynn, et al. v. Sunoco, non-Disclosures

Hello All,

I signed the non disclosure agreement and sent it on Friday, July 26th. It has been over 30 days allowing for a more then timely response. Please see attachment and original correspondence.

No one has yet to give me access to the 24,000 documents and I need to comply with judge's orders for evidence soon.

Please advise.

Thank you



Diana Silva Jun 20



All SPLP's supplemental document production can be...



me Sep 18



to Diana, Liz, Thomas ▾

Diana,

I have signed the non disclosure agreement back in July. I have never been able to access the link to date.

Can you please send me a new unexpired link and any login info needed to access the data? This is my 2nd request in the last 7 days.

I am ccing Judge Barnes to make her aware of my ongoing exchange on the matter.

Kindly Yours,

Rebecca Britton



On Thu, Jun 20, 2019 at 3:56 PM Diana Silva <DSilva@mankogold.com> wrote:

All:

SPLP's supplemental document production can be accessed for download via the following link, which will expire in 30 days: <https://mankogold.sharefile.com/d-s207c0d8340c49d09> .

< herein."



I respectfully request you re-evaluate your decision as it is not in line with the protective order issued. I respectfully request you do this without further delay as you are significantly hindering my ability to present a case. You could have given me this opinion in July. The amended order was poorly managed if the intent of the 7 respondent lawyers was to now allow pro se filers to see the documents. You should have been more clear with Judge Barnes prior to her issuing the order. There is nothing in the language that prohibits me from viewing.

Otherwise I will be compelled to take further action to preserve my rights to a fair trial.

...



Discovery Inbox



me Sep 19



to Elizabeth, Curtis, Diana, Emcdowel... ▾

Judge Barnes,

Council for Sunoco alleges that the order
entered for discovery precludes me from

Rebecca Britton



Whitney Snyder Sep 19



to me, Elizabeth, Curtis, Diana, Emcd... ▾

Judge Barnes,

SPLP believes Ms. Britton's email request below is a procedurally improper motion for clarification and/or reconsideration of the Amended Protective Order. Accordingly, SPLP requests that it be provided 20 days to file an Answer pursuant to 52 Pa. Code Section 5.61(a)(1). Moreover, with all due respect, Ms. Britton should cease asking Your Honor for legal advice.

Best,

Whitney E. Snyder

Hawke McKeon & Sniscak LLP

www.hmslegal.com

100 N. Tenth Street
Harrisburg, PA 17101

[717-236-1300](tel:717-236-1300)

wesnyder@hmslegal.com



Flynn, et al. v. Sunoco, non- Disclosures Inbox



Michael Bomstein Jun 27

All, Please find attached four NDAs from our experts at...



me Jul 26

to Michael, Curtis, Emcdowell@Rang... ▾



Brittonnondisclosure.pdf

All please see my signed non disclosure form



Rebecca Britton

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 1.54 (relating to service by a party).

This document has been filed via electronic filing:

VIA ELECTRONIC FILING

Pennsylvania Public Utility Commission
efiling system

Thomas J. Sniscak, Esq
tjsniscak@hmslegal.com

Kevin J. McKeon
kjmckeon@hmslegal.com

Whitney E. Snyder
@hmslegal.com

Robert D. Fox, Esq.
Neil S. Witkes, Esp.
Diana A. Silva, Esq.
rfox@mankogold.com
nwitkes@mankogold.com
dsilva@mankogold.com

Michael Bomstein
mbomstein@gmail.com

Anthony D. Kanagy, Esquire
Garrett P. Lent, Esquire
akanazy@postschell.com
glent@postschell.com

Rich Raiders, Esq.
rich@raiderslaw.com

Vince M. Pompo, Esq.
Guy. A. Donatelli, Esq
Alex J. Baumler, Esq.
vpompo@lambmcerlane.com
Gdonatelli@lambmcerlane.com
abaumler@lambmcerlane.com

Margaret A. Morris, Esq.
mmorris@regerlaw.com

Leah Rotenberg, Esq.
rotenberg@mcr-attorneys.com

Mark L. Freed
mlf@curtinheefner.com

James R. Flandreau
jflandreau@pfblaw.com

David J. Brooman
Richard Sokorai
Mark R. Fischer
dbrooman@highswartz.com
rsokorai@highswartz.com
mfischer@highswartz.com

Thomas Casey
tcaseylegal@gmail.com

Josh Maxwell
jmaxwell@downingtown.org

Laura Obenski
ljobenski@gmail.com

Stephanie M. Wimer
stwimer@pa.gov

Michael Maddren, Esq.
Patricia Sons Biswanger, Esq.
maddrenM@co.delaware.pa.us
patbiswanger@gmail.com

James C. Dalton, Esq.
jdalton@utbf.com

Melissa DiBernardino
lissdibernardino@gmail.com

Virginia Marcille-Kerslake
vkerslake@gmail.com

James J. Byrne, Esq.
Kelly S. Sullivan, Esq.
jjbyrne@mbmlawoffice.com
ksullivan@mbmlawoffice.com

Honorable Elizabeth Barnes
ebarnes@pa.gov



Rebecca Britton
Pro se
September 24, 2019

VERIFICATION

I, Rebecca Britton, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

A handwritten signature in cursive script that reads "Rebecca Britton".

Rebecca Britton
Pro se
September 24, 2019