

The Marine Board of Investigation has removed 4 pages of this document.

**From:** [REDACTED] - OSHA  
**To:** [REDACTED] - OSHA  
**Subject:** FW: OceanGate manned submersible Cyclops 2  
**Date:** Wednesday, February 7, 2018 2:26:11 PM  
**Attachments:** [REDACTED] [Termination Letter.pdf](#)  
[REDACTED] [Cyclops 2 Quality Inspection Report .pdf](#)

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[REDACTED]

Here is a new and fairly complex case for screening. I will hold off on more assignments to the extent that I am able. [REDACTED] is the complainant.

Best,

[REDACTED]  
Assistant Regional Administrator  
Whistleblower Protection Program  
U.S. Department of Labor – OSHA  
300 Fifth Avenue, Suite 1280 | Seattle, WA 98104  
Tel: (206) [REDACTED] | Fax: (206) [REDACTED]

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Tuesday, February 06, 2018 3:24 PM  
**To:** [REDACTED] - OSHA  
**Subject:** OceanGate manned submersible Cyclops 2

Good afternoon [REDACTED]

Please see my cover letter that I sent to The CEO, COO, HR Director, Engineering Director and Operations Director below this email to yourself. I have attached my PDF Quality Inspection Report for your records for the new submersible and also my dismissal letter.

My main concern with applying for the Whistleblower Protection is that we are Permanent US Residents (Green Card ) holders and not Citizens. From what I have read online we will be covered by the programme but can you please confirm if this is the case.

I kept my report as professional as possible and with new safety issues coming to light since my dismissal there is further evidence I can produce along with my report on serious issues if you so wish to see it.

One of my main concerns being the viewport only being certified for 1000m by the manufacturer and OceanGate intending to take it to 4000m with paying passengers who are unaware of my concerns.

My dismissal date was 19th January 2018.

I look forward to hearing from you

Cheers  
[REDACTED]

[REDACTED]

To all

With Cyclops 2 (Titan) being handed off from Engineering to Operations in the coming weeks, now is the time to properly address items that may pose a safety risk to personnel. I believe that it is important to have an official record in place regarding these findings, which is why I have created this report for submission to OceanGate management.

As the Director of Marine Operations, it is my professional opinion that the items noted in my report are significant in nature and must be addressed. I have also included my recommendation to how we should be addressing each issue in the attached Quality Inspection Report.

As stated in my employment contract and job description "[REDACTED]" is responsible for ensuring the safety of all crew and clients during submersible and surface operations". I feel we all have a duty of care as Management to all personnel whether it be staff or Mission Specialist. Therefore, it is my opinion that until suitable corrective actions are in place and closed out, Cyclops 2 (Titan) should not be manned during any of the upcoming trials.

My report and the relevant attachments are merely a clear stated record of what I feel should be addressed to allow for successful and safe operations within OceanGate Inc.

This report was prepared by myself as part of the pending handover of the asset from OceanGate Engineering team to the Operations department on the 18<sup>th</sup> January 2018.

Cheers

[REDACTED]

[REDACTED]

OceanGate

Director of Marine Operations

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** OceanGate Inc.  
**Date:** Wednesday, February 7, 2018 4:15:00 PM  
**Attachments:** [image001.png](#)  
**Importance:** High

---

Dear [REDACTED] [REDACTED]

I need to conduct an intake interview about your complaint. Please let me know when would be a good time for me to call you. I am available tomorrow (2/8) 8-11:30AM or Friday (2/9) 8-3PM. Unfortunately, I will be on leave next week. So if you cannot talk this week, then it will have to wait until at least February 20<sup>th</sup>. Thanks.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]  
**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Subject:** Re: OceanGate Inc.  
**Date:** Thursday, February 8, 2018 5:18:07 AM

---

Good morning [REDACTED]

Would 11am this morning be a suitable time for yourself?

[REDACTED]

Cheers  
[REDACTED]

Sent from my iPhone

On 7 Feb 2018, at 4:15 pm, [REDACTED] - OSHA <[REDACTED]> wrote:

Dear [REDACTED]

I need to conduct an intake interview about your complaint. Please let me know when would be a good time for me to call you. I am available tomorrow (2/8) 8-11:30AM or Friday (2/9) 8-3PM. Unfortunately, I will be on leave next week. So if you cannot talk this week, then it will have to wait until at least February 20<sup>th</sup>. Thanks.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

[<image001.png>](#)



**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Subject:** Re: OceanGate Inc.  
**Date:** Thursday, February 8, 2018 5:18:07 AM

---

Good morning [REDACTED]

Would 11am this morning be a suitable time for yourself?

[REDACTED]

Cheers  
[REDACTED]

Sent from my iPhone

On 7 Feb 2018, at 4:15 pm, [REDACTED] - OSHA <[REDACTED]> wrote:

Dear [REDACTED]

I need to conduct an intake interview about your complaint. Please let me know when would be a good time for me to call you. I am available tomorrow (2/8) 8-11:30AM or Friday (2/9) 8-3PM. Unfortunately, I will be on leave next week. So if you cannot talk this week, then it will have to wait until at least February 20<sup>th</sup>. Thanks.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

[<image001.png>](#)

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: OceanGate Inc.  
**Date:** Friday, February 23, 2018 12:49:00 PM  
**Attachments:** [image001.png](#)  
**Importance:** High

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[REDACTED] [REDACTED]

I am researching to see if your complaint can be investigated under one of the laws that OSHA enforces. The most relevant one seems to be the Seaman's Protection Act. In order to be covered under that law you must be considered a "seaman". The definition of "seaman" is the following:

*Seaman means any individual engaged or employed in any capacity on board a U.S.-flag vessel or any other vessel owned by a citizen of the United States, except members of the Armed Forces. The term includes an individual formerly performing the work described above or an applicant for such work.*

Were you employed with OceanGate in the capacity of a seaman as defined above? Please explain. If you want to discuss this next week please let me know what day(s) and time(s) works best for you. Thanks.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]  
**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] - OSHA  
**Sent:** Thursday, February 08, 2018 8:20 AM  
**To:** [REDACTED]  
**Subject:** RE: OceanGate Inc.

OK. I will give you a call at 11:00AM.

[REDACTED]  
**Investigator, Whistleblower Program**

U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Thursday, February 08, 2018 5:16 AM  
**To:** [REDACTED] - OSHA  
**Subject:** Re: OceanGate Inc.

Good morning [REDACTED]

Would 11am this morning be a suitable time for yourself?

[REDACTED]

Cheers

[REDACTED]

Sent from my iPhone

On 7 Feb 2018, at 4:15 pm, [REDACTED] - OSHA <[REDACTED]> wrote:

Dear [REDACTED]

I need to conduct an intake interview about your complaint. Please let me know when would be a good time for me to call you. I am available tomorrow (2/8) 8-11:30AM or Friday (2/9) 8-3PM. Unfortunately, I will be on leave next week. So if you cannot talk this week, then it will have to wait until at least February 20<sup>th</sup>. Thanks.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

[<image001.png>](#)

**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Subject:** Seaman  
**Date:** Friday, February 23, 2018 1:12:28 PM  
**Attachments:** [OceanGate](#) [REDACTED] [Director of Marine Operations.pdf](#)

---

Good afternoon [REDACTED]

I have attached a copy of what my title, job role etc were whilst I was employed with OceanGate to show I was a Seafarer. This was from but now deleted OceanGate leadership page on the website. I am a registered Seaman ( I still maintain my Seaman Discharge Book).

We did operate onboard various US owned and registered surface vessels where OceanGate would hire these as support vessels throughout our operations.

If you have a browse of the OceanGate website you will see the type of vessels we have used.

The owner and CEO is a US citizen based in Seattle. The inshore support boats and dive barge owned by the company and based in Everett Marina all have WA tabs for registration.

It has also come to light that the latest submersible is not actually insured yet they are taking money from the public for the upcoming big expedition and these clients are completely unaware of this.

The HR Director [REDACTED] who was also one of my trainee pilots has just resigned from OceanGate and finishes up today , this is due to the health and safety concerns and also the mishandling of my dismissal due to the serious safety concerns I raised in my formal report to the CEO

Hope this helps. More than happy to discuss any time next week, let me know when suits yourself.

Cheers

[REDACTED]

Sent from my iPhone

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Seaman  
**Date:** Friday, February 23, 2018 1:15:00 PM  
**Attachments:** [image001.png](#)

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Thank you for your quick response. I will read it and discuss with my supervisor.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]  
**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Friday, February 23, 2018 1:11 PM  
**To:** [REDACTED] - OSHA  
**Subject:** Seaman

Good afternoon [REDACTED]

I have attached a copy of what my title, job role etc were whilst I was employed with OceanGate to show I was a Seafarer. This was from but now deleted OceanGate leadership page on the website. I am a registered Seaman ( I still maintain my Seaman Discharge Book). We did operate onboard various US owned and registered surface vessels where OceanGate would hire these as support vessels throughout our operations. If you have a browse of the OceanGate website you will see the type of vessels we have used. The owner and CEO is a US citizen based in Seattle. The inshore support boats and dive barge owned by the company and based in Everett Marina all have WA tabs for registration. It has also come to light that the latest submersible is not actually insured yet they are taking money from the public for the upcoming big expedition and these clients are completely unaware of this.

The HR Director [REDACTED] who was also one of my trainee pilots has just resigned from OceanGate and finishes up today , this is due to the health and safety concerns and also the mishandling of my dismissal due to the serious safety concerns I raised in my formal report to the CEO

Hope this helps. More than happy to discuss any time next week, let me know when suits yourself.

Cheers  
[REDACTED]

Sent from my iPhone



**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** OceanGate Inc., [REDACTED] 0-1960-18-073  
**Date:** Monday, February 26, 2018 1:44:00 PM  
**Attachments:** [image001.png](#)  
[REDACTED] [CAW.pdf](#)

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Dear Sir/Madam:

Enclosed for your information please find a copy of a complaint of retaliation filed under the Seaman's Protection Act as amended by Section 611 of the Coast Guard Authorization Act of 2010, P.L. 111-281 (SPA), 46 U.S.C. §2114. An investigation of the retaliation allegation is currently being conducted by this office. If I can be of further assistance to you, please do not hesitate to contact me at [REDACTED]

Sincerely,

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Subject:** Update  
**Date:** Wednesday, February 28, 2018 7:25:32 PM

---

Good evening to you [REDACTED]

Just an update to let you know that the OceanGate Director of HR and finance [REDACTED] has left her position due to the same safety concerns as issued in my report and also the unlawful termination of myself.

[REDACTED] has said she would be more than happy discussing with you or your team all her concerns for Health and Safety to support my case.

I also have the support of 3 very high profile industry experts who albeit have not seen my report, but they would be more than willing to discuss their concerns for the safety of crew and passengers and how what is going on at OceanGate will affect the entire industry.

Cheers  
[REDACTED]

Sent from my iPhone

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Update  
**Date:** Wednesday, March 7, 2018 11:03:00 AM  
**Importance:** High

---

[REDACTED]  
[REDACTED]

The notification letter we sent you was returned to us in the mail. Please let me know your current mailing address. Thank you.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

-----Original Message-----

From: [REDACTED] [[mailto:\[REDACTED\]](#)]  
Sent: Wednesday, February 28, 2018 7:24 PM  
To: [REDACTED] - OSHA  
Subject: Update

Good evening to you [REDACTED]

Just an update to let you know that the OceanGate Director of HR and finance [REDACTED] has left her position due to the same safety concerns as issued in my report and also the unlawful termination of myself.

[REDACTED] has said she would be more than happy discussing with you or your team all her concerns for Health and Safety to support my case.

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Cheers  
[REDACTED]

Sent from my iPhone

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Update  
**Date:** Wednesday, March 7, 2018 11:03:00 AM  
**Importance:** High

---

[REDACTED]  
[REDACTED]

The notification letter we sent you was returned to us in the mail. Please let me know your current mailing address. Thank you.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

-----Original Message-----

From: [REDACTED] [[mailto:\[REDACTED\]](#)]  
Sent: Wednesday, February 28, 2018 7:24 PM  
To: [REDACTED] - OSHA  
Subject: Update

Good evening to you [REDACTED]

Just an update to let you know that the OceanGate Director of HR and finance [REDACTED] has left her position due to the same safety concerns as issued in my report and also the unlawful termination of myself.

[REDACTED] has said she would be more than happy discussing with you or your team all her concerns for Health and Safety to support my case.

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Cheers  
[REDACTED]

Sent from my iPhone

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Update  
**Date:** Wednesday, March 7, 2018 11:03:00 AM  
**Importance:** High

---

[REDACTED] . [REDACTED]

The notification letter we sent you was returned to us in the mail. Please let me know your current mailing address. Thank you.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

-----Original Message-----

From: [REDACTED] [[mailto:\[REDACTED\]](#)]  
Sent: Wednesday, February 28, 2018 7:24 PM  
To: [REDACTED] - OSHA  
Subject: Update

Good evening to you [REDACTED]

Just an update to let you know that the OceanGate Director of HR and finance [REDACTED] has left her position due to the same safety concerns as issued in my report and also the unlawful termination of myself.

[REDACTED] has said she would be more than happy discussing with you or your team all her concerns for Health and Safety to support my case.

I also have the support of 3 very high profile industry experts who albeit have not seen my report, but they would be more than willing to discuss their concerns for the safety of crew and passengers and how what is going on at OceanGate will affect the entire industry.

Cheers  
[REDACTED]

Sent from my iPhone



**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Update  
**Date:** Wednesday, March 7, 2018 3:20:00 PM  
**Importance:** High

---

Thanks for the updated address. We sent a letter to you and OceanGate notifying you that OSHA will be investigating your complaint of retaliation. I will mail it to your new address. You should get it by next week. The US Coast Guard has also been notified of your complaint.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]]  
Sent: Wednesday, March 07, 2018 12:49 PM  
To: [REDACTED] - OSHA  
Subject: Re: Update

Good afternoon [REDACTED]

My address is [REDACTED]

What is the notification letter?

Cheers  
[REDACTED]

Sent from my iPhone

> On 7 Mar 2018, at 1:03 pm, [REDACTED] - OSHA <[REDACTED]> wrote:  
>  
> [REDACTED]  
>  
> The notification letter we sent you was returned to us in the mail. Please let me know your current mailing address. Thank you.  
>  
> [REDACTED]  
> Investigator, Whistleblower Program  
> U.S. Dept. of Labor - OSHA, Region X  
> 300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
> Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
> Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)  
>  
>  
>  
> -----Original Message-----  
> From: [REDACTED] [mailto:[REDACTED]]  
> Sent: Wednesday, February 28, 2018 7:24 PM

> To: [REDACTED] - OSHA

> Subject: Update

>

> Good evening to you [REDACTED]

>

> Just an update to let you know that the OceanGate Director of HR and finance [REDACTED] has left her position due to the same safety concerns as issued in my report and also the unlawful termination of myself.

>

> [REDACTED] has said she would be more than happy discussing with you or your team all her concerns for Health and Safety to support my case.

>

> I also have the support of 3 very high profile industry experts who albeit have not seen my report, but they would be more than willing to discuss their concerns for the safety of crew and passengers and how what is going on at OceanGate will affect the entire industry.

>

> Cheers

>

>

> Sent from my iPhone

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Update  
**Date:** Wednesday, March 7, 2018 3:20:00 PM  
**Importance:** High

---

Thanks for the updated address. We sent a letter to you and OceanGate notifying you that OSHA will be investigating your complaint of retaliation. I will mail it to your new address. You should get it by next week. The US Coast Guard has also been notified of your complaint.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]]  
Sent: Wednesday, March 07, 2018 12:49 PM  
To: [REDACTED] - OSHA  
Subject: Re: Update

Good afternoon [REDACTED]

My address is [REDACTED]

What is the notification letter?

Cheers  
[REDACTED]

Sent from my iPhone

> On 7 Mar 2018, at 1:03 pm, [REDACTED] - OSHA <[REDACTED]> wrote:  
>  
> [REDACTED]  
>  
> The notification letter we sent you was returned to us in the mail. Please let me know your current mailing address. Thank you.  
>  
> [REDACTED]  
> Investigator, Whistleblower Program  
> U.S. Dept. of Labor - OSHA, Region X  
> 300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
> Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
> Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)  
>  
>  
>

> -----Original Message-----

> From: [REDACTED] [mailto:[REDACTED]]  
> Sent: Wednesday, February 28, 2018 7:24 PM

> To: [REDACTED] - OSHA

> Subject: Update

>

> Good evening to you [REDACTED]

>

> Just an update to let you know that the OceanGate Director of HR and finance [REDACTED] has left her position due to the same safety concerns as issued in my report and also the unlawful termination of myself.

>

> [REDACTED] has said she would be more than happy discussing with you or your team all her concerns for Health and Safety to support my case.

>

> I also have the support of 3 very high profile industry experts who albeit have not seen my report, but they would be more than willing to discuss their concerns for the safety of crew and passengers and how what is going on at OceanGate will affect the entire industry.

>

> Cheers

>

>

> Sent from my iPhone

**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Subject:** Voice recording  
**Date:** Sunday, March 11, 2018 12:38:17 PM

---

Good afternoon [REDACTED]

Just a short mail to let you know I managed to get a hold of my OceanGate "Firing" meeting voice recording taken by the CEO.

The recording has been doctored and there is about 15-18 minutes of recording deleted which is unfortunate. It has been brought to my attention that the company is encouraging freelance pilots to listen to the recording to give them confidence in what was said.

The key points missing are statements including the viewport being only certified to 1000m as told by the CEO and myself asking if the company had exhausted all avenues in acquiring a company to carry out Non Destructive Testing of the hull and bond line.

[REDACTED] can confirm all the points in the missing recording if requested to do so by yourselves.

Best regards  
[REDACTED]

Sent from my iPhone



**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Voice recording  
**Date:** Monday, March 12, 2018 8:09:00 AM

---

Could you send me a copy? Thanks.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]]  
Sent: Sunday, March 11, 2018 12:37 PM  
To: [REDACTED] - OSHA  
Subject: Voice recording

Good afternoon [REDACTED]

Just a short mail to let you know I managed to get a hold of my OceanGate “Firing” meeting voice recording taken by the CEO.

The recording has been doctored and there is about 15-18 minutes of recording deleted which is unfortunate. It has been brought to my attention that the company is encouraging freelance pilots to listen to the recording to give them confidence in what was said.

The key points missing are statements including the viewport being only certified to 1000m as told by the CEO and myself asking if the company had exhausted all avenues in acquiring a company to carry out Non Destructive Testing of the hull and bond line.

[REDACTED] can confirm all the points in the missing recording if requested to do so by yourselves.

Best regards  
[REDACTED]

Sent from my iPhone

**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Subject:** Re: Voice recording  
**Date:** Monday, March 12, 2018 8:40:21 AM

---

[REDACTED]

Hi [REDACTED]

Hopefully this copy works I have copied it from my phone.  
As I said the recording has been doctored and shortened by them with critical topics removed and shortened. This can be confirmed by [REDACTED] who was present.

[REDACTED]

I get back home next Tuesday for any phone conversations, until then I am contactable by email.

Cheers  
[REDACTED]

Sent from my iPhone

On 12 Mar 2018, at 3:09 pm, [REDACTED] - OSHA <[REDACTED]> wrote:

Could you send me a copy? Thanks.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

-----Original Message-----

From: [REDACTED] [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
Sent: Sunday, March 11, 2018 12:37 PM  
To: [REDACTED] - OSHA  
Subject: Voice recording

Good afternoon [REDACTED]

Just a short mail to let you know I managed to get a hold of my OceanGate  
“Firing” meeting voice recording taken by the CEO.

The recording has been doctored and there is about 15-18 minutes of recording  
deleted which is unfortunate.  
It has been brought to my attention that the company is encouraging freelance  
pilots to listen to the recording to give them confidence in what was said.  
The key points missing are statements including the viewport being only certified

to 1000m as told by the CEO and myself asking if the company had exhausted all avenues in acquiring a company to carry out Non Destructive Testing of the hull and bond line.

[REDACTED] can confirm all the points in the missing recording if requested to do so by yourselves.

Best regards

[REDACTED]

Sent from my iPhone

**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Subject:** Re: Voice recording  
**Date:** Monday, March 12, 2018 8:40:21 AM

---

[REDACTED]

Hi [REDACTED]

Hopefully this copy works I have copied it from my phone.  
As I said the recording has been doctored and shortened by them with critical topics removed and shortened. This can be confirmed by [REDACTED] who was present.

[REDACTED]

I get back home next Tuesday for any phone conversations, until then I am contactable by email.

Cheers  
[REDACTED]

Sent from my iPhone

On 12 Mar 2018, at 3:09 pm, [REDACTED] - OSHA <[REDACTED]> wrote:

Could you send me a copy? Thanks.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

-----Original Message-----

From: [REDACTED] [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
Sent: Sunday, March 11, 2018 12:37 PM  
To: [REDACTED] - OSHA  
Subject: Voice recording

Good afternoon [REDACTED]

Just a short mail to let you know I managed to get a hold of my OceanGate  
“Firing” meeting voice recording taken by the CEO.

The recording has been doctored and there is about 15-18 minutes of recording  
deleted which is unfortunate.  
It has been brought to my attention that the company is encouraging freelance  
pilots to listen to the recording to give them confidence in what was said.  
The key points missing are statements including the viewport being only certified

to 1000m as told by the CEO and myself asking if the company had exhausted all avenues in acquiring a company to carry out Non Destructive Testing of the hull and bond line.

[REDACTED] can confirm all the points in the missing recording if requested to do so by yourselves.

Best regards

[REDACTED]

Sent from my iPhone



**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Subject:** Re: Voice recording  
**Date:** Monday, March 12, 2018 9:05:53 AM

---

Thank you [REDACTED]

Cheers  
[REDACTED]

Sent from my iPhone

On 12 Mar 2018, at 3:57 pm, [REDACTED] - OSHA <[REDACTED]> wrote:

I am sorry to hear about your father's passing. My best to you and your family.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

[<image001.png>](#)

---

**From:** [REDACTED] [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** Monday, March 12, 2018 8:39 AM  
**To:** [REDACTED] - OSHA  
**Subject:** Re: Voice recording

[https://drive.google.com/file/d/1bP92OtqXSgJehsSl\\_a8gEDEWV-iM5IBm/view](https://drive.google.com/file/d/1bP92OtqXSgJehsSl_a8gEDEWV-iM5IBm/view)

Hi [REDACTED]

Hopefully this copy works I have copied it from my phone.  
As I said the recording has been doctored and shortened by them with critical topics removed and shortened. This can be confirmed by [REDACTED] who was present.

[REDACTED]  
I get back home next Tuesday for any phone conversations, until then I am contactable by email.

Cheers  
[REDACTED]

Sent from my iPhone

On 12 Mar 2018, at 3:09 pm, [REDACTED] - OSHA <[REDACTED]> wrote:

Could you send me a copy? Thanks.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website:  
[www.whistleblowers.gov](http://www.whistleblowers.gov)

-----Original Message-----

From: [REDACTED] [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
Sent: Sunday, March 11, 2018 12:37 PM  
To: [REDACTED] - OSHA  
Subject: Voice recording

Good afternoon [REDACTED]

Just a short mail to let you know I managed to get a hold of my OceanGate “Firing” meeting voice recording taken by the CEO.

The recording has been doctored and there is about 15-18 minutes of recording deleted which is unfortunate.

It has been brought to my attention that the company is encouraging freelance pilots to listen to the recording to give them confidence in what was said.

The key points missing are statements including the viewport being only certified to 1000m as told by the CEO and myself asking if the company had exhausted all avenues in acquiring a company to carry out Non Destructive Testing of the hull and bond line.

[REDACTED] can confirm all the points in the missing recording if requested to do so by yourselves.

Best regards

[REDACTED]

Sent from my iPhone

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: OceanGate Inc. / [REDACTED] / 0-1960-18-073  
**Date:** Wednesday, March 14, 2018 3:33:00 PM  
**Attachments:** [image001.png](#)

---

Thank you. [REDACTED] left me a voice message and I tried calling him at [REDACTED] the number he left, but I received a busy signal every time I called. If he still needs to talk to me please let me know.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

Sign up for the latest news



**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Wednesday, March 14, 2018 3:27 PM  
**To:** [REDACTED] - OSHA  
**Subject:** OceanGate Inc. / [REDACTED] / 0-1960-18-073

[REDACTED]  
Please find attached [REDACTED] letter of today's date.  
THANK YOU.

--

[REDACTED]  
&  
1000 Second Avenue, Suite 3000  
Seattle WA 98104  
[REDACTED]

From: [REDACTED]  
To: [REDACTED] - OSHA  
Cc:  
Subject:  
Date: Wednesday, March 14, 2018 4:21:58 PM

---

[REDACTED]

I sent you via shareile an email with the wav file of the 1/19/18 meeting. Please confirm you were able to access this.

Regards,

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, Suite 3000, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.



From: [REDACTED] - OSHA  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: [REDACTED]  
Date: Thursday, March 15, 2018 9:25:00 AM  
Attachments: [image001.png](#)

---

[REDACTED]

Would it be possible for you to burn this recording to a CD and mail it to me? Our IT people really don't want us downloading anything onto our network. Thanks.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

Sign up for the latest news

 OSHA QuickTakes

---

From: [REDACTED] [mailto:[REDACTED]]  
Sent: Wednesday, March 14, 2018 4:21 PM  
To: [REDACTED] - OSHA  
Cc: [REDACTED]  
Subject: [REDACTED]

[REDACTED]

I sent you via shareile an email with the wav file of the 1/19/18 meeting. Please confirm you were able to access this.

Regards,

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, **Suite 3000**, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this

message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

From: [REDACTED] - OSHA  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: [REDACTED]  
Date: Thursday, March 15, 2018 9:25:00 AM  
Attachments: [image001.png](#)

---

[REDACTED]

Would it be possible for you to burn this recording to a CD and mail it to me? Our IT people really don't want us downloading anything onto our network. Thanks.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

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---

From: [REDACTED] [mailto:[REDACTED]]  
Sent: Wednesday, March 14, 2018 4:21 PM  
To: [REDACTED] - OSHA  
Cc: [REDACTED]  
Subject: [REDACTED]

[REDACTED]

I sent you via shareile an email with the wav file of the 1/19/18 meeting. Please confirm you were able to access this.

Regards,

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, **Suite 3000**, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this

message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.



From: [REDACTED] - OSHA  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: [REDACTED]  
Date: Thursday, March 15, 2018 10:40:00 AM  
Attachments: [image001.png](#)

---

Thanks!

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

Sign up for the latest news

 OSHA QuickTakes

---

From: [REDACTED] [mailto:[REDACTED]]  
Sent: Thursday, March 15, 2018 10:37 AM  
To: [REDACTED] - OSHA  
Cc: [REDACTED]  
Subject: Re: [REDACTED]

[REDACTED]  
Understood. This will go out in the mail today.

Regards,

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, **Suite 3000**, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written

advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

On Mar 15, 2018, at 9:25 AM, [REDACTED] - OSHA <[REDACTED]> wrote:

[REDACTED]

Would it be possible for you to burn this recording to a CD and mail it to me? Our IT people really don't want us downloading anything onto our network. Thanks.

[REDACTED]

Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

[<image001.png>](#)

---

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Wednesday, March 14, 2018 4:21 PM  
**To:** [REDACTED] - OSHA  
**Cc:** [REDACTED]  
**Subject:** [REDACTED]

[REDACTED]

I sent you via shareile an email with the wav file of the 1/19/18 meeting. Please confirm you were able to access this.

Regards,

[REDACTED]  
& [REDACTED]

1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, **Suite 3000**, Seattle WA 98104.

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this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Subject:** Fwd: Oceangate  
**Date:** Friday, March 16, 2018 12:06:04 PM  
**Attachments:** [20180316 LT \[REDACTED\].w attachments.pdf](#)

---

Hi [REDACTED]

Please see the email below from OceanGates Attorney.  
The company are taking a lawsuit out on me.

[REDACTED]

I am so taken aback about what they are saying.  
Please can you help with this.  
Cheers  
[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED] <[REDACTED]>  
**Date:** 16 March 2018 at 5:25:07 pm GMT  
**To:** [REDACTED]  
**Cc:** "R." <[REDACTED]> Neil McCurdy  
<[REDACTED]> <[REDACTED]>  
**Subject:** Oceangate

[REDACTED]

Please find correspondence dated today concerning your former employment at Oceangate, Inc. I also attach a link to download the recording of the meeting of January 19, 2018, referenced in the attached. Please confirm receipt of the same.

Regards,

<https://bg-seattle.sharefile.com/d-se5ff506651d4bae8>

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]



fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, Suite 3000, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Oceangate  
**Date:** Friday, March 16, 2018 12:54:00 PM  
**Attachments:** [image001.png](#)

---

[REDACTED]

This happened in another one of my cases. This is called a SLAPP suit. Read more about it by clicking this link: [https://en.wikipedia.org/wiki/Strategic\\_lawsuit\\_against\\_public\\_participation](https://en.wikipedia.org/wiki/Strategic_lawsuit_against_public_participation)

The state of Washington has an anti-SLAPP suit law, but in 2015 it was ruled unconstitutional by the Washington State Supreme Court. You might want to consult an attorney. I will ask our lawyers about this as well.

I think OceanGate may be using this to pressure you into settling your OSHA complaint. The lawyer representing OceanGate specifically asked me if you were interested in Alternative Dispute Resolution. I know this must be distressing especially as you are going through the pain of losing your father. Try not think about it until you get back to the US. I will let you know if I hear anything more from OceanGate's attorney or OSHA lawyers.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]  
**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Friday, March 16, 2018 12:03 PM  
**To:** [REDACTED] - OSHA  
**Subject:** Fwd: Oceangate

Hi [REDACTED]

Please see the email below from OceanGates Attorney.  
The company are taking a lawsuit out on me.

[REDACTED]

I am so taken aback about what they are saying.  
Please can you help with this.

Cheers

[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED] <[REDACTED]>  
**Date:** 16 March 2018 at 5:25:07 pm GMT  
**To:** [REDACTED]  
**Cc:** "R." [REDACTED] <[REDACTED]> Neil McCurdy  
<[REDACTED]> <[REDACTED]>  
**Subject:** Oceangate

[REDACTED]

Please find correspondence dated today concerning your former employment at Oceangate, Inc. I also attach a link to download the recording of the meeting of January 19, 2018, referenced in the attached. Please confirm receipt of the same.

Regards,

<https://bg-seattle.sharefile.com/d-se5ff506651d4bae8>

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, **Suite 3000**, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

**From:** [REDACTED] - OSHA  
**To:** [REDACTED] - OSHA  
**Subject:** FW: Oceangate  
**Date:** Friday, March 16, 2018 1:04:00 PM  
**Attachments:** [image001.png](#)  
**Importance:** High

---

[REDACTED] FYI – don't want to burden you with work right before you are going on vacation, but just wanted you to be in the loop on this case. If you want to forward this to [REDACTED] I can work with him and [REDACTED] while you are away on how we want to respond. This is not the first time I've encountered a SLAPP suit in one of my cases, but it is the first one since the state Supreme Court held the anti-SLAPP suit law unconstitutional. Thanks.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]  
**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] - OSHA  
**Sent:** Friday, March 16, 2018 12:55 PM  
**To:** [REDACTED]  
**Subject:** RE: Oceangate

[REDACTED] [REDACTED]

This happened in another one of my cases. This is called a SLAPP suit. Read more about it by clicking this link: [https://en.wikipedia.org/wiki/Strategic\\_lawsuit\\_against\\_public\\_participation](https://en.wikipedia.org/wiki/Strategic_lawsuit_against_public_participation)

The state of Washington has an anti-SLAPP suit law, but in 2015 it was ruled unconstitutional by the Washington State Supreme Court. You might want to consult an attorney. I will ask our lawyers about this as well.

I think OceanGate may be using this to pressure you into settling your OSHA complaint. The lawyer representing OceanGate specifically asked me if you were interested in Alternative Dispute Resolution. I know this must be distressing especially as you are going through the pain of losing your father. Try not think about it until you get back to the US. I will let you know if I hear anything more from OceanGate's attorney or OSHA lawyers.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**



Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

Sign up for the latest news



---

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Friday, March 16, 2018 12:03 PM  
**To:** [REDACTED] - OSHA  
**Subject:** Fwd: Oceangate

[REDACTED]

Please see the email below from OceanGates Attorney.  
The company are taking a lawsuit out on me.  
I'm still in the UK helping my mum deal with everything after my dads passing, I get back on Tuesday afternoon to the USA.  
I am so taken aback about what they are saying.  
Please can you help with this.  
Cheers  
[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED] <[REDACTED]>  
**Date:** 16 March 2018 at 5:25:07 pm GMT  
**To:** [REDACTED]  
**Cc:** "R." <[REDACTED]> Neil McCurdy  
<[REDACTED]> <[REDACTED]>  
**Subject:** Oceangate

[REDACTED]

Please find correspondence dated today concerning your former employment at Oceangate, Inc. I also attach a link to download the recording of the meeting of January 19, 2018, referenced in the attached. Please confirm receipt of the same.

Regards,

<https://bg-seattle.sharefile.com/d-se5ff506651d4bae8>

[REDACTED]  
& [REDACTED]

1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, **Suite 3000**, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

**From:** [REDACTED] - OSHA  
**To:** [REDACTED] - OSHA  
**Subject:** RE: Oceangate  
**Date:** Friday, March 16, 2018 1:07:13 PM  
**Attachments:** [image001.png](#)

---

I would suggest amending the complaint to include the allegation that the lawsuit is additional retaliation. I don't think [REDACTED] is likely to be able to help until we've finished the investigation, but I will ask. Thank you for the update.

[REDACTED]  
Assistant Regional Administrator  
Whistleblower Protection Program  
U.S. Department of Labor – OSHA  
300 Fifth Avenue, Suite 1280 | Seattle, WA 98104  
Tel: (206) [REDACTED] | Fax: (206) [REDACTED]

---

**From:** [REDACTED] - OSHA  
**Sent:** Friday, March 16, 2018 1:05 PM  
**To:** [REDACTED] - OSHA  
**Subject:** FW: Oceangate  
**Importance:** High

[REDACTED] FYI – don't want to burden you with work right before you are going on vacation, but just wanted you to be in the loop on this case. If you want to forward this to [REDACTED] I can work with him and [REDACTED] while you are away on how we want to respond. This is not the first time I've encountered a SLAPP suit in one of my cases, but it is the first one since the state Supreme Court held the anti-SLAPP suit law unconstitutional. Thanks.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]  
**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] - OSHA  
**Sent:** Friday, March 16, 2018 12:55 PM  
**To:** [REDACTED]  
**Subject:** RE: Oceangate

[REDACTED]

This happened in another one of my cases. This is called a SLAPP suit. Read more about it by clicking this link: [https://en.wikipedia.org/wiki/Strategic\\_lawsuit\\_against\\_public\\_participation](https://en.wikipedia.org/wiki/Strategic_lawsuit_against_public_participation)

The state of Washington has an anti-SLAPP suit law, but in 2015 it was ruled unconstitutional by the Washington State Supreme Court. You might want to consult an attorney. I will ask our lawyers about this as well.

I think OceanGate may be using this to pressure you into settling your OSHA complaint. The lawyer representing OceanGate specifically asked me if you were interested in Alternative Dispute Resolution. I know this must be distressing especially as you are going through the pain of losing your father. Try not think about it until you get back to the US. I will let you know if I hear anything more from OceanGate's attorney or OSHA lawyers.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

Sign up for the latest news



---

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Friday, March 16, 2018 12:03 PM  
**To:** [REDACTED] - OSHA  
**Subject:** Fwd: Oceangate

Hi [REDACTED]

Please see the email below from OceanGates Attorney.  
The company are taking a lawsuit out on me.  
I'm still in the UK helping my mum deal with everything after my dads passing, I get back on Tuesday afternoon to the USA.  
I am so taken aback about what they are saying.  
Please can you help with this.  
Cheers  
[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED] <[REDACTED]>  
**Date:** 16 March 2018 at 5:25:07 pm GMT  
**To:** [REDACTED]  
**Cc:** "R." <[REDACTED]> Neil McCurdy  
<[REDACTED]>  
**Subject:** Oceangate

Mr. [REDACTED]



Please find correspondence dated today concerning your former employment at Oceangate, Inc. I also attach a link to download the recording of the meeting of January 19, 2018, referenced in the attached. Please confirm receipt of the same.

Regards,

<https://bg-seattle.sharefile.com/d-se5ff506651d4bae8>

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, Suite 3000, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

**From:** [REDACTED] - OSHA  
**To:** [REDACTED] - OSHA  
**Subject:** RE: Oceangate  
**Date:** Friday, March 16, 2018 1:09:00 PM  
**Attachments:** [image001.png](#)

---

Yeah – that’s what I was thinking.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]  
**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] - OSHA  
**Sent:** Friday, March 16, 2018 1:07 PM  
**To:** [REDACTED] - OSHA  
**Subject:** RE: Oceangate

I would suggest amending the complaint to include the allegation that the lawsuit is additional retaliation. I don’t think [REDACTED] is likely to be able to help until we’ve finished the investigation, but I will ask. Thank you for the update.

**[REDACTED] J. [REDACTED]**  
**Assistant Regional Administrator**  
**Whistleblower Protection Program**  
**U.S. Department of Labor – OSHA**  
**300 Fifth Avenue, Suite 1280 | Seattle, WA 98104**  
**Tel: (206) [REDACTED] | Fax: (206) [REDACTED]**

---

**From:** [REDACTED] - OSHA  
**Sent:** Friday, March 16, 2018 1:05 PM  
**To:** [REDACTED] - OSHA  
**Subject:** FW: Oceangate  
**Importance:** High

[REDACTED] FYI – don’t want to burden you with work right before you are going on vacation, but just wanted you to be in the loop on this case. If you want to forward this to [REDACTED] I can work with him and [REDACTED] while you are away on how we want to respond. This is not the first time I’ve encountered a SLAPP suit in one of my cases, but it is the first one since the state Supreme Court held the anti-SLAPP suit law unconstitutional. Thanks.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**

300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397

Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]

Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] - OSHA  
**Sent:** Friday, March 16, 2018 12:55 PM  
**To:** [REDACTED]  
**Subject:** RE: Oceangate

[REDACTED]

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The state of Washington has an anti-SLAPP suit law, but in 2015 it was ruled unconstitutional by the Washington State Supreme Court. You might want to consult an attorney. I will ask our lawyers about this as well.

I think OceanGate may be using this to pressure you into settling your OSHA complaint. The lawyer representing OceanGate specifically asked me if you were interested in Alternative Dispute Resolution. I know this must be distressing especially as you are going through the pain of losing your father. Try not think about it until you get back to the US. I will let you know if I hear anything more from OceanGate's attorney or OSHA lawyers.

[REDACTED]

**Investigator, Whistleblower Program**

**U.S. Dept. of Labor – OSHA, Region X**

300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397

Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]

Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** Friday, March 16, 2018 12:03 PM  
**To:** [REDACTED] - OSHA  
**Subject:** Fwd: Oceangate

Hi [REDACTED]

Please see the email below from OceanGates Attorney.  
The company are taking a lawsuit out on me.

[REDACTED]

[REDACTED]  
I am so taken aback about what they are saying.  
Please can you help with this.  
Cheers  
[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED] <[REDACTED]>  
**Date:** 16 March 2018 at 5:25:07 pm GMT  
**To:** [REDACTED]  
**Cc:** "R." [REDACTED] <[REDACTED]> Neil McCurdy  
<[REDACTED]> <[REDACTED]>  
**Subject:** Oceangate

[REDACTED]  
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Regards,

<https://bg-seattle.sharefile.com/d-se5ff506651d4bae8>

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

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No part of a report of a marine casualty investigation shall be admissible as evidence in any civil or administrative proceeding, other than an administrative proceeding initiated by the United States. 46 U.S.C. §6308.

satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

**From:** [REDACTED] - OSHA  
**To:** [REDACTED] - OSHA  
**Subject:** FW: Oceangate  
**Date:** Friday, March 16, 2018 1:56:00 PM  
**Attachments:** 20180316 LT [REDACTED] w attachments.pdf  
image001.png

---

[REDACTED] - here is the lawsuit. The case is: OceanGate [REDACTED]

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

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---

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Friday, March 16, 2018 12:03 PM  
**To:** [REDACTED] - OSHA  
**Subject:** Fwd: Oceangate

Hi [REDACTED]

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The company are taking a lawsuit out on me.  
I'm still in the UK helping my mum deal with everything after my dads passing, I get back on Tuesday afternoon to the USA.  
I am so taken aback about what they are saying.  
Please can you help with this.  
Cheers  
[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED] <[REDACTED]>  
**Date:** 16 March 2018 at 5:25:07 pm GMT  
**To:** [REDACTED]  
**Cc:** "R." [REDACTED] <[REDACTED]> Neil McCurdy  
<[REDACTED]> <[REDACTED]>  
**Subject:** Oceangate

Mr. [REDACTED]

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Regards,

<https://bg-seattle.sharefile.com/d-se5ff506651d4bae8>

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

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**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Oceangate  
**Date:** Friday, March 16, 2018 2:07:00 PM  
**Attachments:** [image001.png](#)  
[REDACTED] [CAW.pdf](#)  
[REDACTED] [Notification.pdf](#)

---

[REDACTED]

Attached is the notification letters and complaint summary sent to you and OceanGate.

You may also want to speak to a legal professional about your rights. To search for a lawyer that is familiar with SLAPP lawsuits please click on this link:

[www.wsba.org/Resources-and-Services/Find-Legal-Help](http://www.wsba.org/Resources-and-Services/Find-Legal-Help)

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

Sign up for the latest news



---

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Friday, March 16, 2018 12:03 PM  
**To:** [REDACTED] - OSHA  
**Subject:** Fwd: Oceangate

Hi [REDACTED]

Please see the email below from OceanGates Attorney.  
The company are taking a lawsuit out on me.  
I'm still in the UK helping my mum deal with everything after my dads passing, I get back on Tuesday afternoon to the USA.  
I am so taken aback about what they are saying.  
Please can you help with this.

Cheers  
[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED] <[REDACTED]>  
**Date:** 16 March 2018 at 5:25:07 pm GMT  
**To:** [REDACTED]



Cc: "R. [REDACTED]" <[REDACTED]> Neil McCurdy  
<[REDACTED]> <[REDACTED]>  
Subject: Oceangate

Mr. [REDACTED]

Please find correspondence dated today concerning your former employment at Oceangate, Inc. I also attach a link to download the recording of the meeting of January 19, 2018, referenced in the attached. Please confirm receipt of the same.

Regards,

<https://bg-seattle.sharefile.com/d-se5ff506651d4bae8>

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

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**From:** [REDACTED] - OSHA  
**To:** [REDACTED] - OSHA  
**Subject:** RE: Oceangate  
**Date:** Friday, March 16, 2018 2:29:21 PM  
**Attachments:** [image001.png](#)

---

Asked [REDACTED], will ask him to let you know if I don't hear back today.

[REDACTED]  
Assistant Regional Administrator  
Whistleblower Protection Program  
U.S. Department of Labor – OSHA  
300 Fifth Avenue, Suite 1280 | Seattle, WA 98104  
Tel: (206) [REDACTED] | Fax: (206) [REDACTED]

---

**From:** [REDACTED] - OSHA  
**Sent:** Friday, March 16, 2018 1:57 PM  
**To:** [REDACTED] - OSHA  
**Subject:** FW: Oceangate

[REDACTED] – here is the lawsuit. The case is: OceanGate/[REDACTED] 0-1960-18-073.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] [[mailto:\[REDACTED\]](#)]  
**Sent:** Friday, March 16, 2018 12:03 PM  
**To:** [REDACTED] - OSHA  
**Subject:** Fwd: Oceangate

Hi [REDACTED]

Please see the email below from OceanGates Attorney.  
The company are taking a lawsuit out on me.

[REDACTED]

I am so taken aback about what they are saying.  
Please can you help with this.  
Cheers

[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED] <[REDACTED]>  
**Date:** 16 March 2018 at 5:25:07 pm GMT  
**To:** [REDACTED]  
**Cc:** "R." [REDACTED] Neil McCurdy  
<[REDACTED]> <[REDACTED]>  
**Subject:** Oceangate

[REDACTED]

Please find correspondence dated today concerning your former employment at Oceangate, Inc. I also attach a link to download the recording of the meeting of January 19, 2018, referenced in the attached. Please confirm receipt of the same.

Regards,

<https://bg-seattle.sharefile.com/d-se5ff506651d4bae8>

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, **Suite 3000**, Seattle WA 98104.

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**From:** [REDACTED] - OSHA  
**To:** [REDACTED] - OSHA  
**Subject:** Fw: OceanGate/[REDACTED] 0-1960-18-073  
**Date:** Monday, March 19, 2018 12:50:25 PM

---

FYI

And just boarded! If not too much trouble can you double check to confirm your colleagues are comfortable checking for online complaints.

Best,  
[REDACTED]

---

From: [REDACTED]  
Sent: Friday, March 16, 2018 4:16:44 PM  
To: [REDACTED] - OSHA  
Subject: RE: OceanGate/[REDACTED] 0-1960-18-073

I think that is ok. The state court suit specifically mentions “discussing ... confidential information with representatives of” OSHA so I think we are on safe grounds to assert that the lawsuit is designed, in part, to discourage employees from contacting OSHA. And therefore it can be viewed as another form of retaliation.

The facts alleged in the company’s response do give me some pause, however. It will be interesting to see what the investigation reveals.

blb

[REDACTED]  
Associate Regional Solicitor

From: [REDACTED] - OSHA  
Sent: Friday, March 16, 2018 2:04 PM  
To: [REDACTED]  
Subject: OceanGate/[REDACTED] 0-1960-18-073

[REDACTED]e,

We have what appears to be a SLAPP suit in a new whistleblower complaint. I’ve told [REDACTED] to amend the complaint to add an allegation that the SLAPP suit is an additional adverse action. Please let me know if I should be doing something else (the complainant is understandably upset which is in part motivating the question).

Best,  
[REDACTED]

[REDACTED] J. [REDACTED]  
Assistant Regional Administrator  
Whistleblower Protection Program  
U.S. Department of Labor – OSHA  
300 Fifth Avenue, Suite 1280 | Seattle, WA 98104  
Tel: (206) [REDACTED] | Fax: (206) [REDACTED]



**From:** [REDACTED] - OSHA  
**To:** [REDACTED] - OSHA  
**Subject:** RE: OceanGate/[REDACTED] 0-1960-18-073  
**Date:** Monday, March 19, 2018 12:54:00 PM

---

Yes. -- Bon Voyage!

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

-----Original Message-----

From: [REDACTED] - OSHA  
Sent: Monday, March 19, 2018 12:50 PM  
To: [REDACTED] - OSHA  
Subject: Fw: OceanGate/[REDACTED] 0-1960-18-073

FYI

And just boarded! If not too much trouble can you double check to confirm your colleagues are comfortable checking for online complaints.

Best,  
[REDACTED]

---

From: [REDACTED]  
Sent: Friday, March 16, 2018 4:16:44 PM  
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Subject: RE: OceanGate/[REDACTED] 0-1960-18-073

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[REDACTED]  
[REDACTED],  
Associate Regional Solicitor

From: [REDACTED] - OSHA  
Sent: Friday, March 16, 2018 2:04 PM  
To: [REDACTED] - SOL  
Subject: OceanGate/[REDACTED] 0-1960-18-073

[REDACTED]

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Best,

[REDACTED]

[REDACTED]

Assistant Regional Administrator  
Whistleblower Protection Program  
U.S. Department of Labor – OSHA  
300 Fifth Avenue, Suite 1280 | Seattle, WA 98104  
Tel: (206) [REDACTED] | Fax: (206) [REDACTED]

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Oceangate  
**Date:** Monday, March 19, 2018 1:58:00 PM  
**Attachments:** [image001.png](#)

---

[REDACTED]

I would like to discuss the possibility of amending your complaint after you return to the US. There is no rush to amend it and I don't want make matters worse for you. Give me a call later in the week and we can discuss. Thanks.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]  
**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] - OSHA  
**Sent:** Friday, March 16, 2018 12:55 PM  
**To:** [REDACTED]  
**Subject:** RE: Oceangate

[REDACTED]

This happened in another one of my cases. This is called a SLAPP suit. Read more about it by clicking this link: [https://en.wikipedia.org/wiki/Strategic\\_lawsuit\\_against\\_public\\_participation](https://en.wikipedia.org/wiki/Strategic_lawsuit_against_public_participation)

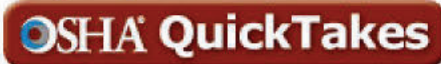
The state of Washington has an anti-SLAPP suit law, but in 2015 it was ruled unconstitutional by the Washington State Supreme Court. You might want to consult an attorney. I will ask our lawyers about this as well.

I think OceanGate may be using this to pressure you into settling your OSHA complaint. The lawyer representing OceanGate specifically asked me if you were interested in Alternative Dispute Resolution. I know this must be distressing especially as you are going through the pain of losing your father. Try not think about it until you get back to the US. I will let you know if I hear anything more from OceanGate's attorney or OSHA lawyers.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**

Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

Sign up for the latest news



---

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Friday, March 16, 2018 12:03 PM  
**To:** [REDACTED] - OSHA  
**Subject:** Fwd: Oceangate

Hi [REDACTED]

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[REDACTED]

Sent from my iPhone

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**To:** [REDACTED]  
**Cc:** "R." <[REDACTED]> Neil McCurdy  
<[REDACTED]> <[REDACTED]>  
**Subject:** Oceangate

Mr. [REDACTED]

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Regards,

<https://bg-seattle.sharefile.com/d-se5ff506651d4bae8>

[REDACTED]  
& [REDACTED]

1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

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**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Oceangate  
**Date:** Friday, April 13, 2018 3:23:00 PM  
**Attachments:** [image001.png](#)  
**Importance:** High

---

[REDACTED]

The last we talked you indicated that you might want to withdraw your complaint. Please let me know what you have decided. Thanks.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]  
**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] - OSHA  
**Sent:** Monday, March 19, 2018 1:58 PM  
**To:** [REDACTED]  
**Subject:** RE: Oceangate

[REDACTED]

I would like to discuss the possibility of amending your complaint after you return to the US. There is no rush to amend it and I don't want make matters worse for you. Give me a call later in the week and we can discuss. Thanks.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]  
**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] - OSHA  
**Sent:** Friday, March 16, 2018 12:55 PM  
**To:** [REDACTED]  
**Subject:** RE: Oceangate



[REDACTED]

This happened in another one of my cases. This is called a SLAPP suit. Read more about it by clicking this link: [https://en.wikipedia.org/wiki/Strategic\\_lawsuit\\_against\\_public\\_participation](https://en.wikipedia.org/wiki/Strategic_lawsuit_against_public_participation)

The state of Washington has an anti-SLAPP suit law, but in 2015 it was ruled unconstitutional by the Washington State Supreme Court. You might want to consult an attorney. I will ask our lawyers about this as well.

I think OceanGate may be using this to pressure you into settling your OSHA complaint. The lawyer representing OceanGate specifically asked me if you were interested in Alternative Dispute Resolution. I know this must be distressing especially as you are going through the pain of losing your father. Try not think about it until you get back to the US. I will let you know if I hear anything more from OceanGate's attorney or OSHA lawyers.

[REDACTED]

Investigator, Whistleblower Program

U.S. Dept. of Labor – OSHA, Region X

300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397

Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]

Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Friday, March 16, 2018 12:03 PM  
**To:** [REDACTED] - OSHA  
**Subject:** Fwd: Oceangate

Hi [REDACTED]

Please see the email below from OceanGates Attorney.  
The company are taking a lawsuit out on me.

[REDACTED]

I am so taken aback about what they are saying.  
Please can you help with this.

Cheers

[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED] <[REDACTED]>  
**Date:** 16 March 2018 at 5:25:07 pm GMT

To: [REDACTED]  
Cc: "R." [REDACTED] <[REDACTED]> Neil McCurdy  
<[REDACTED]> [REDACTED] <[REDACTED]>  
Subject: Oceangate

Mr. [REDACTED]

Please find correspondence dated today concerning your former employment at Oceangate, Inc. I also attach a link to download the recording of the meeting of January 19, 2018, referenced in the attached. Please confirm receipt of the same.

Regards,

<https://bg-seattle.sharefile.com/d-se5ff506651d4bae8>

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, Suite 3000, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Subject:** Re: Oceangate  
**Date:** Friday, April 13, 2018 4:13:54 PM

---

Good evening [REDACTED]

The matter of the law suit against me for filing the complaint is still in the hands of the attorneys.

As soon as my attorney gives me a clear route to follow, whether to continue with it or retract it I will let you know.

I am still enraged that my ex employer is coming after me for doing what I believe to be the “right thing” to do.

Cheers

[REDACTED]

Sent from my iPhone

On 13 Apr 2018, at 5:23 pm, [REDACTED] - OSHA <[REDACTED]> wrote:

[REDACTED]

The last we talked you indicated that you might want to withdraw your complaint.  
Please let me know what you have decided. Thanks.

[REDACTED]

**Investigator, Whistleblower Program**

**U.S. Dept. of Labor – OSHA, Region X**

**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**

**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]

**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[<image001.png>](#)

---

**From:** [REDACTED] - OSHA  
**Sent:** Monday, March 19, 2018 1:58 PM  
**To:** [REDACTED]  
**Subject:** RE: Oceangate

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[REDACTED]

**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**

300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397

Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]

Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

<image001.png>

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**From:** [REDACTED] - OSHA  
**Sent:** Friday, March 16, 2018 12:55 PM  
**To:** [REDACTED]  
**Subject:** RE: Oceangate

[REDACTED]

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[https://en.wikipedia.org/wiki/Strategic\\_lawsuit\\_against\\_public\\_participation](https://en.wikipedia.org/wiki/Strategic_lawsuit_against_public_participation)

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[REDACTED]

Investigator, Whistleblower Program

U.S. Dept. of Labor – OSHA, Region X

300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397

Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]

Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

<image001.png>

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**From:** [REDACTED] [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** Friday, March 16, 2018 12:03 PM  
**To:** [REDACTED] - OSHA  
**Subject:** Fwd: Oceangate

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The company are taking a lawsuit out on me.

[REDACTED]

I am so taken aback about what they are saying.



Please can you help with this.

Cheers

Sent from my iPhone

Begin forwarded message:

**From:** [REDACTED] <[REDACTED]>  
**Date:** 16 March 2018 at 5:25:07 pm GMT  
**To:** [REDACTED]  
**Cc:** "R." [REDACTED] Neil McCurdy  
<[REDACTED]>  
<[REDACTED]>  
**Subject:** Oceangate

Mr. [REDACTED]

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Regards,

<https://bg-seattle.sharefile.com/d-se5ff506651d4bae8>

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

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us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.



**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Subject:** update regards my complaint with OceanGate  
**Date:** Sunday, April 22, 2018 11:54:49 AM

---

Good afternoon [REDACTED]

As you can imagine it has been a very stressful time for my wife and I over the last 5 weeks since receiving the threatening 41 page letter from OceanGates attorney.

I did hire an attorney [REDACTED] based in Seattle to respond to OceanGates false claims and accusations as you will have seen in the 41 page document they sent me, which I duly forwarded you at the time.

Our attorney has been attempting to deal with the situation to avoid any sort of law suit as he is fully aware [REDACTED] and I cannot afford to pay constantly for attorney fees if they do decide to go to court. Our attorney is of the opinion we would win if it did go to court and thinks they are bluffing as there would be very negative press for Oceangate as it will be public record..... I value your opinion on this!

Unfortunately OceanGate are still continuing to make threats of fraud in obtaining my Permanent Residency, stating they will contact one of my previous employers Vulcan saying I broke NDAs, contact my ex wife and lenders to let them know my earnings while I was employed at OG etc etc unless I pay them and I drop my claim with yourselves and all parties destroy all evidence of my Quality Inspection Report which you already have a copy of.

They have now started to falsley accuse me of instigating letters and correspondance with other members of the Manned Submersible Industry which I have not. OceanGate will do anything to make my report go away and drop the OSHA claim which they state is not valid.

I am truly at a loss and wondered if OSHA have any guidance they could give me and what sort of support is available.

After looking online at the Justice Department to see if they could intervene I found the following paragraphs. I wondered if you could speak to your OSHA attorneys to see what their thoughts are on me involving them at this stage and if it would be beneficial at all.

The U.S. Department of Justice's (DOJ) Civil Rights Division recently issued a [final rule](#), effective January 18, to update regulations that the agency uses to enforce employment-related anti-discrimination provisions that Congress included in the "unfair immigration-related employment practices" section of the Immigration and Nationality Act (INA). The agency maintains that the update clarifies the procedures for investigations and charges of discrimination.

INA: ACT 274B - UNFAIR IMMIGRATION-RELATED EMPLOYMENT PRACTICES  
(5) Prohibition of intimidation or retaliation.-It is also an unfair immigration-related employment practice for a person or other entity to intimidate, threaten, coerce, or retaliate against any individual for the purpose of interfering with any right or privilege secured under this section or because the individual intends to file or has filed a charge or a complaint,

testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this section. An individual so intimidated, threatened, coerced, or retaliated against shall be considered, for purposes of subsections (d) and (g), to have been discriminated against.

I look forward to your thoughts as my family and I feel we are being wronged for trying to do the right thing and everyone I spoke to at the WA Unemployment agency, yourself included at OSHA agreed I was unfairly terminated from my position. [REDACTED] the ex HR Director at OceanGate left her job and stated reasons in her resignation letter as such as well and she would fully testify to the same if it goes to trial.

Best Regards

[REDACTED]

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: update regards my complaint with OceanGate  
**Date:** Monday, April 23, 2018 7:46:00 AM  
**Attachments:** [image001.png](#)

---

[REDACTED]

I can well imagine the stress that you have been under recently. I am glad you have retained an attorney and I am glad he thinks your position is a strong one.

OSHA and the U.S. Department of Labor do not enforce the Immigration and Nationality Act and we cannot provide you legal advice. I would talk to your attorney to see what he thinks is the best strategy moving forward. It can't hurt to contact the U.S. Department of Justice to see what your options are under the Immigration and Nationality Act.

Please let me know if you want to take advantage of OSHA's Alternative Dispute Resolution (ADR) process. I would think this would be the quickest way to resolve this dispute with OceanGate. Now that you are represented by an attorney you are on an equal footing with OceanGate. Talk to your attorney and if he is in agreement please send in the ADR form and I will contact OceanGate's attorney to get the process going.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]  
**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Sunday, April 22, 2018 11:54 AM  
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**Subject:** update regards my complaint with OceanGate

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Unfortunately OceanGate are still continuing to make threats of fraud in obtaining my Permanent Residency, stating they will contact one of my previous employers Vulcan saying I broke NDAs, contact my ex wife and lenders to let them know my earnings while I was employed at OG etc etc unless I pay them and I drop my claim with yourselves and all parties destroy all evidence of my Quality Inspection Report which you already have a copy of.

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[REDACTED]

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Best Regards  
[REDACTED]



**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Subject:** Oceangate  
**Date:** Saturday, June 30, 2018 2:48:41 PM

---

Good afternoon [REDACTED] hope your well

All avenues at attempting to deal with OceanGates unlawful accusations and threats came to a head today. I was served with a Snohomish County Court summons this morning. I have informed my attorney of the same and truly believe at this point we should continue with the claim through OSHA for unfair dismissal for raising health and safety concerns in the workplace. The fact that Oceangate have threatened my wife and I both in the attempt to get us to drop the OSHA claim and now this attempt to get me to drop it we are disgusted with their logic and behaviour.

I [REDACTED] can be fully contacted via email.

Best regards  
[REDACTED]

Sent from my iPhone

**From:** [REDACTED]  
**To:** [REDACTED] - OSHA; [REDACTED] - OSHA  
**Subject:** OceanGate Court summons  
**Date:** Monday, July 9, 2018 10:33:29 AM  
**Attachments:** [Scanned Documents.pdf](#)

---

Good afternoon [REDACTED]

I have attached scans of the court summons OceanGate have had served on me and my wife [REDACTED] My attorney feels it would be prudent to send you a copy.

OceanGates further retaliation after raising concerns about Health and Safety issues leading to my unlawful dismissal have reached a head and no matter what suggestions my attorney made to settle the matter early he was met with resistance and further demands. Their accusations are unjust, untrue and once again their threatening behaviour is upsetting to my family especially with both [REDACTED]  
[REDACTED]

Best regards  
[REDACTED]

**From:** [REDACTED] - OSHA  
**To:** [REDACTED] - OSHA  
**Subject:** RE: OceanGate Court summons  
**Date:** Tuesday, July 10, 2018 8:15:00 AM

---

[REDACTED] I will investigate your complaint as quickly as I can. Please note that at this time I have 11 cases that are older than yours. I will be in contact with you as needed. Thanks for your patience.

[REDACTED] **Investigator**  
**Whistleblower Protection Program – U.S. Department of Labor – OSHA**  
**Region X – 300 Fifth Avenue, Room 1280, Seattle, WA 98104**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]

**From:** [REDACTED] <[REDACTED]>  
**Sent:** Monday, July 9, 2018 10:31 AM  
**To:** [REDACTED] - OSHA <[REDACTED]> [REDACTED] - OSHA  
<[REDACTED]>  
**Subject:** OceanGate Court summons

Good afternoon [REDACTED]

I have attached scans of the court summons OceanGate have had served on me and my wife [REDACTED] My attorney feels it would be prudent to send you a copy.

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[REDACTED]  
[REDACTED]

Best regards  
[REDACTED]

**From:** [REDACTED] - OSHA  
**To:** [REDACTED] - OSHA  
**Subject:** RE: OceanGate Court summons  
**Date:** Tuesday, July 10, 2018 8:15:00 AM

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**Region X – 300 Fifth Avenue, Room 1280, Seattle, WA 98104**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]

**From:** [REDACTED] <[REDACTED]>  
**Sent:** Monday, July 9, 2018 10:31 AM  
**To:** [REDACTED] - OSHA <[REDACTED]> [REDACTED] - OSHA  
<[REDACTED]>  
**Subject:** OceanGate Court summons

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[REDACTED]  
[REDACTED]

Best regards  
[REDACTED]



From: [REDACTED] - OSHA  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: [REDACTED]  
Date: Monday, August 6, 2018 8:33:00 AM  
Importance: High

---

Mr. [REDACTED]

I received your voice message. At this time I have 8 cases that were filed prior to Mr. [REDACTED] complaint. I should be starting to actively investigate his complaint in the near future. I appreciate your patience.

[REDACTED] *Investigator*

*Whistleblower Protection Program – U.S. Department of Labor – OSHA*

*Region X – 300 Fifth Avenue, Room 1280, Seattle, WA 98104*

*Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]*

---

From: [REDACTED] <[REDACTED]>  
Sent: Thursday, March 15, 2018 10:37 AM  
To: [REDACTED] - OSHA <[REDACTED]>  
Cc: [REDACTED] <[REDACTED]>  
Subject: Re: [REDACTED]

Mr. [REDACTED]

Understood. This will go out in the mail today.

Regards,

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]

CHANGE OF ADDRESS:

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On Mar 15, 2018, at 9:25 AM, [REDACTED] - OSHA  
<[REDACTED]> wrote:

Mr. [REDACTED]

Would it be possible for you to burn this recording to a CD and mail it to me? Our IT people really don't want us downloading anything onto our network. Thanks.

[REDACTED]  
Investigator, Whistleblower Program  
U.S. Dept. of Labor – OSHA, Region X  
300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]  
Whistleblower Protection Program Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

[<image001.png>](#)

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**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Wednesday, March 14, 2018 4:21 PM  
**To:** [REDACTED] - OSHA  
**Cc:** [REDACTED]  
**Subject:** [REDACTED]

Mr. [REDACTED]

I sent you via shareile an email with the wav file of the 1/19/18 meeting. Please confirm you were able to access this.

Regards,

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, **Suite 3000**, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Subject:** Update  
**Date:** Wednesday, August 29, 2018 6:59:27 AM

---

Good morning [REDACTED]

Just a quick mail to see what if any progress has been made in my claim.

You mentioned several months ago about sending a second letter to Oceangate highlighting a second act of retaliation by them against me.

I understand the manufacturer of the insufficient viewport that is installed on the submersible Titan is extremely concerned. As previously mentioned the viewport was designed in house at Oceangate and the manufacturer would only build and certify their design to 1000m. Oceangate plan on taking the sub to 4000m with passengers who are unaware of this.

The viewport manufacturer expressed his concerns and said he could design and build a viewport to the desired depth of 4000m but Oceangate refused.

Over and above this issue which was highlighted at my unlawful termination there is still the issue of all the other safety points that are critical to paying public and Oceangate's crew safety.

Cheers

[REDACTED]

Sent from my iPhone

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Update  
**Date:** Wednesday, August 29, 2018 4:49:00 PM

---

[REDACTED]

I have not started actively investigating your complaint. I still have several other older complaints that I am trying to finish up. I will get started on yours in the near future. When I do, I will be in touch. Thanks.

[REDACTED] Investigator  
Whistleblower Protection Program – U.S. Department of Labor – OSHA  
Region X – 300 Fifth Avenue, Room 1280, Seattle, WA 98104  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]

-----Original Message-----

From: [REDACTED] <[REDACTED]>  
Sent: Wednesday, August 29, 2018 6:57 AM  
To: [REDACTED] - OSHA <[REDACTED]>  
Subject: Update

Good morning [REDACTED]

Just a quick mail to see what if any progress has been made in my claim.

You mentioned several months ago about sending a second letter to Oceangate highlighting a second act of retaliation by them against me.

I understand the manufacturer of the insufficient viewport that is installed on the submersible Titan is extremely concerned. As previously mentioned the viewport was designed in house at Oceangate and the manufacturer would only build and certify their design to 1000m. Oceangate plan on taking the sub to 4000m with passengers who are unaware of this.

The viewport manufacturer expressed his concerns and said he could design and build a viewport to the desired depth of 4000m but Oceangate refused.

Over and above this issue which was highlighted at my unlawful termination there is still the issue of all the other safety points that are critical to paying public and Oceangate's crew safety.

Cheers

[REDACTED]

Sent from my iPhone

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Update  
**Date:** Wednesday, August 29, 2018 4:49:00 PM

---

[REDACTED]

I have not started actively investigating your complaint. I still have several other older complaints that I am trying to finish up. I will get started on yours in the near future. When I do, I will be in touch. Thanks.

[REDACTED] Investigator  
Whistleblower Protection Program – U.S. Department of Labor – OSHA  
Region X – 300 Fifth Avenue, Room 1280, Seattle, WA 98104  
Direct: [REDACTED] Main: [REDACTED] Fax: [REDACTED]

-----Original Message-----

From: [REDACTED] <[REDACTED]>  
Sent: Wednesday, August 29, 2018 6:57 AM  
To: [REDACTED] - OSHA <[REDACTED]>  
Subject: Update

Good morning [REDACTED]

Just a quick mail to see what if any progress has been made in my claim.

You mentioned several months ago about sending a second letter to Oceangate highlighting a second act of retaliation by them against me.

I understand the manufacturer of the insufficient viewport that is installed on the submersible Titan is extremely concerned. As previously mentioned the viewport was designed in house at Oceangate and the manufacturer would only build and certify their design to 1000m. Oceangate plan on taking the sub to 4000m with passengers who are unaware of this.

The viewport manufacturer expressed his concerns and said he could design and build a viewport to the desired depth of 4000m but Oceangate refused.

Over and above this issue which was highlighted at my unlawful termination there is still the issue of all the other safety points that are critical to paying public and Oceangate's crew safety.

Cheers

[REDACTED]

Sent from my iPhone



**From:** [REDACTED] - OSHA  
**To:** [REDACTED] - OSHA  
**Subject:** TRANSCRIPT REQUEST - OceanGate/[REDACTED]  
**Date:** Tuesday, October 23, 2018 10:34:00 AM  
**Attachments:** [image001.png](#)  
**Importance:** High

---

[REDACTED]

I am requesting transcription services in this SPA case because the employer sent me a recording of a 2-hour meeting that is crucial to the investigation. I really need to dive into this recording and thought it would be a better use of resources to send it out to be transcribed. I would also like to send out the Cp's interview recording as well.

Once I review these transcripts I will schedule a rebuttal interview with CP and/or schedule RP interviews. The parties have attempted and failed to resolve this complaint via settlement talks. Let me know if you agree. We can discuss tomorrow at our case meeting, if you like. Thanks.

[REDACTED]

**Investigator, Whistleblower Program**

**U.S. Dept. of Labor – OSHA, Region X**

**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**

**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]

**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

**From:** [REDACTED]  
**To:** [REDACTED] - OSHA; [REDACTED] - OSHA  
**Subject:** Oceangate  
**Date:** Saturday, November 24, 2018 1:11:14 PM

---

Good morning [REDACTED]

Oceangate and I have agreed terms for them to end their lawsuit against me.  
Therefore as part of the agreement I am dropping my case against Oceangate with OSHA.  
If you can confirm when this is done I can forward your confirmation to my legal team for their records.

Best regards  
[REDACTED]

Sent from my iPhone

**From:** [REDACTED] - OSHA  
**To:** [REDACTED] - OSHA  
**Subject:** RE: Oceangate  
**Date:** Monday, November 26, 2018 8:48:00 AM  
**Importance:** High

---

[REDACTED]

OSHA policy requires us to see any private settlement agreement and approve it before closing the case. Could you send me a copy?

[REDACTED] (pronouns – he, him, his)  
Investigator, Whistleblower Program  
U.S. Department of Labor – OSHA Region X  
300 Fifth Avenue, Room 1280, Seattle, WA 98104  
Phone: [REDACTED] Fax: [REDACTED]  
Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)

-----Original Message-----

From: [REDACTED] <[REDACTED]>  
Sent: Saturday, November 24, 2018 1:10 PM  
To: [REDACTED] - OSHA <[REDACTED]> [REDACTED] - OSHA <[REDACTED]>  
Subject: Oceangate

Good morning [REDACTED]

Oceangate and I have agreed terms for them to end their lawsuit against me.  
Therefore as part of the agreement I am dropping my case against Oceangate with OSHA.  
If you can confirm when this is done I can forward your confirmation to my legal team for their records.

Best regards  
[REDACTED]

Sent from my iPhone

**From:** [REDACTED]  
**To:** [REDACTED] - OSHA; [REDACTED] - OSHA  
**Subject:** Settlement and release  
**Date:** Monday, November 26, 2018 1:31:07 PM  
**Attachments:** [Scanned Documents.pdf](#)

---

Good morning [REDACTED]

Please find attached a copy of the legally binding settlement and release between myself and Oceangate.

Both parties have signed the contract now.

Best regards

[REDACTED]

Sent from my iPhone























**From:** - OSHA  
**To:** [REDACTED]  
**Subject:** Settlement - OceanGate/[REDACTED] 0-1960-18-073  
**Date:** Wednesday, November 28, 2018 2:37:00 PM  
**Importance:** High

---

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

OSHA is prepared to approve the settlement agreement between the parties and close the investigation if you will sign an addendum with the following terms:

1. Nothing in this Agreement is intended to prevent, impede or interfere with complainant's providing truthful testimony and information in the course of an investigation or proceeding authorized by law and conducted by a government agency.
2. Nothing in this Agreement is intended to limit the applicability of federal law under the Seaman's Protection Act as amended by Section 611 of the Coast Guard Authorization Act of 2010, P.L. 111-281 (SPA), 46 U.S.C. §2114.

Thank you.

[REDACTED] *(pronouns – he, him, his)*  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone:* [REDACTED] *Fax:* [REDACTED]  
*Website:* [www.whistleblowers.gov](http://www.whistleblowers.gov)

Sent from my iPhone

**From:** [REDACTED]  
**To:** [REDACTED] - OSHA  
**Cc:** [REDACTED]  
**Subject:** Re: Settlement - OceanGate/[REDACTED] 0-1960-18-073  
**Date:** Wednesday, November 28, 2018 5:20:14 PM

---

Good morning [REDACTED]

I have no problem signing an addendum.

Cheers  
[REDACTED]

Sent from my iPhone

On 29 Nov 2018, at 6:37 am, [REDACTED] - OSHA <[REDACTED]> wrote:

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

OSHA is prepared to approve the settlement agreement between the parties and close the investigation if you will sign an addendum with the following terms:

<!--[if !supportLists]-->1. <!--[endif]-->Nothing in this Agreement is intended to prevent, impede or interfere with complainant's providing truthful testimony and information in the course of an investigation or proceeding authorized by law and conducted by a government agency.

<!--[if !supportLists]-->2. <!--[endif]-->Nothing in this Agreement is intended to limit the applicability of federal law under the Seaman's Protection Act as amended by Section 611 of the Coast Guard Authorization Act of 2010, P.L. 111-281 (SPA), 46 U.S.C. §2114.

Thank you.

[REDACTED] (*pronouns – he, him, his*)  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone:* [REDACTED] *Fax:* [REDACTED]  
*Website:* [www.whistleblowers.gov](http://www.whistleblowers.gov)

Sent from my iPhone



law under the Seaman's Protection Act as amended by Section 611 of the Coast Guard Authorization Act of 2010, P.L. 111-281 (SPA), 46 U.S.C. §2114.

Thank you.

**[REDACTED]** *(pronouns – he, him, his)*  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone: [REDACTED] Fax: [REDACTED]*  
*Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)*

Sent from my iPhone

**From:** - OSHA  
**To:** [REDACTED]  
**Subject:** RE: Settlement - OceanGate/[REDACTED] 0-1960-18-073  
**Date:** Monday, December 10, 2018 11:45:00 AM  
**Importance:** High

---

[REDACTED] [REDACTED]

I have not heard from you. Please let me know if your client intends to sign an addendum to the settlement agreement with the provision below. Thanks.

[REDACTED] *(pronouns – he, him, his)*  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone:* [REDACTED] *Fax:* [REDACTED]  
*Website:* [www.whistleblowers.gov](http://www.whistleblowers.gov)

---

**From:** [REDACTED] - OSHA  
**Sent:** Wednesday, November 28, 2018 2:37 PM  
**To:** [REDACTED] <[REDACTED]> [REDACTED]  
**Subject:** Settlement - OceanGate/[REDACTED] 0-1960-18-073  
**Importance:** High

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

OSHA is prepared to approve the settlement agreement between the parties and close the investigation if you will sign an addendum with the following terms:

1. Nothing in this Agreement is intended to prevent, impede or interfere with complainant's providing truthful testimony and information in the course of an investigation or proceeding authorized by law and conducted by a government agency.
2. Nothing in this Agreement is intended to limit the applicability of federal law under the Seaman's Protection Act as amended by Section 611 of the Coast Guard Authorization Act of 2010, P.L. 111-281 (SPA), 46 U.S.C. §2114.

Thank you.

[REDACTED] *(pronouns – he, him, his)*  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*



*Phone:* [REDACTED] *Fax:* [REDACTED]  
*Website:* [www.whistleblowers.gov](http://www.whistleblowers.gov)

Sent from my iPhone

From: [REDACTED]  
To: [REDACTED] - OSHA  
Cc: [REDACTED]  
Subject: Re: Settlement - OceanGate, [REDACTED] 0-1960-18-073  
Date: Monday, December 10, 2018 12:07:33 PM  
Importance: High

---

I am pretty certain on this. Let me get back to you.

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, **Suite 3000**, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

On Dec 10, 2018, at 11:45 AM, [REDACTED] - OSHA  
<[REDACTED]> wrote:

[REDACTED]

I have not heard from you. Please let me know if your client intends to sign an addendum to the settlement agreement with the provision below. Thanks.

[REDACTED] (*pronouns – he, him, his*)  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone: [REDACTED] Fax: [REDACTED]*  
*Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)*

---

From: [REDACTED] - OSHA  
Sent: Wednesday, November 28, 2018 2:37 PM  
To: [REDACTED] <[REDACTED]> [REDACTED]

**Subject:** Settlement - OceanGate/[REDACTED]0-1960-18-073

**Importance:** High

[REDACTED]

OSHA is prepared to approve the settlement agreement between the parties and close the investigation if you will sign an addendum with the following terms:

1. Nothing in this Agreement is intended to prevent, impede or interfere with complainant's providing truthful testimony and information in the course of an investigation or proceeding authorized by law and conducted by a government agency.
2. Nothing in this Agreement is intended to limit the applicability of federal law under the Seaman's Protection Act as amended by Section 611 of the Coast Guard Authorization Act of 2010, P.L. 111-281 (SPA), 46 U.S.C. §2114.

Thank you.

[REDACTED] *(pronouns – he, him, his)*  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone:* [REDACTED] *Fax:* [REDACTED]  
*Website:* [www.whistleblowers.gov](http://www.whistleblowers.gov)

Sent from my iPhone

From: [REDACTED] - OSHA  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: Settlement - OceanGate/[REDACTED] 0-1960-18-073  
Date: Monday, December 10, 2018 3:32:00 PM  
Attachments: [REDACTED] [SetAddendum.docx](#)  
Importance: High

---

[REDACTED]

I took the liberty of drafting the addendum. Please have you client sign and date it. I will have Mr. [REDACTED] do the same and then I will send out the closing letter. Thanks.

[REDACTED] (*pronouns – he, him, his*)  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone: [REDACTED] Fax: [REDACTED]*  
*Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)*

---

From: [REDACTED] <[REDACTED]>  
Sent: Monday, December 10, 2018 12:04 PM  
To: [REDACTED] - OSHA <[REDACTED]>  
Cc: [REDACTED] <[REDACTED]>  
Subject: Re: Settlement - OceanGate/[REDACTED] 0-1960-18-073  
Importance: High

I am pretty certain on this. Let me get back to you.

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, Suite 3000, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we

have informed you that those standards do not apply to this communication.

On Dec 10, 2018, at 11:45 AM, [REDACTED] - OSHA  
<[REDACTED]> wrote:

[REDACTED]

I have not heard from you. Please let me know if your client intends to sign an addendum to the settlement agreement with the provision below. Thanks.

[REDACTED] *(pronouns – he, him, his)*  
**Investigator, Whistleblower Program**  
**U.S. Department of Labor – OSHA Region X**  
**300 Fifth Avenue, Room 1280, Seattle, WA 98104**  
**Phone:** [REDACTED] **Fax:** [REDACTED]  
**Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

---

**From:** [REDACTED] - OSHA  
**Sent:** Wednesday, November 28, 2018 2:37 PM  
**To:** [REDACTED] <[REDACTED]> [REDACTED]  
**Subject:** Settlement - OceanGate/[REDACTED] 0-1960-18-073  
**Importance:** High

[REDACTED]

OSHA is prepared to approve the settlement agreement between the parties and close the investigation if you will sign an addendum with the following terms:

1. Nothing in this Agreement is intended to prevent, impede or interfere with complainant's providing truthful testimony and information in the course of an investigation or proceeding authorized by law and conducted by a government agency.
2. Nothing in this Agreement is intended to limit the applicability of federal law under the Seaman's Protection Act as amended by Section 611 of the Coast Guard Authorization Act of 2010, P.L. 111-281 (SPA), 46 U.S.C. §2114.

Thank you.

[REDACTED] *(pronouns – he, him, his)*  
**Investigator, Whistleblower Program**

*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone:* [REDACTED] *Fax:* [REDACTED]  
*Website:* [www.whistleblowers.gov](http://www.whistleblowers.gov)

Sent from my iPhone

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: signature  
**Date:** Monday, December 10, 2018 3:33:00 PM

---

I am waiting for the company's lawyer to get back to me. Once I hear back from him I will send it to you. Thanks.

[REDACTED] *(pronouns – he, him, his)*  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone: [REDACTED] Fax: [REDACTED]*  
*Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)*

**From:** [REDACTED] <[REDACTED]>  
**Sent:** Sunday, December 9, 2018 12:19 PM  
**To:** [REDACTED] - OSHA <[REDACTED]>  
**Subject:** signature

Good afternoon [REDACTED]

When will you be sending out the legal addendum for me to sign?

[REDACTED]

Cheers

[REDACTED]



**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Subject:** RE: signature  
**Date:** Monday, December 10, 2018 3:33:00 PM

---

I am waiting for the company's lawyer to get back to me. Once I hear back from him I will send it to you. Thanks.

[REDACTED] *(pronouns – he, him, his)*  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone: [REDACTED] Fax: [REDACTED]*  
*Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)*

**From:** [REDACTED] <[REDACTED]>  
**Sent:** Sunday, December 9, 2018 12:19 PM  
**To:** [REDACTED] - OSHA <[REDACTED]>  
**Subject:** signature

Good afternoon [REDACTED]

When will you be sending out the legal addendum for me to sign?

[REDACTED]

Cheers

[REDACTED]

**From:** [REDACTED] - OSHA  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Settlement - OceanGate/[REDACTED] 0-1960-18-073  
**Date:** Wednesday, December 12, 2018 10:23:00 AM  
**Attachments:** [REDACTED] [SetAddendum.docx](#)  
**Importance:** High

---

[REDACTED] [REDACTED]

Please have your client sign and return the enclosed settlement addendum by close of business on December 19, 2018. If I do not receive it by then, OSHA will dismiss [REDACTED] [REDACTED] complaint with appeal rights. Thank you for your attention to this matter.

[REDACTED] *(pronouns – he, him, his)*  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone: [REDACTED] Fax: [REDACTED]*  
*Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)*

---

**From:** [REDACTED] - OSHA  
**Sent:** Monday, December 10, 2018 3:32 PM  
**To:** [REDACTED] <[REDACTED]>  
**Cc:** [REDACTED] <[REDACTED]>  
**Subject:** RE: Settlement - OceanGate/[REDACTED] 0-1960-18-073  
**Importance:** High

[REDACTED] [REDACTED]

I took the liberty of drafting the addendum. Please have you client sign and date it. I will have [REDACTED] [REDACTED] do the same and then I will send out the closing letter. Thanks.

[REDACTED] *(pronouns – he, him, his)*  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone: [REDACTED] Fax: [REDACTED]*  
*Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)*

---

**From:** [REDACTED] [REDACTED] <[REDACTED]>  
**Sent:** Monday, December 10, 2018 12:04 PM  
**To:** [REDACTED] - OSHA <[REDACTED]>  
**Cc:** [REDACTED] <[REDACTED]>  
**Subject:** Re: Settlement - OceanGate/[REDACTED] 0-1960-18-073

**Importance:** High

I am pretty certain on this. Let me get back to you.

[REDACTED]  
[REDACTED] & [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, Suite 3000, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

On Dec 10, 2018, at 11:45 AM, [REDACTED] - OSHA  
<[REDACTED]> wrote:

Mr. [REDACTED]

I have not heard from you. Please let me know if your client intends to sign an addendum to the settlement agreement with the provision below. Thanks.

[REDACTED] (*pronouns – he, him, his*)  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone: [REDACTED] Fax: [REDACTED]*  
*Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)*

---

**From:** [REDACTED] - OSHA  
**Sent:** Wednesday, November 28, 2018 2:37 PM  
**To:** [REDACTED] <[REDACTED]> [REDACTED]  
**Subject:** Settlement - OceanGate/[REDACTED] 0-1960-18-073  
**Importance:** High

■■■■

OSHA is prepared to approve the settlement agreement between the parties and close the investigation if you will sign an addendum with the following terms:

1. Nothing in this Agreement is intended to prevent, impede or interfere with complainant's providing truthful testimony and information in the course of an investigation or proceeding authorized by law and conducted by a government agency.
2. Nothing in this Agreement is intended to limit the applicability of federal law under the Seaman's Protection Act as amended by Section 611 of the Coast Guard Authorization Act of 2010, P.L. 111-281 (SPA), 46 U.S.C. §2114.

Thank you.

■■■■ (pronouns – he, him, his)  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone: ■■■■ Fax: ■■■■*  
*Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)*

Sent from my iPhone









**From:** - OSHA  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** CASE CLOSED - OceanGate/[REDACTED] 0-1960-18-073  
**Date:** Thursday, December 13, 2018 12:55:00 PM  
**Attachments:** C-[REDACTED] ClosingSetLettermb.pdf  
image001.png  
**Importance:** High

---

Please see the attached notification that the above-reference complaint has been closed by OSHA. This will be your only notification and nothing will be sent via mail. Thank you for your cooperation.

[REDACTED]  
**Investigator, Whistleblower Program**  
**U.S. Dept. of Labor – OSHA, Region X**  
**300 Fifth Avenue, Suite 1280, Seattle, WA 98104-2397**  
**Direct:** [REDACTED] **Main:** [REDACTED] **Fax:** [REDACTED]  
**Whistleblower Protection Program Website:** [www.whistleblowers.gov](http://www.whistleblowers.gov)

[REDACTED]

---

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Wednesday, December 12, 2018 2:29 PM  
**To:** - OSHA; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Settlement - OceanGate/[REDACTED] 0-1960-18-073

Thank you. It should be on its way to you soon.

[REDACTED]

[REDACTED] | Partner  
**CORR CRONIN | LLP**  
1001 Fourth Avenue | Suite 3900 | Seattle, WA 98154  
P: [REDACTED] | D: [REDACTED] | F: [REDACTED]  
[REDACTED] | [www.corrcronin.com](http://www.corrcronin.com)

**NOTICE:**

This electronic message transmission contains information which may be confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, please be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you received this electronic transmission in error, please notify the sender and delete the copy you received.

---

**From:** [REDACTED] - OSHA [mailto:[REDACTED]]  
**Sent:** Wednesday, December 12, 2018 2:26 PM

To: [REDACTED] <[REDACTED]>  
Cc: [REDACTED] <[REDACTED]> [REDACTED]  
Subject: RE: Settlement - OceanGate/[REDACTED] 0-1960-18-073  
Importance: High

Once we receive Mr. [REDACTED] signature I will email you our closing letter. Thank you for your cooperation.

[REDACTED] (*pronouns – he, him, his*)  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone: [REDACTED] Fax: [REDACTED]*  
*Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)*

---

From: [REDACTED] <[REDACTED]>  
Sent: Wednesday, December 12, 2018 2:06 PM  
To: [REDACTED] - OSHA <[REDACTED]>  
Cc: [REDACTED] <[REDACTED]> [REDACTED]  
Subject: Re: Settlement - OceanGate/[REDACTED] 0-1960-18-073  
Importance: High

[REDACTED]

Please find a signed Addendum. Please confirm dismissal of the case.

Regards,

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]  
tel. (206) [REDACTED]  
fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, **Suite 3000**, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written

advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

On Dec 12, 2018, at 10:23 AM, [REDACTED] - OSHA  
<[REDACTED]> wrote:

[REDACTED]

Please have your client sign and return the enclosed settlement addendum by close of business on December 19, 2018. If I do not receive it by then, OSHA will dismiss [REDACTED] complaint with appeal rights. Thank you for your attention to this matter.

[REDACTED] *(pronouns – he, him, his)*  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone: [REDACTED] Fax: [REDACTED]*  
*Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)*

---

**From:** [REDACTED] - OSHA  
**Sent:** Monday, December 10, 2018 3:32 PM  
**To:** [REDACTED] <[REDACTED]>  
**Cc:** [REDACTED] <[REDACTED]>  
**Subject:** RE: Settlement - OceanGate/[REDACTED] 0-1960-18-073  
**Importance:** High

[REDACTED]

I took the liberty of drafting the addendum. Please have you client sign and date it. I will have [REDACTED] do the same and then I will send out the closing letter. Thanks.

[REDACTED] *(pronouns – he, him, his)*  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone: [REDACTED] Fax: [REDACTED]*  
*Website: [www.whistleblowers.gov](http://www.whistleblowers.gov)*

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**From:** [REDACTED] <[REDACTED]>  
**Sent:** Monday, December 10, 2018 12:04 PM  
**To:** [REDACTED] - OSHA <[REDACTED]>  
**Cc:** [REDACTED] <[REDACTED]>  
**Subject:** Re: Settlement - OceanGate/[REDACTED] 0-1960-18-073

**Importance:** High

I am pretty certain on this. Let me get back to you.

[REDACTED]  
& [REDACTED]  
1000 Second Ave., Suite 3000  
Seattle, WA 98104  
direct dial [REDACTED]

tel. (206) [REDACTED]

fax [REDACTED]  
[REDACTED]

CHANGE OF ADDRESS:

As of January 1, 2018, our address is: [REDACTED] & [REDACTED] 1000 Second Avenue, **Suite 3000**, Seattle WA 98104.

This message is private or privileged. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else. Please be advised that, if this communication includes federal tax advice, it cannot be used for the purpose of avoiding tax penalties unless you have expressly engaged us to provide written advice in a form that satisfies IRS standards for "covered opinions" or we have informed you that those standards do not apply to this communication.

On Dec 10, 2018, at 11:45 AM, [REDACTED] - OSHA  
<[REDACTED]> wrote:

Mr. [REDACTED]

I have not heard from you. Please let me know if your client intends to sign an addendum to the settlement agreement with the provision below.  
Thanks.

[REDACTED] (*pronouns – he, him, his*)  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone:* [REDACTED] *Fax:* [REDACTED]  
*Website:* [www.whistleblowers.gov](http://www.whistleblowers.gov)

---

**From:** [REDACTED] - OSHA

**Sent:** Wednesday, November 28, 2018 2:37 PM

**To:** [REDACTED] <[REDACTED]> [REDACTED]

**Subject:** Settlement - OceanGate/[REDACTED] 0-1960-18-073

**Importance:** High

[REDACTED]

OSHA is prepared to approve the settlement agreement between the parties and close the investigation if you will sign an addendum with the following terms:

1. Nothing in this Agreement is intended to prevent, impede or interfere with complainant's providing truthful testimony and information in the course of an investigation or proceeding authorized by law and conducted by a government agency.
2. Nothing in this Agreement is intended to limit the applicability of federal law under the Seaman's Protection Act as amended by Section 611 of the Coast Guard Authorization Act of 2010, P.L. 111-281 (SPA), 46 U.S.C. §2114.

Thank you.

[REDACTED] *(pronouns – he, him, his)*  
*Investigator, Whistleblower Program*  
*U.S. Department of Labor – OSHA Region X*  
*300 Fifth Avenue, Room 1280, Seattle, WA 98104*  
*Phone:* [REDACTED] *Fax:* [REDACTED]  
*Website:* [www.whistleblowers.gov](http://www.whistleblowers.gov)

Sent from my iPhone

<[REDACTED]SetAddendum.docx>



U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration  
300 – Fifth Avenue, Suite 1280  
Seattle, WA 98104  
Tel: (206) [REDACTED]  
Fax: (206) [REDACTED]



**Via Email**

December 13, 2018

Email: [REDACTED]

Re: OceanGate Inc./ [REDACTED] 0-1960-18-073

Dear [REDACTED]

This is to advise you that, pursuant to a Settlement Agreement reached between the parties, our agency is closing the investigation of the above-referenced whistleblower complaint. OSHA's authority over this agreement is limited to the statutes it enforces. Therefore, OSHA approves only the terms of the agreement pertaining to the Seaman's Protection Act, 46 U.S.C. §2114 SPA).

Having reviewed the Settlement Agreement, I find it to be fair, adequate, and reasonable. The settlement agreement satisfies the core elements in accordance with OSHA's policy and it is reasonable in light of the merits of the case. OSHA considers the matter closed and we will take no further action. The Settlement Agreement constitutes findings and a preliminary order under SPA and Complainant's and Respondent's approvals of the agreement constitute failures to object to the findings and the preliminary order under the Act, therefore the settlement is an order enforceable in an appropriate United States District Court under the Seaman's Protection Act.

Please note that it is OSHA's practice to not disclose the terms of the settlement except pursuant to the FOIA process.

If at any time you have questions or require further information regarding employee or employer rights and responsibilities under any whistleblower statute administered by OSHA, please contact this office.

For more information about OSHA's Whistleblower Protection Program, please visit our Web site at: [www.whistleblowers.gov](http://www.whistleblowers.gov).

Sincerely,

FOR [REDACTED]  
Assistant Regional Administrator

cc: [REDACTED] Attorney for OceanGate Inc. (via email)  
United States Coast Guard

## BARRETT & GILMAN

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
1000 SECOND AVENUE, SUITE 3000  
SEATTLE, WA 98104

TELEPHONE: (206) [REDACTED]  
TELECOPIER: (888) 471-7798

March 16, 2018

Via Email and Regular Mail

Mr. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Re: *OceanGate Inc.* / [REDACTED]

Dear [REDACTED]

Since the termination of your employment with OceanGate, Inc. our client has received and responded to your false claim to OSHA and has become aware of several breaches by you of the confidentiality provisions of the Employee Intellectual Property Agreement that you signed on February 22, 2016. These and other actions have severely damaged OceanGate and will continue to cause additional harm if those acts do not cease immediately. A Summons and Complaint outlining the claims of OceanGate is being delivered with this letter. Our client has instructed us to file and serve the Summons and Complaint if this matter is not promptly resolved along the lines of the Settlement and Release Agreement also delivered with this letter. While all communications regarding settlement of this dispute are currently confidential, once the complaint is filed it will be permanently in the public record.

To be clear, resolving this involves you acknowledging that the OSHA claim was not well-founded. I sent the OSHA investigator OceanGate's response to your claim, a copy of which is also enclosed. OceanGate's response is supported by the audio recording of the January 19, 2018 meeting that was made with the permission of all. I am sending via a separate email a Sharefile link to this recording so that you can refresh your memory as to the events of that day. Please confirm you were able to download the file.

After listening to the recording, I am certain you will agree that you had not previously reported and did not threaten to report OceanGate to the Coast Guard or any other appropriate federal agency or authority. Resolving this matter now is your one opportunity to make amends

[REDACTED]  
March 16, 2018

Page 2 of 2

with OceanGate. We urge your prompt attention to this matter before OceanGate incurs additional fees of any kind.

Very truly yours,

[REDACTED]

Enclosures

cc: Client (via email only)













## DESIGNATION of REPRESENTATIVE FORM

Please Complete The Information In The Boxes Below. Use Blue Or Black Ink.

Email This Form To The Assigned Investigator As Soon As Possible

Or Fax To: 206-757-6705

Re: OceanGate Inc. [REDACTED] /0-1960-18-073

The undersigned hereby enters his appearance as representative of the named party below in the above-captioned matter.

<b>Party's Name</b> (Type or print in the box below)	<b>Representative's Name</b> (Type or print in the box below)
OceanGate, Inc.	[REDACTED]
<b>Representative's Signature</b> (Sign below)	<b>Street Address or P.O. Box</b> (Type or print in the box below)
[REDACTED]	[REDACTED]
<b>City, State, ZIP</b> (Type or print in the box below)	<b>City, State, ZIP</b> (Type or print in the box below)
March 8, 2018	Seattle, WA 98104
<b>Telephone</b> (Type or print in the box below)	<b>FAX</b> (Type or print in the box below)
[REDACTED]	[REDACTED]
<b>E-mail Address (Type or print in the box below)</b>	
[REDACTED]	

No part of a report of a marine casualty investigation shall be admissible as evidence in any civil or administrative proceeding, other than an administrative proceeding initiated by the United States. 46 U.S.C. §6308.

## ATTACHMENT 2





Department of Homeland Security  
U.S. Citizenship and Immigration Services

I-797B, Notice of Action



<b>RECEIPT DATE</b> December 17, 2015		<b>PRIORITY DATE</b>	<b>PETITIONER</b> OCEANGATE INC
<b>NOTICE DATE</b> January 8, 2016		<b>PAGE</b> 2 of 2	<b>BENEFICIARY</b>

(continued)  
NOTICE: Although this application/petition has been approved, USCIS and the U.S. Department of Homeland Security reserve the right to verify the information submitted in this application, petition and/or supporting documentation to ensure conformity with applicable laws, rules, regulations, and other authorities. Methods used for verifying information may include, but are not limited to, the review of public information and records, contact by correspondence, the internet, or telephone, and site inspections of businesses and residences. Information obtained during the course of verification will be used to determine whether revocation, rescission, and/or removal proceedings are appropriate. Applicants, petitioners, and representatives of record will be provided an opportunity to address derogatory information before any formal proceeding is initiated.

Please see the additional information on the back. You will be notified separately about any other cases you filed.  
USCIS  
CALIFORNIA SERVICE CENTER  
P. O. BOX 30111  
LAGUNA NIGUEL CA 92607-0111  
Customer Service Telephone: (800) 375-5283  
Form I-797B (Rev. 10/31/05)N

Please tear off portion below and forward it to the alien worker

The alien may use this portion when applying for a visa at an American consulate abroad, or if no visa is required, when applying for admission to the U.S.

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Form I-797B (Rev. 10/31/06) N

No part of a report of a marine casualty investigation shall be admissible as evidence in any civil or administrative proceeding, other than an administrative proceeding initiated by the United States. 46 U.S.C. §6308.

## ATTACHMENT 3



[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Thursday, January 18, 2018 9:30 PM  
**To:** [REDACTED]  
**Subject:** Cyclops 2 (Titan) Quality and Safety Report  
**Attachments:** Cyclops 2 Quality Inspection Report .pdf

To all

With Cyclops 2 (Titan) being handed off from Engineering to Operations in the coming weeks, now is the time to properly address items that may pose a safety risk to personnel. I believe that it is important to have an official record in place regarding these findings, which is why I have created this report for submission to OceanGate management.

As the Director of Marine Operations, it is my professional opinion that the items noted in my report are significant in nature and must be addressed. I have also included my recommendation to how we should be addressing each issue in the attached Quality Inspection Report.

As stated in my employment contract and job description "[REDACTED] is responsible for ensuring the safety of all crew and clients during submersible and surface operations". I feel we all have a duty of care as Management to all personnel whether it be staff or Mission Specialist. Therefore, it is my opinion that until suitable corrective actions are in place and closed out, Cyclops 2 (Titan) should not be manned during any of the upcoming trials.

My report and the relevant attachments are merely a clear stated record of what I feel should be addressed to allow for successful and safe operations within OceanGate Inc.

This report was prepared by myself as part of the pending handover of the asset from OceanGate Engineering team to the Operations department on the 18<sup>th</sup> January 2018.

Cheers

[REDACTED]

[REDACTED]

OceanGate  
Director of Marine Operations

Phone : +1 [REDACTED]  
Mobile [REDACTED]  
dlochrid [REDACTED]

1205 Craftsman Way, Suite 112  
Everett, Washington USA 98201

No part of a report of a marine casualty investigation shall be admissible as evidence in any civil or administrative proceeding, other than an administrative proceeding initiated by the United States. 46 U.S.C. §6308.

**OCEANGATE CYCLOPS 2 QUALITY CONTROL INSPECTION REPORT**

PROJECT NAME:	CYCLOPS 2 (TITAN)	DOCUMENT VERSION NO:	1
PREPARED BY:		DOCUMENT DATE:	18 <sup>th</sup> JANUARY 2015

COMPONENT/DELIVERABLE	INSP DATE	INSPECTION NOTES	CORRECTIVE ACTION/RECOMMENDATIONS	ATTACHMENTS	CLOSED OUT

REDACTED

REDACTED

Carbon hull and coating	1/18/18	Hull could not be inspected externally due to Rhino-coating having been applied under the direction of OG Engineering department. It must be noted that visible voids and delamination's are present in the Carbon end cut off segments, highlighting the need to carry out Non-Destructive Inspection to verify the hull integrity	Non-Destructive Inspection is required to be undertaken and subsequent results provided to myself prior to any in water Manned Dives commencing. This testing will also provide a solid baseline of the hull condition prior my recommended unmanned pressure testing in the Bahamas April 2018	Photos of delamination's and porosity in Carbon end segments are after this report	NC
-------------------------	---------	---	---	--	----

REDACTED



As we have all seen the Carbon hull end sections that were machined off after the completion of the winding show very visible signs of delamination and porosity within the Carbon.

I understand that most Carbon manufacturers expect some but not an excess of porosity (voids) from their end sections hence why they too machine off the ends after winding. With our application of the hull seeing such immense pressures not yet experienced on any known carbon hulled vehicle we run the risk of potential inter-laminar fatigue due to pressure cycling, this especially if we do have imperfections in the hull itself.

We should fully endorse what the company initially set out to do and carry out a full Non-Destructive Inspection of both the hull and also the Bond line between the Carbon hull and both Segment 1 and 2. The results will provide us all with the knowledge that either the hull is indeed intact or there may be deficiencies. This also applies to the Bond line to verify the adhesion process. The images on the following page show examples of the delamination's and porosity within our hull cut off sections.

Image 1 shows a section of the hull end segment cut off with visible delamination's and porosity

Image 2 shows another section of the hull end segment cut off with intense light shined onto it from behind, this method shows how prevalent the porosity actually is throughout.

## ATTACHMENT 4



January 23, 2018

[REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED]

It is with sincere regret that we must inform you that your employment at OceanGate, Inc has been terminated as of January 19, 2018. During the meeting on the afternoon of January 19<sup>th</sup>, it became clear to Stockton that he, and you were at an impasse regarding the Cyclops 2 hull, and the only option was the termination of your employment.

Given your qualifications and proven abilities, we are confident that you will be able to find another position in the near future.

Best wishes and good luck.

[REDACTED]

Chief Operating Officer

Cc: [REDACTED] CEO  
[REDACTED] Director of Finance & Administration

SUPERIOR COURT OF THE STATE OF WASHINGTON  
SNOHOMISH COUNTY

OCEANGATE INC.,  
a Washington corporation,

Plaintiff,

v.

[REDACTED] and [REDACTED]  
[REDACTED] and the marital community  
composed thereof,

Defendants.

NO.

SUMMONS  
(20 Days)

AND NOTICE PURSUANT TO  
RCW 38.42.050(3)(a)

**THE STATE OF WASHINGTON TO:**

[REDACTED]

and

**The Marital Community Comprised of**

[REDACTED] and [REDACTED]

A lawsuit has been started against you in the above-entitled court by plaintiff. Plaintiff's claim is stated in the written Complaint, a copy of which is served upon you with this Summons.

In order to defend against this lawsuit, you must respond to the Complaint by stating your defense in writing and serving a copy upon the undersigned attorneys for the plaintiff within 20 days after the service of this summons, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where plaintiff is entitled to what they ask for because you have not responded. If you serve a notice of

SUMMONS - 1

1 appearance on the undersigned attorney, you are entitled to notice before a default judgment  
2 may be entered.

3 You may demand that the plaintiff file this lawsuit with the court. If you do so, the  
4 demand must be in writing and must be served upon the person signing this summons. Within  
5 14 days after you serve the demand, the plaintiff must file this lawsuit with the court, or the  
6 service on you of this summons and complaint will be void.

7 If you wish to seek the advice of an attorney in this matter, you should do so promptly  
8 so that your written response, if any, may be served on time.

9 This Summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the  
10 State of Washington.

11 **NOTICE TO DEPENDENTS OF ACTIVE MILITARY**  
12 **UNDER RCW 38.42.050(3)(a):**

13 State and federal law provide protections to defendants who are in the military service,  
14 and to their dependents. Dependents of a service member are the service member's spouse, the  
15 service member's minor child, or an individual for whom the service member provided more  
16 than one-half of the individual's support for one hundred eighty days immediately preceding  
17 an application for relief.

18 One protection provided is the protection against the entry of a default judgment in  
19 certain circumstances. This notice pertains only to a defendant who is a dependent of a member  
20 of the national guard or a military reserve component under a call to active service, or a national  
21 guard member under a call to service authorized by the governor of the state of Washington,  
22 for a period of more than thirty consecutive days. Other defendants in military service also  
23 have protections against default judgments not covered by this notice. If you are the dependent  
24 of a member of the national guard or a military reserve component under a call to active  
25 service, or a national guard member under a call to service authorized by the governor of the  
state of Washington, for a period of more than thirty consecutive days, you should notify the  
plaintiff or the plaintiff's attorneys in writing of your status as such within twenty days of the

SUMMONS - 2

1 receipt of this notice. If you fail to do so, then a court or an administrative tribunal may presume  
2 that you are not a dependent of an active duty member of the national guard or reserves, or a  
3 national guard member under a call to service authorized by the governor of the state of  
4 Washington, and proceed with the entry of an order of default and/or a default judgment  
5 without further proof of your status. Your response to the plaintiff's attorneys about your status  
6 does not constitute an appearance for jurisdictional purposes in any pending litigation nor a  
7 waiver of your rights.

8 **This notice is issued pursuant to RCW 38.42.050(3)(a).**

9 DATED this \_\_\_\_ day of March, 2018.

11 [REDACTED]  
12  
13 By \_\_\_\_\_

14 [REDACTED] WSBA # [REDACTED]  
15 Counsel for OceanGate Inc.  
16  
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SUPERIOR COURT OF THE STATE OF WASHINGTON  
SNOHOMISH COUNTY

OCEANGATE INC.,  
a Washington corporation,

Plaintiff,

v.

[REDACTED] and [REDACTED]  
[REDACTED] and the marital community  
composed thereof,

Defendants.

NO.

COMPLAINT FOR MONETARY  
DAMAGES AND INJUNCTIVE  
RELIEF

COMES NOW the plaintiff, OceanGate Inc., as and for its Complaint in this matter, states as follows:

**I. PARTIES**

1. Plaintiff OceanGate Inc. is a Washington corporation with is principal place of business in Everett, Washington.

2. Defendants [REDACTED] and [REDACTED] [REDACTED] husband and wife, are residents of Mukilteo, Washington. [REDACTED] is a former employee of OceanGate. Upon information and belief, all of the actions and omissions alleged to have been taken by [REDACTED] were done for and on behalf of the marital community of [REDACTED] and [REDACTED] [REDACTED]

COMPLAINT - 1



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## II. JURISDICTION & VENUE

3. This Court has jurisdiction over the parties to and subject matter of this action. Venue is proper herein.

## III. ALLEGATIONS OF FACT

4. OceanGate develops, manufactures and operates manned submersible vessels for commercial, scientific and military projects.

5. Defendant [REDACTED] (“[REDACTED]”) is an experienced submersible pilot and diver.

6. [REDACTED] is a citizen of the United Kingdom.

7. As of late 2014, [REDACTED] was residing in the United Kingdom and doing business through a company he owned with his wife called DC Underwater Services, Ltd.

8. In December 2014, [REDACTED] reached out to OceanGate regarding employment opportunities.

9. OceanGate confirmed [REDACTED] experience and references, including his prior work for Vulcan Maritime on the Motor Yacht Octopus. As part of its vetting process, OceanGate became aware that [REDACTED] had signed a non-disclosure agreement with regard to his employment with Vulcan Maritime.

10. In or about May 2015, OceanGate contracted with DC Underwater Services, Ltd., and Mr. [REDACTED] began working for OceanGate as an independent contractor pursuant to which [REDACTED] became Director.

11. In addition to independent contractor payments, OceanGate agreed “to proceed to secure necessary documentation and apply for a US worker visa in order to provide [REDACTED] and [his]

1 spouse permission to work in the US legally”. OceanGate agreed that it would seek to obtain “permanent  
2 resident status via J-1, E-Visa or similar equivalent process and pay for all costs relating to the application  
3 enrollment and all associated legal fees” on behalf of the couple.

4 12. OceanGate agreed to pay \$7,500 to [REDACTED] as re-location expenses for his move from  
5 the UK to Washington.

6 13. OceanGate agreed to reimburse [REDACTED] for economy travel from the UK to Seattle,  
7 Washington for [REDACTED] and his family members and paid [REDACTED] Two Thousand One Hundred  
8 Sixty and 22/100 Dollars (\$2,160.22) for travel expenses incurred by him and his family.

9 14. From July 1, 2015 through at least January 1, 2016, [REDACTED] was paid through his  
10 company, DC Underwater Services, Ltd., pending approval of his US worker visa.

11 15. In late 2015 [REDACTED] 01 Visa was approved and thereafter issued effective January  
12 27, 2016. This visa was good for three years. Based on [REDACTED] assurances regarding his long-term  
13 plans, OceanGate incurred additional legal expenses to apply for permanent residency on [REDACTED]  
14 behalf.

15 16. Once [REDACTED] obtain an 01 Visa, OceanGate changed his status from independent  
16 contractor to employee. As an employee [REDACTED] received valuable additional benefits, including  
17 without limitation participation in company sponsored health care and retirement plans, and payment by  
18 the company of one-half (1/2) of the employment and Medicare taxes previously borne in full by  
19 [REDACTED] as an independent contractor, and payment of unemployment and worker’s compensation  
20 premiums on his wages, thus making him eligible for these benefits. On February 22, 2016, in furtherance  
21 of his change in status from independent contractor to employee, [REDACTED] executed a document entitled,  
22 Employee Intellectual Property Agreement (“Agreement”). Pursuant to the Agreement, [REDACTED]  
23 agreed:  
24  
25

1 a. To “hold [OceanGate’s] confidential information in strict confidence, and not  
2 disclose or use it except as authorized by [OceanGate] and for [OceanGate’s] benefit”; and

3 b. Not to disparage OceanGate or its business or products.

4 17. Each of the obligations set forth in paragraph 17, above, continues after the termination  
5 of [REDACTED] employment.

6 18. The Agreement states that [REDACTED] breach will cause OceanGate irreparable harm,  
7 and further states that if [REDACTED] breaches or threatens to breach the Agreement, OceanGate will be  
8 entitled to injunctive or other equitable relief as well as money damages.

9 19. Upon information and belief, during the course of his employment with OceanGate,  
10 [REDACTED] repeatedly violated the terms of his nondisclosure agreement with Vulcan Maritime, discussing  
11 matters related to his employment with Vulcan with other OceanGate employees as casual small talk.

12 20. In furtherance of [REDACTED] execution of the Agreement, [REDACTED] was provided with  
13 access to highly confidential and proprietary information concerning the Company’s development of a  
14 five-person manned submersible, formerly known as “Cyclops 2” and now known as “Titan”.  
15

16 21. Titan is designed to reach depths as great as 4,000 meters and consists of two titanium  
17 hemispheres linked by a carbon fiber wound cylinder that is 100 inches long, five feet in diameter and  
18 has five-inch-thick walls.

19 22. Effective December 22, 2017, [REDACTED] was awarded United States permanent resident  
20 status.

21 23. The legal fees associated with the immigration application process for [REDACTED] and  
22 his family totaled \$16,267, all of which was paid by OceanGate.

23 24. On January 18, 2018, [REDACTED] forwarded an engineering report he authored, which  
24 report was critical of OceanGate’s research and development process for the Titan.  
25

1           25.     The Titan vessel is being developed and assembled in Washington, but will be owned  
2 by a Bahamian entity, will be registered in the Bahamas and will operate exclusively outside the territorial  
3 waters of the United States.

4           26.     [REDACTED] is not an engineer and was not hired or asked to perform engineering services  
5 on the Titan.

6           27.     [REDACTED] insisted that his report on the Titan be acted upon. The company called a  
7 meeting to discuss his concerns on January 19, 2018. During the meeting, [REDACTED] repeatedly refused  
8 to accept the veracity of information provided by the Company's lead engineer and repeatedly stated he  
9 did not approve of OceanGate's research and development plans, insisting, for example that the company  
10 should obtain a scan of the hull of Titan's experimental vessel prototype to detect potential flaws rather  
11 than relying on acoustic monitoring, despite assurances from OceanGate's engineer that the acoustic  
12 monitoring and incremental testing protocol were, in fact, better suited to detect vessel safety issues, if  
13 any.  
14

15           28.     At the conclusion of the lengthy meeting, OceanGate's CEO asked [REDACTED] if he  
16 could accept OceanGate's research and development plans for the Titan going forward.

17           29.     [REDACTED] stated he could not accept OceanGate's research and development plans  
18 going forward and as director of marine operations would not authorize any manned tests of Cyclops II  
19 without a scan.

20           30.     Based on [REDACTED] position, OceanGate terminated his employment.

21           31.     [REDACTED] promptly returned his laptop computer to OceanGate. Upon examination of  
22 the laptop, OceanGate determined that its hard-drive had been scrubbed of all company and other  
23 material, strongly suggesting that [REDACTED] had desired to be fired and had prepared his report and  
24  
25

1 responded to OceanGate during the meeting so as to precipitate his termination. [REDACTED] retained other  
2 property belonging to OceanGate.

3 32. Upon information and belief, [REDACTED] has violated the Agreement by:

- 4 a. Discussing OceanGate's confidential information with at least two individuals  
5 known to OceanGate; and  
6 b. Discussing OceanGate's confidential information with representatives of the  
7 Occupational Health and Safety Administration when he filed a false report  
8 claiming that he was discharged in retaliation for being a whistleblower.

9 33. [REDACTED] newly proclaimed status as a whistleblower stands in marked contrast with  
10 his cavalier attitude towards the property of OceanGate and its policies and procedures, as follows:

- 11 a. Recently he was photographed crawling on and around one of the titanium  
12 hemispheres for the Cyclops II. These are highly polished metal components,  
13 designed to accept clear viewing ports without a gasket and to create a seal that will  
14 be waterproof through 4,000 meters in depth. The slightest scratch on the titanium  
15 surface would render this \$300,000 component worthless. A photograph showing  
16 Mr. [REDACTED] poking his head through the porthole and leaning on the polished  
17 surface is attached as Exhibit 1.  
18  
19 b. In 2016 while inside the Cyclops I submersible of OceanGate, he "mooned" through  
20 the large viewing window [REDACTED] and other members of the OceanGate  
21 engineering staff through with whom he had been arguing.

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**IV. CAUSES OF ACTION**

**FIRST CAUSE OF ACTION: BREACH OF CONTRACT**

34. OceanGate re-alleges each of the above allegations as though set forth herein.

35. The Employee Intellectual Property Agreement was executed by [REDACTED] on February 22, 2016 and is binding upon him.

36. Upon information and belief, [REDACTED] breached the Agreement by discussing OceanGate's confidential information with at least two individuals known to OceanGate.

37. OceanGate has been irreparably harmed by these breaches and is entitled to injunctive relief and damages (including interest and attorney fees) in an amount to be proven at trial.

**SECOND CAUSE OF ACTION: FRAUD**

38. OceanGate re-alleges each of the above allegations as though set forth herein.

39. In July 2015, defendant represented his intention to work indefinitely for OceanGate and negotiated substantial independent contractor payments and subsequent wage payments and benefits.

40. As part of his benefits package, defendant received thousands of dollars of legal services for the purpose of obtaining his permanent resident status, moving expenses and travel expenses.

41. Defendant's representation was material to OceanGate's decision to hire him and to pay for his expenses related to immigration (particularly its decision to apply for permanent resident status on [REDACTED] behalf) and re-location to the United States.

42. Within weeks of obtaining his permanent resident status, defendant manufactured a reason to be fired.

43. Upon information and belief [REDACTED] stated intention of remaining in OceanGate's employ long-term was false when made.

1 44. [REDACTED] knew his assurances were false and intended that OceanGate would act upon  
2 them and, among other things, procure his permanent resident status.

3 45. Plaintiff did not know [REDACTED] assurances were false.

4 46. Plaintiff relied on the truth of [REDACTED] statements and had a right to do so.

5 47. Plaintiff suffered damages based upon [REDACTED] fraud in an amount to be proven at  
6 trial, but which are not less than \$23,767 plus interest thereon.

7 **THIRD CAUSE OF ACTION: UNJUST ENRICHMENT**

8 48. OceanGate re-alleges each of the above allegations as though set forth here.

9 49. Defendants received a substantial benefit in the form of \$16,267 paid on their behalf for  
10 legal services crucial to obtaining [REDACTED] permanent resident status.

11 50. This benefit was received by [REDACTED] at OceanGate's expense.

12 51. In the circumstances set forth herein, it is unjust for [REDACTED] to retain this benefit  
13 without payment to OceanGate.

14 **FOURTH CAUSE OF ACTION: CONVERSION**

15 52. OceanGate re-alleges each of the above allegations as though set forth here.

16 53. Following his termination defendant unlawfully retained certain company property to  
17 OceanGate, denying OceanGate possession thereof.

18 54. OceanGate is entitled to the return of its property and/or damages for its loss in an  
19 amount to be proven at trial, plus interest thereon.

20 **FIFTH CAUSE OF ACTION: INJUNCTIVE RELIEF**

21 55. OceanGate re-alleges each of the above allegations as though set forth here.

22 56. OceanGate has been irreparably harmed by [REDACTED] breach of the nondisclosure  
23 agreement through sharing OceanGate's confidential information with at least two (2) third parties.  
24  
25



1 57. Injunctive relief was agreed upon by the parties to the nondisclosure agreement as a  
2 necessary remedy for its breach, and OceanGate is entitled thereto.

3 **SIXTH CAUSE OF ACTION: MISAPPROPRIATION OF TRADE SECRETS**  
4 **RCW 19.108**

5 58. OceanGate re-alleges each of the above allegations as though set forth here.

6 59. While employed by OceanGate, [REDACTED] obtained certain trade secrets, as that term is  
7 defined at RCW 19.108.010(4), belonging to OceanGate. [REDACTED] acquired these trade secrets under  
8 circumstances giving rise to a duty to maintain their secrecy and limit their use.

9 60. [REDACTED] subsequently misappropriated OceanGate's trade secrets by disclosing  
10 and/or using them without OceanGate's express or implied consent in violation of RCW 19.108 *et seq.*

11 61. OceanGate is entitled to recover damages for the actual loss caused by [REDACTED]  
12 misappropriation and for any unjust enrichment of [REDACTED] thereby.

13 **IV. PRAYER FOR RELIEF**

14 WHEREFORE, plaintiff OceanGate Inc. seeks relief as follows:

15 1. For entry of judgment in its favor in an amount to be proven at trial but which is not less  
16 than \$23,767, plus pre-judgment interest thereon;

17 2. For injunctive relief prohibiting [REDACTED] from disseminating OceanGate's  
18 confidential information;

19 3. For attorneys' fees and costs incurred herein as authorized by the parties' Agreement;

20 4. For return of all OceanGate property retained by the defendant; and

21 5. For such other and further relief as the Court may deem just and equitable.

22 //

23 //

DATED this \_\_\_\_ day of March, 2018.

By \_\_\_\_\_  
[REDACTED] WSBA #8432  
Counsel for OceanGate Inc.































**From:** [REDACTED] - OSHA  
**To:** [REDACTED] - OSHA  
**Subject:** FW: OceanGate manned submersible Cyclops 2  
**Date:** Wednesday, February 7, 2018 2:26:11 PM  
**Attachments:** [REDACTED] [Termination Letter.pdf](#)  
Cyclops 2 Quality Inspection Report .pdf

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[REDACTED]

Here is a new and fairly complex case for screening. I will hold off on more assignments to the extent that I am able. [REDACTED] is the complainant.

Best,

[REDACTED]  
Assistant Regional Administrator  
Whistleblower Protection Program  
U.S. Department of Labor – OSHA  
300 Fifth Avenue, Suite 1280 | Seattle, WA 98104  
Tel: (206) [REDACTED] | Fax: (206) [REDACTED]

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Tuesday, February 06, 2018 3:24 PM  
**To:** [REDACTED] - OSHA  
**Subject:** OceanGate manned submersible Cyclops 2

Good afternoon [REDACTED]

Please see my cover letter that I sent to The CEO, COO, HR Director, Engineering Director and Operations Director below this email to yourself. I have attached my PDF Quality Inspection Report for your records for the new submersible and also my dismissal letter.

My main concern with applying for the Whistleblower Protection is that we are Permanent US Residents (Green Card ) holders and not Citizens. From what I have read online we will be covered by the programme but can you please confirm if this is the case.

I kept my report as professional as possible and with new safety issues coming to light since my dismissal there is further evidence I can produce along with my report on serious issues if you so wish to see it.

One of my main concerns being the viewport only being certified for 1000m by the manufacturer and OceanGate intending to take it to 4000m with paying passengers who are unaware of my concerns.

My dismissal date was [REDACTED] 2018.

I look forward to hearing from you

Cheers  
[REDACTED]

[REDACTED]

To all

With Cyclops 2 (Titan) being handed off from Engineering to Operations in the coming weeks, now is the time to properly address items that may pose a safety risk to personnel. I believe that it is important to have an official record in place regarding these findings, which is why I have created this report for submission to OceanGate management.

As the Director of Marine Operations, it is my professional opinion that the items noted in my report are significant in nature and must be addressed. I have also included my recommendation to how we should be addressing each issue in the attached Quality Inspection Report.

As stated in my employment contract and job description "[REDACTED]" is responsible for ensuring the safety of all crew and clients during submersible and surface operations". I feel we all have a duty of care as Management to all personnel whether it be staff or Mission Specialist. Therefore, it is my opinion that until suitable corrective actions are in place and closed out, Cyclops 2 (Titan) should not be manned during any of the upcoming trials.

My report and the relevant attachments are merely a clear stated record of what I feel should be addressed to allow for successful and safe operations within OceanGate Inc.

This report was prepared by myself as part of the pending handover of the asset from OceanGate Engineering team to the Operations department on the 18<sup>th</sup> January 2018.

Cheers

[REDACTED]

[REDACTED]

OceanGate

Director of Marine Operations



January 23, 2018



Dear [REDACTED]

It is with sincere regret that we must inform you that your employment at OceanGate, Inc has been terminated as of January 19, 2018. During the meeting on the afternoon of January 19<sup>th</sup>, it became clear to Stockton that he, and you were at an impasse regarding the Cyclops 2 hull, and the only option was the termination of your employment.

Given your qualifications and proven abilities, we are confident that you will be able to find another position in the near future.

Best wishes and good luck.



Chief Operating Officer

Cc: [REDACTED] CEO  
[REDACTED] Director of Finance & Administration

Filed Date:	02/06/18	Local Case Number:	0-1960-18-073	Activity Number:	30004253	Reporting ID:	1000000
Case Type:	SPA	Statutory Implication:					
Allegation:	M - Complaint with management			Investigator:		Assigned Date:	02/07/18
Allegation Summary:	On or about 2018, was discharged in retaliation for raising safety concerns about the development and testing of a submersible marine vessel. believes the employer has violated the Seaman's Protection Act as amended by Section 611 of the Coast Guard Authorization Act of 2010, P.L. 111-281 (SPA), 46 U.S.C. §2114.						
Respondent Information	Name:	OceanGate Inc.			Phones:	Emails:	
Primary Address:	Administration and Marine Operations 1205 Craft W						
	Everett WA 98201 UNITED STATES						
Alternate Address:							
Complainant Information	Name:				Phones:	Emails:	
Primary Address:				C			
	UNITED STATES						
Determination Date	Determination	Total Compensation	\$0		Reinstatement		
I certify that the complaint was filed with me on (date): 2018							
Signature		Title			Date		
		Investigator			February 26, 2018		











