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Dear Mr. Bonina and Ms. Fay, ‡

1. I attended your informative Medical Malpractice webinar yesterday in the NYSATL annual update series. I appreciated your answer to my question about the liability of Medicare and an HMO.
2. In that vein, this is a proposal for you together with your recommended knowledgeable and financially capable law firms, and me, to bring a class action against Medicare and HMO EmblemHealth for fraud, racketeering under RICO, false advertisement, etc., arising from the **facts** that led to an ALJ video conference hearing last August 8; the hearing itself; and the ALJ's abuse of power and deception in the self-interest of depriving me of a copy of the video, which is the key exhibit of my **motion** for his recusal or disqualification by the Medicare Appeals Board.
3. The potential and reputational rewards of bringing a class action against these defendants are considerable.
 - a. Medicare administers a budget of \$100s of billion for the benefit of its more than 33 million insureds.
 - b. EmblemHealth is a multi-billion company with more than 3 million members.
 - c. Maximus Federal Services would be another notable defendant: A qualified independent contractor -also known as an independent review entity-, Maximus is one of the largest providers of "government health and human services programs in the United States, United Kingdom, Canada, Australia and Saudi Arabia".
4. These defendants have common interests: pay the fewest claims and attract to, and maintain in their, networks the largest number of medical services providers. To advance their interests they:
 - a. deny and uphold the denial of as many of their insureds' claims as possible;
 - b. disregard the legal obligation to accept as total payment Medicare's schedules of fees for services; and
 - c. condone the billing of insureds for the unpaid balance.
5. The majority of insureds who appeal denials and balance billing appear pro se. Due to their ignorance of the law, they are abused.
6. It follows that the recovery can be huge.
7. In addition, the class action can be compensated with a moral reward of considerable value: to help the hundreds of thousands of people who are directly and indirectly -think of the intended enlarged pool of beneficiaries of the Wrongful Death Grieving Families Act- abused by huge companies against which they do not stand a chance of prevailing even after investing an enormous amount of effort and time, and suffering pervasive anguish.
8. The proposed class action can set in motion transformative change that progressively benefits tens

of millions of people affected by Medicare and the HMOs, and even the state Medicaid entities.

9. The class action can expect to count on a sympathetic jury. Indeed, since the advent of the *MeToo!* and BLM movements and those against police brutality, and for racial and socio-economic equality the national public has become self-assertive, as expressed in its rallying cry: *Enough is enough!* We won't take any abuse from anybody anymore.
10. Developments in the judiciary support a favorable expectation too:
 - a. In the civil suit *Strickland v. U.S.*, the U.S. Court of Appeals for the [Fourth Circuit](#) held last April 26 that the Federal Judiciary and its officers, including judges, can on constitutional grounds be sued and held liable in their official and individual capacities.
 - b. Last 8 June, 90 gymnasts sued the FBI and agents for [over \\$1 billion](#), for its [failure to act](#) on the complaints against sexual predator Dr. Larry Nassar brought to FBI agents and the FBI's cover-up of their dereliction of duty.
 - c. Pennsylvania state court ordered judges who sent juveniles to government paid/private run detention facilities in exchange for kickbacks to pay victims [\\$206 million](#) in compensatory and punitive damages.
11. As to my qualifications to be part of the prosecuting team, you can review the quality of the work that I have performed so far, accessible through the blue links in the second paragraph above.
12. Moreover, my professional law research and writing, and strategic thinking are attested to by the articles that I have posted to my website **Judicial Discipline Reform** at <http://www.Judicial-Discipline-Reform.org>. That site has attracted countless webvisitors and impressed them so positively that as of September 29, 2022, it has motivated 44,956 of them to become subscribers.
 - a. How many other law firms, never mind individual lawyers, do you know that have a website with so many subscribers?
 - b. Those subscribers constitute a readily accessible pool of mostly professionals willing to read intellectually demanding articles written in long form, as opposed to comments blurted in one-paragraph blogs. Hence, they may reasonably be deemed influencers who in turn have access to many potential class members.
13. This class action can become a test case that allows us to gain the necessary expertise for suing other big entities that abuse large numbers of people. Many of the latter have neither the necessary knowledge or education to fight back nor the incentive to do so because the cost of litigation would surpass their means and the potential recovery, and the litigation would only unbearably aggravate the anguish that they are already suffering.
14. It is pertinent to state that I have developed three other such cases to a considerable degree. As a result, you may read with interest my academic proposal to business, law, journalism, and Information Technology schools for a multidisciplinary course and clinic that would attract idealistic [students](#) as well as [professors](#) in quest of making a national name: "*The Business of Justice*".
15. Therefore, I respectfully request that you contact me to discuss this proposal on the phone or by video conference. Even if you were not inclined to participate in the proposed class action, I would be most grateful if you would refer me to law firms that you trust for their knowledge and financial capability and, of course, their reasonable and ethical conduct. I look forward to hearing from you.

Dare trigger history!...and you may enter it.

Sincerely, Dr. Richard Cordero, Esq.