

FL-320, ATTACHMENT 10:  
CASE NUMBER: RG17875760  
PLAINTIFF/PETITIONER: Kaiser Foundation Hospitals and The Permanente Medical Group, Inc.  
DEFENDANT/RESPONDENT: William Jeffrey Lusk

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First of all, I would like to apologize to the court for the circumstances requiring a further hearing on this matter. It was my understanding that in rendering its judgment regarding the issuance of the restraining order that it was not the court's intent to hinder my ability to represent or advocate on behalf of my son. As Mr. Guasco has now forcefully pointed out, that is decidedly not the case. Unfortunately, I did not initially notice that the restraining order extended to member services as well, or I would certainly have raised my concerns with the court.

On a practical note, I request further guidance from the court due to the fact that, without access to member services, I cannot; verify access to member eligibility and enrollment, gain information about medical facilities/services, obtain assistance with selecting or changing Primary Care Physician (PCP), etc. I now understand and acknowledge that *all* enquires and requests of any nature must be vetted through Mr. Guasco, and I intend to fully comply with that provision. However, as a Kaiser member, my son's medical support needs are year-round; 24/7. My question is simple: Will Mr. Guasco always be available should an urgent need arise to consult a medical professional? Or will my son's medical needs be subject to the vagaries of Mr. Guasco's calendar? I don't ask this flippantly, but rather because it is important that this point be clarified.

In the email examples utilized by Mr. Guasco, I regret that I used some indelicate language. However, that email was the culmination of a multi-day attempt on my part to elicit a simple "yes or no" response regarding whether Mr. Guasco and his employer had any documentation to support the contention that their employee Fran Lager had written authorization to intercept my son's checks. It has now become obvious that any further enquiry via Mr. Guasco or Kaiser is pointless. Indeed, Kaiser's entire intent in obtaining the restraining order was to create a physical impediment to my ability to file state HIPAA complaints directly with Kaiser; which would result in mandatory self reporting and unwanted scrutiny from state regulatory entities. Mr. Guasco made Kaiser's objectives quite clear in a January 24, 2018 email in which he stated, "**...under no conditions are you to attempt to discuss the reimbursement or any alleged HIPAA violation.**" [emphasis added, Exhibit A] This objective was so important to Kaiser that they employed Mr. Lynch; an individual who has never met or spoken to me in his life, to perjure himself by claiming first-hand knowledge that I possessed a firearm. Curiously, Mr. Guasco's request for order regarding contempt proceedings was filed a mere two days after I filed a second federal HIPAA complaint against Kaiser.

In summary, I ask that the court accept my *mea culpa* with my assurance that I will attempt no further discourse with Kaiser except to the extent necessary via Mr. Guasco to

obtain the medical care for which my son is rightfully entitled as a Kaiser member. On that matter, I request clarification from the court. Lastly, I would like to point out that the only threat I have ever made to anyone at Kaiser was in reference to the potential legal and regulatory repercussions of their unlawful activities; that is what Kaiser is truly afraid of—not me. Fortunately, I have now identified the appropriate state agencies tasked with the unenviable task of monitoring Kaiser’s activities and am making the necessary state HIPAA complaints directly to them. Once again, I ask the Court to please accept my apologies and assurance that there will be no further problems in regards to this matter.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 31, January 2018

William Jeffrey Lusk  
(TYPE OR PRINT NAME)

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(SIGNATURE OF DECLARANT)  
Respondent