

**CLAIMANT INFORMATION**

LAST NAME Grab		FIRST NAME Christine		MIDDLE INITIAL N.
INMATE OR PATIENT IDENTIFICATION NUMBER (if applicable)		BUSINESS NAME (if applicable)		
TELEPHONE NUMBER [REDACTED]		EMAIL ADDRESS christi@gwsandiego.net		
MAILING ADDRESS [REDACTED]		CITY San Diego	STATE CA	ZIP [REDACTED]
IS THE CLAIMANT UNDER 18 YEARS OF AGE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		INSURED NAME (Insurance Company Subrogation)		
IS THIS AN AMENDMENT TO A PREVIOUSLY EXISTING CLAIM? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		EXISTING CLAIM NUMBER (if applicable)	EXISTING CLAIMANT NAME (if applicable)	

**ATTORNEY OR REPRESENTATIVE INFORMATION**

LAST NAME		FIRST NAME		MIDDLE INITIAL
TELEPHONE NUMBER		EMAIL ADDRESS		
MAILING ADDRESS		CITY	STATE	ZIP

**CLAIM INFORMATION**

STATE AGENCIES OR EMPLOYEES AGAINST WHOM THE CLAIM IS FILED California Department of Justice	DATE OF INCIDENT December 5 - 15, 2022
LATE CLAIM EXPLANATION (Required, if incident was more than six months ago)	

DOLLAR AMOUNT OF CLAIM \$10,000	CIVIL CASE TYPE (Required, if amount is more than \$10,000) <input checked="" type="checkbox"/> Limited (\$25,000 or less) <input type="checkbox"/> Non-Limited (over \$25,000)
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DOLLAR AMOUNT EXPLANATION  
This is a reasonable fine for violating California Government Code Section 1430

INCIDENT LOCATION  
The violation occurred over email. I was in San Diego, CA. I do not know where Michelle M. Mitchell was located.

SPECIFIC DAMAGE OR INJURY DESCRIPTION  
Violation of my rights granted under California Government Code Section 1430

CIRCUMSTANCES THAT LED TO DAMAGE OR INJURY  
see attached

EXPLAIN WHY YOU BELIEVE THE STATE IS RESPONSIBLE FOR THE DAMAGE OR INJURY  
Ms. Mitchell was acting in her official capacity as a representative of the State of California when she violated my rights.

AUTOMOBILE CLAIM INFORMATION		
DOES THE CLAIM INVOLVE A STATE VEHICLE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	VEHICLE LICENSE NUMBER (if known)	STATE DRIVER NAME (if known)
HAS A CLAIM BEEN FILED WITH YOUR INSURANCE CARRIER? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	INSURANCE CARRIER NAME	INSURANCE CLAIM NUMBER
HAVE YOU RECEIVED AN INSURANCE PAYMENT FOR THIS DAMAGE OR INJURY? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AMOUNT RECEIVED (if any)	AMOUNT OF DEDUCTIBLE (if any)

**NOTICE AND SIGNATURE**

I declare under penalty of perjury under the laws of the State of California that all the information I have provided is true and correct to the best of my information and belief. I further understand that if I have provided information that is false, intentionally incomplete, or misleading I may be charged with a felony punishable by up to four years in state prison and/or a fine of up to \$10,000 (Penal Code section 72).

SIGNATURE <i>C. Grab</i>	PRINTED NAME Christine Grab	DATE 4-20-2022
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**INSTRUCTIONS**

- Include a check or money order for \$25, payable to the State of California.
  - \$25 filing fee is not required for amendments to existing claims.
- Confirm all sections relating to this claim are complete and the form is signed.
- Attach copies of any documentation that supports your claim. Do not submit originals.

Mail the claim form and all attachments to:  
 Office of Risk and Insurance Management  
 Government Claims Program  
 P.O. Box 989052, MS414  
 West Sacramento, CA 95798-9052

Claim forms can also be delivered to:  
 Office of Risk and Insurance Management  
 Government Claims Program  
 707 3rd Street, 1st Floor  
 West Sacramento, CA 95605  
 1-800-955-0045

**Department of General Services Privacy Notice on Information Collection**

This notice is provided pursuant to the Information Practices Act of 1977, California Civil Code Sections 1798.17 & 1798.24 and the Federal Privacy Act (Public Law 93-579).

The Department of General Services (DGS), Office of Risk and Insurance Management (ORIM), is requesting the information specified on this form pursuant to Government Code Section 905.2(c).

The principal purpose for requesting this data is to process claims against the state. The information provided will/may be disclosed to a person, or to another agency where the transfer is necessary for the transferee-agency to perform its constitutional or statutory duties, and the use is compatible with a purpose for which the information was collected and the use or transfer is accounted for in accordance with California Civil Code Section 1798.25.

Individuals should not provide personal information that is not requested.

The submission of all information requested is mandatory unless otherwise noted. If you fail to provide the information requested to DGS, or if the information provided is deemed incomplete or unreadable, this may result in a delay in processing.

**Department Privacy Policy**

The information collected by DGS is subject to the limitations in the Information Practices Act of 1977 and state policy (see [State Administrative Manual 5310-5310.7](#)). For more information on how we care for your personal information, please read the [DGS Privacy Policy](#).

**Access to Your Information**

ORIM is responsible for maintaining collected records and retaining them for 5 years. You have a right to access records containing personal information maintained by the state entity. To request access, contact:

DGSORIM  
 Public Records Officer  
 707 3<sup>rd</sup> St., West Sacramento, CA 95605  
 (916) 376-5300

**Department of General Services  
Office of Risk and Insurance Management  
Government Claims Program**

**Claimant:**

Christine N. Grab,  


**Accused:**

Michelle M. Mitchell  
Supervising Deputy Attorney General  
Public Records Department  
California Department of Justice  
P.O. Box 944255, Sacramento, CA 94244-2550

## Overview of Claim

My husband and I were the victim of two misdemeanor crimes that were committed by the Franchise Tax Board (FTB). In an effort to silence me from reporting these two misdemeanor crimes to the proper authorities, the FTB conspired with the Department of Justice (DOJ) to further harm me and my husband in a permanent and deeply damaging manner. More information is in “Details of Claim: Background” section below.

After this egregious harmful incident was committed, both the FTB and DOJ hid my right to file a claim with ORIM from me. I was led to believe that I had no administrative recourse, which I believe qualifies as committing fraud.

When I did eventually find out that it was possible to file a bond claim against the two perpetrators, I contacted the DOJ’s Public Records department on November 14, 2022, in accordance with my rights under California Government Code Section 1430 and requested the bond information.

On December 5, 2022, the Public Records Coordinator responded. The coordinator refused to disclose the relevant information about the ORIM program, which is a violation of my California right under California Government Code Section 1430. This led to an email conversation that lasted from December 7, 2022 to December 19, 2022. In this conversation, the Public Records Coordinator went beyond merely violating my rights by refusing to disclose the requested information – (s)he went so far as to commit fraud by making completely false statements about the contents of state law and used deception to make it appear that the relevant laws didn’t exist.

One may want to give the Public Records Coordinator the benefit of the doubt that (s)he committed the fraud in error. *Whether or not the Public Records Coordinator made an error is moot since a violation of the law is a violation of the law. (S)he violated the law, and in doing so committed fraud. End of story.*

However, I believe that there is no way this was an error; I believe that this outright fraud was intentionally committed in order to prevent me from exercising my right to file a claim with ORIM. I believe that the DOJ didn't want the California Department of General Services to find out that one of their own employees conspired with another California state employee in order to intentionally harm me, all done in order to silence me from reporting criminal activities to the proper authorities. This conspiracy to violate my rights in order to hide information from the DGS and other oversight/law enforcement agencies takes this claim beyond a civil matter to a criminal matter: Michelle M. Mitchell (the supervisor who authorized the emails from the Public Records Coordinator) and the DOJ have violated 18 US Criminal Code section §1001 and 18 USC §241 (more details in the "Details of Claim: Specific Damage" section).

#### **Details of Claim:**

##### **Background Information:**

On 08-04-2014, claimant filed an Abatement Request (which means a request for refund of penalties, fees and interest) with the California Franchise Tax Board (FTB) for tax year 2011. FTB denied claimant's Abatement Request, not just for 2011, but also for 2013 and 2014, even though no Abatement Request was filed for either of those years. I filed an appeal with the Board of Equalization (BOE) on 08-21-2017, which at the time was the administrative court that handled FTB Appeals. While my case was pending, the administration of FTB Appeals was moved from the BOE to the newly created Office of Tax Appeals (OTA). In November 2019, the OTA upheld FTB on the matter. On 01-29-2020, I filed a new appeal with San Diego Superior Court (SDSC) in accordance with A.B. 102 section 13, A.B. 131 section 14 and Cal Government Code section 15677. Deputy Attorney-General Anna Barsegyan represented FTB in the SDSC civil matter.

While I was auditing the records submitted by FTB in the OTA/SDSC court cases, I found two instances where FTB employees directed me to remit more money than the applicable billing stated was due. In both cases, the employees falsified FTB's internal records to make it appear that was the correct amount due. In both cases, their employer was the beneficiary of the criminal activities, so it appeared that each employee had conspired with FTB to overcharge me. Because the overcharge/falsification of records happened twice with two different employees, it appeared to be systematic.

On 07-22-2021, 07-23-2021 and 07-27-2021, I made California Public Records Requests from the Franchise Tax Board in which I requested the names, job titles, employee numbers and copies of the Oaths of Affirmation for several FTB employees (exhibit 1).

In the 07-22-2021 letter, I wrote "I am writing to request information on these two employees so that I can file formal criminal charges against them." I included that line because I knew that it was FTB's policy to not supply the names or employee numbers of the customer service representatives. As is reasonable, I explained why I needed to know the name of these people, and why, in this case, FTB was required to provide an exception to their policy of not disclosing employee names and ID numbers. FTB provided all of the information requested.

When I contacted the San Diego District Attorney's office about the matter of FTB overcharging interest, the person I spoke with told me that step one in the bureaucratic system is to file a police report. I attempted to file a police report against the perpetrators on Sunday, 08-29-2021.

The day after I filed the police report, on Monday, 08-30-2021, Ms. Barsegyan made a reservation with the court for a Motion for Sanctions hearing. Two days later, on 09-01-2021, Ms. Barsegyan filed a Motion for Sanctions with the court (exhibit 2).

In her moving papers, Ms. Barsegyan did not redact my husband's or my social security numbers from the letter dated 07-22-2021 that I had sent to the Disclosure Department (exhibit 3). The

unredacted letter was submitted as part of the *Declaration of Grace LeBleu in support of FTB's Motion for Sanctions*, which is a violation of the California Rules of the Court, Rule 1.201. Protection of Privacy, which states:

- (a) Exclusion or redaction of identifiers. To protect personal privacy and other legitimate interests, parties and their attorneys must not include, or must redact where inclusion is necessary, the following identifiers from all pleadings and other papers filed in the court's public file, whether filed in paper or electronic form, unless otherwise provided by law or ordered by the court: (1) Social security numbers. If an individual's social security number is required in a pleading or other paper filed in the public file, only the last four digits of that number may be used.

Furthermore, Anna Barsegyan also violated CCP 128.7 (c), which says the Motion cannot be filed until 21 days after it has been served. Anna Barsegyan served me after the documents had already been publicly filed. Had she not violated CCP 128.7 (c), I would have caught the social security numbers and had her redact them prior to submission.

When I contacted Ms. Barsegyan about the exposure, she stated that the lack of redaction of the social security numbers was "inadvertent." There is no excuse for Anna Barsegyan and Barsegyan's paralegal to have failed to redact the social security numbers. There is no excuse for Anna Barsegyan nor Barsegyan's paralegal to have violated CCP 128.7 (c). Ms. Barsegyan essentially claimed that she and her paralegal were grossly incompetent.

But the real question is why didn't Grace LeBleu redact our social security numbers in accordance with California Government Code section 15705, which says:

Notwithstanding any other provision of law, unless prohibited by federal law, the Franchise Tax Board shall truncate social security numbers on lien abstracts and any other records created by the board that are disclosable under Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 before disclosing the record to the public. For purposes of this section, "truncate" means to redact the first five digits of a social security number.

The specific purpose of giving the document to Anna Barsegyan was so that Ms. Barsegyan could file it with the court along with the *Declaration of Grace LeBleu in support of FTB's Motion for*

*Sanctions*, which Ms. LeBleu signed under penalty of perjury. Ms. LeBleu cannot argue that she was unaware of how the document was to be used.

Between my original case with the Office of Tax Appeals, the case in San Diego Superior Court, and other miscellaneous requests that I've made over the last few years, Grace LeBleu had personally redacted more than 1,000 pages of documents with my and my husband's personal information on it. It is out of character for her to not redact social security numbers. Ms. LeBleu certainly cannot claim that she was unaware of the law requiring the document be redacted.

As stated above, I find it difficult to believe that three competent women who were all skilled at their jobs (Barsegyan, LeBleu and Barsegyan's paralegal) all made so many egregious "errors." I believe that Grace LeBleu and Anna Barsegyan conspired to publicly post our social security numbers in order to deter me from continuing to try to pursue legal recourse against the FTB collection agents who had overcharged me interest.

There is additional *prima facie* evidence, but because intent is a moot issue in this claim, I will not get into further details. I have included a copy of *Plaintiff Christine N. Grab's Memorandum of Points and Authorities in Opposition to Defendant's Motion for Sanctions* as exhibit (exhibit 4), which contains detailed information regarding all of the *prima facie* evidence. If you would like to see any of the evidence that was referenced in the *Opposition to Defendant's Motion for Sanctions*, I will happily provide it upon request.

### **Specific Damage/Injury and Circumstances Which Led to Damage/Injury**

FTB and DOJ led me to believe that I had no recourse other than a request for a Motion for Sanctions. I believe that not disclosing this avenue of recourse qualifies as committing fraud. My understanding is that there is no statute of limitations for claims when fraud is involved.



When I did eventually find out that it was possible to file a claim against Barsegyan and LeBleu's government bonds for the violations of CRC, Rule 1.201 and California Government Code section 15705, on November 14, 2022, I contacted the DOJ's Public Records department in accordance with my rights under California Government Code Section 1430 and requested the bond information. On December 5, 2022, the Public Records Coordinator responded. Instead of disclosing the relevant information about the ORIM program, (s)he wrote:

*"Specifically, you are seeking: "My understanding is that all attorneys are required to be bonded. I would like a copy of the bond for Deputy Attorney General Anna Barsegyan."*

*... We have searched our records and legal indices and found no records responsive to your request."*

On December 7, 2022, I responded:

*"The material that I have requested is required in order for your employee, Anna Barsegyan, to practice law in the State of California. It is required that that both of these items be presented upon request."*

On December 13, 2022, the Public Records Coordinator responded:

*"California law does not require a bond or insurance for its employee attorneys acting within the scope of their employment. As a result, the Department does not possess a record responsive to your request, as we indicated in our response to you on December 5."*

Up until this point, it is possible to believe that it was simply a miscommunication: I was asking for her bond required to practice law as an *employee* of the State of California, which is not the same as being required to carry a bond in order to practice law in the State of California. However, the rest of the thread makes it clear that (s)he had intentionally conflated two separate issues in order to evade the required disclosure of information under California law. On December 13, I responded:

**"Thank you for the response; however, you have given me false information.**

Public official surety bonds are required by the state of California to be obtained before a public officer and employees can swear their oath of office. **According to California Revised Code 460.1. Public officers and employee's official bonds: The county recorder shall record the bond and return it to the county officer with whom it is required to be filed.** Such officer shall keep the bond on file for one year following the expiration of the term

of the office for which the bond was issued at which time said bond may be destroyed or otherwise disposed of.

Since Anna Barsegyan is an employee of an appointed government official, she DOES have a bond, or at least Rob Bonta has a bond and she is covered as one of his underlings.

Public Official Surety Bond requests fall under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, The Sunshine Act 5 U.S.C. § 552b, and Public Records Act: Gov't Code §6250-6268 by law you are obligated to supply me with this information. Please immediately supply me with a copy of this bond; I have already waited 30 days and your advertised turn-time is 10-days. **If you fail to supply me with a copy of the bond, you are in direct violation of the law."**

On December 15, 2022, the Public Records Coordinator responded with a statement so deceptive and evasive that it qualifies as fraud:

"California law does not contain a "California Revised Code." As we indicated previously, California law does not require a bond or insurance for its employee attorneys acting within the scope of their employment."

At this point, there was no ambiguity that I was asking for the information to file a bond claim against Ms. Barsegyan. California Government Code Section 1430 states that insurance is an acceptable substitute for a bond. As the employees at ORIM are aware, it is a requirement for a harmed party to file a claim with ORIM prior to filing a lawsuit against the State of California. Since the DOJ is the attorney or record for lawsuits against the State of California, there is no way that Ms. Mitchell and the DOJ were unaware of the existence of the ORIM program, that the ORIM program is an insurance program which was instituted to comply with California Government Code Section 1430, that I had a right to file a claim with ORIM, and that I actually needed to file a claim with ORIM in order to proceed with a lawsuit against the DOJ and FTB for their conspiring to post my and my husband's social security numbers online.

On December 15, 2022, I wrote:

"OK, I admit that I forgot the 1 in what I wrote below. DOJ utilized that typographical error to pretend as if such laws do not exist. **Below is a copy and paste of the relevant laws. If Rob Bonta/Anna Barsegyan are exempt from the laws that specifically says "State Officers and Employees," you will need to find me a legal code showing said exemption."**

The Public Records Coordinator did not respond to that email. On December 16, 2022, I wrote:

“Please identify the name(s) of the individuals who wrote the following responses in this thread (contents are copied below):”

On December 17, 2022, the Public Records Coordinator responded :

“The Public Records Coordinator sent these messages at the direction of Supervising Deputy Attorney Michelle M. Mitchell.”

Hence, I am filing the claim specifically against Michelle M. Mitchell, as the public records coordinator stated that she is the party responsible for the DOJ’s violation of California Government Code Section 1430, and the fraudulent information provided in their efforts to evade disclosing this information. As stated above in the “Overview” section, I believe that this outright fraud was intended to stop me from exercising my right to file a claim against Anna Barsegyan and Grace LeBleu. I believe that the DOJ didn’t want the California Department of General Services to find out that one of their own employees conspired with another California state employee in order to intentionally harm me. This intent to cover up unlawful behavior takes this claim beyond a civil matter to a criminal matter: the DOJ has violated 18 US Criminal Code section §1001, which says:

Section 1001(a) provides that it is a federal crime, in a matter within the jurisdiction of a government agency, to (1) falsify, conceal or cover up a material fact, (2) make any materially false, fictitious or fraudulent statement, or (3) make or use a document containing a materially false statement.

Since multiple people were on the thread in which the DOJ gave me this false information, the DOJ has violated 18 US Criminal 18 USC §241, which says:

“If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same...They shall be fined under this title or imprisoned not more than ten years, or both....”

### **Dollar Amount of Claim and Explanation**

I request \$10,000 in compensation for this violation of my rights under California Government Code Section 1430. As stated above, I believe that Ms. Mitchell and the DOJ committed this violation of my rights in order to cover up criminal activities perpetrated by one of their own staff members in an effort to silence me from exposing *bona fide* criminal activities at another state agency. This violation of my rights is one small piece of a large conspiracy to cover up a criminal scheme at the Franchise Tax Board.

I believe that failure to penalize DOJ for this violation of my rights will embolden and encourage the DOJ to continue to participate in egregious acts to harm people who expose criminal activities being perpetrated by state government agencies, and then cover up said egregious acts via violations of state rights.

I believe that the reason the State of California Attorney General's office intentionally posted our social security numbers on the internet was to send a personal message to me and my husband to stop exposing FTB's *bona fide* criminal schemes to overcharge interest or else more consequences would follow. And the delivery method made the permanence of that message clear: once something is posted to the internet, it can never truly be deleted. Because I have not stopped making allegations of corruption at FTB, my husband and I have anxiety that FTB and DOJ will continue to retaliate and harass us for speaking out about the unlawful activities at FTB that were exposed in our court case.

FTB has an established history of improperly exposing social security numbers to retaliate and harass people who challenge their legal authority. In *FTB v Hyatt* (2017, docket #53264), Gilbert Hyatt was initially awarded \$389 million in damages in the Nevada civil court ruling for intentional infliction of emotional distress. FTB had used multiple harassment techniques against Mr. Hyatt. One of the techniques was to improperly share his social security number with third parties.

The purpose of the large award was to send a message. On appeal, the NV Supreme Court reduced the award amount to \$100,000 because of a Nevada state-specific law limiting government pay-outs. While the NV Supreme Court reduced the amount of the pay-out to comply with Nevada law, they upheld the intent of the lower court's award.

Given the serious criminal nature of the allegations contained in this claim, I believe \$10,000 is a very small amount of compensation. Quite frankly, I believe that Ms. Mitchell should be sentenced to prison for conspiring to cover up the criminal activities of her coworker, Anna Barsgeyan.

**Verification**

I declare under penalty of perjury under the State of California that all of the information that I have provided is true and correct to the best of my information and belief. I further understand that if I have provided information that is false, intentionally incomplete, or misleading, I may be charged with a felony punishable by up to four years in state prison and/or a fine of up to \$10,000 (Penal Code Section 72).



Christine N. Grab

April 20, 2022