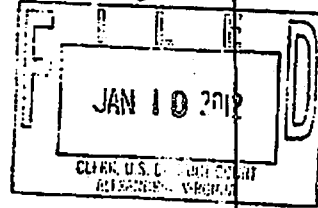


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1 Lynnae D. Williams
Plaintiff, Pro Se
2 460 L St. NW 9823
Washington, DC 20001
3 202-577-6474
wlynae@gmail.com

4 UNITED STATES DISTRICT COURT
5 FOR THE EASTERN DISTRICT OF VIRGINIA

6
7 Lynnae D. Williams,) Case No.: No. [case number]
8) *1:12cv 28 Lat/100*
9 Plaintiff,)
10 vs.)
11 David H. Petraeus)
CENTRAL INTELLIGENCE CIA,)
12)
13 And
14 CENTRAL INTELLIGENCE CIA
WASHINGTON, DC 20505
15 Defendants.

16 COMPLAINT

17 (TO SET ASIDE CIA ACTION DENYING PLAINTIFF A SECURITY CLEARANCE IN VIOLATION OF
18 HER CONSTITUTIONAL RIGHTS)

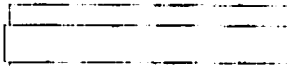
19 1. This is an action to set aside a final decision of the Central Intelligence CIA
20 (hereinafter referred to as (CIA) revoking Plaintiff's security clearance and
21 access to classified information in violation of her rights and privileges
22 under the United States Constitution.

23 JURISDICTION

24 2. This court has jurisdiction pursuant to 28 U.S.C. 5 1331 because this matter
25 arises under the Constitution of the United States.
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VENUE

3. Venue properly lies in this court pursuant to 28 U.S.C. § 1391 (e) (1) and (2).
Defendant is an CIA of the United States with its principal headquarters in
Fairfax County, Virginia.

WAIVER OF IMMUNITY

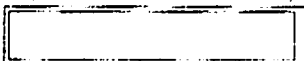
4. This action is brought against Defendant, CIA, pursuant to the government's
waiver of immunity under the Administrative Procedure Act, 5 U.S.C. § 702 and §
706 (2)(B), for an CIA's violation of a Constitutional Right and unlawful CIA
action contrary to a Constitutional right, power, or privilege.

THE FACTS

- 5. Lynnas D. Williams, plaintiff, is a United States citizen who was employed by
defendant, CIA.
- 6. Defendant, David H. Petraeus, is the Director of CIA and is sued in his
official capacity.
- 7. Defendant, CIA, is an CIA of the United States government.
- 8. Plaintiff was employed by NGA on July 5, 2009 in the position of Clandestine
Service Trainee.
- 9. During plaintiff's employment by CIA, she held a Top Secret security clearance
and Access to Sensitive Compartmented Information (SCI). There were no
problems with plaintiff's employment and her performance was well regarded by
her supervisors.
- 10. On October 27, 2009, CIA's OMS subjected plaintiff to a non-job related post-
employment medical exam.
- 11. On October 27, 2009, the CIA's Special Protective Officers (SPO) called the OMS
and plaintiff was subjected to a medical exam by an OMS officer in the CIA's
Visitors Control Center, following allegations from a coworker, Jack LNU.
- 12. On October 27, 2009, a CIA SPO told plaintiff if she did not remember her
background the OMS would send me to a Psychiatric Hospital.

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[Redacted]

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13 [Redacted]

14 [Redacted]

15. On October 28, 2009, Bob, scheduled me for a second medical exam with [Redacted] on November 2, 2009.

16. Upon information and belief, on or around October 28, 2009, the CIA communicated with the District of Columbia's Metropolitan Police Department regarding plaintiff's car accident and medical condition.

17. On October 29, 2009, Bob told plaintiff she would be angry because when she returned to work because she would be required to wear a Visitor's Badge.

18. On October 29, 2009, Bob called plaintiff again said the CIA had uncovered new information and that she would be required to attend an illegal medical examination with [Redacted] on November 30, 2009 instead of November 2.

19. On October 29, 2009, Bob insisted plaintiff take a Taxi to the CIA's Headquarters Building located in the Langley neighborhood of McLean, Virginia to attend the medical evaluation scheduled for 10am on October 30, 2009.

20. On October 30, 2009, the CIA's SPO confiscated plaintiff's Intelligence Community (IC) badge at the CIA's Visitor's Control Center, issued plaintiff a Visitor's Badge and a parking decal to park in the CIA's VIP parking area.

21. On October 30, 2009, the CIA required plaintiff to meet with [Redacted] and ordered plaintiff to be admitted to [Redacted] Hospital in [Redacted] as a condition of her continued employment with the CIA.

22. On October 30, 2009, the CIA's SPO, escorted plaintiff off the CIA compound, called a Taxi and sent her to [Redacted] Hospital in [Redacted]

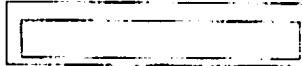
23. On or around October 30, 2009, plaintiff's management agreed with [Redacted] decision to order her treatment at [Redacted] Hospital in [Redacted]

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[Redacted]

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24. On or around October 30, 2009, the CIA disseminated information about plaintiff, maintained in their systems of records to [redacted] Hospital, without her consent.

25. On October 30, 2009, the CIA directed [redacted] Hospital Staff to admit plaintiff for observation at [redacted] Hospital in [redacted]

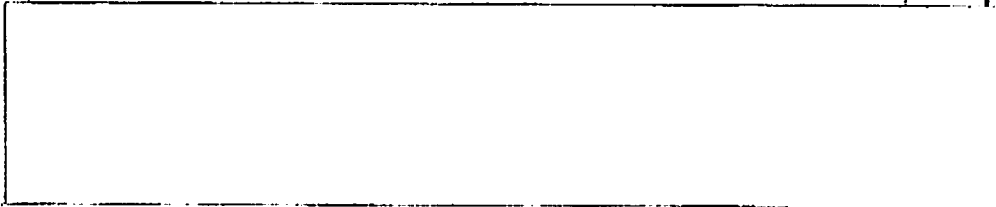
26. On October 30, 2009, CIA psychiatrist, Dr. Richard [redacted] R [redacted], subjected plaintiff to a non-job related medical exam at [redacted] Hospital in [redacted] [redacted].

27. On October 30, 2009, upon admission to [redacted] Hospital, the CIA confiscated and searched plaintiff's personal belongings.

28. On October 30, 2009, [redacted] Hospital Staff asked plaintiff about her family's medical history and her family's history of mental illness.

29. On October 30, 2009, the CIA directed [redacted] Staff not to release plaintiff from custody and made in-patient treatment at [redacted] Hospital a condition of her continued employment at the CIA.

30. [redacted]

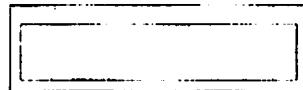


[redacted]

stated that if plaintiff did not remain in-patient this process could take several months and OS would want to see a plan in place where she was regularly monitored by a CIA approved psychiatrist. [redacted] said if plaintiff remained in-patient, she would be allowed to return to work in a week.

31. On November 2, 2009, Ms. H [redacted] called plaintiff and scheduled a meeting for 4pm on November 4, 2009.

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[REDACTED]

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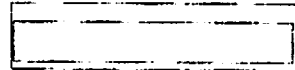
- 1 32. On or about November 2, 2009, Ms. H [REDACTED] told plaintiff that the CIA's OMS and
2 [REDACTED] Hospital were in constant contact about plaintiff's condition
- 3 33. On November 4, 2009, Ms. H [REDACTED] attempted to contact plaintiff on her cell phone,
4 but I did not answer. Ms. H [REDACTED] then called plaintiff's mother's cell phone.
5 Plaintiff's mother handed her phone to Plaintiff. Ms. H [REDACTED] questioned
6 Plaintiff about her absence from [REDACTED] Hospital's Partial Hospitalization
7 Program (PHP) on November 3, 2009. Plaintiff explained she had a meeting with
8 her attorney for her traffic case. Plaintiff told Ms. H [REDACTED] she had decided not
9 to go to the Partial Hospitalization Program at [REDACTED] Hospital until the CIA
10 reached a decision in her case. Ms. H [REDACTED] stated the only reasons Plaintiff
11 could not attend the PHP was if she had a hearing in her traffic case. Ms.
12 H [REDACTED] ordered Plaintiff to call [REDACTED] Hospital and ask the staff if she could
13 still attend their PHP that day. Plaintiff called [REDACTED] Hospital and there
14 was no answer, her parents drove her to the PHP.
- 15 34. On November 4, 2009, the CIA placed Plaintiff on administrative leave.
16 Plaintiff's Case Officer (Ms. Sheila H [REDACTED]) told Plaintiff that she was placed
17 on administrative leave because she was a new employee and did not have much
18 annual leave.
- 19 35. On November 5, 2009, Dr. R [REDACTED] again asked plaintiff if she was ready to take
20 anti-psychotic medication, "so it would not happen again."
- 21 36. On November 6, 2009, Dr. R [REDACTED] and Mary S [REDACTED], Clinical Social Worker (CSW)
22 with plaintiff and her mother. They repeated the allegations and asked
23 Plaintiff's mother about her observations of Plaintiff; Plaintiff's mother
24 stated she was only concerned about Plaintiff's health following the car
25 accident. Dr. R [REDACTED] and Ms. S [REDACTED] did not request to meet with Plaintiff's
26 father who waited outside in my parents' car.
- 27 37. On November 24, 2009, the CIA subjected Plaintiff to another medical exam with
28 [REDACTED] at CIA Headquarters in the Langley neighborhood of McLean, Virginia

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[REDACTED]

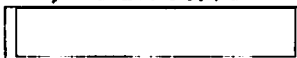
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- 1 to determine Plaintiff's ability to protect classified information and her
2 fitness to return to duty. [redacted] stated she had read Plaintiff's CIA
3 application and talked to her first and second line supervisors and alleged
4 Plaintiff had become violent with the SPO.
- 5 38. On December 14, 2009, Ms. Connie LANU, from the CIA's Office of the General
6 Counsel called and stated Plaintiff's traffic attorney would be required to
7 sign secrecy documents before Plaintiff provided a copy of her [redacted]
8 Hospital files to her attorney so her attorney could adequately represent her
9 in her traffic case.
- 10 39. On December 16, 2009, [redacted] called and informed Plaintiff that the CIA's
11 Clinical Review Board had reached a decision and scheduled another medical
12 exam.
- 13 40. On December 17, 2011, Ms. [redacted] processed Plaintiff's Visitor's request for the
14 medical examination required by the CIA.
- 15 41. On December 7, 2009, the CIA ordered Plaintiff to attend another illegal
16 medical examination with OMS psychiatrist Dr. Gary [redacted]
17 [redacted]
- 18 42. On December 16, 2009, the CIA's Clinical Review Board determined Plaintiff was
19 medically unable to return to duty with or without accommodations.
- 20 43. On December 28, 2009, the CIA conducted another medical examination of
21 Plaintiff.
- 22 44. On December 28, 2009, Plaintiff spoke to Erin, a Case Officer with the CIA's
23 OS/SAS and appealed to OS to stop OMS's behavior towards me. Plaintiff asked
24 Erin to put her in touch with her management. Erin stated any messages
25 Plaintiff had for her management must be relayed through SAS. Erin encouraged
26 Plaintiff to continue the medical treatment and asked Plaintiff if she had
27 heard of the Personnel Evaluation Board (PEB), Plaintiff said she had not.
28

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[Redacted]

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1 Erin told Plaintiff that she would be better off resigning rather than having
2 her case heard by the PEB.

3 45. On December 28, 2009, [Redacted] called and said Plaintiff could speak to her
4 supervisor, Dr. Sally U [Redacted] when she returned the following week. [Redacted]

5 [Redacted] also stated during the medical examination that she would see if the
6 Deputy Director of OMS were willing to speak to the Plaintiff regarding her
7 concerns. Plaintiff also informed Erin that [Redacted] said she could speak
8 with the Deputy Director of OMS.

9 46. [Redacted]
10 [Redacted]
11 [Redacted]

12 47. On January 6, 2010, Dr. U [Redacted] told Plaintiff that on December 16, 2009 the
13 CIA's Clinical Review Board had decided she was unable to return to work with
14 or without accommodations. Plaintiff asked Dr. U [Redacted] about the options [Redacted]
15 [Redacted] had given her and offered to follow up with a psychiatrist referred by
16 her primary care doctor. Dr. U [Redacted] stated this was not an option and
17 stated she would not meet with Plaintiff to discuss the situation. Dr.
18 U [Redacted] told Plaintiff it was highly unlikely she would return to CIA
19 employment in the near future.

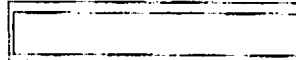
20 48. By memorandum dated January 26, 2010, which Plaintiff received on January 26,
21 2010, CIA notified Plaintiff of its intent to hold a Personnel Evaluation Board
22 (PEB) at the request of the National Clandestine Service's Human Resources
23 Staff to discuss Plaintiff's suitability for continued employment as well as her
24 eligibility for continued access to classified information. The specific issue
25 the Pre-PEB Briefing Memorandum cited for meeting to discuss Plaintiff's
26 continued employment with the CIA and her eligibility for continued access to
27 classified information was [Redacted] Psychological
28 Conditions.

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[Redacted]

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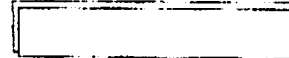
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- 1 49. On February 8, 2010, Plaintiff made submitted a written response to the CIA's
2 Pre-Briefing Memorandum.
- 3 50. On March 19, 2010, the CIA notified Plaintiff of the PEB and Deputy Director of
4 Security's initial decision to revoke her security clearance. The CIA's stated
5 reason was,  "psychological conditions".
- 6 51. Plaintiff thereafter requested and received from CIA the file which CIA
7 informed him contained information supporting its decision to revoke
8 Plaintiff's security clearance.
- 9 52. With respect to the issues raised concerning the Plaintiff, the file contained
10 copies of the material Plaintiff had viewed and signed in the presence of her
11 Case Officer, specifically the Pre-PEB Briefing Memorandum and PEB Memorandum.
12 Additionally, Plaintiff's file contained a note from the CIA's Office of
13 General Counsel and a computer screenshot of Plaintiff's Training History and
14 Position while employed at the CIA.
- 15 53. On May 6, 2010, Plaintiff filed a timely appeal of the PEB's and Deputy Director
16 of Security's decision to revoke her security clearance to the CIA's Employee
17 Appeals Panel (EAP). Plaintiff supplied the EAP with additional medical
18 evidence, including signed letters from her doctors, concerning the nature of
19 her disability.
- 20 54. Nevertheless, on September 16, 2010, CIA's Employee Appeals Panel upheld the
21 PEB and Deputy Director of Security's decision to revoke Plaintiff's security
22 clearance and terminated her employment.
- 23 55. On or around June 14, 2011, Lexis Nexis Special Services Incorporated (LNSSI)
24 terminated Plaintiff's employment because the CIA refused to transfer her
25 security clearance to LNSSI.
- 26 56. From September 2011 to the present, Plaintiff has submitted numerous Freedom of
27 Information Act requests to the CIA requesting information regarding its
28 decision to revoke her security clearance.

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1 57. Plaintiff has sought suitable employment leading up to and following the CIA's
2 termination of her employment. However, the CIA's Office of Security (OS) has
3 refused to transfer her security clearance to government contractors.
4 Consequently, Plaintiff has not found suitable employment and remains
5 unemployed.

6 58. CIA never responded to Plaintiff's request for additional information and has
7 provided no additional information.

8 59. The decision of the CIA's Employee Appeals Panel is a final agency action for
9 which there is no other adequate remedy at law.

10 60. Plaintiff has exhausted her administrative remedies.

11 **Count I.**

12 (Violation of the Health Insurance Portability and Accountability Act of 1996

13 HIPAA)

14 61. Plaintiff realleges and incorporates by reference the allegations of paragraphs
15 1 through 60 above.

16 62. The revocation of plaintiff's security clearance and access to classified
17 information by defendant was based solely on Plaintiff's disability status,
18 information the CIA obtained from the Plaintiff's confidential medical records.

19 63. Defendant's actions are in violation of Plaintiff's right to have her medical
20 information, family's medical information, and medical history kept in separate
21 files and not shared with coworkers, which is guaranteed by the HIPAA.

22 **Count II.**

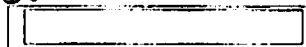
23 (Right to Privacy)

24 64. Plaintiff realleges and incorporates by reference the allegations of paragraphs
25 1 through 60 above.

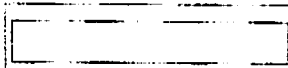
26 65. The revocation of plaintiff's security clearance and access to classified
27 information by defendant was based solely on Plaintiff's disability status,
28 information the CIA obtained from the Plaintiff's confidential medical records.

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1 66. Defendant's actions are in violation of Plaintiff's right to privacy and her
2 right to petition for a governmental redress of her grievances, regardless of
3 her disability status, which is guaranteed by the Ninth Amendment to the United
4 States Constitution.

5 **Count III**

6 **(PROPERTY INTEREST IN CONTINUED EMPLOYMENT)**

7 67. Plaintiff realleges and incorporates by reference the allegations of paragraphs
8 1 through 60 above.

9 68. Plaintiff has a property interest in her continued employment in the positions
10 she previously held at CIA.

11 69. The revocation of plaintiff's security clearance and access to classified
12 information by defendant was based solely on Plaintiff's disability status,
13 information the CIA obtained from the Plaintiff's confidential medical records.

14 70. CIA by its actions deprived plaintiff of her property interest in her continued
15 employment with the Federal Government in violation of plaintiff's right to due
16 process under the First, Fifth and Ninth amendments to the United States
17 Constitution.

18 **COUNT IV.**

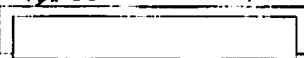
19 **(LIBERTY INTEREST IN FUTURE EMPLOYMENT OPPORTUNITIES)**

20 71. Plaintiff realleges and incorporates by reference the allegations of paragraphs
21 1 through 60 above.

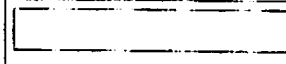
22 72. The revocation of plaintiff's security clearance and access to classified
23 information by defendant was based solely on Plaintiff's disability status,
24 information the CIA obtained from the Plaintiff's confidential medical records.

25 73. All agencies of the government are required to give reciprocal recognition to
26 security clearance decisions of other agencies. This includes both employees
27 of such agencies and employees of contractors with such agencies in positions
28 that require access to classified information.

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Case 1:12-cv-00028-LO-IDD Document 1 Filed 01/10/12 Page 11 of 14 PageID# 11

1 74. Federal agencies which do not require a national security clearance as an
2 employment requirement, but which have "Positions of Trust" dealing with
3 sensitive, but non-national security information, also require the disclosure
4 of any denial of a security clearance by a prospective applicant for employment
5 with the government or an applicant for employment with a government
6 contractor, for a Position of Trust. The previous denial of a security
7 clearance will generally cause the denial of employment in a position of trust.

8 75. As a result of CIA's revocation of plaintiff's security clearance and access to
9 classified information, plaintiff is, and will continue to be denied the
10 opportunity to be employed in any position in the federal, state or municipal
11 government, or any position with a contractor doing business with the federal,
12 state or municipal government requiring a security clearance, or any position
13 designated as a Position of Trust.

14 76. Defendant's actions are a denial of Plaintiff's liberty interest in her
15 unfettered opportunity for employment in violation of her rights under the
16 First, Fifth and Ninth Amendments to the United States Constitution.

17 **COUNT V.**

18 **(LIBERTY INTEREST IN REPUTATION AND STANDING IN THE COMMUNITY)**

19 77. Plaintiff realleges and incorporates by reference the allegations of paragraphs
20 1 through 60 above.

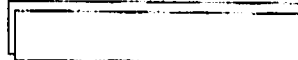
21 78. The revocation of plaintiff's security clearance and access to classified
22 information by defendant was based solely on Plaintiff's disability status,
23 information the CIA obtained from the Plaintiff's confidential medical records.

24 79. As a result of NGA's actions, plaintiff's reputation and standing in the
25 community as a loyal and trustworthy American citizen has been and will
26 continue to be stigmatized and damaged until she is provided legal redress
27 pursuant to her rights under the First, Fifth, and Ninth Amendments to the
28 United States Constitution.

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COURT VI.

(UNREASONABLE SEARCH AND SEIZURE)

80. Plaintiff realleges and incorporates by reference the allegations of paragraphs 1 through 60 above.

81. The revocation of plaintiff's security clearance and access to classified information by defendant was based solely on Plaintiff's disability status, information the CIA obtained from the Plaintiff's confidential medical records.

82. CIA's search and seizure of Plaintiff's belongings following her forced admission to [redacted] Hospital in [redacted] on October 30, 2009, deprived Plaintiff of her right to be secure in her person, home, papers, and effects, under the Fourth Amendment of the United States Constitution.

COURT VII.

(CRUEL AND UNUSUAL PUNISHMENT)

83. Plaintiff realleges and incorporates by reference the allegations of paragraphs 1 through 60 above.

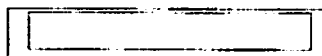
84. The revocation of plaintiff's security clearance and access to classified information by defendant was based solely on Plaintiff's disability status, information the CIA obtained from the Plaintiff's confidential medical records.

85. CIA's forced in-patient treatment of Plaintiff, attempts to force medicate Plaintiff with anti-psychotic medication, and requirement that Plaintiff submit to ongoing psychiatric treatment with CIA psychiatrists deprived Plaintiff of her right to be protected against cruel and unusual punishment under the Eighth Amendment of the United States Constitution.

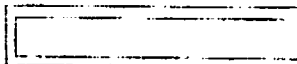
COURT VIII.

(DISCRIMINATION IN EMPLOYMENT)

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1 86. Plaintiff realleges and incorporates by reference the allegations of paragraphs
2 1 through 60 above.

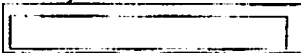
3 87. The revocation of plaintiff's security clearance and access to classified
4 information by defendant was based solely on Plaintiff's disability status,
5 information the CIA obtained from the Plaintiff's confidential medical records.

6 88. The actions by CIA in revoking Plaintiff's security clearance and access to
7 classified information based on Plaintiff's disability, repeated medical
8 testing, anti-psychotic medication requirement forced in-patient psychiatric
9 treatment, and the determination that Plaintiff was an increased security risk
10 due to her disability, was an unreasonable classification in violation of
11 Plaintiff's right to the equal protection of the law under the First, Fourth,
12 Fifth, Eighth and Ninth Amendments to the United States Constitution.

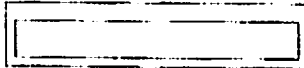
13 WHEREFORE, plaintiff prays: (1) that the decision of the CIA revoking the
14 Plaintiff's security clearance and access to classified information be
15 reversed; (2) that CIA be ordered to reinstate Plaintiff's Top Secret Security
16 clearance and reinstate Plaintiff to the position she would have held had the
17 constitutional violations not occurred; (3) that the plaintiff be awarded back
18 pay, front pay, benefits and promotions from the time the Agency stopped paying
19 her; (4) that the Agency accommodate the Plaintiff's disability; (5) that the
20 Agency purge all of the Plaintiff's security and medical files; (6) that
21 Plaintiff be awarded her attorney's fees and costs; (7) that Plaintiff be
22 awarded her medical fees and costs.

23 PLAINTIFF REQUESTS A JURY TRIAL OF ALL ISSUES SO TRIABLE.
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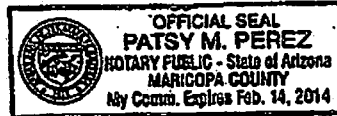
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Dated this 3rd day of January, 2011

Lynnae D. Williams

Lynnae D. Williams
Plaintiff, Pro Se
460 L St. NW #823
Washington, DC 20001
202-577-6474
wlynnae@gmail.com

APPROVED FOR
CROSSING OF 12570000A
This instrument was acknowledged before me on the 3rd day of
January, 2011, by *Lynnae D. Williams*
in my presence and in my hand and official seal.
Patsy M. Perez NOTARY PUBLIC



~~CONFIDENTIAL~~

