

ERVIN and  
ASSOCIATES  
INCORPORATED

FI-148806

FAX  
COVER

To: Yvette Magruder

Date: 7/15/96

Fax # \_\_\_\_\_

Pages: 3

From: MARK Dellonte

(includes this cover page)

Phone #: 301-469-3404

Ms Magruder?  
Please find attached FOIA:  
Please call me if you  
have questions.

Thanks  
Mark

RECEIVED

JUL 15 8 56 AM '96

EXECUTIVE  
SERVICES  
DEPT

**NOTICE:**

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**ERVIN and  
ASSOCIATES  
INCORPORATED**

*FI-148806*

**VIA FACSIMILE**

July 15, 1996

Ms. Yvette C. Magruder  
Freedom of Information Act (FOIA) Officer  
U.S. Department of Housing and Urban Development  
Executive Secretariat's Office  
451 Seventh Street, S.W., Room 10139  
Washington, D.C. 20410

RECEIVED  
JUL 16 11 06 AM '96  
EXECUTIVE  
SECRETARIAT

Re: Freedom of Information Request - Nelson Diaz's Statement That There  
Are "Too Many White Faces at HUD"

Dear Ms. Magruder:

We have recently learned that Mr. George Weidenfeller at the Office of General Counsel has received at least 17 affidavits from HUD OGC or other staff who heard Nelson Diaz state on September 22, 1996, that "there are too many white faces at HUD." Receipt of these affidavits was in response to a memorandum from Mr. Weidenfeller dated August 23, 1994, a copy of which is attached.

In accordance with the provisions of the Freedom of Information Act, we request copies of the 17 or more affidavits and the answers to the interrogatories which were received.

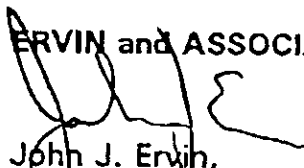
Additionally, please provide any information regarding Helen Dunlap's involvement in the John P. Delleria Case, #95-330.

Ervin and Associates agrees to pay all applicable fees associated with preparing the response to our request, and we understand that HUD will inform us of the amount owed once it is determined.

If you should have any questions, or need any further information, please do not hesitate to call me directly at (301) 469-3410.

Very truly yours,

**ERVIN and ASSOCIATES. INCORPORATED**

  
John J. Ervin,  
President

U. S. Department of Housing and Urban Development  
Washington, D.C. 20410-0500



*FI-148806*

August 23, 1994

OFFICE OF GENERAL COUNSEL

MEMORANDUM FOR: All Field Assistant General Counsel  
All Field Counsel  
All OGC Headquarters Attorneys

*George L. Weidenfeller*  
FROM: George L. Weidenfeller, Deputy General Counsel  
(Operations), GA

SUBJECT: Discovery Request in John Dellera case

John Dellera has filed a Merit Systems Protection Board case protesting his reassignment to a supervisory position in Washington, D.C. As part of his case he has made the following request for production of documents and interrogatories addressed to all regional counsel, all field counsel and all OGC Headquarters personnel who attended the field counsel meeting in Washington, D.C. on September 22, 1993. In order to comply with the request, I am asking that you provide to me either when you come to Washington for the August 29 meeting or before the following documents requested by Mr. Dellera:

Notes made by HUD Field Assistant General Counsel (the former Regional Counsel), Field Counsel and HUD Headquarters personnel to the extent such notes recorded, describe or make reference to remarks of Nelson Díaz and Frank Wing at the September 22, 1993 field counsel meeting in Washington, D.C.

In addition, Mr. Dellera has requested that the above-named individuals answer the following interrogatories separately and fully in writing under oath.

INTERROGATORIES

1. State your name and position.
2. Did you attend a field counsel meeting in Washington D.C. on September 22, 1993?
3. Did you hear Nelson Díaz speak at the meeting on the morning of September 22, 1993?
4. Did Nelson Díaz say anything at the meeting of September 22, 1993, concerning the race, color or ethnic background of those attending the meeting?