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RESENT MARCH 4th, 2016
[Signature]

Dear Sirs and Madams,

I approach the Pacific Legal Foundation for representation because of the fact my medical license was attacked by the State of Texas for free speech issues and I was prevented from being able to protect this license by repeated unconstitutional behaviors including but not limited to illegal 4th amendment seizures, stalking and battery. I want the representation to attempt to remove from the government the right to monitor or license physicians, other than a registration process, as obviously criminal proceedings or malpractice actions would also be available to injured parties. By the time a physician applies for a license they have already had 4 years of medical school where they are repeatedly tested. They have had an internship where they are evaluated frequently. They have had to pass national boards. What does licensing add except the opportunity to corral their free speech and make sure they adhere to practice guidelines which many times have been shown to be influenced by physicians with conflicts of interest? The research into the belief that medical licensing boards have the right to investigate physicians for stating their beliefs became quite clear with publication of the following research by Grayson SR, et al **Online professionalism investigations by state medical boards: First, do**

no harm. In Ann Intern Med. 2013 Jan 15. While my case may seem unbelievably complex, it merely demonstrates the determined efforts of this citizen in the face of overwhelming governmental powers in a surveillance state with tremendous black budget .

My license was attacked by Texas State Board of Medical Examiners shortly after an article I wrote for Texas Mental Health Consumers newsletter was mailed to clients of the Texas Mental Health and Mental Retardation system. In this article I explained that psychiatrists were misdiagnosing patients with obstructive sleep apnea as having a psychiatric illness and drugging them. Specifically, the behavior I had that the State was objecting to was that I was sending more patients than they liked for polysomnograms. At the informal settlement conference, the key board member was an employee of the MHMR system, a forensic psychiatrist, who explained she was not competent in diagnosing obstructive sleep apnea while she was asserting that I needed a psychiatric evaluation for doing so. At this conference, I was coerced into an agreement to be evaluated by a neuropsychiatrist. I only agreed to that after I found a psychiatrist, at Stanford, who was a key person on sleep medicine research. Without my knowledge or permission, another physician was substituted in his place without my permission and subsequently produced a report that was not accurate and that was sent to the medical board without my permission. Meanwhile, Stanford had not protected the content of my medical records, apparently losing or discarding the prior medical records I had obtained for them that I believe demonstrated outright malpractice in the medical care I had received prior to coming to them for medical care. Then, my attorney was coerced into quitting while at a meeting in the State building as a direct result of a conversation with the attorney for the Medical board while on our way to a hearing. At this conference it was also alleged that I was a drug seeking person. The document listed three persons that it was alleged I had sought addicting drugs from during office visits. In fact, two of those individuals were not physicians and other than noting the prescription drugs that were recommended by a licensed physician, they had absolutely no role in determining the prescribing habits of the physicians I had seen. The person making

this assertion is a lawyer. Subsequently, this document disappeared from my house where it was stored and a different one substituted that did not contain this allegation. As this allegation had absolutely no basis in fact, there was good reason for this document to be disappeared without my knowledge or consent.

By the winter of 2004 I had decided to sue the State of Texas over this infringement of my license, asserting the right of my patients for me to use the expertise I had developed, in independent study, in sleep disorders. Shortly after striking a verbal agreement to contract with an individual with expertise in legal writing for this effort, I was advised that he had suddenly died. While still attempting to find legal representation, I was stalked and placed into physical harm with unusual vehicular issues and evidence of home invasion as well as loss of numerous documents stored at my home. I left for California intending to approach the issue indirectly by retaining an attorney to evaluate how a physician I had not authorized had evaluated me on the Stanford Medical Center property. The stalking persisted through California and Oregon and Washington State and left me without even a mailing address that was reliable for months at a time. It also exhausted my resources so that I ended up in a homeless shelter here in San Francisco.

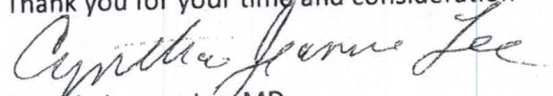
Two other events may be useful in evaluating my request for representation. In the fall of 2004, I attested to the Sunshine Commission on renewing the charter of the Texas State Board of Medical Examiners that this agency was infringing on the right of Texans for their physicians to have knowledge and use of that knowledge of sleep apnea to protect their patients. I additionally asserted that such a policy was most destructive to our Black Americans because they had three times as much obstructive sleep apnea as other racial populations. I asserted that this was causing them to lose their elders at an extraordinary rate. This public documentation in addition to my efforts to retain a consultant to assist

with a suit to enforce my licensure rights was the probable proximate cause of the stalking and violation of private property rights.

The second event was that I had attempted to sue the State of Texas two years before in federal court to protect property rights as well as other rights from judicial overreach. That attempt was thwarted by an attorney, ostensibly employed by me but working in conjunction with others to throw the case. My own attorney was involved in this and subsequently became head of the Texas State Board of Medical Examiners (now called the Texas Medical Board). From a lawsuit by the American Association of Physicians and Surgeons there already exists testimony that no one on this board had ever recused themselves from decisions where they had actual conflicts of interest. I believe this will set the precedent for a line of inquiry into the use of wiretapping and surveillance of mail beginning during or before the actual original suit was filed, probably via the mechanism of fraudulent insurance claims submitted without my knowledge as I received evidence of such claims being submitted but was unable to receive an answer to my request for the United States postal inspectors to investigate.

My case may have many unique features to allow even greater exposure of the use of the surveillance on individuals to protect governmental overreach. It has the potential to attract various amicus efforts from a wide variety of seemingly disparate parties many of whom do not agree with Obamacare. It could be an unusual mixture of parties joining in on a joint effort of the type the federal courts cannot easily ignore.

Thank you for your time and consideration


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