

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

RICHARD MAXIMUS STRAHAN	)	
	)	
<i>Plaintiff</i>	)	
	)	Civil Action No.
v.	)	
	)	18-CV-10392-DJC
ADMINISTRATOR, NATIONAL OCEANIC AND	)	
ATMOSPHERIC ADMINISTRATION (“NOAA”), <i>et al.</i>	)	15 May 2018
	)	
<i>Defendants</i>	)	

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PLAINTIFF’S PETITION FOR THE COURT TO DISQUALIFY ATTORNEY CRABLE AND  
TO ORDER THE DOJ AND NOAA NOT TO COERCE WILLING NOAA EMPLOYEES  
FROM COMMUNICATING WITH HIM ABOUT THE CONSERVATION OF WHALES

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Plaintiff — Richard Max Strahan — SPEAKS:

I am petitioning the Court for n order ENJOINING the US Department of Justice and the Defendant NOAA from stopping and/or coercing any of its employees from willingly communicating with me on matters relevant to the conservation of whales and sea turtles. Both Defendant NOAA and the DOJ are now actively threatening NOAA employees to stop them from further communicating with me despite their personal willingness to do so. The only reason for this said malicious conduct is to stop me from successfully petitioning the Court to enforce the ESA against NOAA as an agency. In doing so the NOAA/DOJ are violating my porotected First Amendment right to petition the Court.

TODAY I received an email from attorney Crable informing me that he is preventing NOAA employees from communicating with me further as an act of retaliation for my commencing the instant action. The text of his email is as follows —

“Mr. Strahan, Hello. Colleen Coogan forwarded to me your message below. Unfortunately, NMFS **staff cannot communicate with an opposing party** about matters that are in active litigation. Please direct any further inquiries of this nature to me, and I will do my best to get a response to you as quickly as I can.”

I have a friendly and mutually beneficial relationship with Coogan that is historical in duration. The last time I spoke to her on the phone she expressed an open concern that NOAA

supervisors would punish her for communicating with me in retaliation for my commencing the instant action. Obviously her concerns were valid and are now fulfilled.

The Court can only interpret attorney Crable's actions in one way, that he and the DOJ are now preventing every NOAA employee against their will from communicating with me in the future as an unlawful and sleazy way of preventing me from prevailing on the merits despite my being entitled to do so under prevailing law and reality.

The Court must act immediately to DISQUALIFY Crable from further representation of any of the Defendants in the instant action. Then it must issue an order to enjoin the DOJ/NOAA and their supervisory employees from interfering ever again in my ability to freely communicate with willing NOAA employees in the future.

For the above reason, the Plaintiff asks the Court to GRANT his requested relief.

BY:

/s/ Richard Maximus Strahan

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Richard Maximus Strahan  
POB 82  
Peterborough NH 03458

*Pro Se and Proud!*

I certify that a copy of this document has been served on the Defendants by the ECF filing system.

/s/ Richard Maximus Strahan

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Richard Maximus Strahan

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	)	
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PLAINTIFF’S PETITION FOR EMERGENCY DISCOVERY IN ORDER FOR HIM TO  
CHALLENGE THE DEFENDANTS FALSE CLAIMS MADE IN THE AFFIDAVITS that  
THEY FILED TODAY AND EARLIER WITH THE COURT

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Plaintiff — Richard Max Strahan — SPEAKS:

I am petitioning the Court to allow me to immediately conduct emergency discovery against the Defendants and their paid agents in order to be able to successfully challenge the Defendants current claim that there are no Right Whales in Cape Cod Bay and that Right Whales will not be in Cape Cod Bay till next year.

I want the Defendants to produce the following records in their possession and those of their agents from the last five years —

1. Sighting records of endangered whales and sea turtles in the Gulf of Maine;
2. Records of entanglements in fishing gear of endangered whales and sea turtles in the Gulf of Maine.

Additionally, I want the Court to require that the Defendants immediately supply me on a weekly basis all records of sighting of endangered whales and sea turtles that they acquire between now through to 1 November 2018.

Since all available sighting records of whales in the Gulf of Maine are in the exclusive possession of the Defendants paid agents, I have been fatally and unfairly condemned not to be able to challenge their clearly false allegation of fact offered in the instant action Historically, I have repeatedly been rebuked by the Defendants in my efforts to have them supply me copies of their sighting and entanglement records on endangered whales in the Gulf of Maine.

TODAY, the Massachusetts Office of the Attorney General filed an affidavit by a state employee who claimed under oath that there were no Right Whales in Cape Cod Bay yesterday. In so doing he also claimed as an expert witness for the Defendants that there will be no Rights Whales in Cape Cod Bay tomorrow and for the rest of the year through to the Winter of 2018.

The Plaintiff CHALLENGES the alleged sighting information referenced in the affidavit and its proffered expert interpretation of these records of the testifier as fraudulent and not true. The Plaintiff also seeks to challenge the alleged expert status of the signor of the Defendant's proffered affidavit and the entirety its offered expert allegations on the likelihood of Right Whales being in Cape Cod Bay TODAY or at any point in the future.

The Plaintiff needs real time access to the said past and future sighting records to insure that it is aware of the presence of endangered whales in coastal waters for the pendency of the instant action so that he will be meaningfully capable of seeking emergency protection from the Court to prevent the entanglement of endangered whales inhabiting coastal waters on any day now and in the future between now and 1 November 2018.

The Defendants are all known whale killers and ongoing violators of the Endangered Species Act. The Court cannot treat these violators with the deference it entitles to law abiding state actors. The Defendants hope the Court will be gullible enough to accept their allegations of fact without reservation. The Court should announce to all that it will not be doing that for the pendency of the instant action.

For the above reason, the Plaintiff asks the Court to GRANT his requested relief.

BY:

/s/ Richard Maximus Strahan

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*Pro Se and Proud!*

I certify that a copy of this document has been served on the Defendants by the ECF filing system.

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