

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 19 - cv - 03201-GPG

MICHELLE A. MOREL J. ATO BLOSER J.D.

v.

UNITED STATES OF AMERICA,

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 25 2020

JEFFREY P. COLWELL
CLERK

COMPLAINT

NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievances, witness statements, or any other materials to the Clerk's Office with this complaint.

A. PLAINTIFF INFORMATION

MICHELA MORELLATO BLOSFIELD
2442 Norwich Dr
Colorado Springs, CO 80920
719.519.7587

B. DEFENDANT(S) INFORMATION

Defendant 1: UNITED STATES of AMERICA

C. JURISDICTION

Federal question pursuant to 28 U.S.C. § 1331 (claims arising under the Constitution, laws, or treaties of the United States)

Federal Tort Claims Act, FTCA 28 U.S.C. § 1346 and 28 USC § 2679

Diversity of citizenship pursuant to 28 U.S.C. § 1332 (a matter between individual or corporate citizens of different states and the amount in controversy exceeds \$75,000)

Plaintiff is a citizen of the State of COLORADO.

Defendant 1 is a sovereign nation, The UNITED STATES of AMERICA

D. STATEMENT OF CLAIM(S)

CLAIM ONE: Tort of Negligence. On Friday 15 September 2017, a uniformed service member of the United States of America based at the Pentagon in Washington, DC, was negligent in revealing my name in an unrestricted email pertaining to an ongoing investigation involving inappropriate sexual misconduct by a senior military official and thereby allowing the forwarding of my identity to unbeknownst recipients after misrepresenting to me protections and security nominally afforded to federal employees under the color of the Whistleblower Protection Act and thus presenting to owe a duty of care, and in breaching that duty of care caused harm to my good name, reputation, and honor without sufficient notice or an opportunity to contest its inclusion, inflicting emotional distress upon finding protected, confidential disclosures leaked and published on social media, and causing tangible, compensable losses and damages in the form of retaliation and physical disbarment from installations containing my husband's place of employment and children's school.

Supporting facts: The pentagon Inspector General Office in releasing my name in multiple emails sent to support staff and other government offices within the base perpetrated willful and malicious attempts to thwart my complaints of sexual harassment and retaliation by the senior commanding officer my husband was serving under. These emails were originated by LTC Pawlak of the Pentagon to US federal employee Mr. Louis Belle and COJ. Douglas Campbell. Once the information was released by the IG, retaliation and harassment began.

1. I was bullied and Harassed on Social Media through a Facebook page, Vicenza Vents and Confession, threatening my life and calling my husband a pedophile- I reported the cyber bullying to IG and CID and my complaints were ignored
2. My Husband's re-enlistment paperwork was tampered with
3. LTC Michael Parsons filed an espionage charge against me in the name of the US Army-Reported to IG and Chief of Staff of the Army Gen Mark Miley and was ignored again
4. Accused of blackmail by a uniformed service member of the United States of America
5. Accused my SHARP victim advocate, Ms. Braley, the only US employee who helped protect me, of "setting up" General Harrington

6. Not allowing me access to my sick child of age 7 years, while she was in school on base.

The Federal Tort Claims Act (FTCA) is a highly complex law that allows specific types of lawsuits against a federal government entity and federal employees who have acted within the scope of employment while causing injuries.

The US Army and all the proponents, Commanders, Inspector General, and Criminal Investigative Division willfully and negligently ignored all of my requests for relief, intervention and assistance. These inactions and disregard caused undue hardship; financial, medical and emotional on myself, my spouse and our children, and possibly delayed satisfaction of timing requirements for filing legal action set forth under 28 U.S.C. Section 2401(b).

The final closing of my case and denial by the Department of the Army Inspector General for investigating this tort of negligence was revealed through a FOIA document release to Senator Bennet dated on 12-03-2019 in which the assistant Inspector General acknowledged closing the case and recommended barring me from making any further complaints.

I ask for discovery and retention of official correspondence for involved Federal agencies covered under the Freedom of Information Act.

The court and the citizens will benefit by showing that all agencies in the federal government must abide by federal laws and regulations regardless of the status of the individual being effected.

B. REQUEST FOR RELIEF

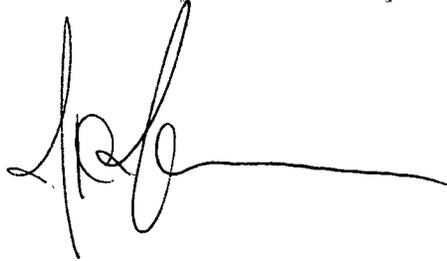
I request monetary relief of 5 million dollars as well as an apology from the US Army for violating my civil rights as an Army Spouse, and a retraction of the specious espionage charge.

F. PLAINTIFF'S SIGNATURE

I declare under penalty of perjury that I am the plaintiff in this action, that I have read this complaint, and that the information in this complaint is true and correct. See 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Under Federal Rule of Civil Procedure 11, by signing below, I also certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

Michela Morellato Blossfield

A handwritten signature in black ink, appearing to read 'Michela Morellato Blossfield', with a long horizontal line extending to the right.

February 20, 2020

(Form Revised December 2017)

INSPECTOR GENERAL ACTION REQUEST

For use of this form, see AR 20-1; the proponent agency is the Office of The Inspector General.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: 10 U.S.C 3013, Secretary of the Army; 10 U.S.C 3020, Inspector General Act of 1978 (Public Law, 95-452), as amended; DoDD 1030.1, Victim and Witness Assistance; AR 20-1, Inspector General Activities and Procedures.

PRINCIPAL PURPOSE: To secure sufficient information to inquire into the matters presented and to provide a response to the requester(s) and/or take action to correct deficiencies.

ROUTINE USES: Information is used for official purposes within the Department of Defense; to answer complaints or respond to requests for assistance, advice, or information; by Members of Congress and other Government agencies when determined by The Inspector General to be in the best interest of the Army; and, in certain cases, in trial by courts-martial and other Military matters as authorized by the Uniform Code of Military Justice.

DISCLOSURE: Voluntary, however, failure to provide complete information may hinder proper identification of the requester, accomplishment of the requested action(s), and response to the requester.

SORN: A0020-1 SAIG, Inspector General Records (January 11, 2002, 67 FR 1447)

LAST, FIRST, MIDDLE INITIAL MORELLATO MICHELA	GRADE / RANK Spouse	DOD ID 1512759943	COMPONENT / STATUS
UNIT AND COMPLETE MILITARY ADDRESS (Point of Contact/Telephone if applicable)		PREFERRED CONTACT TELEPHONE (Duty, home, and / or cell) 719 619 7587	
PREFERRED MAILING ADDRESS (if different from military address, including ZIP Code) 2442 NORWICH DRIVE COLORADO SPRINGS USA		E-MAIL ADDRESS (Optional) micheleamorellato@sveva@gmail.com	

SPECIFIC ACTION REQUESTED (What do you want the IG to do for you?)
 Identify the responsible parties for filing an Italian Espionage Charge against me & banning me.

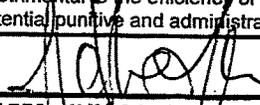
INFORMATION PERTAINING TO THIS REQUEST (Background. Use additional sheets if necessary list enclosures if applicable.)
 Have you discussed this issue with your chain of command? (Yes/No/NA) **Yes**
 When the retaliation began my husband went to his Command about them banning me and they said they could do nothing as it was an Italian Post. However, I want them held responsible for violating the regulation, laws, SOFA agreement and retaliatory actions,

For Official Use Only (FOUO) Dissemination is prohibited except as authorized by AR 20-1
 the Provost Marshall, LTC Michael Parsons filed a Penuncia on behalf of the

I do I do not consent to release my personal information outside of IG channels to the chain of command or other officials (but within DoD channels) in order to resolve the matters listed above. I understand that if I do not release my personal information, my request for assistance may go unresolved.

I do I do not consent to release the supporting documents I provided to the IG (to exclude this DA Form) outside of IG channels to the chain command or other officials (but within DoD channels) in order to resolve the matters listed above. I understand that if I do not release my documents, my request for assistance may go unresolved.

This information is submitted for the basic purpose of requesting assistance, correcting injustices affecting the individual, or eliminating conditions considered detrimental to the efficiency or reputation of the Army. Those who knowingly and intentionally provide false statements on this form are subject to potential punitive and administrative action (UCMJ Art 107, 18 U.S.C 1001).

SIGNATURE  DATE (YYYYMMDD) **2019/08/26**

INFORMATION PERTAINING TO THIS REQUEST (Continued)

US Army to provoke the Italian Base Commander to ban me. This action was directed by Col Eric Berdy in retaliation for my continued reporting of abusive of power, bullying, sexual harassment & the firing of Gen Joseph Harrington for conduct unbecoming an Army officer.

1- I went to the local IG Lou Bello & Col Lopez and they refused to take my complaint about the Vicenza confession Facebook page bullying & sexual harassment. I also reported to CID the crimes of internet & when another spouse pulled my hair when I was pregnant at the bus stop. nothing was done.

2) Bullying reported IG, CID & gen. Harrington on Facebook; naked photos of me "whore", "cunt of Caserma" & "Porno Star" as only a small example. →

HM 208 7

INFORMATION PERTAINING TO THIS REQUEST (Continued)

2-cont - These posts came from soldiers, officers, wives and garrison employees ex: Dan Shelor & Liz Rouse ^{casual wife?}

③ - The naked photos that torched me, my husband "called him pedophile" my children & my family.

→ Violating Online Conduct, also UCMJ 120 "revenge porn"

All CID, IG & Hamington Denied me any relief. I was then kicked out of the gym.

④ After Gen Hamington was exposed & DAIG Pollick leaked my name to Lou Bello & Col Douglas Campbell. My real nightmare began of retaliation. Venezia confession page & bullying & harassment escalated accusing me of trying to black mail the Gen by Nick Hack who worked for USARAF.

JM 387

INFORMATION PERTAINING TO THIS REQUEST (Continued)

I only tried to get help, & make the community better as Vicenza is my home.

When I reported to the Garrison USAAG Italy the gym incident from a result of my friendship with the gen. Maj Orr dismissed me with an attitude of a smirk. Nothing was done.

Months after the Gen was fired he stayed on base. The Army announced his return to DC and he stayed on base going to his office all the while my harassment escalated. I don't understand why he was allowed to stay and at the same time

me and my family were living a nightmare for me telling the truth. Then I was leaving past out of the main gate where you have to cross the street and it is a blind corner so I could not see & almost got hit by

MM 406 9

INFORMATION PERTAINING TO THIS REQUEST (Continued)

a vehicle. I took a picture of this danger & posted to a private Army wives page to ask for help. *NOTE you have to be invited & verified. Anna whets on the wife of the USAF PAO told me I had to take it down I immediately did as I didnt think it would be a problem. I only asked to get help. Then through a FOIA request I learned that the garrison staff and the safety person Jay Parsons communicated to figure out how to hurt me for this.

Then LTC Parsons filed the Denuncia. They violated my rights as a spouse to go on base to take care of my family.

my daughter was traumatized as I had to be escorted by the Carabinieri to go to her school even when she was ill.

MS07

INFORMATION PERTAINING TO THIS REQUEST (Continued)

Her father is a Army officer, War vet from Iraq.

My husband suffered at work and I could not take over 2 yr old son to the RR or anything.

The garrison command infected the entire base ex: when I went to the housing office (off post) they told my Col Berdy advised them to escort me out and they called MP's and Carabinieri. When the 2 police arrived they denied this action.

I don't understand why Col Berdy would direct them to violate my rights as an Italian Citizen & a wife/mother spouse of the US Army. We were PCSing to America.

These actions the Denuncia charge

M1008 7

INFORMATION PERTAINING TO THIS REQUEST (Continued)

result could be imprisonment, fine & denial to join my family in America. - This is retaliation as other people post pictures of the base, the entrance and even on google earth you can walk to the gate where I was, on the computer. I was and remain the only person that was attacked this way. Why for reporting the gen? Reporting a Safety Hazard? OR Reporting/Exposing the Mafia style leadership & abuse of power.

I will provide you screenshots, the Denuncia & letters via email. All the leaders also denied my husband help & told him to keep me quiet.

~~Attorney William S. [Signature]~~

MM787

THE IG in
FORT CARSON
~~open~~ close

Department of the Army
Inspector General Action Request System

12-03-2019

Electronic 1559

F5190819

Case Number: F5190819
 Complaint Made To: Army IG
 Case Status: Closed
 Priority Flag:
 Receipt Mode: Walk-In
 Non-IG Referral:
 Case Label: Morellato, Michela
 Home IG:
 IG: (b)(6);(b)(7)(C)
 Location: Fort Carson, Colorado
 Problem Area: Retaliation by Ostracism
 Priority Date/Days: 0

Open Date: 08/26/2019
 Close Date: 09/16/2019
 Suspense:
 External Suspense:
 Notification: 09/13/2019
 Acknowledgement: 08/26/2019

09/13/19

Initiator(s) Information

Name	Component	Gender	Grade	Race	Consent Personal	Consent Supporting
Morellato, Michela	M	F	CIV	U	Yes	Yes

Complainant(s) Information

Name	Component	Gender	Grade	Race	Consent Personal	Consent Supporting
Morellato, Michela	M	F	CIV	U	Yes	Yes

Other Issues or Allegations:

Function: (b)(6);(b)(7)(C)
 Stated Allegation:
 Discussion:
 Conclusion:
 Organization:
 Determination:
 Characterization:

Department of the Army Inspector General Action Request System

12-03-2019

Electronic 1559

F5190819

Synopsis

First Part

The complainant (Morellato, Michela, CIV-Civilian-Civilian) / initiator (Morellato, Michela, CIV-Civilian-Civilian), complainant status (M-Family Member), contacted our office on 26 August 2019, alleging someone acted improperly. The complainant stated that after an investigation that involved a General Officer, MG Joseph Harrington, was conducted, she started being retaliated against by the (b)(6);(b)(7)(C)

The complainant stated that the (b)(6);(b)(7)(C) filed a denuncia on behalf of the U.S Army. The complainant stated that this was directed by (b)(6);(b)(7)(C) in retaliation of reporting allegations against MG Harrington. The complainant further stated she was barred from the Military Post for posting an online picture of the Post entrance.

The complainant also stated that she went to the local IG office and that (b)(6);(b)(7)(C) and (b)(6);(b)(7) refused to take her complaint. Finally the complainant stated that she requested a FOIA request, and learned that the Garrison Staff and (b)(6);(b)(7)(C) discussed how to hurt the complainant for her reporting so many issues.

Second Part

An assistance inquiry was completed by (b)(6);(b)(7). The IG used Command Products from previous IG cases provided by DAIG, and those products sufficiently addressed all issues / allegations the complainant made on the DA 1559 with our office.

Third Part

The issues were looked into by our office, HQDA - Inspector General (SAIG-AC) office, DAIG Hotline Branch office, and Complaint Intake Cell Investigation Division, U. S. Army Inspector General Agency office. All offices provide information or documents that led to the determination that the complainant issues had already been addressed in 9 previous IG cases. In some cases the complainant had already been provided with a final letter that informed her of the outcome or that the case had been closed. The complainant even went as far as to request a FOIA request and was provided with the requested FOIA information. All documents attached.

Fourth Part

Case was closed by confirming with DAIG that all issues had previously been addressed with several IG offices. In some cases a legal review was completed followed by a notification letter to the complainant. I informed the complainant that our office addressed her case, and would be closing her case out and informed her as to why. The complainant did not like that answer and stated that we probably didn't even doing anything or even open a case. The complainant was clearly dissatisfied when hearing this.

It is my recommendation as an Assistant Inspector General that this complainant be considered to be BARED from making any further IG complainants.

Casenotes

Department of the Army

Inspector General Action Request System

12-03-2019

Electronic 1559

F5190819

8/26/2019 (b)(6):(b)(7)(C) The complainant, Mrs. Michela Morellato, (civilian- civilian), DoD ID (b)(6):(b)(7) spouse of (b)(6):(b)(7)(C) (AC), DoD ID (b)(6):(b)(7) assigned to HHC, 1-8 IN, 3 BCT, contacted our office on 26 August 2019, requesting assistance with unfair treatment while she was stationed (b)(6):(b)(7)(C) in Vicenza Italy.

The complainant stated that after an investigation that involved a General Officer, MG Joseph Harrington, was conducted, she started being retaliated against by the (b)(6):(b)(7)(C)

The complainant stated that the (b)(6):(b)(7)(C) filed a denuncia on behalf of the U.S Army. The complainant stated that this was directed by (b)(6):(b)(7)(C) in retaliation of reporting allegations against MG Harrington. The complainant further stated she was barred from the Military Post for posting an online picture of the Post entrance.

The complainant also stated that she went to the local IG office and that (b)(6):(b)(7)(C) and (b)(6):(b) refused to take her complaint. Finally the complainant stated that she requested a FOIA request, and learned that the Garrison Staff and (b)(6):(b)(7)(C) discussed how to hurt the complainant for her reporting so many issues.

(b)(6):(b)(7)(C)

9/13/2019 (b)(6):(b)(7)(C) I sent the complainant an email informing her that our office would not be taking any further action and would be closing her case.

(b)(6):(b)(7)(C) I completed supervisory review.



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON ITALY
UNIT 21401, BOX 41
APO AE 09390

19 September 2019

Human Resources Directorate

SUBJECT: FOIA Request # FP-18-009537

Ms. Michela Morellato Biosfield,
CMR 473 Box 1008,
APO AE 09606

I Try to contact AND
e mail these agencies
they Dont Answer ne
or replying ne.

Dear Ms. Morellato Biosfield:

This letter responds to your request received by this office on 5 February 2018 in which you requested a copy of the following documents:

- a. Any and all communication for the period 9/1/2017 through 2/4/2018 between the Garrison staff, 173rd BDE staff, Italian military staff, Carabinieri, USARAF staff, Mr. Jay Passion (to include all of his associates) and the CIVIS Guard pertaining to Michela Morellato Biosfield, SPC Adam Christopher Biosfield and her movements on Caserma Ederle and Del Din, to include but not limited to her concerns regarding unsafe walking conditions and the entrance gate by the commissary. Statements, emails, phone records and screen shots regarding the incident and pictures on 30 Jan 2018 regarding a grey Nissan and subsequent letters issued 2 Feb 2018 and any and all emails, statements and communications after letters issued by the 173rd and Italian Base Commanders. All communications, emails, statements, text messages, private messages and photos, regarding Michela Morellato Biosfield with Mr. Jim Brooks and Anna Whetston. Any and all laws, regulations, MOU's and policies regarding base access, procedures for banning base access of a spouse that is command sponsored.

One hundred responsive documents were located reference your request. Fifty-nine responsive documents were found to be within the purview of release for the Garrison and have been referred to the Headquarters, Installation Management Command FOIA office for determination of release due to analysis required of possible related exemptions. The Installation Management Command FOIA officer, Ms. Joyce Luton, will respond directly to your request as follow on to this letter. The contact address for the HQ, Installation Management Command FOIA office is: 2405 Gun Shed Road (Bldg 2261), Fort Sam Houston, TX 78234 or e-mail at usarmy.mjbsa.imcom-hq.mbx.foia-requester-service-center@mail.mil.

Twenty-four documents were found to be under the purview of the Office of the Chief of Public Affairs Pentagon and have been referred to Department of the Army, Assistant G-1 for Civilian Personnel, 6010 6th Street, Building 1465, Room 104, Attn: FOIA/PA, Fort Belvoir, VA 22060-5595, whereas seventeen documents were found to be under the purview of the U.S. Army Criminal Investigation Command and have been referred to U.S. Army Crime Records Center, ATTN: CICR-EP, 27130 Telegraph Road, Quantico, VA 22134-2253.

If this office can be of further assistance to you, please contact me via e-mail at Romina.chemello2.ln@mail.mil. My telephone number is 011 39 0444 714971.

Sincerely,

Part # 156297-435 RRDB EXP 10/20
55BJ2/049E/TE4A

SHIP DATE: 24FEB20
ACTWGT: 0.20 LB
CAD: 6990713/SSFO2021
DIMMED: 12 X 9 X 1 IN

FROM: (719) 619-7587
Michela Morellato
2442 NORMICH DR
COLORADO SPRINGS CO 80920
US

TO Jeffrey P Colwell clerk
ALFRED A. ARRAJ COURTHOUSE
901 19TH ST
room A105
DENVER CO 80294

PO: (111) 111-1111 REF: DEPT:

(US)



TRK# 3905 8935 6668

80294

9622 0019 0 (000 000 0000) 0 00 3905 8935 6668



80294-2301-31
ALFRED A. ARRAJ COURTHOUSE
901 19TH ST
DENVER CO 80294

JEFFREY P. COLWELL CLERK
ALFRED A. ARRAJ COURTHOUSE
901 19TH ST
DENVER CO 80294

1772-5092

390589356668 PD SP 100Y

Sealed by
U.S. Marshal

