

From: cgroedel@groedel-law.com
To: "[Groghan, Amber M. \(OGC\)](#)"; "[McGuire, Dennis \(OGC\)](#)"
Cc: "[LARRY ABRAMS](#)"; "[Shively, Arlene \(OGC\)](#)"
Bcc: medina.d@sbcglobal.net
Subject: Your claim that my demand made an "illegal request" is bizarre. Please see below. Sygula v. VA - EEOC Case No: 532-2021-00072X Agency Case Number: 200H-0541-2020105731
Date: Monday, March 10, 2025 3:37:34 PM

1. All I did was put forth a settlement proposal. There's nothing "illegal" about it.
2. It's **severance pay** that runs into issues with disability benefits, and I didn't request or "demand" **severance pay**.
3. Any penalty for receiving "severance pay" while receiving disability benefits would be borne by Ms. Sygula – not the VA, but again, we aren't requesting "severance pay".

Regards,

CARYN MARKOWITZ GROEDEL
Caryn Groedel & Associates Co., LPA
208 Spriggel Drive
Munroe Falls, OH 44262
1291 SW Mulberry Way
Boca Raton, FL 33486
P: (440) 230-3808
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From: Groghan, Amber M. (OGC) <Amber.Groghan@va.gov>
Sent: Monday, March 10, 2025 7:03 AM
To: Caryn Groedel <cgroedel@groedel-law.com>; McGuire, Dennis (OGC) <dennis.mcguire@va.gov>
Cc: LARRY ABRAMS <LARRY.ABRAMS@eeoc.gov>; Shively, Arlene (OGC) <Arlene.Shively@va.gov>
Subject: Re: [EXTERNAL] response to your email below Sygula v. VA - EEOC Case No: 532-2021-00072X Agency Case Number: 200H-0541-2020105731

good morning, all.

Caryn, the timeframe for responding been largely driven by my concern that your demand makes an illegal request to the Agency. I needed to research and consult with leadership as to my concern that paying "back pay" to an employee while they

are receiving disability retirements could be in contravention of the law.

In order to adequately advise my client alongside presentation of the demand, I need to be confident of the legal issues therein.

I will respond to your demand once I have thoroughly discussed with my client and have a response.

Thanks,
Amber

From: Caryn Groedel <cgroedel@groedel-law.com>
Sent: Saturday, March 8, 2025 3:03:22 PM
To: McGuire, Dennis (OGC) <dennis.mcguire@va.gov>
Cc: LARRY ABRAMS <LARRY.ABRAMS@eeoc.gov>; Groghan, Amber M. (OGC) <Amber.Groghan@va.gov>; Shively, Arlene (OGC) <Arlene.Shively@va.gov>
Subject: Re: [EXTERNAL] response to your email below Sygula v. VA - EEOC Case No: 532-2021-00072X Agency Case Number: 200H-0541-2020105731

No surprise there.
Thank you.

Regards,

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On Mar 8, 2025, at 10:56 AM, McGuire, Dennis (OGC) <dennis.mcguire@va.gov> wrote:

Ms. Groedel:

I've had a chance to look over the case and all of the history of this litigation and its current standing.

Ms. Groghan is working on an analysis for our client to review and recommended settlement authority for this case. I'm aware of your current demand for settlement and your request to stay the case for six months in light of your clients health condition.

Suffice it to say that after my review of the case, I am comfortable with the way Ms. Groghan is handling this matter and will speak to her on Monday about an estimated timeline to get a response to your demand back to you.

Sincerely,

Dennis McGuire

Chief Counsel - Midwest District
Office of General Counsel
Dept. of Veterans Affairs
(614) 388-7039 (Office)
(614) 949-6379 (government cell)

From: cgroedel@groedel-law.com <cgroedel@groedel-law.com>

Sent: Friday, March 7, 2025 5:27 PM

To: 'LARRY ABRAMS' <LARRY.ABRAMS@EEOC.GOV>; Groghan, Amber M. (OGC) <Amber.Groghan@va.gov>

Cc: Shively, Arlene (OGC) <Arlene.Shively@va.gov>; McGuire, Dennis (OGC) <dennis.mcguire@va.gov>

Subject: [EXTERNAL] response to your email below Sygula v. VA - EEOC Case No: 532-2021-00072X Agency Case Number: 200H-0541-2020105731

Judge Abrams,

I understand what you said below, but the problem is not only Ms. Groghan's utter failure and refusal to respond to my communications, which I find unacceptable and thought you would too, but the fact that don't even know if she has spoken to any of the higher-ups at the VA regarding my settlement proposal, and if so, with whom she spoke and when. What if she hasn't even broached the subject of my settlement proposal with the person or people with settlement authority – even though it has been nearly a month since the proposal was conveyed -- while knowing of Ms. Sygula's serious health condition?

With all due respect, in my opinion, this is a travesty of justice.

Regards,

CARYN MARKOWITZ GROEDEL
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From: LARRY ABRAMS <LARRY.ABRAMS@EEOC.GOV>

Sent: Friday, March 7, 2025 4:22 PM

To: cgroedel@groedel-law.com; amber.groghan@va.gov

Subject: Sygula v. VA - EEOC Case No: 532-2021-00072X Agency Case Number: 200H-0541-2020105731

Ms. Groedel:

I understand your frustration with not yet receiving a response to your settlement offer, but I also understand the difficulties that agency attorneys experience in obtaining responses from person(s) who have settlement authority in a case. I will consider issuing an Order requiring a response to your settlement proposal by a date certain. However, I acknowledge that, if the settlement authority has not yet decided how to respond to the offer and/or has not yet communicated the decision to Ms. Groghan, the Agency is likely to timely comply with the order by responding with a rejection of the offer.

Because Ms. Groghan is the designated attorney for the Agency in this case, emails regarding this case should be addressed to Ms. Groghan and not to other officials of the Agency.

Ms. Groghan:

Anything that you can do to obtain a response to Ms. Groedel's settlement offer as quickly as possible should be done and would be appreciated.

Respectfully to both of you,

Larry A. Abrams
Administrative Judge
U.S. Equal Employment Opportunity Commission
255 East Temple Street, 4th Floor
Los Angeles, CA 90012
Email: larry.abrams@eEOC.gov
Phone: (213) 785-3060

From: cgroedel@groedel-law.com <cgroedel@groedel-law.com>

Sent: Thursday, March 6, 2025 10:50 PM

To: LARRY ABRAMS <LARRY.ABRAMS@EEOC.GOV>; alice.miller@va.gov;
richard.sauber@va.gov

Cc: amber.groghan@va.gov; erica.skelly@va.gov

Subject: Judge Abrams, I still do not have the VA's response to my settlement proposal. Please compel a good faith response by a date certain - EEOC Case No: 532-2021-00072X Agency Case Number: 200H-0541-2020105731 - Diana Sygula v. VA

Importance: High

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Regards,

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From: cgroedel@groedel-law.com <cgroedel@groedel-law.com>

Sent: Tuesday, March 4, 2025 9:17 PM

To: erica.skelly@va.gov; alice.miller@va.gov; richard.sauber@va.gov

Cc: amber.groghan@va.gov

Subject: FW: VA's FAILURE AND REFUSAL TO RESPOND TO MY GOOD FAITH SETTLEMENT OFFER - EEOC Case No: 532-2021-00072X Agency Case Number: 200H-0541-2020105731 - Diana Sygula v. VA

Importance: High

Please see letter below, sent earlier today to Judge Abrams in the above-referenced matter.

Regards,

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From: cgroedel@groedel-law.com <cgroedel@groedel-law.com>

Sent: Tuesday, March 4, 2025 6:15 PM

To: larry.abrams@eeoc.gov

Cc: amber.groghan@va.gov

Subject: THE VA's FAILURE AND REFUSAL TO RESPOND TO MY GOOD FAITH SETTLEMENT OFFER

Importance: High

Judge Abrams,

I called Ms. Groghan the first week of February to share with her that Ms. Sygula is undergoing chemotherapy and therefore either needs to put this matter on hold or settle it. Ms. Groghan told me that she understood the gravity of the situation and agreed that, if I forwarded a settlement demand to her, she would use her best efforts to get a prompt response to me. I forwarded her a demand on February 14, 2025. She did not even extend the courtesy of responding to me regarding the demand. I sent her a follow up letter on February 19, to which she responded, "I'll review with my client asap and get back to you." Needless to say, as usual, Ms. Groghan did not get back to me. Neither did she respond to my February 28 or March 4 follow-up letters.

Judge Abrams, not only is it discourteous and unprofessional for Ms. Groghan to ignore so many of my letters over the course of the **4+ years this matter has been pending**, but she has a **professional responsibility** under the Ohio Code of Professional Conduct to bring all demands to her client and to respond to me, and she has violated her ethical obligations.

Rule 1.4(a)(1): A lawyer shall "promptly inform the client of any decision or circumstance with respect to which the client's informed consent is required."

Rule 1.4(a)(3): A lawyer must “keep the client reasonably informed about the status of the matter.”

Rule 1.4(a)(4): A lawyer must “comply as soon as practicable with reasonable requests for information from the client.”

Comment [2] to Rule 1.4 specifically states that lawyers must inform their client of settlement offers, unless the client previously authorized the lawyer to accept or reject offers on their behalf.

1. There is no proof Ms. Groghan relayed my proposal to the VA.
2. Since the inception of this case, no one has been requiring Ms. Groghan to adhere to the Code of Professional Conduct or her ethical professional responsibilities, which is particularly disturbing now, when – **(a) this case has been going on for 4+ years, (b) Ms. Groghan knows about Ms. Sygula’s condition and is exhibiting a deliberate indifference to her condition, and (c) I made 5 efforts in the past month to resolve this matter (in addition to the 4 emails, I also called Ms. Groghan in early February to discuss Ms. Sygula’s condition and left her a voice mail message, to which she didn’t bother to respond.), and Ms. Groghan didn’t bother to respond to 4 out of my 5 efforts.**

I’m considering retaining an expert to opine on the correlation between Ms. Sygula’s condition and the way the VA treated her from the time Dr. Raphaely became her boss through the

present.

Also, I intend to bring this matter to the proper authorities / tribunal once this matter has concluded, **but for the time being, Judge, I ask that you require someone above Ms. Groghan to formally respond to my settlement demand of February 14.**

Regards,

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