



Kathy Bates &lt;kathybates108@gmail.com&gt;

**Re: Carroll Electric**

1 message

Kathy Bates &lt;kathybates108@gmail.com&gt;

Tue, Sep 17, 2019 at 6:59 PM

To: Nancy Plagge &lt;NPlagge@carrollecc.com&gt;

Cc: Linda Lamb &lt;LLamb@carrollecc.com&gt;, "blueskyrealty@msn.com" &lt;blueskyrealty@msn.com&gt;

Dear Ms. Plagge would you please forward my reply to Ms. Lamb.  
Thank you

Ms. Lamb I'm so angry that I'm shaking so I'm going to restrain the content of this conversation to what is pertinent. You may continue conversation with my Mother regarding issues with the property but **my ADA Accommodation request is MY issue and since I will be residing at this home, YOU WILL NEED TO DEAL WITH ME on that. I am the one making the accommodation request, not her.**

Second, my doctor stated in her letter that if you had any questions you should contact her, not harass her patient and get me upset!!!! She is actually a graduate of University of Texas and was an internal medicine doctor who branched off into further studies of Functional Medicine and has taken courses on the EMF issue...not that you deserve any of this information but she isn't my gyno that I got to write me a letter or JUST an MD, any MD that could write me a letter. I actually had to seek her out because I could no longer go to my endocrine doctor's office because of all the EMF-emitting garbage in her complex.

Ms. Lamb, I would STRONGLY suggest you do research before you put things in writing that show that you have no clue what you're talking about. The laws have been widely broadened as you will see below in this excerpt from <https://www.ada.gov/pubs/adastatute08mark.htm> and your uninformed behavior can actually set you and Carroll Electric up for an ADA suit...goes right up through the DOJ, and I can also pursue justice through civil courts for discrimination. **IT'S NOT MY FAULT THAT I HAVE THIS CONDITION AND THAT YOU DON'T UNDERSTAND IT.** To treat me any different from any other customer just because I have this condition...to provide electricity to them "safely" and provide it to me/us in an "unsafe" manner by requiring me to accept technology in my environment that my doctor, many scientist's and universities say is unsafe is considered 'DISCRIMINATORY' under the ADA law BECAUSE there is a very reasonable accommodation available. If there wasn't that would be a different debate and yes I saw the little graph about the EMF output blah blah blah. Yeah, I'm not going to accept a graph made by who knows who, when I didn't see the test being done, and I've learned too....who's paying for the study has everything to do with the outcome. In this country of professional liars in every sector of gov't and business you can buy pretty much any study you want. NOPE. And again, ADA law says



you don't get to do this arguing/debating/pushing me aside behavior and if you stop communicating with me in a manner to resolve this that too is considered hostile behavior towards a disabled person. So....you have about ONE OPTION as I see it....let me install a "non-transmitting analog meter." If you don't I CAN ASSURE YOU THAT THERE WILL COME A TIME WHEN YOU SAY THE WORDS "We should've given her the meter she wanted."

In summary, you're going to learn from reading the ADA amendments that YOU don't get to take a position on whether or not I'm "disabled" and make demands on what I need to do to establish that status to suit your approval. As well, you should know that ADA disability pursuits through Social Security is NOT the same as the ADA amendments to argue disability status!!!! THAT is an entirely different process through an entirely different agency and you can get sued BIG TIME under ADA violations so you better brush up on them. People like me, with this condition, are coming at society like a freight train. In fact, the seller of the house was telling another local about who was buying her home and why we were moving from Austin and the woman replied, "Wow. I just rented a cabin to a woman with this condition. She came in and started unplugging everything." So what do you think are the odds of two of us showing up within a 10-mile radius within a few weeks of each other? Uh huh....LIKE A FREIGHT TRAIN! You should read up on it....I have lots of credible links on the blog as just one starting point.

You'll soon see that **the ADA law amendments now state that if someone is simply "known to have a medical condition" and that this disability severely limits some facet of their lives....THEY ARE DISABLED!!!!!!!!!!!!!!** This can easily be established by 3 years of posts on Facebook, tons of witnesses who know me, have known me for many, many years and have seen that **I have not been able to work, travel, go to the ER...** You'll also find that anyone who knows me will tell you "SHE IS A VERY HONEST PERSON."

Remember I told you that I CAN'T go to MOST doctor's because of the Wi-Fi, cell phones, cell towers, AND THE ELECTRIC "ADVANCED" METERS on most buildings. **FORTUNATELY the ADA recognized that some disabled people actually can't jump through the hoops people, companies, staff attorney's for utility companies, etc. lay out and have even addressed that...** When you read this you'll see that the reason they made these amendments is because **Congress felt like too many people were being excluded from protection from the abuse that can accompany ignorance by the able-bodied.** However, they caution that reference to the general population does not require scientific, medical, or statistical analysis.

As for the rest of the antics you're trying to pull to keep from making what is a **VERY REASONABLE ACCOMMODATION** request...You're only upsetting me and making me mad and I will only look for more and more ways to make you follow the law in more and more areas of infractions. I'm disabled I have nothing but time on my hands. I **DON'T GO AWAY ON IMPORTANT MATTERS SUCH AS ABUSE OF THE DISABLED.**



**Just because you don't understand my disability doesn't give you any right or authority to treat me as if I have to PROVE MY STATUS by your own dictations.** NOPE....THIS IS LEGAL STUFF AND IT'S GETTING MORE LEGAL BY THE DAY! Still amazes me that I have to tell a lawyer to go check the law, especially before writing letters. smh

<https://www.justice.gov/opa/pr/justice-department-revises-regulations-implement-requirements-ada-amendments-act-2008>

“This final rule clarifies Congress’s original mandate that eliminating discrimination against people with disabilities requires an expansive definition of what disability means and who the law covers,” said Principal Deputy Assistant Attorney General Vanita Gupta, head of the Justice Department’s Civil Rights Division. “The Justice Department’s regulation sets forth clear new rules, new examples and detailed guidance to ensure that courts, covered entities and people with disabilities better understand the ADAAA.”

<https://www.ada.gov/pubs/adastatute08mark.htm>

**Sec. 12101 note: Findings and Purposes of ADA Amendments Act of 2008, Pub. L. 110-325, § 2, Sept. 25, 2008, 122 Stat. 3553, provided that:**

**(a) Findings**

**Congress finds that–**

- (1) in enacting the Americans with Disabilities Act of 1990 (ADA), Congress intended that the Act "provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities" and provide **broad coverage**;**
- (2) in enacting the ADA, **Congress recognized that physical and mental disabilities in no way diminish a person's right to fully participate in all aspects of society**, but that people with physical or mental disabilities are frequently precluded from doing so because of prejudice, antiquated attitudes, or the failure to remove societal and institutional barriers;**
- (3) **while Congress expected that the definition of disability under the ADA would be interpreted consistently with how courts had applied the definition of a handicapped individual under the Rehabilitation Act of 1973, that expectation has not been fulfilled**;**
- (4) **the holdings of the Supreme Court in Sutton v. United Air Lines, Inc., 527 U.S. 471 (1999) and its companion cases have narrowed the broad scope of protection intended to be afforded by the ADA, thus eliminating protection for many individuals whom Congress intended to protect**;**
- (5) the holding of the Supreme Court in Toyota Motor Manufacturing, Kentucky, Inc. v. Williams, 534 U.S. 184 (2002) further narrowed the broad scope of protection intended to be afforded by the ADA;**
- (6) **as a result of these Supreme Court cases, lower courts have incorrectly found in individual cases that people with a range of substantially limiting impairments are not people with disabilities;****



(7) in particular, the Supreme Court, in the case of *Toyota Motor Manufacturing, Kentucky, Inc. v. Williams*, 534 U.S. 184 (2002), interpreted the term "substantially limits" to require a greater degree of limitation than was intended by Congress; and

(8) Congress finds that the current Equal Employment Opportunity Commission ADA regulations defining the term "substantially limits" as "significantly restricted" are inconsistent with congressional intent, by expressing too high a standard.

## (b) Purposes

The purposes of this Act are—

(1) to carry out the ADA's objectives of providing "a clear and comprehensive national mandate for the elimination of discrimination" and "clear, strong, consistent, enforceable standards addressing discrimination" by reinstating a broad scope of protection to be available under the ADA;

(2) to reject the requirement enunciated by the Supreme Court in *Sutton v. United Air Lines, Inc.*, 527 U.S. 471 (1999) and its companion cases that whether an impairment substantially limits a major life activity is to be determined with reference to the ameliorative effects of mitigating measures;

(3) to reject the Supreme Court's reasoning in *Sutton v. United Air Lines, Inc.*, 527 U.S. 471 (1999) with regard to coverage under the third prong of the definition of disability and to reinstate the reasoning of the Supreme Court in *School Board of Nassau County v. Arline*, 480 U.S. 273 (1987) which set forth a broad view of the third prong of the definition of handicap under the Rehabilitation Act of 1973;

(4) to reject the standards enunciated by the Supreme Court in *Toyota Motor Manufacturing, Kentucky, Inc. v. Williams*, 534 U.S. 184 (2002), that the terms "substantially" and "major" in the definition of disability under the ADA "need to be interpreted strictly to create a demanding standard for qualifying as disabled," and that to be substantially limited in performing a major life activity under the ADA "an individual must have an impairment that prevents or severely restricts the individual from doing activities that are of central importance to most people's daily lives";

(5) to convey congressional intent that the standard created by the Supreme Court in the case of *Toyota Motor Manufacturing, Kentucky, Inc. v. Williams*, 534 U.S. 184 (2002) for "substantially limits", and applied by lower courts in numerous decisions, has created an inappropriately high level of limitation necessary to obtain coverage under the ADA, to convey that it is the intent of Congress that the primary object of attention in cases brought under the ADA should be whether entities covered under the ADA have complied with their obligations, and to convey that the question of whether an individual's impairment is a disability under the ADA should not demand extensive analysis; and

(6) to express Congress' expectation that the Equal Employment Opportunity Commission will revise that portion of its current regulations that defines the term "substantially limits" as "significantly restricted" to be consistent with this Act, including the amendments made by this Act.



## Sec. 12102. ~~Definitions~~ **Definition of disability**

As used in this chapter:

### ~~(1) Auxiliary aids and services~~

The term "~~auxiliary aids and services~~" includes

- ~~(A) qualified interpreters or other effective methods of making aurally delivered materials available to individuals with hearing impairments;~~
- ~~(B) qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments;~~
- ~~(C) acquisition or modification of equipment or devices; and~~
- ~~(D) other similar services and actions.~~

*[Note: the definition of "auxiliary aids and services" has been moved to Section 12103.]*

### **(2) Disability**

**The term "disability" means, with respect to an individual**

- (i) A physical or mental impairment that substantially limits one or more major life activities of such individual;**
- (ii) B a record of such an impairment; or**
- (iii) C being regarded as having such an impairment (as described in paragraph (3)).**

### ~~(3) State~~

~~The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.~~

*[Note: the definition of "state" has been moved to Section 12103.]*

### **(2) Major Life Activities**

#### **(A) In general**

**For purposes of paragraph (1), major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.**

#### **(B) Major bodily functions**

**For purposes of paragraph (1), a major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.**

### **(3) Regarded as having such an impairment**

For purposes of paragraph (1)(C):

**(A) An individual meets the requirement of "being regarded as having such an impairment" if the individual establishes that he or she has been subjected to an action prohibited under this chapter because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.**

**(B) Paragraph (1)(C) shall not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.**

### **(4) Rules of construction regarding the definition of disability**

**The definition of "disability" in paragraph (1) shall be construed in accordance with the following:**

**(A) The definition of disability in this chapter shall be construed in favor of broad coverage of individuals under this chapter, to the maximum extent permitted by the terms of this chapter.**

**(B) The term "substantially limits" shall be interpreted consistently with the findings and purposes of the ADA Amendments Act of 2008.**

**(C) An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability.**

**(D) An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.**

**(E) ...**

Okay Ms. Lamb, you now have ONE remaining chance to advise me that you will not prohibit and will therefore accommodate the placement of a "Non-Transmitting Analog Meter" on this property. Any other answer is irrelevant and will result in my devoting all efforts to making an example out of Carroll Electric on the ADA violation.

I'm getting really tired of being treated like my life doesn't matter. It's bad enough that I can work, travel, go to a movie, or even a concert, or a family reunion, or church, because EVERYONE has a microwave radio now that they think is a cell phone and a Smart Meter on the building pulsing microwave radiation out into the world. It doesn't disappear when the meter no longer registers it; you've simply met the limits of the meter being used. You can't destroy energy...it doesn't go away.

We are closing on the purchase of this home on Monday or Tuesday of next week 9/23-9/24/2019. I think it's reasonable to state that by the time the ink dries on the purchase agreement you'll need to have declared your position. If I don't hear from you'll I'll assume you want to be forced into compliance. You might want to look at the enforcement part of the ADA law. BTW: Have you ever read the websites about that TWACS meter you're so proud of? I don't know how you can sleep at night after reading what these things are doing to people and if I find a track record of people with



**cancer, cardiac arrest, fires that had onset immediately after the installation you could easily be looking at RICO Act violations that carry triple punitive damages, which would be attractive to a law firm and that would be in addition to an ADA violation civil rights suit and the DOJ effort too.**

<https://smartmeterharm.org/2016/04/23/warning-twacs-the-worst-smart-meter/>

**That is all,  
Kathy**

**\*Kathy Bates\***

\*Author of a new book, Getting Well God's Way\*

\*Available here:\*

[\\*http://www.amazon.com/Getting-Well-Gods-Kathy-Bates/dp/1508839514/ref=sr\\_1\\_1?ie=UTF8&qid=1453567636&sr=8-1&keywords=getting+well+god%27s+way](http://www.amazon.com/Getting-Well-Gods-Kathy-Bates/dp/1508839514/ref=sr_1_1?ie=UTF8&qid=1453567636&sr=8-1&keywords=getting+well+god%27s+way)

And here's my blogs:

<http://GettingWellGodsWay.Wordpress.com>

<https://NoATT.blog>

On Tue, Sep 17, 2019 at 3:52 PM Nancy Plagge <[NPlagge@carrollecc.com](mailto:NPlagge@carrollecc.com)> wrote:

Attached is correspondence from Linda Lamb.

Thank you.

**Nancy Plagge**

Carroll Electric Cooperative Corp.

Dir. of Corp. Communications

800-432-9720, ext. 1322