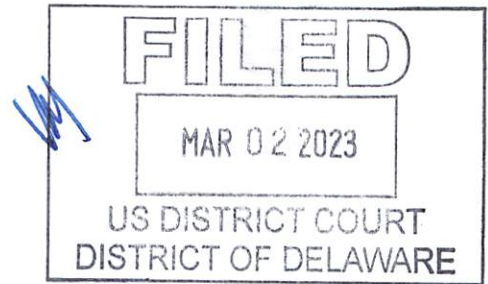


INTERVENORS' EXHIBIT 3





DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the General Counsel
General Law Division
Claims Office
330 C Street, SW.
Switzer Building, Suite 2100
Washington, D.C. 20201
Ph: (202) 691-2369
Heather.Hill@hhs.gov

SEP 22 2020

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Certified Receipt Number: 70191120000153357461

Emanuel McCray
400 West McLoughlin Boulevard, Apartment 5
Vancouver, WA 98660

Re: **Administrative Tort Claim of Emanuel McCray,**
Claim No. 2020-1415

Dear Mr. McCray:

This will acknowledge the receipt of the administrative tort claim you filed for *personal injury and/or, loss of property or other damage(s)* occurring on or about January 27, 2020. Your administrative tort claim was received in the Claims Office on September 8, 2020 for consideration and reply.

In order to evaluate your administrative tort claim, please forward the following substantiating evidence within thirty (30) days of receipt of this letter:

- 1) For each claim of personal injury alleged in the administrative claim, provide medical records, including reports by medical providers concerning the nature and extent of the injury, nature and extent of medical treatment, any degree of temporary or permanent physical or mental disability, the prognosis, any period of hospitalization, and any diminished earning capacity resulting from your injuries.
- 2) For any claim of personal injury alleged in the administrative claim, provide all X-rays, ultrasonography, computed tomography ("CT"), and magnetic resonance imaging ("MRI"), **preferably on CDs or thumb drives and shipped by FEDEX, DHL OR UPS.**
- 3) Itemized bills pertaining to any medical expenses you claim to have incurred in relation to any claim of personal injury;
- 4) If a claim is made for lost wages, a signed statement from your current or former employer showing actual time and wages lost;
- 5) If a claim is made for loss of income and the claimant is self-employed, documentary evidence showing the amount of earnings actually lost.

- 6) If your claim is for damage to or loss of property, real or personal, please submit the following evidence:
- (i) Proof of ownership.
 - (ii) A detailed statement of the amount claimed with respect to each item of property.
 - (iii) Evidence relating to the date of purchase, purchase price, and market value of the property as of the date of loss;
 - (iv) Any other evidence or information that may have a bearing either on the responsibility of the United States for the injury to or loss of property or the damages claimed.
- 7) Any other documents, evidence or information that you believe has bearing on the responsibility of the federal government for the injuries and/or the damages claimed.
- 8) If any of the documents requested above have already been provided to the OGC's Claims Office in support of your administrative tort claim, please disregard those requests.

AS ALL MAIL DELIVERED TO FEDERAL GOVERNMENT BUILDING IS X-RAYED/RADIATED, AND MAY BE DAMAGED DURING THE PROCESS, PLEASE FORWARD ALL EVIDENCE TO THIS OFFICE USING FEDEX, DHL OR UPS. PLEASE DO NOT FAX MEDICAL EVIDENCE OR SEND CDs or X-RAYS BY U.S. MAIL.

Please be advised that all evidence must be furnished by the claimant within a reasonable period of time. By operation of 45 C.F.R. § 35.4(d), a claimant's failure to furnish evidence necessary to make a determination of his/her administrative tort claim within three months after a request for such evidence has been made, may be deemed an abandonment of the administrative tort claim. Further, a claimant's failure to provide requested evidence during the administrative tort claim process may result in a finding that his/her administrative remedies have not been exhausted, even if suit is filed more than six months after filing an administrative tort claim. See Swift v. United States, 614 F.2d 812 (1st Cir. 1980).

Yours truly,



Heather E. Hill
Paralegal Specialist
Claims and Employment Law Branch

DEPARTMENT OF
HEALTH & HUMAN SERVICES
Switzer Bldg Ste 2100
Washington, D.C. 20201

Official Business
Penalty for Private Use, \$300

CERTIFIED MAIL



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*Emanuel McCray
400 W. McLoughlin Blvd.
Apt. 5
Vancouver, WA 98660*

*N/V
9/24*

Rec'd 10/1/20

98660-255705

