

April 27, 2010

Brookhaven Science Associates, LLC
Brookhaven National Laboratory
P.O. Box 5000
Upton, NY 11973-5000
ATTN: Public Relations or Press Office

Dear Sir or Madam:

The Project On Government Oversight (POGO) has updated its Federal Contractor Misconduct Database (<http://www.contractormisconduct.org/>), a compilation of information from public resources regarding government contractors, including Brookhaven Science Associates, LLC. I have enclosed the findings relevant to your company, and I am seeking verification of this data.

Any response would be greatly appreciated, as the accuracy of this information is in the best interest of all parties. Out of fairness to Brookhaven Science Associates, LLC, please be assured that any response received by POGO will be posted on the website along with the data. Please note that the database includes pending instances, but these are kept separate from resolved instances and are not included in the totals.

If you have any questions, I can be reached at (202) 347-1122. Thank you for your time and consideration.

Sincerely,

Neil Gordon
Investigator

Enclosure

Instances

1. Benjamin et al. v. Brookhaven Science Associates, LLC (Racial, Disability Discrimination)

Date: 08/05/2004 (Date of Filing)

Misconduct Type: Labor

Enforcement Agency: Agriculture

Contracting Party: N/A

Court Type: Civil

Amount: Undisclosed

Disposition: Settlement

Synopsis: Brookhaven National Laboratory employees Patrice Benjamin and Brenda Thomas sued the lab for discrimination and retaliation on the basis of race and disability. Both claimed their treatment by co-workers and supervisors considerably worsened as a result of helping Malry Tardd, another lab employee who was pursuing racial discrimination claims. The case settled in February 2006.

2. Abdi v. Brookhaven Science Associates, LLC et al. (Racial, Religious Discrimination)

Date: 06/08/2005 (Date of Filing)

Misconduct Type: Labor

Enforcement Agency: Agriculture

Contracting Party: N/A

Court Type: Civil

Amount: Undisclosed

Disposition: Settlement

Synopsis: Sahara Abdi, a contractor working at the Brookhaven National Laboratory, filed a lawsuit claiming she was publicly taunted and harassed by her managers because she is Muslim and was laid off when she complained about it. The case settled in April 2007.

3. Deficiencies in Radiological Protection and Work Processes

Date: 04/15/1999 (Date of PNOV)

Misconduct Type: Environment

Enforcement Agency: Agriculture

Contracting Party: N/A

Court Type: Administrative

Amount: \$27,500

Disposition: Fine

Synopsis: As a result of a number of radiological protection and work process controls deficiencies at the Brookhaven National Lab in 1998, the Department of Energy imposed a civil penalty of \$27,500. The DOE found the following violations: "(1) apparent intentional violations of radiation protection requirements related to activities at the High Flux Beam Reactor (HFBR), (2) failure to maintain

proper access controls at the Alternating Gradient Synchrotron (AGS) accelerator resulting in a person being left inside the AGS ring, and (3) the bypassing of a safety interlock during operation of the linear electron accelerator."

4. Cox v. Brookhaven Science Associates LLC (Sexual Harassment, Employment Discrimination)

Date: 10/30/2002 (Date of Filing)

Misconduct Type: Labor

Enforcement Agency: Agriculture

Contracting Party: N/A

Court Type: Civil

Amount: Undisclosed

Disposition: Settlement

Synopsis: Barbara Cox, an employee at Brookhaven National Laboratory, sued the lab for failing to prevent another employee from stalking and sexually harassing her. The case settled in December 2004.

Pending Instances

1. Tardd et al. v. Brookhaven National Laboratory et al. (Racial Discrimination)

Date: 07/29/2004 (Date of Filing)

Misconduct Type: Labor

Enforcement Agency: Agriculture

Contracting Party: N/A

Court Type: Civil

Amount: \$0

Disposition: Pending

Synopsis: Malry Tardd and Otto White, African-American employees of the Brookhaven National Laboratory, filed a federal lawsuit against the lab in 2004 claiming they were systematically discriminated against and harassed by lab employees and that their pleas for help were ignored by lab officials. The lawsuit seeks \$25 million in damages. Separate trials in the matter are scheduled to begin in July 2007.