1	BEFORE THE PUBLIC SERVICE COMMISSION
2	STATE OF MISSOURI
3	TRANSCRIPT OF PROCEEDINGS
4	PREHEARING CONFERENCE
5	Brett Felber,)
6	Complainant,)
7)
8	v.)Case No.
9)EC-2026-0004
10	Union Electric Company)
11	d/b/a Ameren Missouri, Respondent.)
12	TUESDAY, SEPTEMBER 23, 2025
13	3:15 p.m.
14	Jefferson City, MO
15	via WebEx
16	VOLUME 3.
17	JOHN CLARK, Presiding
18	SENIOR REGULATORY LAW JUDGE.
19	KAYLA HAHN, Chair,
20	MAIDA J. COLEMAN,
21	GLEN KOLKMEYER,
22	JOHN MITCHELL,
23	COMMISSIONERS
24	Transcribed
25	By: Stephen Omondi



1	THE COURT: Today's date is September
2	23rd of 2025, and the current time is 3:13
3	p.m. The Commission has set aside this time
4	today for a procedural conference in the case
5	captioned Brett Felber, Complainant, v. Union
6	Electric Company, doing business as Ameren
7	Missouri, Respondent. And that is case number
8	EC-2026-0004. My name is John Clark. I'm the
9	Regulatory Law Judge overseeing this matter
10	today. And I'm going to begin by asking the
11	parties to enter their appearance for the
12	record, starting with Brett Felber.
13	MR. FELBER: Yeah, Brett Felber.
14	THE COURT: And you are pro se. Is that
15	correct?
16	MR. FELBER: Yes, Your Honor.
17	THE COURT: Okay. On behalf of Ameren
18	Missouri.
19	MS. HERNANDEZ: Jennifer Hernandez,
20	appearing on behalf of Ameren Missouri.
21	THE COURT: Thank you, Ameren. On behalf
22	of the Commission Staff.
23	MS. KERR: Carolyn Kerr, on behalf of
24	Commission Staff.
25	THE COURT: Thank you, Staff. Is there



1	anyone from the Office of Public Counsel? I
2	hear no one, but they have not been here in
3	the past. I'm going to remind everyone that
4	pursuant to Commission Rule 20 CSR 4240-2.090,
5	Subsection 6, I can rule on procedural and
6	substantive issues at a pre-hearing conference
7	like this.
8	There's a lot on for this procedural
9	conference. I want to discuss an evidentiary
LO	hearing, Felber's motion to strike the Staff's
L1	report, Felber's motion to compel, data
L2	requests and discovery, and inappropriate
L3	filings, other actions, duplicate filings, the
L4	last few days worth of filings that Felber has
L5	made that have not made it to EFIS yet. And
L6	finally, to discuss Felber's EFIS access.
L7	So that's a fairly large amount to go
L8	over. Mr. Felber, here's what I'm going to
L9	start with. You remember that we had a
20	procedural conference before, correct?
21	MR. FELBER: Yes, Your Honor.
22	THE COURT: A discovery conference. And
23	you remember at that discovery conference I
24	said that we would deal with outstanding



25

discovery issues on the 29th. Do you remember

1	that?
2	MR. FELBER: Yeah. Yes, Your Honor.
3	THE COURT: Then why did you file
4	discovery motions in the meantime saying that
5	you weren't getting discovery when you knew we
6	were going to be dealing with discovery issues
7	on the 29th?
8	MR. FELBER: The 29th or the 23rd?
9	Today's the 23rd.
10	THE COURT: I know. I bumped it up
11	because of all the motions that I was seeing
12	filed. I'm talking about the 29th. You were
13	aware that we were going to be discussing
14	discovery issues, and yet you continued to
15	file discovery motions.
16	MR. FELBER: I did my fault. Sorry.
17	I did that because of the fact of what
18	Jennifer Hernandez had filed for the subpoena.
19	So I thought it was in the best interest for -
20	- on the subpoena to file. And she responded
21	back to my discovery requests, I believe, and
22	she's kind of duplicating the discovery
23	process on my end as well too, which is why I
24	got those five
25	THE COURT: What do you mean? What do



1 you mean duplicated the discovery process? Ι 2 don't know what that means. 3 MR. FELBER: So her subpoena -- her 4 subpoena duplicates what she just asked me 5 last week in September in a discovery request 6 that was just granted. THE COURT: Okay. And that was -- that 7 8 was where you said you still had time to 9 answer that request, correct? 10 MR. FELBER: Correct. Yes, Your Honor. 11 I have -- I guess for, for documents that's 30 12 days or is it 14 days? 13 I haven't got in front of me, THE COURT: 14 so I don't know right off the top of my hat. 15 But we can discuss that. Okay. 16 evidentiary hearing date. Does anybody have a 17 problem with December the 5th at 9:00 a.m.? 18 MR. FELBER: I have no problem with that, 19 Your Honor. 20 I don't -- I don't have a MS. KERR: 21 We would have to double-check with problem. 2.2 Staff. I've got -- Staff is on the line. 2.3 said December 5th? 2.4 THE COURT: Correct. That's a Friday. 25 MS. KING: Judge, this is Contessa King.



1	May I speak, sir?
2	THE COURT: Of course.
3	MS. KING: Okay. Contessa King,
4	Regulatory Compliance Manager of the Customer
5	Experience Department. The Staff witness
6	assigned to this case is not on this call.
7	However, to my knowledge, she should not have
8	any issue with December the 5th at 9:00 a.m.
9	MS. HERNANDEZ: Thank you.
10	THE COURT: Thank you very much, Ms.
11	King. I've only partially managed to confirm
12	the availability of all commissioners, so that
13	date may have to move. But I would like to
14	get a date into the calendar so that we are
15	working towards something. So right now I'm
16	going to plan for December the 5th at 9:00
17	a.m. at the Commission St. Louis Office.
18	MS. KERR: Okay.
19	THE COURT: Okay. Moving on. Mr.
20	Felber, you filed a motion on September the
21	5th to strike the Staff Report.
22	MR. FELBER: Yes, Your Honor.
23	THE COURT: Why does the Staff Report
24	need to be struck?
25	MR. FELBER: Needs to be struck because



1	it actually well, I guess with all the
2	stuff that got denied of everything, the
3	pinpoint of the time there, it named several
4	violations which I had filed on that the
5	10-day period before and after. There's a lot
6	of inconsistencies there with phone calls.
7	The records that I have that point
8	towards where there were no conclusive calls
9	by Ameren Missouri on any date or time.
10	There's also contradictions in that own
11	report. So let's say, for example, where they
12	said that they called on the 25th, 26th, 27th,
13	and 30th, I filed reports. The 10-day period
14	would have been prior to that, not after that.
15	However, during that period, we were under a
16	hot weather advisory in June, I believe.
17	THE COURT: Now, when you say "the 10-
18	day," you're talking about the 10 days after
19	the informal. Is that correct?
20	MR. FELBER: Oh, no, no, Your Honor, that
21	was before the informal even got started. The
22	informal complaint was done on June 30th, I
23	believe.
24	THE COURT: Okay, then what 10 days are
25	you referring to?



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1
                       The 10-day disconnect.
          MR. FELBER:
                                                The
 2
     demand for the disconnect. In the Staff
 3
     Report it openly admits that they did not call
 4
     10 days prior to the 23rd. They started the
 5
     process after. And it shows that they started
 6
     the process of threatening to disconnect my
 7
     services during a hot-weather. It was
 8
     actually an extreme-weather warning during --
 9
          THE COURT:
                      Staff's Report shows this or
10
     Staff's Report fails to show this?
11
                       Staff's Report shows that,
          MR. FELBER:
12
     Your Honor.
13
          THE COURT: Why would you want to strike
            That seems like that would be good for
14
     that?
15
     you.
          MR. FELBER: I don't know.
                                       I mean --
16
17
     I'm, I'm --
                      Well, that's what I'm asking
18
          THE COURT:
19
           It's your motion to strike.
20
          MR. FELBER: I mean, if I keep it in
21
     there -- I sent copies of my phone records
2.2
     that conclusively showed that.
                                      I quess we can
2.3
     keep it in. It doesn't bother me.
2.4
          THE COURT:
                      So you're withdrawing your
25
     motion to strike?
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1	MR. FELBER: Yes, I will.
2	THE COURT: Thank you. All right. You
3	had a motion to compel, you say. Is that
4	correct?
5	MR. FELBER: Yes, Your Honor.
6	THE COURT: When is that? I was unable
7	to find it.
8	MR. FELBER: That today. Well, hold
9	on. For bank statement or for bank records?
10	THE COURT: No, you said you filed a
11	motion to compel discovery a while back. I
12	have been unable to find one and I assume
13	MR. FELBER: No, I never I never
14	filed, filed a motion.
15	THE COURT: Okay, then what is it you are
16	trying to compel? I don't understand that if
17	it's not discovery.
18	MR. FELBER: Okay, so okay, that's
19	where we went first. So that's what this
20	hearing was originally for. So you told Ms.
21	Hernandez to find where I had sent asking
22	her for tracking cookies and a bank statement.
23	And she was supposed to, I guess, find those,
24	show those, and see if those would qualify as
25	asking for discovery. I believe, Your Honor,



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1
     at the last hearing, that's, that's what was
 2
     said.
 3
          THE COURT:
                      Yes. At the last -- at the
 4
     last hearing, the question was whether or not
 5
     you had sent data requests to Ameren Missouri.
 6
     And Ms. Hernandez expressed at that time, if I
     remember correctly, that there were some
 7
 8
     things that she thought could be loosely
 9
     construed as data requests, but that it was
    not quite clear. Is that correct, Ms.
10
11
     Hernandez?
12
                          Well, I didn't construe
          MS. HERNANDEZ:
13
     them as data requests, and then -- I don't
    have the date in front of me.
14
                                     There was an
15
     official, more formal document that was sent
16
     later on by Mr. Felber that did have his data
17
     requests in it. But I did compile all those
18
     July 1st emails and file those, so everyone
19
     should have access to look at those.
                                            If you
20
     do want to go over those today.
21
          THE COURT: On July 1st? Let me see if I
2.2
     can pull those up.
                         And when did you -- where
2.3
     are those file?
2.4
          MS. HERNANDEZ:
                          In EFIS in the case.
25
          THE COURT:
                      Do you know which date?
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1
          MS. HERNANDEZ:
                          Today.
 2
          THE COURT: Oh, okay, the 23rd. So you
 3
     filed those -- that's information requested
 4
     for discovery?
 5
          MS. HERNANDEZ: Yes.
 6
          THE COURT: Okay. So that was filed
 7
     while I was in another meeting, correct?
 8
     Well, you wouldn't know that it was filed
 9
     shortly before this pre-hearing conference,
10
     correct?
11
          MS. HERNANDEZ:
                          Correct.
12
          THE COURT: Okay, hold on.
13
          MS. HERNANDEZ: And I did provide service
14
     copies, so Mr. Felber should have a copy as
15
    well.
16
          MR. FELBER:
                       I do -- I do.
17
          MS. KERR: All right. I got copies as
    well.
18
19
          THE COURT:
                      Thank you. All right.
                                               Τ
20
     want to go back for a few seconds before we
21
    move on to discovery because I don't want to
2.2
    move off one issue until we've addressed it to
23
     another. So, Mr. Felber, is there an
2.4
     outstanding motion to compel discovery?
     Because, like I said, I cannot find one.
25
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1	MR. FELBER: Yes, that was actually filed
2	this morning. There was a motion to compel,
3	and that was to compel statements from Wells
4	Fargo and JPMorgan Chase that would show
5	conclusively that my payment cleared those
6	bank accounts. And those are the bank
7	accounts that Ameren Missouri has my money in.
8	THE COURT: You have referenced motions
9	to compel in previous filings. So, you're
10	telling me that the first one is today?
11	MR. FELBER: No, I never I never I
12	never
13	THE COURT: You said that you said,
14	weeks ago, that the Commission failed to rule
15	on your motion to compel.
16	MR. FELBER: That was for other items.
17	THE COURT: What was that for?
18	MR. FELBER: Hold on. Get into my phone.
19	THE COURT: Let me maybe hold a short
20	- I may be able to shorten that just a touch
21	for you. Did you contact Ameren and attempt
22	to informally resolve your discovery issue
23	with them?
24	MR. FELBER: I have. I've told them how
25	we could go ahead and do everything.



1	THE COURT: Okay. Did you contact me and
2	ask for an immediate conference due to
3	unable to resolve discovery issues?
4	MR. FELBER: No, because my stuff doesn't
5	get filed immediately.
6	THE COURT: I didn't say that. I said
7	I said call because I believe that's what the
8	rule says, that you need to request an
9	immediate call. So you can either call or
10	request it via email. Did you do that in
11	regards to that discovery?
12	MR. FELBER: No, I did not, Your Honor.
13	THE COURT: Then you are not authorized
14	to file a motion to compel. You have to do
15	that first. All right. Ms. Hernandez, which
16	what since I haven't seen this, tell me
17	what data requests you have answered from Mr.
18	Felber, what information he has requested, and
19	what information Ameren has provided.
20	MS. HERNANDEZ: Sure. Let me pull up
21	some documents, just to reference as we go
22	through.
23	THE COURT: I want to know everything
24	that was requested and everything that was
25	provided.



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1
          MS. HERNANDEZ:
                           Sorry, one moment.
                                               МУ
 2
     computer is being slow.
 3
          MR. FELBER:
                       And, Judge, if I may.
                                               And
 4
     Jennifer, correct me if I'm wrong, but I think
 5
     I recall that was it last week it was roughly
 6
     12 emails sent out that contained responses to
 7
     Mr. Felber's -- some batch Mr. Felber's data
 8
     requests.
 9
          MS. HERNANDEZ: Yes, that's correct.
10
     was just pulling up his letters requesting
11
     discovery. So, on August 29th, I received Mr.
12
     Felber's first set of discovery requests.
13
     Request One --
14
          THE COURT: What date was that?
                                            August
15
     29th?
16
          MS. HERNANDEZ:
                          August 29th.
17
          THE COURT:
                      Okay. All right.
                                          And what
18
     did those entail?
19
          MS. HERNANDEZ:
                          Request one was all
20
     ledgers, billing records, supporting
21
     documentation, calculations, and formulas
2.2
     demonstrating how each utility bill was
23
     calculated from the inception of complainant's
2.4
     account through August 2025.
25
          THE COURT:
                      Okay, okay.
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MS. HERNANDEZ: And do you want me to go
through, like, each number and then what I
provided in response to that as well as
objections?

THE COURT: Sure.

MS. HERNANDEZ: Okay. Let's see. So for
that request, we objected as irrelevant to the
scope if it went beyond the complaint and the

9 disputed amount, and overly broad and unduly

10 burdensome for seeking all ledgers, billing

11 records, supporting documentation,

12 | calculations, formulas.

1

2

3

4

5

6

7

8

13

14

15

16

17

18

19

20

21

2.2

2.3

2.4

25

And also stated that we had already responded to staff's data request at that time, DR3, Staff DR3 copies of his billing statements for each month outlining how each bill was calculated. But I did go ahead - although we made those objections and the information was already available to Mr. Felber, I still sent copies of the information that we provided to staff, copies of his bills, as well as the account ledger showing payments made, and credits to his account, and charges that were put on his account.

THE COURT: Okay.



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1
          MS. HERNANDEZ:
                          Data request too.
                                              Oh,
 2
     audio recordings of any and all communications
 3
     between Ameren Missouri employees,
 4
     supervisors, and regulatory liaisons with the
 5
     complainant from the inception of the account
 6
     through August 2025. We objected again based
 7
     on relevance to the extent that he was
 8
     requesting information outside of the
 9
     complaint period.
10
          He asked for audio recordings going back
11
     to the inception of his account.
                                        But we did
12
     provide audio recordings that were also
13
     provided to staff in DR2. Again, those were
     all available to him when he issued this
14
15
     discovery.
16
                      What time period does that
          THE COURT:
17
     cover?
18
          MS. HERNANDEZ:
                           Let me see.
19
          MR. FELBER:
                       This account number --
20
     sorry.
21
          MS. HERNANDEZ:
                           I think it goes -- I can
2.2
     get any of us and double-check real quick.
2.3
     don't -- want to --
2.4
          THE COURT:
                      Does it go from -- I want to
25
     know that it -- that it covers that -- I want
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1
     to know that it covers the full complaint
 2
    period for this complaint.
 3
          MS. HERNANDEZ:
                          It certainly is from July
     1st, when the complaint was filed. I think it
 4
 5
     goes back to 2024, sometime in 2024.
 6
          THE COURT: Okay, so it goes back well
 7
    before the complaint was filed.
 8
          MS. HERNANDEZ:
                          Correct.
 9
          THE COURT: Okay, next.
10
          MS. HERNANDEZ: Request Three was all
11
     transcripts, email communications, and related
12
     records sent from complainant to myself and
13
     Ms. Krcmar, including those wherein
     complainant raised disputes regarding billing,
14
15
     account lockouts, customer service issues, and
16
     complaints.
                  That one we objected to based on
17
    he's asking for communications that he sent
18
          They are equally available to him and --
19
    but we did --
20
          But I did go ahead. Let's see, there is
21
     certain correspondence that related to the
2.2
     complaint that Ameren provided in response to
23
     staff DR5, 8, and 10. And though that
2.4
     information, I went ahead -- although it was
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25

available in EFIS to him, I sent that to him

1 by email as well. 2 THE COURT: All right. Next, number 4. 3 I believe you said there were 12 total or just 4 12 pages? 5 MS. HERNANDEZ: Requests in this one 12. 6 12 requests. Let's see. We're on four. All7 legal bank statements, treasury confirmations, 8 or equivalent documentation on official 9 letterhead of Ameren Missouri's financial 10 institutions identifying and verifying all 11 payments made by complainant toward his 12 utility account from inception through August 13 2025. 14 Objected based on relevance to the extent 15 it requested information outside the complaint 16 and disputed amount, vaque as to legal bank 17 statements and official letterhead, overly 18 broad and unduly burdensome and -- let's see. 19 And DR is duplicative. And the information 20 requested by complainant is equally available 21 in that Ameren responded to staff DR4, 6, and 2.2 7 with the responses available to complainant 2.3 in EFIS. 2.4 So that one we provided. Again, his 25 account ledger showing payments and amounts



1 billed to him. Six, it's probably screenshots 2 showing where his repay payments were returned 3 for non-sufficient funds. And seven, I'm not 4 sure which one that was. Let me pull up my 5 email and I can double-check. 6 THE COURT: Well, I think we're on five. 7 MS. HERNANDEZ: Right. We provided the 8 information that was responsive to staff DR7. 9 THE COURT: Oh, okay. I follow. 10 I'm just trying to see MS. HERNANDEZ: 11 what information that was. 12 MR. FELBER: So this is a bank statement? 13 You're telling me that's a bank statement? 14 MS. HERNANDEZ: I think we -- well, the 15 objection -- we objected. 16 THE COURT: I don't think she said she 17 provided you a bank statement. I said I 18 thought they said they provided you an account 19 ledger. 20 MR. FELBER: No. 21 MS. HERNANDEZ: Of his particular account 2.2 showing what he was billed and --THE COURT: Hold on, Mr. Felber. 23 2.4 MR. FELBER: So ledgers cut off things? 25 Pretty cool.



1	THE COURT: Okay. We'll get to that in a
2	moment.
3	MR. FELBER: It's awesome. Sorry, Your
4	Honor.
5	MS. HERNANDEZ: Sorry. Just trying to
6	toggle between multiple screens here. Trying
7	to confirm for you what information we
8	provided. That was staff DR7.
9	MR. FELBER: Your Honor, to help her out.
10	She provided me everything that is just
11	directly in the staff report. Nothing outside
12	of there has come to me. Anything that I
13	have, I have gotten four times now between an
14	informal complaint, this complaint, and the
15	staff complaint.
16	It's all the same paperwork, just
17	reworded, Your Honor. It says what a theory
18	or principle of how they feel about it. It's
19	just reworded with the timeline off course.
20	THE COURT: What did what did DR5
21	request from what did complainant request
22	for DR5?
23	MS. HERNANDEZ: All missing or deleted
24	tracking cookies from documents transmitted
25	via email between Ameren Missouri and



1	complainant.
2	THE COURT: Okay.
3	MS. HERNANDEZ: And to that one we
4	objected based on relevance and vague in terms
5	of tracking cookies from documents transmitted
6	via email. And so we didn't provide anything
7	in response to that DR.
8	THE COURT: Okay. DR6.
9	MS. HERNANDEZ: DR6 requested
10	identification of the email vendor used by
11	Ameren Missouri for correspondence with
12	complainant and production of confirmation on
13	that vendor's official letterhead. For six we
14	objected based on relevance, vagueness the
15	meaning of email, vendor and confirmation.
16	And that overly broad and unduly burdensome in
17	that it seeks production of confirmation for
18	correspondence with complainant without
19	limitation.
20	And as improper discovery is that the
21	rules of discovery do not require Ameren
22	Missouri to provide discovery in a format that
23	it doesn't already exist.
24	THE COURT: Okay. DR7.
25	MS. HERNANDEZ: All sourced and unsourced



1	Ameren Missouri documents, whether corporate
2	or internal, created, maintained, or
3	transmitted by Ameren Missouri or Aubrey
4	Krcmar, including those accessed on both
5	corporate-owned computers and personal
6	devices.
7	THE COURT: Say that again, please.
8	MS. HERNANDEZ: Request seven. All
9	sourced and unsourced Ameren Missouri
LO	documents, whether corporate or internal,
L1	created, maintained, or transmitted by Ameren
L2	Missouri or Aubrey Krcmar, including those
L3	accessed on both corporate-owned computers and
L4	personal devices. So that one we objected as
L5	beyond the scope.
L6	THE COURT: You don't have to explain to
L7	me why there's a number of objections that
L8	apply to that.
L9	MS. HERNANDEZ: Okay. For eight. All
20	telephone call records and recordings of
21	outbound communications made by Ameren
22	Missouri to complainant since account
23	inception through August 2025. We did provide
24	account notes for his account showing when
25	calls were made to his account and the



recordings for inbound calls were provided as 1 2 well as the standard --3 I'll say the script of the information 4 that is provided on the disconnect calls. 5 provided him with the information as to what would have been left on his -- if he answered 6 7 the phone or his answering machine answered 8 the phone. A script as to what had would have 9 been stated on that phone. Outbound call for 10 notice of potential disconnection of service. 11 To my knowledge, we do not keep copies of those outbound disconnect calls, but they're 12 13 noted in the account notes when those calls 14 are made. 15 THE COURT: Okay. DR9. MS. HERNANDEZ: All audio recordings 16 17 evidencing communications to complainant regarding service disconnection, including any 18 19 instances where Ameren Missouri failed to 20 provide notice or where attempts resulted in 21 busy signals or unreachable lines. 2.2 THE COURT: Please. 2.3 MS. HERNANDEZ: I'm sorry. 2.4 THE COURT: Say that again, please. 25 All audio recordings MS. HERNANDEZ:



1	evidencing communications to complainant
2	regarding service disconnection, including any
3	instances where Ameren Missouri failed to
4	provide notice or where attempts resulted in
5	busy signals or unreachable lines.
6	THE COURT: Is that information Ameren
7	retains?
8	MS. HERNANDEZ: To some extent. Well, I
9	would say yes. Except again, as explained
10	in eight, we don't keep copies of outbound
11	disconnection calls, the audio, but the
12	account is noted when those calls are made,
13	date and time. And so the complainant was
14	provided the account ledger that showed when
15	those service-disconnection calls occurred,
16	and the by date and time. And then they
17	also the ledger also states whether it
18	resulted in a live call or an answering
19	machine.
20	THE COURT: Okay. Were there any
21	objections to DR9?
22	MS. HERNANDEZ: Relevance based on the
23	scope to the extent it requested information
24	beyond the complaint and the disputed amount.
25	Vague in terms of the meaning of "instances



1	where Ameren Missouri failed to provide notice
2	and unreachable lines." Overly broad and
3	unduly burdensome in that it seeks all audio
4	recordings evidencing communications. And
5	that it was duplicative. The information
6	requested by the complainant is equally
7	available to him, and we had already responded
8	to Staff DR1 and 2 with the responses
9	available to the complainant in EFIS.
10	THE COURT: Okay. DR10.
11	MS. HERNANDEZ: All emails and written
12	records evidencing complainant's efforts to
13	resolve billing disputes, service
14	interruptions, and account issues through
15	compromise or resolution proposals. And we
16	objected to that one, mostly for because
17	the complainant is asking for his own
18	information that should already be available
19	to him and in his possession.
20	THE COURT: Okay. 11.
21	MS. HERNANDEZ: All audio and written
22	correspondence, including transcripts sent by
23	Ameren Missouri to the Missouri Public Service
24	Commission relating to the informal complaint

25

filed in June 2025 with Justin of the MO PSC.

1	That one we objected to as vague as to the
2	meaning of transcripts and that it was
3	duplicative of his sunshine request.
4	But we did provide the information. All
5	information provided to the Public Service
6	Commission in terms of his informal complaint
7	was also provided to Mr. Felber.
8	THE COURT: Okay.
9	MS. HERNANDEZ: And DR12.
LO	MS. HERNANDEZ: A detailed call list of
L1	all inbound and outbound calls to and from the
L2	complainant, produced on the official
L3	letterhead of Ameren Missouri's
L4	telecommunications provider. Objected based
L5	on relevance to the extent it exceeded the
L6	scope of the complaint and the disputed
L7	amount.
L8	And improper discovery to the extent it -
L9	- the discovery does not require Ameren
20	Missouri to provide discovery in a format that
21	does not already exist, like, on the
22	provider's official letterhead. And that it
23	was duplicative of information already
24	available to him in response to the Staff DR1
25	and 2.



```
1
          And then, despite those objections we
 2
     still -- I still emailed him the account
 3
     details showing when calls were made to him
 4
     for disconnection, as well as the audio
 5
     recordings of phone calls when he called in.
                             And that's all the DRs
 6
          THE COURT:
                     Okav.
 7
     you've received from Mr. Felber?
 8
          MS. HERNANDEZ:
                          That is all in the first
 9
     request.
               I've received four more requests,
10
     and the objections for those were due
11
     yesterday. And so there were some objections
12
     to those additional DRs.
13
          THE COURT: How many additional DRs are
14
    we talking about?
15
          MS. HERNANDEZ:
                          I can count them.
                                              Hanq
16
          Okay, for the second request, 5.
                                             The
17
     third request, 6. The fourth request, 8.
18
     Fifth request, 13.
19
          THE COURT: So, 32 additional requests?
20
          MS. HERNANDEZ: I didn't do the math.
21
     I'll trust you on that one.
2.2
          THE COURT: All right, Mr. Felber.
2.3
          MR. FELBER: Yes, Your Honor.
2.4
          THE COURT:
                      What discovery have you
25
     received, and what discovery are you still
```



```
1
     seeking?
 2
                       The only thing I'm seeking
          MR. FELBER:
 3
     is a bank statement, treasury statement.
 4
     That's all I'm thinking right now, Your Honor.
 5
                      Well, no. It sounds like
          THE COURT:
 6
     there are 32 outstanding data requests, plus
 7
     12 that you don't believe have been completely
 8
     answered. So what -- you're getting ready for
 9
    hearing, you're going to be presenting your
10
     case. What information do you believe you
11
    need to do so?
12
          MR. FELBER:
                       I need the treasury
     statement. I need --
13
14
                      When you say "treasury
          THE COURT:
15
     statement," what do you mean?
16
          MR. FELBER: Can't prepare for something
17
     offthis is -- who, who --
                      I'm not asking about that.
18
          THE COURT:
19
     don't want you to show me that. I don't want
20
     to see anything. I want you to explain to me
21
     what a treasury statement is and why you need
2.2
     it.
23
          MR. FELBER:
                       So I need that because it
2.4
     will show that it cleared their bank.
25
     want their -- I want their account statement.
```



1	THE COURT: What is a treasury statement?
2	MR. FELBER: A ledger from their bank. A
3	treasury statement shows that my funds went
4	through to their bank. Their bank should have
5	cashed it.
6	THE COURT: So you want a bank statement
7	saying that it has either been rejected or
8	that it has been cashed?
9	MR. FELBER: Correct, Your Honor. Or
10	they should be able to do an EFT trace
11	internally by themselves internally. They
12	don't need me. They don't need my statement.
13	They need their statement because my statement
14	
15	THE COURT: We'll get to your statement
16	in a minute. You've placed your statement at
17	issue.
18	MR. FELBER: Yeah.
19	THE COURT: Okay. What is Ameren's
20	position on providing a bank statement that
21	shows it was either rejected or cashed?
22	MS. HERNANDEZ: It was one of the DRs we
23	objected to based on relevance and terms of
24	vague as to what a treasury statement meant
25	and



1	THE COURT: That was that was vague to
2	me. But now that we've resolved that
3	ambiguity, does Ameren have a problem
4	providing Mr. Felber some portion of a bank
5	statement that would show that it had either
6	been cleared or rejected? Returned, I guess
7	is the word.
8	MS. HERNANDEZ: I honestly do not know if
9	we have that type of information. We recorded
10	it and provided him the records of our
11	business records that showed it was returned
12	for non-sufficient funds.
13	THE COURT: And that's an internal.
14	That's an Ameren internal document, correct?
15	That's not a bank document.
16	MS. HERNANDEZ: Correct. It's our own
17	internal treasury department document that
18	shows when his
19	THE COURT: When you say "treasury
20	department document," what do you mean?
21	MS. HERNANDEZ: Ameren has its own
22	internal treasury department.
23	THE COURT: Okay, so this is when you
24	say "treasury department," you don't mean like
25	Department of the Treasury or something like



```
1
     that you're talking about --
 2
                          Ameren's --
          MS. HERNANDEZ:
 3
          THE COURT:
                      Okay, so --
 4
          MS. HERNANDEZ: Yeah, so he's --
 5
                      So, that's not --
          THE COURT:
 6
          MS. HERNANDEZ:
                           Sorry.
 7
          THE COURT: So Ameren doesn't -- Ameren
 8
     doesn't have bank statements?
 9
          MS. HERNANDEZ:
                          I think we do, but it's
10
     in -- it's -- they're not individually per
11
     customer transaction. Like all the payments
12
     are pooled, and so it will show a total dollar
13
              But I don't know if we have --
     amount.
          THE COURT: Well, let's say a payment is
14
15
     returned out of that grouping.
16
          MS. HERNANDEZ:
                           Right.
17
                      I would assume that the bank
          THE COURT:
18
     would send something in relation to that.
19
     Some sort of correspondence, either email, a
20
     letter, a statement, something about that,
21
     saying this item has been returned.
2.2
          MS. HERNANDEZ:
                           I might have to ask Ms.
23
     Krcmar to explain what we get in response to
2.4
     that, just so I don't misspeak, but we did
25
     provide Mr. Felber with an internal business
```



1	record that showed the date that the payment
2	was returned and why it was returned.
3	THE COURT: Okay, but that is an Ameren
4	internal record. I think what he's seeking is
5	something from outside of that. Would you
6	look into that for me?
7	MS. HERNANDEZ: In terms of what we have
8	from the bank? In terms of the non-sufficient
9	funds or why it was returned?
10	THE COURT: Yes.
11	MS. HERNANDEZ: Okay.
12	THE COURT: Not asking Ameren to
13	MS. HERNANDEZ: And if
14	THE COURT: If you need a document or put
15	it in a different format. I'm asking you to
16	check and see if you have that because I don't
17	feel I don't feel that request by Mr.
18	Felber, as limited as it is, is necessarily
19	irrelevant.
20	MR. FELBER: Okay.
21	MS. HERNANDEZ: And I have Ms. Krcmar.
22	She's going to do another check again, but she
23	does not believe we have anything than what we
24	already provided. But we will certainly check
25	again to make sure.



```
Thank you.
 1
                                  What else are you
          THE COURT:
 2
     seeking, Mr. Felber?
 3
          MR. FELBER: Outbound phone call logs.
 4
     Those --
 5
                      For what period of time?
          THE COURT:
                                                 You
 6
    have -- when you say -- they are going to
 7
     object to every one of these where you say all
 8
     of this in regarding my account since its
 9
     creation because that is going to go well
10
     outside the bounds of this complaint.
11
          MR. FELBER: I want May's of 2025, June
12
     of 2025.
13
          THE COURT: And you're talking about
14
     correspondence with whom?
15
          MR. FELBER:
                       With Ameren -- so that would
    have been -- that would have been the
16
17
     disconnect phone calls.
                              That would have been
18
     the disconnect phone calls that they listed on
19
     some of them, in the staff report that said
20
     they could not get a hold. But those outbound
21
     calls would prove they didn't call me.
                                              But I.
2.2
     I want a list to see if they actually called.
23
     And she's saying that they don't provide a
2.4
     list.
25
          THE COURT:
                      Okay. When was the -- they
```



1 don't have to put anything into a format that 2 doesn't already exist in. So if they don't 3 have a list, they don't have to make one for 4 you. 5 So how can we verify the MR. FELBER: 6 authenticity of it? 7 THE COURT: Well, we're working on that, 8 Mr. Felber. All right, so when did this 9 complaint start? I mean, when did you first 10 say "Hey, I need to file an informal complaint 11 about this."? 12 I filed it on June 30th, MR. FELBER: 13 because when I was actually technically originally talking with Justin, I had no idea 14 15 what he was -- he was saying. THE COURT: And when was that? 16 What was 17 the earliest date that you talked to him about 18 this particular complaint? 19 MR. FELBER: June 30th. 20 THE COURT: Okay, so if Ameren was to 21 provide you all correspondence between Ameren 2.2 and you from June 15th of 2025 to current, it 2.3 would cover that time period, right? 2.4 MR. FELBER: Yes, Your Honor. 25 THE COURT: Is that something Ameren can



```
1
    provide?
 2
          MS. HERNANDEZ: Well, I would say that
 3
    besides the emails that Mr. Felber sent to us,
     we would have already provided everything we
 4
 5
    have between June 15th in 2025.
 6
          THE COURT: Okay. And then those other -
 7
 8
          MS. HERNANDEZ:
                          Sorry.
                      Those other emails are of his
 9
          THE COURT:
10
     creation in his own possession, correct?
11
          MS. HERNANDEZ:
                          Correct.
12
                      Okay. Mr. Felber, you
          THE COURT:
13
    mentioned tracking cookies.
14
          MR. FELBER: All right, so when you need
15
     an item.
               So I believe it's in -- it's in the
16
     informal complaint. The two documents that
17
     they have in there that show that they send
18
     emails, they are cut off.
                                The format of it is
19
    not right, the metadata. So pretty much --
20
     when you send a document via email, it's
21
     called metadata. It has a data of indicators,
2.2
     it has a security --
23
          THE COURT: I'm familiar.
2.4
          MR. FELBER:
                       The whole nine yards of
25
     that.
            None of those documents that they sent
```



1 me lines up to any metadata and they were 2 created on spot to go to a complaint. None of 3 them complain -- so what Ameren has on them, 4 they don't add up to the correct metadata and 5 it doesn't add up as an email in metadata. 6 It was never sent. So that's why --7 okay, so when you get an email, it's listed in 8 form, and it shows who your email provider is, 9 it shows so forth. Then it has the party's 10 name over on the right side as well too. As well it has the time, it has the security 11 12 encryption layer, it has the time-date format 13 which here in the United States it's month, 14 day, year. 15 THE COURT: Correct. 16 MR. FELBER: They had it set as 17 international time on theirs, which showed a 18 big discrepancy. Plus it never showed an 19 exact send time. It never showed a 20 correlation of an a.m. or p.m. on it, and none 21 of the metadata to line up with the email. So 2.2 when you have an email sent, or if somebody 2.3 sends you something, it has a tracking time to 2.4 it.



25

So those, those emails that you said are,

1	"Oh, well these are to let you know that your
2	account is possibly going to be disconnected."
3	You would have an a.m. and p.m. with it.
4	There was no a.m. or p.m. on those letters.
5	It was sent in international time instead
6	of US time. But the metadata doesn't add up
7	that it was actually sent because it's not
8	lined up in the correct email header.
9	THE COURT: And why is this important?
10	What are you trying to establish?
11	MR. FELBER: It would show that they
12	never sent those out. They never sent them.
13	They were internally created at the time of
14	the informal complaint.
15	THE COURT: Ameren's response?
16	MS. HERNANDEZ: All of our emails that we
17	send to customers are saved in our CRM system
18	as PDF files. That's the only thing we save
19	as a business record. We don't have a file
20	that keeps non-PDF copies of emails sent.
21	THE COURT: And why my understanding
22	is Staff Report already says you didn't get
23	your 10-day notice, correct?
24	MR. FELBER: Yes, Your Honor.
25	THE COURT: Okay, so what additionally



```
1
     are you trying to prove here that you haven't
 2
     received any disconnection emails?
 3
          MR. FELBER:
                       I did not get any
 4
     disconnection emails. The June -- the June
 5
     23rd one if you look at the disconnect letter
 6
     that's in there, compared to the May
     disconnect letter, it is altered in format as
 7
 8
     well, too.
 9
          THE COURT: Okay.
10
                       If you look at the heading
          MR. FELBER:
11
     on it, it's altered.
12
                      Okay. They've explained that
          THE COURT:
13
     they don't keep that data, so I'm not going to
14
     require them to produce it. You have
15
     provided, and we're going to get into that a
16
     little bit, some documents from your data
17
     recovery company that you are wanting to use
18
     as evidence.
19
          MR. FELBER: Yes, Your Honor.
20
                      We will get into that, but
          THE COURT:
21
     I'm not going to require Ameren to provide
2.2
     metadata.
                What else are you looking for?
23
          MR. FELBER:
                       Pretty much that's it.
2.4
     statement. It comes down to that.
25
          THE COURT:
                      Okay.
```



1	MR. FELBER: It comes down to that. And
2	Ms. Hernandez, I even worked with her or well,
3	I've tried to work with her on setting up an
4	established time. So that way we could go
5	ahead and meet and get my statement as well,
6	too.
7	THE COURT: We'll talk about your
8	statement here in a second. Ameren, let's
9	talk about your data requests. What
10	outstanding data requests you have that have
11	not been answered?
12	MS. HERNANDEZ: Mr. Felber has until
13	October 7th to respond to mine. And we can
14	if you want to go through my questions, I can
15	pull those up.
16	THE COURT: I'm not interested in the
17	questions as much as I'm interested in what
18	you're what you're what you're looking
19	for from Mr. Felber.
20	MS. HERNANDEZ: It might be easier to
21	let me pull it up. Just a reference.
22	MR. FELBER: You asked for a copy of my
23	bank statement. You asked who, who the person
24	was.
25	THE COURT: Over. Let Ms. Hernandez



answer, please.

2.2

2.3

2.4

MR. FELBER: Oh, I apologize.

MS. HERNANDEZ: So we asked for -- some questions based on emails that he had sent us. We asked for a copy of the bank confirmation letter that he referenced in the email, any copies of documents from his bank, whether sent by paper or electronically, regarding the 1,700 approximate payment that is in dispute in this case, the name of the bank for the account that the \$1,700 payment was made from, the name on the bank account that the payment was made from, the last four of the bank account number, and any owners or authorized signers on that bank account.

The names of the individuals that authorized the \$1,700 payment to Ameren. He's alleged in emails that he has friends that work with Ameren. And so I asked him to name those individuals that he has spoken with within Ameren that he's spoken with regarding his complaint, and any other witnesses to those discussions.

We've asked for -- he stated by email that he has a copy of an e-check that he



1	received from his bank, so I asked for a copy
2	of that, anyone he spoke with and their
3	contact information from the bank regarding
4	the \$1,700 payment and the dates of those
5	conversations, any documents showing that the
6	\$1,700 payment cleared his account.
7	I defined what "cleared," means as a
8	payment that has gone through the banking
9	process of verification and fund exchange,
10	confirming the funds are available and the
11	transaction is finalized, allowing the money
12	to move permanently from the payer's account
13	to the payee's account. Let's see. He's
14	provided an electronic document what he
15	states is an electronic treasury statement.
16	I asked when those documents were
17	created, the name of any individuals who have
18	knowledge of those documents and their contact
19	information, Mr. Felber's relationship to
20	those individuals, and how Mr. Felber came
21	into possession of those documents.
22	THE COURT: And what documents are we
23	saying again?
24	MS. HERNANDEZ: It's in reference to a
25	July 17th, 2025, email sent at approximately



1 11:35 a.m. he states, "Good morning. 2 attached electronic treasury statement showing 3 confirmation deposit of funds to Ameren 4 Missouri." 5 MR. FELBER: Yeah. 6 THE COURT: Anything else? 7 MS. HERNANDEZ: Another document he 8 mentions in an email to us, "See attached VOF 9 letter." I'm assuming that means a 10 Verification of Funds. 11 MR. FELBER: Funds. Yes, sir. Yes, 12 ma'am. Sorry. 13 I asked the date that MS. HERNANDEZ: document was created, the name of the 14 15 individual who has knowledge of this document, and contact information for said individual, 16 17 the complainant's relationship with that individual, and how the complainant came into 18 19 possession of that document. 20 And then another email correspondence 21 where he says electronic check, EFT payment 2.2 I asked for information on the date 2.3 that document was created, the name of the 2.4 individuals who have knowledge of that 25 document and their contact information, and

1 complainant's relationship with those 2 individual and how the complainant came into 3 possession of that attachment. 4 THE COURT: Okay. Anything else? 5 No, that's all. MS. HERNANDEZ: 6 THE COURT: And you said that you have 7 until October 7th to answer those or -- is 8 that correct, Mr. Felber? 9 I believe so. MR. FELBER: To answer. 10 THE COURT: Answer or object. 11 Correct. And then I have --MR. FELBER: 12 for documents, I believe I have a 30-day 13 total. I will look and see. 14 THE COURT: I do 15 not know off the top of my head. MR. FELBER: ESI and all that stuff. 16 Т 17 I wouldn't be safe because I could be wrong. 18 offered --19 That's why I said I'd check. THE COURT: 20 If I don't know right off, I generally try and 21 look it up. Now, moving on for a moment 2.2 because that deadline hasn't passed yet, my 23 tendency is to sit and wait and see what 2.4 happens with it. Nonetheless, and let me see. 25 On December -- go ahead. Where are we?



MS. HERNANDEZ: I do have one question,
Judge, and I don't know if we can address. I
understand the date hasn't passed yet. But I
have received an email from Mr. Felber saying
that I'm going to be required to pick them up
from his business council, I believe, at the
Commission offices. I received an email from
Mr. Felber today stating that October 7th I
would have to pick up those documents.

And so I am concerned in terms of how they will be delivered and whether I have to personally go pick those documents up versus them being sent, and also having to pick them up from someone who's not been identified in this case. And as I've told the complainant before, I can't speak to anyone regarding his account that's not an authorized user on his account.

Otherwise, I would be disclosing confidential account information. So I can't speak to anyone. Yeah, I can't speak to anyone besides Mr. Felber.

THE COURT: Okay, Mr. Felber, you've asked them to provide discovery in a particular way to you?



2.2

2.4

1 MR. FELBER: No. 2 THE COURT: Or you've asked to provide 3 discovery in a particular way? 4 MR. FELBER: So, Your Honor, and, and 5 this is what -- hear me out here, okay? 6 THE COURT: I'm anxious to. Because it 7 sounds like you're making it deliberately 8 difficult for them. 9 MR. FELBER: No, I am not making it --10 Your Honor, when I get a piece of paper that 11 has a half cut off thing, what does that show 12 That shows you that somebody didn't take you? 13 the time to actually do their job. They're 14 not giving you what you're supposed to. 15 being said, I'm tired of the email back and 16 forth stuff. I would rather feel comfortable, 17 especially giving my documents, knowing whose hands they're going into. 18 19 Is that fair enough to say? Those aren't 20 just regular documents hitting an email. 21 Those are my documents that I am giving to 2.2 somebody and I am trusting them to do the 23 right thing. Keep in mind here, the only 2.4 piece of document I have from Ameren is this 25 piece of paper from Aubrey Krcmar that can't



```
1
     even show anything that she says,
                                         "Oh, well,
 2
     this is a statement."
 3
          THE COURT: And you will be able to, at
     the hearing, point out all the flaws that you
 4
 5
     believe exist with that.
 6
          MR. FELBER:
                       So if I have --
 7
          THE COURT:
                      Why do you not -- why do you
 8
     not file the -- well, let me ask you this.
 9
                       I feel more comfortable --
          MR. FELBER:
          THE COURT: Mr. Felber, have you filed --
10
11
     stop.
12
          MR. FELBER:
                        Sorry.
13
                      Have you filed anything in
          THE COURT:
14
     this case under the Highly Confidential
15
     designation yet?
16
          MR. FELBER:
                       I can't.
17
          THE COURT:
                      Why not?
18
          MR. FELBER:
                       Because EFIS doesn't allow
19
     me to.
20
          THE COURT: I know, but I've told you,
21
     and I've given you an address to send it in.
2.2
     All you have to do is state that you want
     those documents designated as Highly
23
2.4
     Confidential. If you just put in, you know,
25
     the -- please see this motion, whatever I want
```



1 to request that the Judge look at and see 2 whether it's appropriate to filing. 3 If it is filed, I would like it filed 4 with a Highly Confidential designation. 5 gave you a protective order for just that 6 purpose. 7 MR. FELBER: You did. I appreciate that. 8 However, also on that order as well, if you 9 look at number 2, which I want to reiterate, 10 it says, "All parties that have access to 11 Highly Confidential materials must sign off on 12 an NDA." 13 Oh, that's correct. THE COURT: 14 that's inclusive of Ms. Hernandez, too, 15 according to my order. I'm well aware of what my order says. But if you haven't filed 16 17 anything with a Highly Confidential 18 designation, and they haven't tried to look at 19 anything because there's nothing with a Highly 20 Confidential designation, then they don't need 21 to sign anything yet because they haven't 2.2 attempted to access anything. 23 In order to access it, they will have to 2.4 sign that NDA, file it with our Data Center, 25 and our Data Center controls whether or not it



1 can be accessed by Ameren, and under what 2 circumstances. 3 MR. FELBER: She told me she didn't have 4 to sign an NDA. 5 And I will say, Judge, MS. HERNANDEZ: 6 that he is correct. I did not understand the 7 order to mean that attorneys, nor staff, nor 8 the Office of Public Counsel was required to 9 sign. 10 Not usual. It's a little THE COURT: 11 stricter than normal, but I've decided to try 12 and assuage Mr. Felber's fears. So if he 13 files those with a Highly Confidential designation, obviously you won't be able to 14 15 access them until you sign an NDA. 16 MS. HERNANDEZ: All right. Well, I'm 17 happy -- I'm happy to do that. And my 18 understanding of the protective order, too, 19 was that no internal employees could look at 20 the information, only external consultants or 21 attorneys of record, so --2.2 THE COURT: That's correct. I believe 23 that's an artifact from another order. If we 2.4 want -- if you want to discuss. Like, if you

25

have witnesses that need to be discussed,

1	those documents, I'd prefer to take that up
2	separately. But as for right now, the order
3	stands as it is, and no. No unless
4	MS. HERNANDEZ: And that's fine, Judge.
5	I was that was just my
6	THE COURT: Yes. As of right now that
7	wouldn't that would that would apply to
8	internal Ameren employees as well. Yeah.
9	MS. HERNANDEZ: So, yeah, if it comes to
10	the point, I certainly will file a motion to
11	ask that that be amended if there is
12	something, provided that I feel a witness
13	would need to look at to be able to evaluate
14	and
15	THE COURT: (indiscernible) at that time.
16	MS. HERNANDEZ: Yeah.
17	THE COURT: But with that in mind, Mr.
18	Felber, that gives you a way to file those
19	items, and Ms. Hernandez will have to fill out
20	an NDA to access them.
21	MR. FELBER: All right. Because that was
22	a lot of our miscommunication there because
23	we, we went back and forth, and that was where
24	it was. And then I really started defining
25	it, and I'm like, wait a minute here. I'm



1 like, I did. I think I sent her something. 2 It's unusual. And it's an THE COURT: 3 unusual protective order, and I went a little bit further than I normally would to assuage 4 5 your fears. 6 MR. FELBER: All right. 7 THE COURT: Now, the bank statement --8 let's talk about that. It looks like on 9 December the 12th, Ameren requested a subpoena 10 duces tecum to get documents, I believe, from 11 your bank. Yes, Your Honor. 12 MR. FELBER: 13 THE COURT: And then on the 15th, you 14 filed a premature motion to squash, that will 15 be denied because it was filed before any were 16 issued. So I'm going to let you know right 17 now, I'm denying that. And then I believe --18 where is it? Judge Dippell issued the 19 subpoena on the 19th, and then you filed a 20 timely motion to squash also on the 19th. 21 Since that time, you've also submitted 2.2 multiple motions to quash for my 23 consideration, that no party has seen yet. 2.4 And we'll address those at the end. Okay, so 25 you're moving to quash the subpoena?

```
1
                       Yes, Your Honor, because
          MR. FELBER:
 2
     it's the same stuff. So first and foremost,
 3
     discovery wasn't requested. Number 1,
 4
     discovery wasn't requested until September.
 5
     During that time, I had all right -- every
 6
     right and my right under Commission rules and
 7
     regulations to preserve any and all evidence.
 8
     The body attachment order of your order did
 9
    not say for me to send in that statement at
10
     that time.
11
          During that time, I was actually trying
12
     to work with Ms. Hernandez via email
13
     correspondence, which we argued back and forth
14
     about the NDA. Now that we are clear on that,
     I do feel more comfortable.
15
                                  However, I, I
    mean, I do -- I feel more comfortable, I have
16
17
     time to answer my discovery requests.
                                             I would
     think that you would allow me my time because
18
19
     that -- only be where the subpoena would only
20
     go ahead and follow is if I didn't answer to
21
     that discovery request. However, I plan on
2.2
     fully doing that.
23
          THE COURT:
                     Okay.
                             So you do plan on
2.4
     disclosing your bank records?
25
                       I do.
                              Yes, Your Honor.
          MR. FELBER:
```



```
1
     That was the full intention.
                                   However, when we
 2
     were arguing back and forth about the NDA,
 3
     things went sour. That's my fault, too.
                      Well, I think we've resolved
 4
          THE COURT:
 5
                     Ms. Hernandez, do you want to
     the NDA issue.
 6
    be heard on your subpoena?
 7
          MS. HERNANDEZ:
                          Certainly.
                                       I mean, I
 8
     don't -- I don't see it as duplicative.
                                               Ι
 9
     think it's a request for information to a
10
     third-party that can verify any information
11
     the complainant ultimately provides to me.
12
     don't see the -- my data requests were
13
     specifically asking for a letter from his bank
     or anything I would get from the --
14
15
          It may include documents because I did
     ask for documents relative to that $1,700
16
17
    payment, but it's not exclusive of just that
     document. So, I mean, I think even if I were
18
19
     to receive information from Mr. Felber, I
20
     would need a way to verify that the
21
     information received is legitimate.
                                           And also.
2.2
     as a foundation issue at a hearing, I would
23
    need a custodian affidavit from a records
2.4
     custodian to --
          THE COURT: Custodian records.
25
```



MS. HERNANDEZ: Yeah. Thank you. My
words stumbled up. I would either have to
call that individual as a witness or get an
affidavit from that individual that the record
provided is, you know, business record -yeah, authentic. So, I mean, I think -- I
mean, I understand where Mr. Felber thinks
that it's duplicative.

It certainly could provide some of the

It certainly could provide some of the same information, but it doesn't get around the foundation issue I will have if I don't get it from the bank, nor does it get around the issue, I think, in terms of verifying information that Mr. Felber provides to us.

MR. FELBER: I think it will verify your information if I can give you everything directly from themselves. And I'll tell you right now, the subpoena that you're trying to serve to Jeff City is useless. You would have to go to Los Angeles or you would have to go to New York because that's the custodial of my records from them.

THE COURT: Well, you're moving -- you're moving to quash the subpoena, Mr. Felber.

Your bank, to my knowledge, has not moved to



2.2

2.4

1	squash the subpoena, and the subpoena is
2	actually being served on your bank, so
3	MR. FELBER: They can't serve it on my
4	bank without me first. Under Commission
5	rules, regulations, and tariffs in the State
6	of Missouri, I have to be served first. So I
7	go to I go to ahead and move to immediately
8	quashed because in the State of Missouri you
9	have to serve it directly to the me prior
10	to the bank.
11	That's actually a state law. Let me pull
12	it up for you. So that would be an invalid
13	subpoena, 100 percent. It would be an illegal
14	subpoena. You just openly admitted to an
15	illegal subpoena. In the State of Missouri it
16	is required that any bank Missouri has one
17	of the highest ones in the state.
18	We actually have that provision to
19	protect us because, technically, your bank is
20	not the custodial holder. I'm the custodial
21	holder. Banks hold your financial records.
22	THE COURT: No, they're your records, Mr.
23	Felber. I agree.
24	MR. FELBER: Hold on. I'll find the
25	exact statute. Statute RSMo 408.63, Missouri



1	Right to Financial Privacy Act, which provides
2	that
3	THE COURT: Missouri what? Hold on. And
4	I can read.
5	MR. FELBER: Which provides that "A copy
6	of the subpoena has be served on to the
7	customer on or before the date the subpoena is
8	served on a financial institution."
9	THE COURT: All right. Give me the
LO	statute number again, please. 408 dot what?
L1	MR. FELBER: 408.683. You have to follow
L2	the Missouri Right to Financial Privacy Act.
L3	I'll tell you this right now, if you honor it,
L4	I'm calling my prosecuting attorney in five
L5	minutes I'm calling the prosecuting
L6	attorney in five minutes after and I am going
L7	after you for that, Judge. I would recommend
L8	
L9	THE COURT: No, that is fine. And I'm
20	going to say this I'm going to say this
21	right now. I have warned you I have warned
22	you about mentioning outside actions that you
23	are pursuing that are not under the
24	jurisdiction of the Public Service Commission.
25	I don't believe they have any relevance in



1 this case whatsoever, because so far nothing 2 has come of them, and so I am not going to 3 allow you to do that. 4 You filed one document after I told you 5 not to with that in there. I redacted it. 6 But that's your only warning. Actions that 7 you are pursuing in other jurisdictions or 8 outside the PSC have no relevance to this 9 case. And the only reason you can put those 10 in, just like you just said it now, are to try 11 and intimidate me or the other parties. 12 MR. FELBER: I'm not trying to intimidate 13 I just don't like the law being --14 When you photograph a picture THE COURT: 15 of yourself out in front of a facility with a 16 piece of paper that says "complaint," you know 17 exactly what you're doing. So don't tell me 18 I'm just telling you right now. 19 it again, I will dismiss your case for failing 20 to follow a Commission Order. 21 MR. FELBER: Can I speak quickly? 2.2 THE COURT: Sure. 23 MR. FELBER: I don't appreciate that the 2.4 statutes get pickpocketed what are supposed to 25 protect people. That's why they're in place.



```
1
     It's called due process.
 2
          THE COURT: And I'm looking at the
 3
     statute, and I'm going to look at the statute
 4
     and decide how it applies. However, if I
 5
     decide that it doesn't apply, I will issue an
 6
     order according to that. And I don't know
 7
     what this says, so I'm going to look into it.
 8
     But you have placed your bank records at
 9
             Your complaint did that.
     issue.
10
          MR. FELBER:
                       It did, Your Honor.
                                             And I
11
    have the right to do it during my discovery
12
     time, too.
13
          THE COURT: You do. You have till the
14
     7th to object.
15
          MR. FELBER:
                       And I was never served a
16
     copy of the actual --
17
          THE COURT: Hold on.
18
          MR. FELBER:
                       I'm also supposed to be
19
     served an actual copy, not redacted. Ms.
20
    Hernandez sent me a copy, redacted.
21
     the right under -- that other statute with
2.2
     what I had for the EFIS access.
                                      I have the
23
     right to see that. So technically, this
2.4
     subpoena that she has right here has to be
```

quashed.

25

1 That's what I'm trying to tell you. 2 Because I don't have access to it. I have the 3 right to challenge anything in there. I can't 4 see one bit of it. I'm being blocked from my 5 own records. 6 THE COURT: Okay. 7 MR. FELBER: I can't see anything Highly Confident. 8 That's what I've been trying to 9 tell you. 10 THE COURT: We're going to get to that, 11 too, because that is an issue for me. 12 MR. FELBER: I haven't filed anything --13 minus the emails I have not filed one 14 derogatory filing statement in this matter. 15 The emails are a whole different thing. 16 just want my -- it would be easier if I'm able 17 to do it myself, knowing that it gets there. But when I have to sit there and I have 18 19 to file something and then hope that this gets 20 filed or that gets filed or this gets filed, 21 it is frustrating because then you have a 2.2 whole bunch of stuff. She has a whole bunch 23 of stuff. Mr. Pringle has a whole bunch of 2.4 stuff. Ms. Kerr does. 25 I'm not trying to be ignorant about it,



1	Your Honor. I think I've done a very good job
2	with you on this matter, minus us butting
3	heads on everything. Could I be a little bit
4	better on the emails? I could.
5	THE COURT: You have tapered down. But I
6	am holding you more and more finally to the
7	requirements I would hold any attorney to. So
8	while you have tapered it down, and I
9	appreciate that, you have to remember why your
10	access was just restricted to begin with. And
11	it was because of abuse and harassment.
12	MR. FELBER: I know. And I will
13	apologize for that. That was my own
14	stupidity.
15	THE COURT: All right. We will get to
16	that in a moment. That's at the bottom of my
17	list, the Felber EFIS access. All right. I'm
18	going to put okay, I can't do anything
19	about the subpoena at this moment, but I will
20	look over what you have provided, Mr. Felber,
21	consider your argument, and I will try and
22	make a ruling before the end of this week.
23	Okay.
24	I'm going to be out of the office
25	tomorrow and Thursday, but I will be in on

```
1
     Friday and I'll try and issue something.
 2
          MR. FELBER: And if you're really worried
 3
     about it, Ms. Hernandez, I can even push up my
 4
     time a little bit, so that way we can go ahead
 5
                   If you want to name -- you
     and do that.
 6
    neither name of the person, correct?
 7
    person --
 8
          THE COURT:
                      What person -- what person
 9
     are we talking about?
10
                       She said she needs -- she
          MR. FELBER:
11
     needs whoever writes the verification and
12
     everything. You need their information,
13
     correct?
14
                      Okay. But we're not going to
          THE COURT:
15
     do that now. I'm not -- this is not -- this
16
     is not for the purpose of exchanging discovery
17
     in this.
18
                       Oh, okay.
          MR. FELBER:
19
                      So you have till the 7th to
          THE COURT:
20
     answer, object according to you, plus
21
     additional time, maybe on written documents.
2.2
     I haven't looked into that.
                                  I'll look into
23
     the subpoena. Now, I've already discussed
2.4
     filing other actions, and that if you
25
    mentioned other actions, that I will dismiss
```



1 your case for failing to follow a Commission 2 order. Let's talk about what you have sent me 3 over the last few days. 4 MR. FELBER: Yeah. 5 Okay. Over the weekend, you THE COURT: 6 sent in --Duplicate of motions to 7 MR. FELBER: 8 Ouash and --1, 2, 3, 4, 5, 6, 7, 8, 9, 10 9 THE COURT: 10 documents. 11 Yeah. MR. FELBER: 12 Just the weekend. THE COURT: Now, in 13 regards to the duplicate documents, I'm trying 14 to give you your due process rights, but I'm 15 not going to allow you to step on the due 16 process rights of the other parties. 17 MR. FELBER: Understand. 18 When you file a motion, and THE COURT: 19 then, before that motion is ruled on, you file 20 another three of the exact same motions over 21 the next few days with some variation, that's 2.2 inappropriate because they don't know which 23 one to answer or whether they have to answer 2.4 So I'm going to reject duplicate 25 filings.

```
1
          So you have a motion to quash the
 2
     subpoena on -- I've heard Ameren.
                                         If Ameren
 3
     wants to file a written response, they're
 4
     welcome to. But I'm going to reject for
 5
     filing those other ones. So let's look at
 6
     those.
             Okav.
                    That's mine.
                                  I don't know why
 7
     you sent me something I did.
 8
          MR. FELBER:
                       I did? I apologize.
 9
          THE COURT:
                      My protective order. You can
10
     reference it. If it's already in the case,
11
     you can reference it without attaching it.
12
          MR. FELBER:
                       Okay.
                              I just -- I
13
     apologize. I put that in there just to show
14
     it.
15
          THE COURT: Now, this is interesting to
16
          Forensic Analysis Report, Missouri Public
    me.
17
     Service Commission. And this I believe that
     Data Recovery Service Consultant, which I
18
19
    believe is a company of yours, did an analysis
20
     of the legality of a Commission order.
                                              Is
21
     that correct?
2.2
          MR. FELBER:
                       I did that just -- that was
23
    because of that, yes. Because we were
2.4
     disagreeing on the NDA.
25
                      Okay. Well, I let you file
          THE COURT:
```



1	something from Data Recovery Services
2	analyzing the emails because it's my intention
3	to let you go down that road at the hearing if
4	you want to question the authenticity of their
5	emails with your own analysis.
6	However, Data Recovery Services is an
7	LLC. They have not applied to intervene in
8	this case. They do not have an attorney
9	representing them, which they would be
10	required to do to enter anything in this case.
11	Because they're not attorney. And they do not
12	have a right to do a legal analysis of this
13	case.
14	So I'm going to also be rejecting that
15	filing because whether Data Recovery Services
16	files it themselves or you file it on their
17	behalf, it's not an appropriate filing.
18	MR. FELBER: Okay. I probably should
19	have filed a motion for clarification. That's
20	what I probably should have done.
21	THE COURT: Clarification of what?
22	MR. FELBER: Or when it came down to the
23	NDA, I apologize.
24	THE COURT: Okay. But I think we've
25	sorted out the NDA now All right So it's



1 my intention to reject most of those for the 2 reasons given. Now let's move on. Hold on. 3 Let's look. And then on Monday morning, you filed a Motion to Compel Compliance with Non-4 5 Disclosure Agreement Requirements. 6 MR. FELBER: Which again, that was --7 THE COURT: That seems moot at this 8 point. 9 MR. FELBER: Yeah 10 THE COURT: Do you want to withdraw that? 11 Might as well. MR. FELBER: 12 (indiscernible) reject it. THE COURT: 13 MR. FELBER: Go ahead and just -- I 14 withdraw it. 15 THE COURT: And like I said, we gatekeep 16 that. If she doesn't sign the NDA, she 17 doesn't get to look at those. 18 MR. FELBER: Okay. 19 THE COURT: And under the terms of the 20 NDA, she can't just go showing it to people. 21 MR. FELBER: Right. 2.2 THE COURT: Okay. So that was Monday. 23 Later that Monday morning. What is this? You 2.4 want to explain this to me? It says, 25 "Missouri Public Service Commission, September



1 22nd, to the Honorable Commissioners, 2 Commission Staff Regulatory Law Judge in Ameren Missouri. I railed to replace the 3 4 Commission, Commission staff, Regulatory Law 5 Judge in Ameren Missouri on formal notice 6 regarding continuing issues. I reserve --" 7 MR. FELBER: Yeah, that was probably one 8 of my other filings that I accidentally just 9 put in there. That was probably from a couple 10 of weeks ago. A lot of stuff, I got so much -11 - so I got a whole bunch of emails back from 12 you guys. No, I got the one email with a whole bunch of stuff in. So I apologize if 13 14 that's --15 THE COURT: Wait, I'm sorry, you got an 16 email from me? Who? When you say "from you 17 quys, "that's a very broad thing. We have a 18 lot of people here at the Commission. 19 I think it was in -- so back MR. FELBER: 20 -- a while back, last week, I got a long 21 feedback that was like 2,000 pages, which was 2.2 probably all the other stuff that you had seen 23 from whatever. And I think somehow it got 2.4 joined in there. So I apologize if that was 25 revealed.



1	THE COURT: Okay. I don't remember
2	seeing this before. It appears to just be
3	comments. I don't see anything derogatory
4	about it. And you're not threatening or
5	disclosing that you've you're pursuing
6	other actions elsewhere. Would you like me to
7	file this as comments?
8	MR. FELBER: Sure.
9	THE COURT: And that's because I want you
10	to have a record, at least, that I am not
11	trying to prevent you from expressing your
12	dissatisfaction. So that is the September
13	Monday, 11:46 file. Okay. And I believe I
14	got, maybe I got one yesterday afternoon, a
15	Motion to Compel access to subpoenas. And
16	that's what you just expressed to me,
17	basically, that you've received a redacted
18	form and cannot see portions of it.
19	MR. FELBER: Correct. I can't see I
20	can't see any bit of it. So I have no idea.
21	I have no I mean, I pretty much when I
22	filed that quash, I assumed based I mean
23	THE COURT: Okay. Again, I will take a
24	look at that, and I will rule on that along
25	with the Motion to Quash. Okay. Since those



two seem germane, and I will file that. 1 I am 2 going to tell you, you cite a lot of law over 3 which the PSC has no jurisdiction, a lot of 4 federal law that doesn't cross with us, and 5 some state law that doesn't. 6 And there's nothing intrinsically wrong 7 with that, and you're welcome to do it, but it 8 may result in a lot of law being in there, which is actually inapplicable to your case. 9 10 So which date? When was this? That is 1:41 11 And I will say I've noticed your motions p.m. 12 have gotten better. 13 MR. FELBER: Thank you. 14 THE COURT: All right. I appreciate you 15 leaving out the vulgarity and name column. And you filed -- I believe there was one other 16 17 thing today, wasn't there? 18 MR. FELBER: I think that was just for 19 the records. 20 THE COURT: You filed a motion to 21 restore. 2.2 MR. FELBER: Yeah. 23 THE COURT: EFIS access. We're going to 2.4 address that in just a second. And memorandum 25 supporting.



1 Yeah, the memorandum. MR. FELBER: 2 Well, I agree. THE COURT: I'm going to 3 both agree and disagree with you on this. 4 we're going to see if we can craft something 5 that will work for you at this point in time. 6 I still, given the number of repetitive and 7 duplicate documents, which I consider, you 8 know, when you're filing five things a day, 9 that is abusing the EFIS system. 10 MR. FELBER: Right. 11 THE COURT: Especially when those are 12 So I am not willing to restore repetitive. 13 your access to directly file anything at this 14 However, I do consider it extremely time. 15 problematic that you can't see everything. 16 I want to see what we can do about that. And 17 I will let you know as soon as possible. 18 MR. FELBER: Right. 19 My first -- my first idea is THE COURT: 20 just to have the Data Center mail to you each 21 document, which would have a confidential 2.2 designation, so that you would have a copy for 23 yourself to see. But I will also see if there 2.4 is an alternative way where we can give you



25

some sort of limited access because I agree

```
1
     you have an absolute right to review those
 2
     things and I don't believe you can adequately
 3
    prepare to defend yourself or to prosecute
     your case without it. So I will see what I
 4
 5
     can do about that and I'm genuinely sorry for
 6
     that.
 7
          MR. FELBER:
                       Okay. And one more thing to
 8
     add.
 9
          THE COURT: Hold on.
                                So I'll put Felber
10
     fee -- EFIs excess denied in part. Look into
11
     Felber access to confidential documents.
12
            Those were all the things on my list.
     Okav.
13
     And I know this was a long pre-hearing
14
     conference, and I knew it was going to be, but
15
     I didn't like that I had to come back
     immediately after the last one because it
16
17
     seemed like there were a lot of loose ends
     that didn't get tied up, and for whatever
18
19
     reason generated a lot of motion piling here.
20
          MR. FELBER: Your Honor, can I speak
21
     quickly?
2.2
          THE COURT:
                      Please.
23
          MR. FELBER:
                       I found more further into
     it, for bank records they have to be served in
2.4
25
     Missouri.
                We are one of the very few states
```



```
1
     because the Missouri Right to Financial
 2
     Privacy Act codified at RSMo 408.675 through
 3
     408.700.
 4
          "Before a bank can release financial
 5
     records in response to a subpoena, the
 6
     customer whose records are sought must be
 7
     notified first. This gives the customer a
 8
     chance to object or move to quash the subpoena
 9
     if they believe it is improper, due process
     and privacy. Financial records are considered
10
11
     highly sensitive.
12
          The statute recognizes a customer's
13
     privacy interest and their bank records.
                                                So
14
     the law requires advance notice to the
15
     customer prior to prevent secret fishing
16
     expeditions." I have to have at least 10
17
     days' notice prior to the bank getting a --
                      I will look at the 408
18
          THE COURT:
19
     Chapter and see if any of it would be
20
     applicable in this situation and see if there
21
     is any of it which would relate to the
2.2
     Commission.
                  However, the Commission has no
2.3
     jurisdiction over the 408 statute.
2.4
          MR. FELBER:
                       Right.
25
                      But, as I said, I will -- I
          THE COURT:
```



1 will rule on that on Friday. I'm behind on a 2 lot of stuff, but this will move to the top of 3 my list. Anything else, Mr. Felber? 4 That is it. I appreciate MR. FELBER: 5 it, Your Honor. 6 THE COURT: I feel this has been a very 7 productive conference. 8 MR. FELBER: Yeah. 9 THE COURT: All right. That was 10 everything I had to talk about. Is there 11 anything else, Mr. Felber, that you wanted me 12 to address while I'm here today? 13 MR. FELBER: I apologize for sending you 14 all the emails that I have. I'll stop. I'11, 15 you know, let it go out its course and 16 everything. Ms. Hernandez, I plan on getting 17 you everything that you need. Don't worry 18 about it. And now that I have that done, that makes me feel better. So I'm glad that we got 19 20 that cleared up with the whole thing, and I 21 look forward to sending it in. 2.2 THE COURT: Okay. Ms. Hernandez, 23 anything that Ameren wants me to address at 2.4 this point in time? 25 Nothing to address. MS. HERNANDEZ: Ι



```
1
     just wanted to clarify that I served Mr.
 2
     Felber with the data request on September
 3
     17th. So the 10 days to object, 20 days to
 4
     respond.
 5
          MR. FELBER:
                       Okay.
 6
          MS. HERNANDEZ: According to the rules,
 7
     so --
 8
          MR. FELBER:
                       Yes, sir. yeah.
                                         Yes.
 9
                      10 to object, 20 to answer?
          THE COURT:
10
          MS. HERNANDEZ:
                         Yes.
11
          THE COURT: Okay.
                             Thank you. Thank you
12
     for clarifying that for me. I don't -- I'm a
13
     little light on that because I do less
     discovery in this world. Anything from the
14
15
     Commission staff, Ms. Kerr?
                     No, I don't think we have
16
          MS. KERR:
17
     anything.
                I think we're fine.
18
          THE COURT:
                      Okay.
19
          UNIDENTIFIED SPEAKER:
                                 I've got just one
20
     thing, Judge. From the very beginning, this
21
    kind of correction for the record. The Staff
2.2
    Report does say that there was no violation of
23
     the 10-day notice requirement. So it's kind
2.4
     of I wanted to make sure that was -- I think,
25
     at the beginning, we may have gotten things
```



```
1
    mixed up about what it said in there.
                                             So I
 2
     just want to make it clear.
 3
          THE COURT: Well, I'm not striking the
 4
     Staff Report. That's just --
 5
          UNIDENTIFIED SPEAKER:
                                 Yeah.
 6
          THE COURT: All right, thank you for
 7
    bringing that to my attention, and that is
 8
     good to know. With that in mind, Mr. Felber,
 9
     do you want to reassert your Motion to Strike
     and have me take a look at it?
10
                                     That is the
11
     September 5th Motion to Strike Staff Report
12
     because they're saying that it says that they
13
     did not violate anything.
14
          So do you want me to take a look at that
15
     in regard to your Motion to Strike?
16
          MS. KERR:
                     That's correct.
17
                       I would.
                                 Yeah.
                                         I would
          MR. FELBER:
18
     take a look at it because --
19
          THE COURT: All right, I will put down
20
     that you're -- let's see. I've got subpoena,
21
     add to that and Motion to Strike Staff Report.
2.2
    And for the record, in the transcript, I will
23
     -- where is that? Where's the strike? Okay.
2.4
          I'd originally asked you if you withdraw
25
     on your Motion to Strike, you said, "Yes."
```



```
want to note for the record that that
 1
 2
     withdrawal is canceled and I will address the
 3
     Motion to Strike Staff Report.
 4
          MR. FELBER: Yes, sir.
 5
                      All right.
                                   Hearing nothing
          THE COURT:
 6
     else, I'd like to thank you all for your time
 7
     today. As I know, as I noted before, I know
 8
     this went on a long time and so I appreciate
 9
     everybody's time. At this time, I'm going to
10
     adjourn this pre-hearing conference and we
11
     will go off the record.
12
                       All right, so.
          MR. FELBER:
13
          MS. KERR:
                     Thank you.
14
          UNIDENTIFIED SPEAKER:
                                  Thank you, Judge.
15
          MR. FELBER:
                       Close.
16
     (End of audio recording.)
17
18
19
20
21
2.2
23
2.4
25
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1	CERTIFICATE OF TRANSCRIPTIONIST
2	
3	I, STEPHEN OMONDI, do hereby certify:
4	
5	That said audio transcription is a true
6	record as reported by me, a disinterested
7	person.
8	
9	I further certify that I am not
10	interested in the outcome of said action, nor
11	connected with, nor related to any of the
12	parties in said action, nor to their
13	respective counsel.
14	
15	IN WITNESS THEREOF, I have hereunto set
16	my hand this 2nd day of October, 2025.
17	
18	Stephen Omondi
19	Stephen Omondi
20	
21	
22	
23	
24	
25	



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