

NOTICE OF FILING

TO: CLERK OF COURT

U.S. District Court for the Western District of Washington

RE: Boyd v. IUOE Locals 701, 302, 612, Campbell Crane, WPAS Inc., and OE Federal Credit Union

CASE NO: 2:25-cv-01225-LK

Plaintiff hereby files and serves the enclosed Pre-discovery Packet, which includes the following:

- Exhibit GG – Timeline of OE Training Expansion & Life Insurance Disappearance
- Exhibit HH – First Set of Interrogatories & Requests for Production
- Exhibit JJ – Second Set of Interrogatories (Life Insurance Participants)
- Exhibit KK – ERISA Audit Demands Based on Form 5500 Discrepancies
- Rule 37(a) Motion to Compel Disclosure
- Proposed Order Granting Motion to Compel
- Certificate of Service

This Notice is submitted in support of Plaintiff's right to obtain timely and lawful disclosure of plan fiduciary records, insurance designations, and suppressed ERISA plan data relevant to the above-captioned matter.

Dated this 16th day of July, 2025.

Respectfully submitted,

Brittney C. Boyd

Pro se Plaintiff

30 NE Dogwood St

Issaquah, WA 98027

TABLE OF CONTENTS

1. Notice of Filing	1
2. Exhibit GG – Timeline & Schedule A Disappearance	2–5
3. Rule 37(a) Motion to Compel	6
4. Proposed Order to Compel	7
5. Exhibit HH – First Set of Interrogatories	8
6. Exhibit JJ – Second Set of Interrogatories	9
7. Exhibit KK – ERISA Audit Demands	10
8. Certificate of Service	11

EXHIBIT GG – Schedule A Disappearance & IUOE Educational Redirection

This exhibit illustrates the correlation between the disappearance of mandatory ERISA Schedule A life insurance

Plaintiff contends that this diversion of trust assets into non-retirement education infrastructure constitutes a fiduciary breach.

- ERISA § 404(a) – duty to act for the exclusive benefit of plan participants;
- § 103(a)(2) – mandatory disclosure of carrier-level policy data; and
- § 104(b)(4) – duty to furnish documents upon request.

The timing aligns with Robert D. Smith's death and subsequent concealment of life insurance benefits to his heirs.

The accompanying visual graph labeled "Exhibit_GG_Chart_Page.pdf" follows immediately and is hereby incorporated by reference.

Exhibit GG - Schedule A Disappearance & IUOE Educational Redirection (2010-2025)

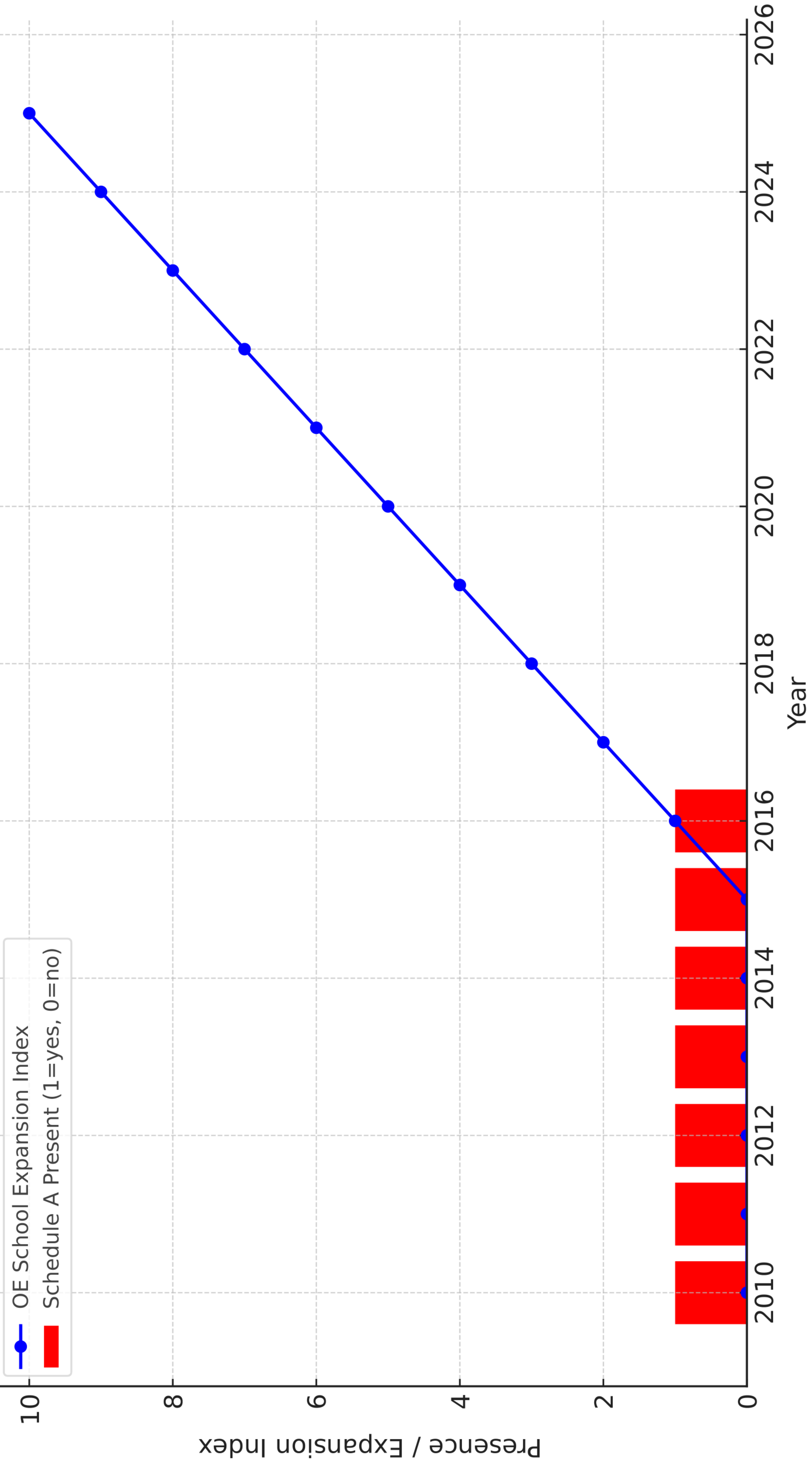


Exhibit GG OE Schedule A Disappearance & IUOE Educational Redirection

This exhibit shows the correlation between the disappearance of mandatory ERISA Schedule A life insurance filings and the rapid expansion of IUOE-affiliated training and education centers, including the OE Regional Training Program

in Ellensburg, WA, and the IUOE Local 302 Training Center in Spangle, WA.

From 2010 to 2016, Schedule A filings identifying group life insurance plans were consistently reported.

Beginning in 2017, these disclosures vanished from Form 5500 filings Š while simultaneously, OE training facilities increased in number and scope.

This redirection of ERISA-protected resources away from participant benefits and into non-retirement 'education'

infrastructure constitutes a likely fiduciary violation under ERISA § 404(a), as it fails to prioritize the exclusive

benefit of plan participants. Further violations under § 103(a)(2) and § 104(b)(4) are implicated for failure to

report carrier information and furnish documents upon request.

Plaintiff asserts that these developments align with the timeline of her father's death, and the systematic

concealment of life insurance benefits he lawfully earned as a vested IUOE member.

5

PLAINTIFF™S MOTION TO COMPEL DISCLOSURE UNDER RULE 37(a)

Plaintiff, proceeding pro se, respectfully moves this Court pursuant to Federal Rule of Civil Procedure 37(a)

to compel Defendants to respond fully to Plaintiff™s First Set of Interrogatories and Requests for Production,

previously served and attached as Exhibit HH. Plaintiff has in good faith conferred and attempted to secure

compliance without court action, but Defendants have failed to timely respond or produce documents as required.

This motion seeks critical records related to group life insurance policies, Schedule A filings, and the redirection

of ERISA-governed funds into Operating Engineers training centers. These disclosures are essential to the Plaintiff™s

claims of fiduciary misconduct, suppression of participant benefits, and violations of ERISA §§ 404(a), 103(a)(2), and 104(b)(4).

Plaintiff specifically seeks an order compelling Defendants to:

(1) Identify and produce all group life insurance policies maintained from 2000 to present, including carrier names,

policy numbers, years in force, and any eligibility criteria for plan participants;

(2) Identify and produce financial and operational documentation for all OE training centers and apprenticeship

programs funded by plan or employer contributions from 2010 to present;

(3) Explain the omission of Schedule A life insurance disclosures from Form 5500 filings post-2016, and produce

related internal communications and board documentation;

(4) Comply with ERISA § 104(b)(4) by producing documents that have been requested multiple times without

satisfactory response or statutory justification.

Plaintiff further requests the Court to award appropriate relief under Rule 37(a)(5), including fees and sanctions

if warranted, and to set a compliance deadline of fourteen (14) days from the order™s entry.

DATED this ___ day of _____, 2025.

Respectfully submitted,

Brittney C. Boyd

Plaintiff, pro se

Issaquah, Washington OE King County

6

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BOYD v. IUOE LOCAL 701, et al.

Case No: 2:25-cv-01225-LK

PROPOSED ORDER GRANTING PLAINTIFFTMS RULE 37(a) MOTION TO COMPEL

This matter comes before the Court on PlaintiffTMs Motion to Compel Disclosure under Rule 37(a).

Having

considered the motion, and the pleadings and filings herein, the Court finds good cause to GRANT the motion.

IT IS HEREBY ORDERED that Defendants shall, within fourteen (14) days of this Order, fully respond to all

Interrogatories and Requests for Production identified in PlaintiffTMs First Discovery Set (Exhibit HH), including:

1. Disclosure of all group life insurance policies from 2000 to present, including carrier names, policy numbers, and participant eligibility records;
2. Full financial, operational, and audit records related to IUOE-affiliated training centers and apprenticeship programs operating from 2010 to present;
3. Internal communications and governing board records explaining the omission of Schedule A filings post-2016;
4. All documents required under ERISA § 104(b)(4) as requested by Plaintiff in writing and through discovery.

Failure to comply may result in further relief or sanctions under Rule 37(b).

IT IS SO ORDERED.

DATED this _____ day of _____, 2025.

HON. LAUREN KING
United States District Judge

7

Exhibit JJ – Plaintiff’s Second Set of Interrogatories and Requests for Production

Pursuant to Rule 33 and Rule 34 of the Federal Rules of Civil Procedure, Plaintiff submits the following

INTERROGATORY NO. 4:

Identify all participants listed as insured under any life insurance policies funded or administered by IU

REQUEST FOR PRODUCTION NO. 4:

Produce all records, participant lists, or summary data reflecting enrollment or coverage under any life

INTERROGATORY NO. 5:

Identify any and all individuals marked as 'deceased' or 'disqualified' in plan records during the same p

REQUEST FOR PRODUCTION NO. 5:

Produce claim logs, correspondence, board review minutes, and denial justifications for any life insura

INTERROGATORY NO. 6:

Identify all life insurance carriers or fiduciary agents who have communicated with IUOE Local 701, Lo

- SSN #1: 5223 (original)

- SSN #2: 2203 (current)

All communications, benefit records, or claims referencing either name or Social Security Number mus

REQUEST FOR PRODUCTION NO. 6:

Produce all written communications, emails, benefit logs, phone records, or internal documents relate

Exhibit KK OE ERISA Audit Demands: Form 5500 Discrepancies and Fiduciary Red Flags
Plaintiff presents the following ERISA audit demands and documentation requests based on a review of publicly filed Form 5500 reports for IUOE Local 701, Local 302, and Local 612. Based on missing Schedule A data,

discrepancies in participant classification, and unexplained trust asset reallocations, Plaintiff demands discovery

into the following areas pursuant to ERISA §§ 103(a)(2)(A), 104(b)(4), and 404(a):

1. Missing Schedule A Attachments OE Life Insurance Policies:

- Identify and produce all group life insurance Schedule A attachments for Form 5500s filed after plan year 2015.
- Provide written explanation for their absence, including internal correspondence or board resolutions.

2. Misclassification of Deceased Participants:

- Produce internal records identifying how deceased participants were tracked and reported in annual filings.
- Include dates of death, retirement classification, and related payment documentation or suppressions.

3. Participant Roll Suppression and 'Ghosts':

- List all adjustments to participant rolls and the reasons provided for those adjustments.
- Identify any reclassifications, deactivations, or reporting changes affecting disabled retirees.

4. Trust Fund Diversion to OE-Affiliated Schools:

- Provide full documentation regarding employer contributions and plan assets allocated toward educational programs, including training center construction, expansion, or curriculum funding.

5. Unallocated Fund Trends (2015OE2024):

- Explain any significant year-over-year increases in unallocated assets held in trust.
- Identify if such funds were directed to reserve accounts, educational trusts, or external investments.

Plaintiff demands that the Court compel production of all responsive records, board minutes, audit results, and

fiduciary justifications within the statutory deadlines outlined under ERISA § 104(b)(4).

Respectfully submitted,

Brittney C. Boyd

Pro se Plaintiff OE Issaquah, WA

9

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of July, 2025, I served the following documents by U.S. Mail, postage prepaid,

to the Clerk of Court and all parties listed below:

- Final Prediscovery Packet including Exhibits GG, HH, JJ, KK, Rule 37(a) Motion, and Proposed Order;
- Notice of Filing;
- U.S. Marshal Form 285 (previously submitted);
- Supporting Exhibits and Declarations.

Documents were sent via first-class mail to the following recipients:

Clerk of the Court

U.S. District Court for the Western District of Washington

700 Stewart Street, Suite 2310

Seattle, WA 98101

Western States Pension Administration (WPAS, Inc.)

Attn: Legal Counsel

1101 N. Northlake Way, Suite 200

Seattle, WA 98103

IUOE Local 701

Attn: Plan Administrator

555 East First Street

Gladstone, OR 97027

IUOE Local 302 / 612

Attn: Legal or Pension Dept

18701 120th Ave NE

Bothell, WA 98011

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 16, 2025

Brittney C. Boyd

Pro se Plaintiff

30 NE Dogwood St, Issaquah, WA 98027

10