



The Four Winds

National Weather Service Employees Organization

NWSEO member and NOAA General Counsel Attorney Vindicated – Fisherman Pleads Guilty to False Filing with NOAA Special Master

(September 17, 2012) NOAA Enforcement Attorney and NWSEO member, Mitch MacDonald was vindicated recently in case involving a New England fisherman who accused him of trying to extort money. Bruce Fitzsimmons of Canterbury, Connecticut pled guilty in federal court to providing false information to the NOAA Special Master in an effort to obtain reimbursement for fines he had previously paid. He was convicted in May and sentenced last week.

All along Attorney MacDonald claimed his innocence. NWSEO supported Mr. MacDonald in this case and other NOAA enforcement attorneys who were accused of excessive and wrongful tactics against fishermen and waterfront businesses in New England.

“Fitzsimmons’ actions show he was willing to drag an innocent guy through the mud, just to save himself from fines that he incurred by breaking the law. We knew Mitch was innocent all along and now the world knows,” said Dan Sobien, president of the NWSEO. “Mitch did his job, as did the other NOAA attorneys. They enforced the laws, assessed penalties according to NOAA’s guidelines and received awards and recognition from NOAA for their work.”

Fitzsimmons negotiated a settlement of \$50,000 for several fines he received in 2005-2006, for fishery violations including filing false records with the government and fishing in closed areas. In April 2011, Fitzsimmons sent an Application for Review of the NOAA Notice of Violation and Assessment to the Special Master. Fitzsimmons falsely claimed that he only settled the case because of a letter he received from a NOAA attorney threatening an unwarranted penalty of \$350,000. The Application and Fitzsimmons’ attached letter were seeking reimbursement for the \$50,000 fine that he paid to settle the violations.

Through the hard work and dedication of the federal prosecutor and FBI investigator in the case, it was confirmed that there is no such letter or threat from any NOAA attorney

and that Fitzsimmons made false claims to obtain money, which he was not entitled to, from the DOC.

“If Mr. Fitzsimmons was successful in this crime, it could have ruined my life. It is deeply gratifying that my union, NWSEO, has publicly stood by me through this and other trials when others have been unwilling to do so. I’m also grateful to the FBI and the U.S. Attorney’s office for their dedication and work that vindicated me in this matter and cleared my name.”

[Click here](#) for a news release distributed by the U.S. Department of Justice on this case.

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