

Mr. Richard M. Kerger
Kerger and Hartman
The Bakery Building
33 South Michigan, Ste. 100
Toledo, OH 43604

June 8, 2015

Dear Mr. Kerger:

In light of recent events, I think it is necessary for everyone involved in this situation to recognize that we have reached a precarious stage where neither defendants nor I have any way to determine what will happen next. The posting of Judge Pearson's home address is a signal that we have reached a point where persons or property could come to harm, and therefore, I think, we have to be ready to make concessions in order to resolve this situation once and for all.

I have devoted myself to constructing a framework for defendants and I to resolve this case to the benefit of everyone involved, including Judge Pearson. I send a copy to you and to Ben Turk. Please review and provide copies to defendants and to Judge Pearson since she is directly impacted by resolution of this case.

I hope this schedule is acceptable to defendants. If not, I hope they will present a counter-proposal for us to review quickly, as we do not know what will happen next, nor when it will happen.

With regard to the level 2 prison to which I am transferred, I would suggest that Marion Correctional is optimal. First, Marion has a "zero tolerance" for misconduct which assures defendants that I will be on my best behavior. Additionally, Marion has the broadest assortment of programs, including religious programs to which I can avail myself, since my conversion to Islam in 2013.

By this proposal, we make a number of concessions that we are not legally required to make, to include purging objectionable materials from the website and voluntarily submitting my writings for approval prior to publication. I believe this is necessary because, ultimately, what matters is resolving this case to the benefit of everyone before something happens that cannot be undone.

I hope this schedule is acceptable.

Thank you for your time and kind consideration,

Sincerely,

Sean Swain
Prison Reg. A243-205
SOCP
P.O. Box 45699
Lucasville, OH 45699

c: Ben Turk

Denise Rene Miller

Proposed Schedule for Resolution

IMMEDIATELY: My June 11 Statement which prison officials found objectionable is withdrawn from the website. The conduct report written by Inspector Paul Shoemaker is withdrawn. Communications mediums are restored to facilitate my compliance with these terms and Ben Turk's communications and visiting privileges are restored.

ONE WEEK FROM THE DATE THIS PROPOSAL IS PRESENTED TO DEFENDANTS: Ben Turk and defendants identify all materials that make mention of the Army of the 12 Monkeys, the disciplinary process at Mansfield, prison conditions during that process, the communications bans that followed, and criticisms of prison officials involved in the 12 Monkey pretext, for removal from the site.

Also, I compose an open letter for posting that requests removal of personal/sensitive information online, and that those who support my eventual release refrain from future postings, considering the impact it will have on my parole considerations.

ONE WEEK LATER: Director Mohr reverses, without prejudice, the disciplinary cases challenged in this action. Upon receipt of those reversals, objectionable materials are purged from seanswain.org and the open letter is posted. Plaintiff's counsel files a motion in limine requesting voluntary dismissal of civil action on condition that defendants do not re-hear the disciplinary cases but instead hold a security review to adjust security downward, beginning with the 2013 review, absent the reversed cases.

AS SOON AS PRACTICABLE: I am transferred to a level 2 facility. From my arrival until September 1, 2016, all of my writings for publication will voluntarily be submitted for prior approval to prison officials.