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10 Attorneys for Plaintiffs  
 Vietnam Veterans of America; Swords to  
 11 Plowshares: Veterans Rights Organization;  
 Bruce Price; Franklin D. Rochelle; Larry  
 12 Meirow; Eric P. Muth; David C. Dufrane; and  
 Wray C. Forrest  
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14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 OAKLAND DIVISION  
 17

18 VIETNAM VETERANS OF AMERICA, *et al.*,  
 19 Plaintiffs,  
 20 v.  
 21 CENTRAL INTELLIGENCE AGENCY, *et al.*,  
 22 Defendants.  
 23

Case No. CV 09-0037-CW

**DECLARATION OF DANIEL J.  
 VECCHIO IN SUPPORT OF  
 PLAINTIFFS' MOTION TO  
 OVERRULE OBJECTONS AND  
 COMPEL 30(B)(6) DEPOSITIONS**

Complaint filed January 7, 2009

1 I, Daniel J. Vecchio, declare as follows:

2 1. I am an attorney licensed to practice law in the State of California and am admitted  
3 to practice before this Court. I am an associate with the law firm of Morrison & Foerster LLP,  
4 counsel of record for Vietnam Veterans of America, Swords to Plowshares: Veterans Rights  
5 Organization, Bruce Price, Franklin D. Rochelle, Larry Meirow, Eric P. Muth, David C. Dufrane  
6 and Wray C. Forrest (“Plaintiffs”) in this action. I submit this Declaration in Support of  
7 Plaintiffs’ Motion to Overrule Objections and Compel 30(b)(6) Depositions. I make this  
8 Declaration based on personal knowledge. If called as a witness, I would testify to the facts set  
9 forth below.

10 2. On information and belief, Defendants collectively have produced fewer than  
11 approximately 16,500 pages (approximately 1600 documents) in response to Plaintiffs’ First Set  
12 of Requests for Production.

13 3. Attached hereto as Exhibit A is a true and correct copy of a May 18, 2010 letter  
14 from Caroline Lewis-Wolverton, counsel for Defendants, to Gordon Erspamer, lead counsel for  
15 Plaintiffs

16 4. Attached hereto as Exhibit B is a true and correct copy of Plaintiffs’ first Notice of  
17 Deposition to all Defendants pursuant to Fed. R. Civ. P. 30(b)(6), served on November 16, 2009.

18 5. Attached hereto as Exhibit C is a true and correct copy of Defendants’ March 4,  
19 2010 Response to Plaintiffs’ Notice to Defendants Pursuant to Fed. R. Civ. P. 30(b)(6).

20 6. Attached hereto as Exhibit D is a true and correct copy of a July 12, 2010 letter  
21 from Caroline Lewis-Wolverton to me and Gordon P. Erspamer.

22 7. Attached hereto as Exhibit E is a true and correct copy of Plaintiffs’ Supplemental  
23 Notice of Depositions to the Central Intelligence Agency served on June 16, 2010.

24 8. Attached hereto as Exhibit F is a true and correct copy of Plaintiffs’ Supplemental  
25 Notice of Depositions to the United States Department of Defense served on June 16, 2010.

26 9. Attached hereto as Exhibit G is a true and correct copy of Plaintiffs’ Supplemental  
27 Notice of Depositions to the United States Department of the Army served on June 16, 2010.

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1           10. Counsel for the parties met and conferred regarding their dispute over Plaintiffs'  
2 Requests for Production telephonically on May 19, 2010.

3           11. Counsel for the parties met and conferred in person on June 30, 2010, per the  
4 Court's order. At that meet and confer session, the parties discussed Plaintiffs' noticed 30(b)(6)  
5 depositions.

6           12. Attached hereto as Exhibit H is a true and correct copy of what I am informed and  
7 believe is the July 26, 1963 CIA Inspector General Report of Inspection of MKULTRA.

8           13. Attached hereto as Exhibit I is a true and correct copy of what I am informed and  
9 believe is an April 26, 1995 Department of Defense Memorandum concerning Records Review,  
10 Edgewood Arsenal, Maryland.

11           14. Attached hereto as Exhibit J is a true and correct copy of what I am informed and  
12 believe is a document titled Edgewood Arsenal Technical Report: Relationships Among Dose,  
13 Time, and Various Measures of Laboratory and Military Performance in Volunteers Receiving a  
14 Centrally Active Cholinergic Blocking Agent (EA 3580), produced by Dr. James Ketchum in  
15 response to Plaintiffs' Rule 45 subpoena.

16           15. Attached hereto as Exhibit K are true and correct copies of excerpts of what I am  
17 informed and believe is the January 1, 1976 MKULTRA "Briefing Book," which the CIA  
18 provides in response to requests under the Freedom of Information Act regarding MKULTRA.

19           16. Attached hereto as Exhibit L is a true and correct copy of an April 30, 2010 letter  
20 from Gordon Erspamer, lead counsel for Plaintiffs to Caroline Lewis-Wolverton, counsel for  
21 Defendants.

22           17. Attached hereto as Exhibit M is a true and correct copy of what I am informed and  
23 believe is an August 13, 1975 memorandum from the CIA Inspector General regarding the death  
24 of Harold Blauer.

25           18. Attached hereto as Exhibit N are true and correct copies of excerpts of what I am  
26 informed and believe is the Department of the Army Office of Inspector General Research Report  
27 Concerning the Use of Volunteers in Chemical Agent Research, dated March 10, 1976.

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1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct and that this Declaration was executed in San Francisco, California  
3 on this 25th day of August, 2010.

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5 /s/ Daniel J. Vecchio  
Daniel J. Vecchio

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**Attestation Pursuant to General Order 45, section X.B**

I hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/S/) within this efiled document.

/s/ GORDON P. ERSPAMER

Gordon P. Erspamer