

# Exhibit U

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

VIETNAM VETERANS OF  
AMERICA, et al.,  
Plaintiffs,

NO. CV 09 0037-CW

vs.

CENTRAL INTELLIGENCE  
AGENCY, et al.,

Defendants.

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VIDEOTAPED DEPOSITION OF DAVID ABBOT  
CONFIDENTIAL SUBJECT TO PROTECTIVE ORDER

VOLUME II

January 25, 2012

8:56 a.m.

Holiday Inn

Longstreet Conference Room

440 E.E. Butler Parkway

Gainesville, Georgia 30501

Maureen S. Kreimer, RPR, CCR-B-1379

Job No. SD130651

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1	A. Yes, I do.	12:37:21
2	Q. Was Dee Morris able to unilaterally decide	12:37:22
3	which chemical exposures constituted exposures?	12:37:29
4	MR. GARDNER: Objection, form.	12:37:34
5	A. You might come to that conclusion, because	12:37:36
6	she was the source for what ended up in the database.	12:37:45
7	If DoD concluded that that was not part of	12:37:52
8	the -- that was not a test subject, then they	12:37:56
9	wouldn't have included them in the test database.	12:37:59
10	BY MS. SPRENKEL:	12:38:02
11	Q. Okay. And you have no insight into the	12:38:02
12	basis for those decisions by DoD?	12:38:08
13	MR. GARDNER: Objection, vague.	12:38:11
14	A. Right. I'm just -- in other words, I	12:38:13
15	couldn't make -- I couldn't cause DoD to make a	12:38:21
16	different decision about what they put in the	12:38:24
17	database.	12:38:26
18	BY MS. SPRENKEL:	12:38:27
19	Q. Do you recall the resolution of this	12:38:28
20	issue, or were you ultimately able to establish	12:38:31
21	whether these veterans who claimed exposure after	12:38:35
22	1975 were, in fact, test participants?	12:38:42
23	MR. GARDNER: Objection, compound.	12:38:45
24	A. My recollection is that they were	12:38:47
25	considered not test participants.	12:38:50

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I, DAVID ABBOT, do hereby declare under penalty of perjury that I have read the foregoing transcript; that I have made any corrections as appear noted, in ink, initialed by me, or attached hereto; that my testimony as contained herein, as corrected, is true and correct.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012,  
at \_\_\_\_\_, \_\_\_\_\_.  
(City) (State)

\_\_\_\_\_  
DAVID ABBOT

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CERTIFICATE

STATE OF GEORGIA:

COUNTY OF FULTON:

I hereby certify that the foregoing transcript was taken down, as stated in the caption, and the colloquies, questions and answers were reduced to typewriting under my direction; that the transcript is a true and correct record of the evidence given upon said proceeding.

I further certify that I am not a relative or employee or attorney of any party, nor am I financially interested in the outcome of this action.

This, the 6th day of February, 2012.

\_\_\_\_\_

MAUREEN KREIMER, CCR-B-1379  
Notary Public in and for the  
State of Georgia. My Commission  
expires August 14, 2012.