

# **Exhibit 20**

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF COLUMBIA

3 - - - - - x  
 3 VIETNAM VETERANS OF AMERICA, :  
 4 et al., :  
 5 Plaintiffs, :  
 6 v. : No. CV 09-0037-CW  
 7 CENTRAL INTELLIGENCE AGENCY, :  
 8 et al., :  
 9 Defendants. :  
 10 - - - - - x

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11

12 Washington, D.C.

13 Wednesday, June 1, 2011

14 Deposition of

15 TIM M. JOSEPHS, called for examination  
 16 by counsel for Defendants, pursuant to notice, at  
 17 the United States Department of Justice, 20  
 18 Massachusetts Avenue, Northwest, Washington, D.C.,  
 19 commencing at 8:56 a.m., before Barbara A. Huber,  
 20 CSR and Notary Public in and for the District of  
 21 Columbia, when were present on behalf of the  
 22 respective parties:

1 APPEARANCES:

2 On behalf of Plaintiffs:

3 CHARLES E. PATTERSON, ESQUIRE

4 Morrison & Foerster, LLP

5 555 West Fifth Street

6 Los Angeles, California 90013-1024

7 213.892.5553

8 cpatterson@mofo.com

9

10 On behalf of Defendants:

11 JOSHUA E. GARDNER, ESQUIRE

12 LILY SARA FAREL, ESQUIRE

13 JUDSON LITTLETON, ESQUIRE

14 U.S. Department of Justice

15 Civil Division, Federal Programs Branch

16 P.O. Box 883

17 Washington, D.C. 20044

18 202.305.8356

19 joshua.e.gardner@usdoj.gov

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21

22

1 Q Okay. Anyone else you can recall  
2 speaking to about your deposition in this case,  
3 other than, again, Plaintiffs' counsel, other than  
4 your sister?

5 A No.

6 Q Did you speak to your wife about it?

7 A Yes.

8 Q Okay. So that's one other person.

9 And what did you speak to your wife about  
10 in terms of the subject matter of this deposition,  
11 meaning your involvement in Edgewood?

12 A Everything involved in it.

13 Q Including, I'm assuming, I imagine, the  
14 substances that you were tested with, correct?

15 A Yes. My wife is an RN and was more  
16 familiar with medical terms and that than I would  
17 be.

18 Q I see. So have you, over the years, used  
19 your wife as sort of a medical resource to better  
20 understand the health implications of the  
21 substances you were tested with?

22 A Yes.

1 you've had discussions with your wife about the  
2 chemical substances that you were tested upon at  
3 Edgewood?

4 A Yes, sir.

5 Q Okay. And fair to say that since the  
6 1970s, your wife has conducted some research, if  
7 you will, into what the health effects are of those  
8 substance?

9 A Yes.

10 Q Okay. And what, if any, conclusions has  
11 your wife been able to reach with respect to her  
12 research about the health effects of your tests at  
13 Edgewood?

14 A I don't know if you can ask her, but --

15 Q Unfortunately, it's just you and me  
16 today.

17 I just want to know what you understand,  
18 based on your conversations with your wife, who  
19 I'll note for the record is here today in the room.  
20 But do you recall anything on that issue?

21 A It's sort of blurred together to me, to  
22 be honest, but --

1 the 1970s, correct?

2 A We had become aware of it that early.  
3 And when I started to receive some inquiry from the  
4 government, that -- I'd say that initiated my  
5 concern that something was awry.

6 Q The inquiry from the government that you  
7 are referring to is an inquiry back in the 70s; is  
8 that right?

9 A 70s, early 80s, it's --

10 Q So at that point in the late 1970s, early  
11 1980s, was that a point in time in which your wife,  
12 who was a registered nurse, began to investigate  
13 what the health effects may be of the chemical  
14 agents you were exposed to at Edgewood?

15 A That's fair to say.

16 Q Okay. Okay. Now, other than this case,  
17 Mr. Josephs, have you ever participated as a  
18 Plaintiff in a lawsuit before?

19 A No, sir.

20 Q Have you ever participated as a Defendant  
21 in a lawsuit before?

22 A No, sir.

1 other organizations that you're a member of?

2 A No.

3 Q Okay. No other military related  
4 organizations that you're a member of?

5 A No.

6 Q Have you ever had any contacts with an  
7 organization called Swords to Plowshares?

8 A No.

9 Q Okay. Ever heard of them?

10 A Yes.

11 Q How have you heard of them?

12 How have you come aware of Swords to  
13 Plowshares?

14 A I don't recall.

15 Q I take it you've never utilized any  
16 services that Swords to Plowshares offers?

17 A No.

18 Q Do you know, off the top of your head,  
19 what services Swords to Plowshares actually offers?

20 A Some type of counseling to veterans. But  
21 I never used them.

22 Q Are you aware of a class action lawsuit

1 called Nehmer?

2 A No.

3 Q Okay. As a -- you're receiving VA  
4 compensation currently for your exposure to Agent  
5 Orange, correct?

6 A Just recently, yes.

7 Q Okay. How recently?

8 A Within the last two months or so.

9 Q Okay. You understand that there is a  
10 presumption of service-relatedness for those who  
11 are presumptively exposed to Agent Orange during  
12 their service in Vietnam?

13 A Yes.

14 Q Okay. And so you fall within that  
15 presumption, is your understanding, correct?

16 A Yes.

17 Q Are you receiving any other VA benefits  
18 besides compensation for your Parkinson's?

19 A What other benefits would they provide?

20 Q Well, for example, are you receiving  
21 healthcare through the Veterans Administration?

22 A Started to receive some limited



1 A What would medical care be?

2 Q You tell me.

3 A I don't know.

4 Q Well, let me ask you a different  
5 question.

6 Did you suffer any ill effects during the  
7 testing?

8 A Yes.

9 Q Did you receive any medical care  
10 attending to those ill effects while you were at  
11 Edgewood?

12 A I don't know if I did or not or if the  
13 particular drugs just wore off at that point or --

14 Q Okay.

15 A But I recall being attended to by doctors  
16 and nurses.

17 Q Okay.

18 A What they did, I --

19 Q And were those doctors and nurses  
20 attending to you both before and after each of the  
21 chemical tests to which you were exposed to?

22 A Yes.

1 that you recall about the tests that you were  
2 involved with at Edgewood?

3 A No.

4 Q Okay. What else do you recall?

5 A I recall having the tremors after I left  
6 Edgewood.

7 Q Okay.

8 A Which, at that time, again, I described  
9 as nervousness to the Army doctor I went to see.

10 Q So you served in Edgewood from January to  
11 February 1968, correct?

12 A Yes.

13 Q And it's your testimony that after you  
14 left Edgewood, you still experienced some tremors,  
15 correct?

16 A Correct.

17 Q And you went to an Army doctor to receive  
18 treatment for those tremors, correct?

19 A Yes.

20 Q When did you seek that treatment from the  
21 Army?

22 A Sometime shortly after I returned to my

1 previous assignment. I believe it was Fort  
2 Benning, Georgia, but I don't recall if it was a  
3 month, two months. But I knew I -- I still  
4 suffered from the tremors after I returned home, so  
5 to speak.

6 Q So in the spring of 1968, having still  
7 suffered from tremors, you went to see an Army  
8 physician?

9 A Yes, that's correct.

10 Q Okay. And what, if anything, did that  
11 Army physician do to alleviate your tremors?

12 A I don't recall.

13 Q Okay. How long did you continue to  
14 suffer tremors for?

15 A I don't recall.

16 Q Okay. Do you recall it being more than a  
17 year?

18 A No.

19 Q It was less than a year that --

20 A I'd say less than a year. I wouldn't  
21 know how much less, but --

22 Q Okay. And with what level of frequency,

1 even need to do that. We can keep on plugging away  
2 on the third amended complaint for now. So sorry.

3 Mr. Josephs, did anyone, at any time  
4 while you were at Edgewood, administer a secrecy  
5 oath to you in connection with your participation  
6 at Edgewood?

7 A I remember discussions that I was not to  
8 discuss this with anyone. I -- I think maybe your  
9 immediate family was permitted, but, of course,  
10 they had to know where you were.

11 Q Okay.

12 A But I don't know if a secrecy oath was  
13 involved. If --

14 Q Okay. So beyond you being told not to  
15 discuss this with anyone other than possibly your  
16 immediate family, is there any other specific  
17 recollection you have of being prevented from  
18 disclosing your involvement in the Edgewood tests?

19 A I remember that if -- I was instructed  
20 that if I had an adverse reaction, that I was given  
21 a number to call at Edgewood and not to seek  
22 medical attention in the general community. To --

1 A I was given a number to call.

2 Q And you were given a number to call.

3 Beyond those two things, is there any  
4 instruction you can recall not to disclose your  
5 participation in Edgewood?

6 A No.

7 Q Okay. Now, with respect to that, the  
8 first -- the first thing you told me, that you were  
9 instructed not to discuss this with anyone other  
10 than your immediate family, who provided you with  
11 that instruction?

12 A I don't know.

13 Q When were you provided with that  
14 instruction?

15 A I don't know.

16 Q Was it an oral instruction?

17 A Yes.

18 Q Okay. You never signed something in  
19 writing?

20 A I signed a lot of stuff. I signed what  
21 they told me to sign.

22 Q Do you have any specific recollection

1 about signing anything precluding you from  
2 disclosing your participation at Edgewood?

3 A No.

4 Q Okay. In terms of the timing of this  
5 oral instruction, I know you can't remember an  
6 exact date. I'm not asking for an exact date.

7 Was that instruction provided to you  
8 before you began your participation in the tests,  
9 after your participation in the tests, or at some  
10 other point in time?

11 A I don't know.

12 Q Okay. Was this instruction provided just  
13 to you, or was it provided in a group setting?

14 A I don't know.

15 Q Okay. Do you remember where you were  
16 physically --

17 A No.

18 Q -- when you were provided this  
19 instruction?

20 Okay.

21 A Edgewood Arsenal.

22 Q But in terms of were you in the barracks,

1 other, correct?

2 A Correct.

3 Q Okay. And I take it, Mr. Josephs,  
4 there's no documents that you could review that  
5 would refresh your recollection on these types of  
6 issues, correct?

7 A Correct.

8 Q Okay.

9 A You sort of wanted to put Edgewood behind  
10 you when your military service was over.

11 Q Now, what did you understand of this  
12 admonition not to discuss anything about Edgewood  
13 Arsenal?

14 What do you understand that that  
15 admonition precluded you from disclosing?

16 A I really didn't -- I wouldn't know what  
17 specifics. Just the testing program in general,  
18 what was going on there.

19 Q Now, do you still have a view that you  
20 are -- you continue to be precluded from discussing  
21 your time at Edgewood Arsenal?

22 A No.

1 were --

2 A Yes, that's correct.

3 Q -- an Edgewood participant?

4 Okay. Under the problem summary it says,  
5 Problem, veteran seeking SC for Parkinson's  
6 disease.

7 I will represent to you that's service  
8 connection --

9 A I --

10 Q -- does that sound right?

11 A I didn't know what it was.

12 Q Let me ask you this. Was your intention  
13 of going to a VA facility on June 25th, 2010, to  
14 establish service connection for your Parkinson's  
15 disease?

16 A I would say that was part of it, yes.

17 Q What was the other part?

18 A Just to receive medical treatment.

19 Q Just general --

20 A Yes.

21 Q -- medical -- a checkup, if you will,  
22 correct?



1 A Yeah. Yes.

2 Q Okay. Now, under the problem summary, at  
3 the bottom it says, In January, February 1968, he  
4 was also a volunteer in studies conducted at the  
5 Edgewood Arsenal, Maryland, and was injected with  
6 different drugs including pyridine-2-aldoxime  
7 methane sulfate, scopolamine, Prolixin. He  
8 remembers being very ill with muscle stiffness and  
9 weakness. Records show that he was treated with  
10 Cogentin and Oratane.

11 Do you see that?

12 A Yes.

13 Q So it's accurate to say, Mr. Josephs,  
14 that you shared the substances you were tested  
15 with, with the VA physician in connection with your  
16 medical examination to determine service connection  
17 for Parkinson's?

18 A She would have come up with them through  
19 the documentation I provided her. Yes, that's  
20 correct.

21 Q Okay. Now, this same document, as I read  
22 it, indicates that in 2004 you were diagnosed with

1 Parkinson's disease, correct?

2 A Correct.

3 Q And as I understand it, you have in fact  
4 been awarded compensation from the Veterans  
5 Administration for your Parkinson's, based on your  
6 potential exposure to Agent Orange during Vietnam,  
7 correct?

8 A Yes.

9 Q Now, are there any other medical  
10 conditions, Mr. Josephs, that you believe you are  
11 currently suffering from, other than your  
12 Parkinson's disease?

13 A High blood pressure.

14 Q Okay. What else?

15 A I take a thyroid medication.

16 Q For hyper or hypothyroidism, if you know?

17 A I don't know.

18 Q Okay. So you have high blood pressure,  
19 you take some sort of thyroid medication, but you  
20 don't know why you take it; is that fair to say?

21 A Well, the treatment -- I don't know hyper  
22 or hypo.

1 I'm not clear on it. All I know is they --

2 Q Let me ask you this. Do you think your  
3 thyroid condition is service connected?

4 A I don't know.

5 Q Okay. Other than your Parkinson's, is  
6 there any ailment or disease or disability that you  
7 contend is service connected?

8 A [Witness examined document]. Now, what's  
9 the question again?

10 Q Are there any other ailments,  
11 disabilities, medical conditions that you suffer  
12 from, other than Parkinson's, that you contend are  
13 service connected?

14 A No.

15 Q Okay. Now, I noticed that you were  
16 diagnosed with Parkinson's back in 2004, correct?

17 A Yes.

18 Q But you didn't make a claim for service  
19 connection associated with that Parkinson's until  
20 2010; is that correct?

21 A Yes.

22 Q Why did you wait six years to make a

1 marked for identification.)

2 BY MR. GARDNER:

3 Q Did you ask those veterans how they got  
4 your information?

5 A I don't -- I don't recall.

6 Q Okay. I've handed you what's been marked  
7 as Exhibit 157 to your deposition. It's a  
8 document. It's addressed to the Director of  
9 Biomedical Laboratory, Edgewood Arsenal, Aberdeen  
10 Proving Ground, Maryland. It says, Dear Sir, I  
11 would appreciate any and all information you may  
12 have concerning my participation in drug  
13 experiments in Edgewood Arsenal, Maryland. Tim  
14 Michael Josephs, and then there's a signature.

15 Do you see that?

16 A Yes.

17 Q Is that your signature?

18 A Yes, sir.

19 Q Did you draft this document?

20 A Yes.

21 Q And why did you prepare Exhibit 157?

22 What was the purpose?

1           A       To look into what drugs I may or may not  
2     have been administered.

3           Q       What prompted, at this point in time --  
4     well, let me back up.

5                    Do you recall the date on which you sent  
6     this letter?

7           A       No.

8           Q       Okay. Do you recall -- and I'm not  
9     trying to be cute with you -- do you recall the  
10    decade in which you September this letter?

11          A       I believe this would have been, from the  
12    address, in the 70s.

13          Q       Okay.

14          A       And I got my zip code wrong.

15          Q       I do it all the time.

16          A       But -- but I think what initiated this  
17    was the -- either the phone call from some  
18    government official or the -- the survey  
19    information.

20          Q       Okay.

21          A       Because I thought the fact that they want  
22    to know, there must be something wrong, you know.

1 Q Okay. That -- that's helpful.

2 Let's do this. Let me show you one other  
3 document here to see if we can get this in context.

4 (Deposition Exhibit No. 158  
5 marked for identification.)

6 BY MR. GARDNER:

7 Q Okay. Mr. Josephs, I've handed you  
8 what's been marked as Exhibit 158. It's a document  
9 addressed to you dated September 17, 1975.

10 It says, Dear Mr. Josephs, our records  
11 show that you received three forms of drugs, all of  
12 which were studies of possible antidotes to various  
13 nerve agents. These drugs were as follows:  
14 Pyridine-2-aldoxime methane sulfate, scopolamine,  
15 and Prolixin. I trust this answers your question.  
16 C. McClure, Colonel, MC, Director of Biomedical  
17 Laboratory.

18 Do you see that?

19 A Yes.

20 Q Do you recall having received Exhibit  
21 158?

22 A Yes.

1 Q Does this refresh your recollection that  
2 the letter you sent, marked as Exhibit 157, was  
3 sent prior to September 1975?

4 A Yes. This appears to be the response,  
5 correct.

6 Q Again, no tricks here. I want to -- I'm  
7 trying to put this together myself.

8 A Okay.

9 Q And just to go back, do you recall what  
10 would have prompted in, I assume some point in 1975,  
11 your request for information about tests at  
12 Edgewood?

13 A Yes. I told you that I received some  
14 type of a questionnaire or letter or -- regarding  
15 it and -- and my wife, Michelle, was a medical  
16 student at that time -- and we ought to look into  
17 this and see.

18 Q I see. And, in fact, let me -- I'm not  
19 trying to throw a bunch of documents at you, but if  
20 you can go back to the complaint -- I think it's  
21 behind there, I think you've got it right behind  
22 there [indicating]. I'm not trying to jump around

1 Q Okay.

2 A -- raised our concern.

3 Q And beyond your wife's research or  
4 investigation into the health effects of these  
5 substances back in 1975, were there any other  
6 actions you took associated with the Edgewood  
7 testing, let's say from 1975 to 1995?

8 A Paragraph 210 there describes some  
9 additional --

10 Q Uh-huh.

11 A -- correspondence, but --

12 Q For example, you participated in the  
13 medical follow-up agency at the Institute of  
14 Medicine back in 2000, correct?

15 A I'm not familiar with that at this point.

16 Q Okay. No worries. Let's take a look at  
17 another document.

18 (Deposition Exhibit No. 159  
19 marked for identification.)

20 BY MR. GARDNER:

21 Q I have handed you what's been marked as  
22 Exhibit 159 to your deposition. It is a document



1 dated April 11th, 2003, with a Bates label  
2 VET019-00-5316. And it says, Dear Veteran, in 2000  
3 I invited you to participate in a research study  
4 conducted at the medical follow-up agency at the  
5 Institute of Medicine to determine the health  
6 status of veterans your age, some of whom were  
7 volunteers in experiments conducted by the Army at  
8 the Aberdeen Proving Ground in Edgewood, Maryland,  
9 between 1955 and 1975.

10 This document is entitled Results of Army  
11 Health Survey, on letterhead by the Institute of  
12 Medicine of the National Academies.

13 Mr. Josephs, do you recall receiving what  
14 has been marked as Exhibit 159?

15 A Yes.

16 Q Okay. And do you recall participating in  
17 that research study back in 2000?

18 A No.

19 Q Okay. Do you dispute that you did  
20 participate in that research study back in 2000, or  
21 you just don't recall?

22 A I just don't recall. I -- I remember

1 being contacted or sent the survey, but I don't  
2 remember my participation.

3 Q Okay. Is there anything at all you  
4 recall about the -- about your participation in the  
5 research study, other than you may have received a  
6 questionnaire?

7 A No. At that point I had no knowledge of  
8 my Parkinson's, and so my general health was -- was  
9 pretty good.

10 Q Uh-huh.

11 A So I didn't suspect anything.

12 Q Did you have an understanding that the  
13 Institute of Medicine's research study was intended  
14 to determine whether there were long-term health  
15 effects associated with testing at Edgewood?

16 A I didn't know what it was for.

17 Q Okay. You had no understanding of what  
18 the purpose was of the Institute of Medicine Army  
19 Health Survey?

20 A No.

21 Q Okay.

22 A And then you read stuff like this, you

1           A     I believe I requested information at  
2 different -- multiple periods. I -- if I had  
3 access to all my information, then I may have  
4 provided that date. I mean, I don't -- I can't  
5 tell you off the top of my head.

6           Q     Sure. Well, I guess what I'm trying to  
7 ask is something pretty basic, I hope.

8                     We know that back in 1975 you requested  
9 the chemical substances you were tested with,  
10 right?

11                    We looked at the document; is that right?

12           A     Some period then, you know, '74, '75,  
13 '76.

14           Q     Well, it couldn't be 1976 because the  
15 response is in September 1975.

16           A     Then that would make it -- yeah.

17           Q     I just want to try to compartmentalize  
18 this.

19           A     Okay.

20           Q     Back in -- at some point before September  
21 1975, you requested information from the Department  
22 of the Army as to what you were tested with,

1 correct?

2 A Correct.

3 Q Okay. And in 1975, the Army tells you  
4 the substances you were tested with, correct?

5 A Correct.

6 Q And then at some point later in time, did  
7 you request your entire service member file?

8 A I'm sure I did, but I don't recall when.

9 Q Okay. I mean, to the extent the third  
10 amended complaint says that you requested it back  
11 in the 2000, 2001 time frame, do you have any  
12 reason to disagree with that statement?

13 A No.

14 Q Okay. Do you think is that statement's  
15 accurate?

16 A Probably is.

17 Q Okay. Now, do you recall that you were  
18 again notified by the VA, the Department of  
19 Veterans Affairs, concerning your involvement as a  
20 test participant at Edgewood back in September  
21 2006?

22 A I don't recall.

1 Q Okay. Let's do a document.

2 (Deposition Exhibit No. 160  
3 marked for identification.)

4 MR. GARDNER: Off the record.

5 (Discussion off the record).

6 BY MR. GARDNER:

7 Q All right. Mr. Josephs, I'm sorry about  
8 that break.

9 Did you discuss the substance of your  
10 testimony with anyone during the break?

11 A These two girls down here.

12 Q Women. Women.

13 Mr. Josephs, I've handed you what's been  
14 marked as Exhibit 160 to your deposition.

15 A Okay.

16 Q It is on the Department of Veterans  
17 Affairs letterhead, addressed to you, dated  
18 September 14, 2006. And it's got two attachments,  
19 one of which is a fax sheet which begins on the  
20 VET019-00-5312 and then, a Frequently Asked  
21 Questions from VET019-00-5314.

22 Mr. Josephs, do you recall having

1 received this letter on or about September 14th,  
2 2006?

3 A I don't recall, no.

4 Q Do you have any reason to dispute that  
5 you received the letter that's been marked as  
6 Exhibit 160?

7 A No.

8 Q Okay. Now, this letter notifies you that  
9 you participated in tests at Edgewood during your  
10 military service, correct?

11 The very first sentence of the first  
12 page.

13 A [Witness examined document]. Yes.

14 Q And it indicates the purpose of this  
15 letter is to inform you about the tests and what to  
16 do if you have any related health concerns,  
17 correct?

18 A Yes.

19 Q Now, it also states on the second page of  
20 this letter, Bates label 5311, that if you have any  
21 questions about chemical or biological test agents  
22 or concerns about releasing classified information,

1 recall who now.

2 Q You mean other service members?

3 A I'd say readings, inquiries into -- maybe  
4 Internet stuff.

5 Q Okay. So --

6 A You know, any government that would treat  
7 me like that, I don't trust.

8 Q Uh-huh. So -- okay. As I understand it  
9 then, you have a concern based upon some book  
10 you've read, sorry -- some book you've read which  
11 you can't identify, some conversations with  
12 individuals who you cannot identify; and Internet  
13 searches that lead you to conclude that you may  
14 have been tested with things that are not on your  
15 service member test file?

16 A That's correct.

17 Q Okay. Now, when you submitted your claim  
18 for VA benefits, Mr. Josephs, you made a claim  
19 related to Parkinson's disease, correct?

20 A Correct.

21 Q And you contended that your Parkinson's  
22 disease was based both upon your exposure to Agent

1 Orange and based upon your participation at  
2 Edgewood, correct?

3 A Yes, that's correct.

4 Q And, in fact, the VA provided you with  
5 service connection for your exposure to Agent  
6 Orange, vis-à-vis your Parkinson's, correct?

7 A Just recently, yes, in the last two  
8 months or so, I believe.

9 Q One second.

10 Mr. Josephs, do you know what your VA  
11 service connect disability rating is currently?

12 A No, I don't.

13 Q If I represented to you that your current  
14 VA service disability rating was 40 percent based  
15 upon the Parkinson's disease, would you have any  
16 reason to disagree with that?

17 A No.

18 Q Okay.

19 A That's probably correct.

20 Q And that determination of service  
21 connectedness for your Parkinson's disease is based  
22 upon your exposure to Agent Orange during Vietnam;



1 Q What's the status of that claim?

2 A Receiving disability, social security.

3 Q Okay. And how much are you receiving in  
4 social security benefits based upon your  
5 Parkinson's disease, if you know?

6 A I really don't.

7 Q Okay.

8 A I'm not sure.

9 Q Have you made any claim to any state  
10 entities --

11 A No.

12 Q -- for any claims due to your Parkinson's  
13 disease?

14 A No.

15 Q Okay.

16 A I'm not aware that there are any.

17 Q Okay. Have you ever made a claim for  
18 service related healthcare to the Department of  
19 Defense as opposed to the VA?

20 A I don't believe so.

21 Q Why not?

22 A I didn't know that avenue existed.

## 1 CERTIFICATE OF NOTARY PUBLIC

2 I, BARBARA A. HUBER, CSR, the officer  
3 before whom the foregoing deposition was taken, do  
4 hereby certify that the witness whose testimony  
5 appears in the foregoing deposition was duly sworn  
6 by me; that the testimony of said witness was  
7 taken by me in stenotypy and thereafter reduced to  
8 print under my direction; that said deposition is  
9 a true record of the testimony given by said  
10 witness; that I am neither counsel for, related  
11 to, nor employed by any of the parties to the  
12 action in which this deposition was taken; and,  
13 furthermore, that I am not a relative or employee  
14 of any attorney or counsel employed by the parties  
15 hereto, nor financially or otherwise interested in  
16 the outcome of this action.

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20 BARBARA A. HUBER, CSR

21 Notary Public, in and for the District of Columbia

22 My Commission Expires: March 14, 2012