

Exhibit 24

Washington, DC

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 OAKLAND DIVISION
4 -----X
5 VIETNAM VETERANS OF :
6 AMERICA, et al., :
7 Plaintiffs, : No. CV 09-0037-CW
8 v. :
9 CENTRAL INTELLIGENCE :
10 AGENCY, et al., :
11 Defendants. :

12 -----X
13 Washington, D.C.
14 Friday, June 3, 2011

15 Deposition of WILLIAM F. BLAZINSKI, a
16 witness herein, called for examination by counsel for
17 Defendants in the above-entitled matter, pursuant to
18 notice, the witness being duly sworn by ANDREA P.
19 HUSTON, a Notary Public in and for the District of
20 Columbia, taken at the offices of the Department of
21 Justice Federal Programs Branch, 20 Massachusetts
22 Avenue, N.W., Washington, D.C. at 8:26 a.m., Friday,

1 June 3, 2011, and the proceedings being taken down in
2 Stenotype by ANDREA P. HUSTON, RPR, CRR, and
3 transcribed under her direction.

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1 know. Just to refresh myself of a lot of the things.

2 Q. And what did you have back home?

3 A. What I have back home basically is what I
4 requested under the FOIA request.

5 Q. I see. And the FOIA is the Freedom of
6 Information Act?

7 A. That's correct.

8 Q. I see. When did you make your FOIA
9 request?

10 A. I don't recall. It was a while ago.

11 Q. Was it more than ten years ago?

12 A. Probably.

13 Q. Okay. Was it more than 20 years ago?

14 A. I don't know.

15 Q. So it would be sometime between 2001 and
16 1991; is that fair to say?

17 A. Possibly, yes.

18 Q. Okay. And what did you request in your
19 FOIA request?

20 A. What I requested was exactly what was on
21 the -- what I requested was the test that I was --
22 that I took while I was there, plus any information

1 about what was actually administered to me.

2 Q. And did you receive information from your
3 FOIA request?

4 A. Yes, I did.

5 Q. And did you receive information about the
6 tests that you took while you were at Edgewood?

7 A. Yes.

8 Q. Okay. And was that FOIA request directed
9 to a particular federal agency?

10 A. I don't recall.

11 Q. Okay. Did you prepare the FOIA request
12 yourself?

13 A. Yes, I did.

14 Q. Okay. Did you receive through that FOIA
15 request your service file? Do you know?

16 A. What do you mean by my service file?

17 Q. You were in the military at one point in
18 time, correct?

19 A. Yes.

20 Q. And do you understand that by being
21 military, the military has a service file on you? A
22 file that contains your date of entry?

1 A. Right.

2 Q. Okay. Do you know whether in the context
3 of your FOIA request you received your service file?

4 A. I don't believe so. I think they just
5 gave me what I asked for, what I was administered at
6 Edgewood Hospital.

7 Q. Okay. And beyond looking at the documents
8 you received from FOIA, the FOIA request, did you
9 look at any other documents?

10 A. Whatever was in the -- in the file.

11 Q. The file -- what does that refer to?

12 A. That refers to what Chuck and I looked at
13 yesterday.

14 Q. Oh, I see, what counsel provided to you to
15 review?

16 A. Yes.

17 Q. I see. Did any of the documents that
18 Mr. Patterson provided to you refresh your
19 recollection about any of the events that took place
20 back at Edgewood?

21 A. No. No. No.

22 Q. Okay. Have you reviewed any deposition

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1 records received -- there's a Y. Do you see that?
2 It's about half way down the page. It says "military
3 records received." And then there are two
4 subcategories, and one of them is Edgewood records
5 received: Y. Do you see that?

6 A. Yes.

7 Q. Is it your understanding that means you
8 did receive your Edgewood records?

9 A. Yes.

10 Q. And that's --

11 A. Probably from the FOIA request, I would
12 imagine.

13 Q. I see. So, it's accurate to say that you
14 did receive your Edgewood records as a result of a
15 FOIA request?

16 A. Correct.

17 Q. Okay. And under promised medals, there is
18 an N. Do you have any understanding what that means?

19 A. No, I don't.

20 Q. Okay.

21 A. Unless it refers to my time at Edgewood
22 Arsenal.

1 Q. And it says "Yes." Is that accurate that
2 you were contacted by the National Academy of
3 Sciences in the 1980's?

4 A. Yes.

5 Q. Tell me everything you can recall about
6 that contact.

7 A. They asked me to participate in a survey.

8 Q. And what -- did they explain to you what
9 the nature of that survey was?

10 A. Just that -- well, I can't recall exactly
11 what they -- what it was -- I know it was related to
12 Edgewood Arsenal.

13 Q. So, when NAS contacted you back in the
14 1980's, they told you that the survey they wanted you
15 to participate in involved the chemical testing at
16 Edgewood Arsenal?

17 A. Yes.

18 Q. I see. Do you know how they were able to
19 contact you?

20 A. I don't recall. I'm not sure whether it
21 was by phone or written communications.

22 Q. And did you indeed agree to participate in

1 that survey?

2 A. Yes.

3 Q. What do you recall about that survey?

4 A. Well, they asked about my experiences
5 there and what tests I participated in.

6 Q. And at that time in the 1980's during the
7 NAS survey, were you aware of what tests you had
8 participated in?

9 A. Well, yeah, I remembered what tests I took
10 there.

11 Q. Because did you know at the time of the
12 testing at Edgewood what you were being tested with?

13 A. No, not specifically.

14 Q. Okay. In general?

15 A. I didn't know about the name of the
16 chemicals that appear here. I knew it was going to
17 be some form of tear gas.

18 Q. So, you were told prior to the testing
19 that you were going to be tested with some form of
20 tear gas?

21 A. Yes.

22 Q. I see. And with respect to the specifics

1 of it being called CS, when did you learn that?

2 A. When they explained what we would be
3 taking.

4 Q. So, it was communicated to you prior to
5 the test that they were going to be using CS?

6 A. Correct.

7 Q. I see. And so, you were able to
8 communicate that information to NAS back in the
9 1980's --

10 A. Yes.

11 Q. -- that you had been tested with CS,
12 correct?

13 A. Correct.

14 Q. What about your knowledge about the use of
15 Scopolamine? Were you told that Scopolamine would be
16 used on you prior to the testing?

17 A. They didn't mention the drugs that were
18 administered at the time.

19 Q. Now, you say they didn't tell you the
20 drugs administered at the time. I thought your
21 testimony was that you were told prior to the test
22 that they were using CS on you?

1 that you were involved in?

2 A. Not until I received the information from
3 my FOIA request.

4 Q. And the same thing is true for the
5 physostigme?

6 A. Correct.

7 Q. Physostigme?

8 A. Whatever it's called. Yeah.

9 Q. I'm going to trip over that all week.

10 MR. PATTERSON: You won't be the only one.

11 BY MR. GARDNER"

12 Q. Let me show you a document. This will be
13 marked as 162.

14 (Exhibit No. 162 was
15 marked for identification.)

16 BY MR. GARDNER:

17 Q. Mr. Blazinski, I have handed you what has
18 been marked as Exhibit 162 to your deposition. It's
19 entitled "Results of Army Health Survey" on Institute
20 of Medicine letterhead dated April 11, 2003, from
21 William F. Page, Ph.D., Study Director. And it has
22 got a Bates level of PLTF 002306.

1 Mr. Blazinski, do you recognize this
2 document?

3 A. Yes.

4 Q. How do you recognize it?

5 A. I received a copy of it.

6 Q. Okay. And what do you understand this
7 document is?

8 A. Results of the Army Health Survey.

9 Q. Okay. And if you go back to Exhibit 161,
10 you'll see that right after the "contacted by NAS,
11 1980's," there is an IOM 2000 and there is a mark
12 "yes" there. Do you see that?

13 A. Yeah. Yes, I do.

14 Q. And is it fair to say that that IOM 2000
15 study is what is identified in Exhibit 162?

16 MR. PATTERSON: That calls for
17 speculation. Object.

18 You can answer.

19 THE WITNESS: I don't know.

20 BY MR. GARDNER:

21 Q. In any event, you did receive Exhibit 162
22 on or about April 11, 2003?

1 A. I believe I did.

2 Q. Now, this indicates that in 2000, you were
3 invited to participate in a research study conducted
4 at the Medical Follow-Up Agency of the Institute of
5 Medicine, to determine the health status of veterans
6 of your age, some of whom were volunteers in
7 experiments conducted by the Army at the Aberdeen
8 Proving Ground, Edgewood, Maryland, between 1955 and
9 1975. Do you see that? We're talking about --

10 A. Oh, the -- yes.

11 Q. And were you in fact invited to
12 participate in this study referenced in Exhibit 162?

13 A. Yes.

14 Q. And did you in fact participate?

15 A. Yes.

16 Q. What do you recall about that study?

17 A. I don't have much of a recollection of it,
18 other than they asked specific questions, and I can't
19 remember exactly what they asked.

20 Q. Did they ask what you were tested with?

21 A. They may have. I don't recall the
22 specifics of the questions.

1 Q. He lives in Maine. Has he made a request
2 for VA benefits?

3 A. Yes.

4 Q. And your testimony is he was turned down
5 because he makes too much money? I'm sorry, strike
6 that. That wasn't your testimony. I don't want to
7 mischaracterize you.

8 What's the result of his application for
9 VA benefits?

10 A. He's getting disability.

11 Q. He's getting disability?

12 A. Yes.

13 Q. Is he getting a disability because the VA
14 determined that his PTSD or skin cancers were
15 service-connected to his time at Edgewood?

16 A. Yes.

17 Q. Okay. So, that's an example of the VA
18 providing compensation and recognizing
19 service-connectedness between Edgewood Arsenal and
20 medical conditions?

21 A. Yeah. Yes.

22 Q. Okay. Now, of the various medical

1 conditions that we have discussed today, have you
2 made a claim for VA benefits for any of them?

3 A. Yes.

4 Q. Which ones?

5 A. Leukemia and colitis.

6 Q. And why haven't you made a claim for VA
7 benefits for the other conditions that you and I have
8 discussed today?

9 A. Didn't think of it at the time.

10 Q. And when you say "at the time," you mean
11 at the time you filed your application for VA
12 benefits?

13 A. Correct.

14 Q. And have you subsequently considered
15 filing additional claims for VA benefits based upon
16 the other medical conditions you and I have discussed
17 today?

18 A. No.

19 Q. Why not?

20 A. I hadn't thought of it.

21 Q. Okay.

22 MR. PATTERSON: But now that you do.

1 Q. You're not a member of Vietnam Veterans of
2 America?

3 A. No.

4 Q. And just out of curiosity, why have you
5 never decided to join Vietnam Veterans of America?

6 A. I'm not a Vietnam veteran. I just served
7 in the era.

8 Q. Fair enough. Have you ever contacted an
9 organization called Swords to Plowshares?

10 A. No.

11 Q. Are you aware of an organization called
12 Swords to Plowshares?

13 A. Yeah, because they're on all the document.
14 I don't have a clue what they do.

15 Q. I do. But beyond their name on different
16 documents in the lawsuit, you don't know what Swords
17 to Plowshares is?

18 A. No.

19 Q. Okay. Fair enough.

20 MR. GARDNER: Now, this is previously
21 marked Exhibit 151.

22 BY MR. GARDNER:

1 A. No.

2 Q. Okay. Where did it take place?

3 A. It was a laboratory.

4 Q. What do you recall, if anything, about
5 that day of the first test?

6 A. Well, they called us in, and they
7 explained to us why they were doing the test. And
8 the reason they told us at the time is that they were
9 putting tear gas in the tunnels in Vietnam knowing
10 there were people down there, and nobody was coming
11 out.

12 We were told that our test -- what they
13 would be doing is be mixing different dosages of gas
14 to air, and they wanted to see how long we could
15 stand it. They said stay in there as long as you
16 can. After ten minutes, if you're still in there,
17 we're going to come in there and get you out anyway.
18 And then a team of doctors and psychiatrists would
19 ask us different questions and give us a physical, I
20 guess, whatever they did, took our blood pressure,
21 pulse and things.

22 Q. So, you recall there being doctors on site

1 while you were being tested?

2 A. Yes.

3 Q. And you said psychiatrists also?

4 A. Uh-huh.

5 Q. And did those doctors in fact examine you
6 after your first test with CS or tear gas?

7 A. Yes.

8 Q. I see. And do you recall at the time
9 experiencing any adverse health effects after your
10 first test with CS?

11 A. Well, the normal things with CS. I mean
12 your eyes tear, your nose runs, and your throat was
13 sore. Your skin is -- like burns, as well as your
14 throat.

15 Q. Now, were you able to stay in there all
16 ten minutes?

17 A. Yes.

18 Q. And this procedure that you mentioned
19 during your first test, was that the same process
20 that occurred during the second and third time you
21 were tested with tear gas?

22 A. No.

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1 pulled out, did you see them receiving medical
2 treatment?

3 A. I don't recall. I couldn't really see for
4 about 40 minutes.

5 Q. Fair statement. Fair statement.

6 Now, explain to me, then, how the second
7 and third time you were tested with CS or tear gas
8 differed from that first exposure?

9 A. I was the only person taking the gas.

10 Q. I see. I see. So, the second time you
11 were the only one in the chamber?

12 A. Actually, it wasn't even in the chamber.
13 It was some -- I stuck my head up into it like --
14 looked like an air conditioning duct, and there were
15 windows on both sides, and it hit me again. And I
16 stayed in there for -- or had my head up there for
17 ten minutes. And the third round, I'm not sure. It
18 wasn't the same place. It wasn't really -- I can't
19 remember the third one, but I don't remember sticking
20 my head up into like that air conditioning duct.

21 Q. Yeah. Before you stuck your head into
22 that -- I'll call it a vent --

1 A. Okay. Yeah.

2 Q. -- for lack of better word -- during that
3 second test, were you informed that they were going
4 to administer tear gas --

5 A. Yes.

6 Q. -- through that?

7 A. Yes.

8 Q. Okay. And were there physicians on site
9 while that second test was being administered?

10 A. Yes.

11 Q. And did those physicians treat you or
12 examine you after that second test?

13 A. Yes.

14 Q. Were you told during the third test -- I
15 know you said you don't exactly remember how it was
16 administered --

17 A. Right.

18 Q. -- but were you told during that third --
19 before that third test that they were going to
20 administer tear gas?

21 A. Yes.

22 Q. And were there doctors on site during that

1 third test?

2 A. Yes.

3 Q. And did they provide you with treatment
4 after your third test?

5 A. Yes.

6 Q. Okay. Off the record.

7 (Recess is taken at 9:39 a.m. until
8 9:45 a.m.)

9 BY MR. GARDNER:

10 Q. All right. Mr. Blazinski, we're back on
11 the record. Did you have any substantive
12 conversations about your testimony during the break?

13 A. No.

14 Q. Okay. Let's go back, Mr. Blazinski, to
15 that first test with CS or tear gas. After that test
16 was completed and you were checked out by a medical
17 doctor, what happened next on that day of the exam --
18 or day of the test?

19 A. They asked me a lot of questions.

20 Q. Okay.

21 A. Like why did I stay in there so long?

22 Q. Yes.

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1 couldn't pull it out until you got to the end, and so
2 many hits were your baseline scores, okay?

3 And the morning of the test, they brought
4 us to -- actually they were like padded cells. The
5 floors were padded, the walls were padded. There
6 were microphones hanging down and cameras in the
7 corner. Each -- there were three guys, including
8 myself, that were participating in this test.

9 We had to get our -- take our dog tags
10 off. We were told that some guys on the effects of
11 the drugs try to eat their dog tags. Okay? They
12 gave us pajamas to wear. The top snapped all the way
13 up, I remember.

14 5 of 8:00 in the morning, they gave us one
15 of the drugs or the antidote. I'm not sure which one
16 it was. But 5 of 8:00 they gave us a shot of
17 something. 8:00 they gave us another shot. Each
18 participant had their own medic and their own nurse
19 and a team of doctors and psychiatrists administered
20 tests throughout the day. They observed us and
21 everything else.

22 Well, the nurse was with me, took my blood

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1 He said, "I guess you're feeling it already, right?"

2 And I said, "Yeah, I guess I am."

3 And then they took me for tests. Math
4 tests, mechanical tests. Went through this little
5 course and, I guess, eye tests and various things
6 like that. Parts of that I remember; parts of it I
7 don't have a clue what happened.

8 I remember my eyesight failing. And I had
9 to wear really, really thick glasses. When I put my
10 hand out in front of me, I couldn't distinguish my
11 fingers. It looked like a web hand. For lunch, we
12 got peas, of all things, and it looked just like a
13 green mass. I couldn't feed myself. I had to be
14 fed. I was -- I guess I was out of it, you know.

15 Q. How long did those side effects last?

16 A. I guess through the day and into the
17 night. And -- well, the side effects -- my eyesight
18 didn't come back right away. I was held over in the
19 hospital a couple of extra days until my sight came
20 back to normal.

21 Q. So, you were actually put in the hospital
22 while at Edgewood?

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1 A. Yeah, and I think it was part of the whole
2 facility there. I'm not sure. I remember being in a
3 hospital bed, yeah.

4 Q. Sure. And there were medical doctors that
5 were treating you during that time?

6 A. Seemed like they were just waiting for my
7 eyes to get back together at that point in time. You
8 know. Again -- I mean, they took -- every day again
9 we had to give a urine sample and blood specimen,
10 like that. And they gave us -- when I finally was
11 released -- I guess it was at the hospital there or
12 whatever -- they gave me something to wear on my arm.
13 It said in case of emergency said call Edgewood
14 Arsenal immediately, and it had a phone number on it.

15 Q. Did you ever have a need to call that
16 number?

17 A. No. I had to wear it for 30 or 60 days.

18 Q. Was that 30 or 60 of days once you left
19 Edgewood Arsenal?

20 A. No, from the point I was released from the
21 -- from the hospital.

22 Q. I see. So, you're released from the

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1 hospital, and at that point, you presumably go back
2 to your barracks?

3 A. Yes.

4 Q. I see. And you have a bracelet on you
5 that essentially says that if you feel any sort of
6 medical discomfiture call the doctors?

7 A. I think it was for somebody else.

8 Q. Somebody else? What do you mean?

9 A. So they would know to call Edgewood
10 Arsenal. I mean --

11 Q. I see.

12 A. I wouldn't be able to call Edgewood
13 Arsenal.

14 Q. I see.

15 A. And everybody, to my knowledge, who went
16 through those tests like I did had to wear these
17 bracelet like that. And also we had a lot of holes
18 in our arms because every day there was a new blood
19 sample that we had to provide.

20 Q. Yeah. So, as I understand it, you had
21 mentioned you were going to be within the first group
22 of people who were going to be exposed to this

1 Q. Okay. When was the last time you've seen
2 this document?

3 A. Yesterday.

4 Q. Okay. It says, "The nature of the
5 proposed experimental procedure has been personally
6 explained to the undersigned volunteer, and he agrees
7 to participate as a volunteer."

8 Do you recall signing this before you took
9 one of the tests?

10 A. We had to sign something every time we
11 took a test.

12 Q. Okay. And to the best of your knowledge
13 was it accurate that the nature of the proposed
14 experimental procedure was personally explained to
15 you before the test?

16 A. Yeah, in every -- in every case they gave
17 some explanation of why they were doing a test, and
18 what the effects would be on us.

19 Q. Okay. Now, if we go back to the initial
20 disclosure document, we're going to keep jumping back
21 and forth to that, Exhibit 151. Have I exhausted the
22 knowledge you have about the use of consent forms,

1 Q. Got it. It's fair to say that everyone's
2 experience at Edgewood would necessarily be unique,
3 correct?

4 A. Yes.

5 Q. Okay. Now, Mr. Blazinski, at any time
6 while you were at Edgewood, did anyone administer to
7 you what I'll call a secrecy oath?

8 A. We were told right up front that this was
9 top secret. We weren't to discuss this with anyone,
10 any tests that were taken there, anything about the
11 program.

12 Q. And that was told to you before you began
13 your participation in the experiments?

14 A. Yes.

15 Q. I see. And do you recall by any chance
16 who told you that?

17 A. I think it was part of the presentation at
18 Fort Sill.

19 Q. I see. So, during that initial
20 presentation at Fort Sill, you were instructed that
21 the testing program at Edgewood was top secret?

22 A. I believe so.

1 Q. Okay.

2 A. I -- you know, I mean we were told that
3 time and time again, especially while we were there,
4 you know?

5 Q. Do you have any recollection beyond that
6 initial presentation at Fort Sill that the Edgewood
7 program was top secret? Do you have any other
8 recollections of any secrecy oaths or any
9 instructions that you were not to disclose any
10 information about Edgewood?

11 A. Well, just when they brought us in to tell
12 us about the testing that we would be participating
13 in like that, we had to go in a closed room with
14 armed guards out front; then they told us. And they
15 told us this is top secret and you can't say a word.

16 Q. Got it.

17 A. And I guess they did that with each and
18 every test.

19 Q. Got it. So, in each of the five tests
20 that you were a participant in, you were told that
21 the tests were top secret?

22 A. Yes.

1 sort of secrecy agreement?

2 A. Again, I may have. As you can see, they
3 had us signing everything. Normally, when the Army
4 has you sign something, it's sign it all, you can
5 read it later or whatever, like that, you know.

6 Q. I mean I will represent to you I have not
7 been able to find any sort of secrecy document in
8 your files. And I take it your testimony is you just
9 don't recall one way or the other --

10 A. Right.

11 Q. Okay. So, it's possible you did, and it's
12 possible that you didn't?

13 A. Right. I don't recall.

14 Q. Just don't know. Okay. Fair enough.

15 Did there come a time when you ultimately
16 felt comfortable discussing your time at Edgewood
17 after you had left?

18 A. Yeah, I guess I did.

19 Q. And what changed? What happened, just the
20 course of time?

21 A. Well, something -- the National Institute
22 of Health or whatever, Medicine, whatever like that,

1 when I did those surveys with them like that --

2 Q. Yeah.

3 A. -- and got copies of the results --

4 Q. Sure.

5 A. -- I mean somebody was looking into
6 something there. And, again, all those findings
7 didn't mean anything to me.

8 Q. Yeah.

9 A. I had no idea what they were talking
10 about.

11 Q. Yeah. I take it today, you don't feel
12 inhibited in any way from sharing what you know about
13 Edgewood, correct?

14 A. Correct.

15 Q. Okay.

16 I'm trying to actually cut through a few
17 things.

18 A. Good. Yes.

19 Q. I do have one question for you: Have you
20 ever seen the Department of the Army or the
21 Department of Defense's chemical and biological
22 exposure web site?

1 notice and follow-up medical care to test subjects.

2 Do you see that? That's in your initial disclosures.

3 A. Yes.

4 Q. What knowledge do you have about the
5 provision of notice? If any? Maybe you don't.

6 A. I don't.

7 Q. Okay. Fair enough. Do you have any
8 knowledge about follow-up medical care to test
9 subjects?

10 A. No.

11 Q. Okay.

12 (Exhibit No. 166 was
13 marked for identification.)

14 BY MR. GARDNER:

15 Q. Mr. Blazinski, I have handed you a
16 document that's marked as Exhibit 166 to your
17 deposition. It's a document Bates-labeled PLTF
18 002214 from the Department of Army, United States
19 Army Medical Research Institute of Chemical Defense,
20 dated March 31, 1992, addressed to you from Robert E.
21 Foster, Chief Research Operation Division.

22 Mr. Blazinski, do you recognize this

1 document?

2 A. Yes.

3 Q. Is this a document you would have received
4 back in March of 1992?

5 A. Yes.

6 Q. Okay.

7 A. This was in response to my FOIA request.

8 Q. I see. And when was the last time you've
9 seen this document?

10 A. Before I left home, yesterday probably.

11 Q. Okay. Okay. So, this letter from
12 March 31, 1992, reflects the disclosure to you of the
13 documents you requested under FOIA, correct?

14 A. Correct.

15 Q. And this indicates that you are notified
16 that the gas that you referred to was CS,
17 chlorobenzylidene malononitrile, I will give you
18 that, which was and still is the chemical used for
19 riot control and is commonly known as tear gas. It
20 says pages 35 through 42 are the records of your
21 exposure to this chemical, and then it also goes on
22 to describe the purpose of the test; is that correct?

1 A. They're talking about the purpose of the
2 electrical stimulation.

3 Q. Yes, so the purpose of the electrical
4 stimulation.

5 A. That's the first time that I heard there
6 was certain drugs involved.

7 Q. Ans the first time being in 1992; is that
8 correct?

9 A. Yes.

10 Q. What prompted you back in -- I assume the
11 1992 timeframe -- to request your records? What was
12 the impetus for that?

13 A. I don't know. I don't recall. I always
14 wanted to find out exactly what I was given.

15 Q. And so, this letter says that the Army has
16 provided you with your medical records. Is that what
17 in fact the Army did?

18 A. I don't think I have my medical records.
19 They had the records from Edgewood Arsenal.

20 Q. Okay. So, your Edgewood Arsenal records
21 were provided to you?

22 A. Yes.

1 Q. And those reflected your participation in
2 the testing involving CS?

3 A. And the other drugs, also.

4 Q. Okay. So, all the drugs that you were
5 tested with were reflected in those Edgewood records
6 that were transmitted to you back in 1992?

7 A. Yes. Actually, it was this cover letter
8 which really explained what I -- I was provided.

9 Q. Fair enough. And this is the letter, by
10 the way, that indicates that you were part of that
11 control group with respect to the electrical
12 stimulation, correct?

13 A. Well, it states in here that there was an
14 indication that you were in a control group in which
15 no drugs were applied.

16 Q. And, again, you have no basis sitting here
17 today to think that statement is inaccurate, do you?

18 A. That's not a very definitive statement.

19 Q. Yeah.

20 A. So, it could be inaccurate.

21 Q. But my question is, do you personally know
22 whether that's accurate or not?

1 A. I don't know.

2 Q. Okay. That's fair enough. Now, one
3 question I have for you is, were you ever notified by
4 the VA about your participation in the Edgewood
5 testing program?

6 A. Not that I recall.

7 Q. Okay. Let me show you a document here. I
8 have a few questions about it.

9 (Exhibit No. 167 was
10 marked for identification.)

11 BY MR. GARDNER:

12 Q. Mr. Blazinski, I've handed you what has
13 been marked as Exhibit 167 to your deposition. It
14 begins with Bates label VET019-005176, and the first
15 few pages are called Fact Sheet, Deployment Health
16 Support Directorate. And the second two pages, which
17 begin with Bates beginning 5178, says, Frequently
18 Asked Questions, Edgewood Arsenal Chemical Agent
19 Exposure Studies, 1955 to 1975. Mr. Blazinski, have
20 you seen these two documents before?

21 A. Yes.

22 Q. And when have you seen them before?

1 A. Yesterday.

2 Q. Have you seen them before yesterday?

3 A. I don't recall.

4 Q. I'll represent to you, Mr. Blazinski, that
5 I actually found these in your files. But I don't
6 see a cover letter from VA that accompanies most of
7 the fact sheets and the frequently asked questions.
8 The reason I give you that preface is I was curious
9 if you knew how you came into possession of the two
10 documents that are marked as Exhibit 167?

11 A. No, I don't recall.

12 Q. Okay. Do you recall, though, that at some
13 point in time, prior to your, I presume, discussions
14 with counsel yesterday, that you did come in fact
15 into possession of Exhibit 167?

16 A. I looked at a lot of stuff, and there were
17 articles, newspaper articles.

18 Q. I see.

19 A. So -- and this could have been part of
20 that.

21 Q. Okay. But sitting here today, you don't
22 know how you actually came into possession of

1 Exhibit 167?

2 A. No.

3 Q. Okay. And just so I have a clear record,
4 you don't even know exactly if you in fact received
5 Exhibit 167?

6 A. I don't recall.

7 Q. Okay. When you looked at it yesterday,
8 did it refresh your recollection that you had seen
9 these two documents before?

10 A. No.

11 Q. Okay. Mr. Blazinski, have you ever made a
12 claim for benefits with the VA?

13 A. Yes.

14 Q. Okay. Can you describe those
15 circumstances?

16 A. When I got my two diagnoses of leukemia
17 and colitis, I went to the VA, and I guess you have
18 to sign up and register, and I was refused because I
19 make too much money, like that. And then I filled
20 out forms for disability, which was subsequently
21 turned down because I couldn't prove that I've had it
22 since 1968.

1 reasons for your disability on 5521 is that you were
2 a medical volunteer at Edgewood Arsenal in 1968 --

3 A. Correct.

4 Q. -- Project 112. Do you see that?

5 A. Yes.

6 Q. What's Project 112?

7 A. I come to find out I wasn't on Project
8 112.

9 Q. Oh, okay.

10 A. I was in something else.

11 Q. Okay.

12 A. I was under the impression I was. Both of
13 them had testing at Edgewood Arsenal --

14 Q. Okay.

15 A. -- and other places.

16 Q. I see. I see. Mr. Blazinski, have you
17 ever made a claim for medical care to the Department
18 of Defense?

19 A. No.

20 Q. Why not?

21 A. Didn't know you could.

22 Q. Okay. Have you ever made a claim for

Washington, DC

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CERTIFICATE OF DEPONENT

I hereby certify that I have read and examined the foregoing transcript, and the same is a true and accurate record of the testimony given by me. Any additions or corrections that I feel are necessary, I will attach on a separate piece of paper to the original transcript.

Signature of the Witness

CERTIFICATE OF NOTARY PUBLIC

I hereby certify that the individual representing himself/herself to be the above-named individual, appeared before me this ____ day of _____, 2011, and executed the above certificate in my presence.

Notary Public

In and for the County of _____

MY COMMISSION EXPIRES: _____