

EXHIBIT 16

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

VIETNAM VETERANS OF)
AMERICA, et al.,)
Plaintiffs,)
vs.) No. CV 09-0037-CW
CENTRAL INTELLIGENCE)
AGENCY, et al.,)
Defendants.)

Deposition of MARTHA HAMED, taken at
2000 Pennsylvania Avenue Northwest,
Suite 6000, Washington, DC, commencing
at 9:03 a.m., Thursday, July 7, 2011,
before Carmen Smith, Notary Public.

PAGES 1 - 266
PAGES 85-237; 244-251 ARE CONFIDENTIAL
SUBJECT TO THE PROTECTIVE ORDER AND
BOUND UNDER SEPARATE COVER

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1 Q Have you ever seen it before?

2 A No, not to my knowledge.

3 Q Has anyone in your office ever spoken
4 about the chief of staff memorandum 385, Office of
5 Information Management?

6 A When I was working? No.

7 Q Did anyone at your office speak about the
8 Wilson memorandum?

9 A Not in my presence.

10 Q Do you know if your office did anything to
11 comply with the chief of staff memorandum 385?

12 A The Office of the Secretary of Defense
13 does not comply with directives from the Department
14 of the Army. Or they did not while I worked there.

15 Q Do you know if your office did anything to
16 comply with the Wilson memorandum?

17 A The Office of the Secretary of Defense
18 does not comply with directives from the Department
19 of the Army.

20 Q Let me refer you to page 427, which is
21 after tab 9 of section B. This document ranges from
22 427 to 428 and is dated April 5, 1994.

23 A Wait a minute. I'm on -- are you
24 saying -- I'm on page 427. Is that what you're --
25 I'm sorry, I'm not -- drifting. I'm drifting.

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1 Arsenal regarding mustard gas testing conducted from
2 1955 to 1965?

3 A I looked for mustard gas, to any mustard
4 gas testing they were doing. I don't recall finding
5 a lot of 19 -- I don't recall finding any 1955
6 to '65 mustard gas testing.

7 Q Are you aware of something called Army
8 regulation 7025?

9 A I have no idea what you're talking about.
10 Does it have a title?

11 Q Army regulation 7025 titled "Use of
12 Volunteers as Subjects of Research."

13 Do you know what that is?

14 A No, I do not.

15 Q Has anyone in your office ever discussed
16 Army regulation 7025?

17 A Not that I can recall.

18 Q Were ever any meetings held with regard to
19 Army regulation 7025?

20 A Not that I recall.

21 Q Did your office do anything specifically
22 to comply with provisions within Army regulation
23 7025?

24 A The office of the Secretary of Defense
25 does not comply with Army regulations.

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CERTIFICATE OF NOTARY PUBLIC & REPORTER

I, CARMEN SMITH, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn; that the testimony of said witness was taken in shorthand and thereafter reduced to typewriting by me or under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Notary Public in and for the
District of Columbia

Commission Expires: MARCH 14, 2013