

NAVY-MARINE CORPS TRIAL JUDICIARY
NORTHERN JUDICIAL CIRCUIT
GENERAL COURT-MARTIAL

UNITED STATES)	GENERAL COURT-MARTIAL
)	
v.)	GOVERNMENT RESPONSE
)	TO DEFENSE WITNESS
JAMES M. ROWE)	REQUEST
CAPTAIN)	
UNITES STATES MARINE CORPS)	10 November 2011

1. This responds to your Defense Witness Request dated 7 November 2011 (hereinafter "Request").

2. In response to paragraphs 1-14 of your request, the government's response with regard to each witness is as follows:

a. In response to paragraph a of your request, this request is denied as this witness's testimony constitutes improper impeachment evidence under M.R.E. 608(b).

b. In response to paragraph b of your request, the government agrees that this witness is relevant and necessary, and will make all reasonable efforts to produce this witness for personal appearance at trial.

c. In response to paragraph c of your request, this request is denied as this witness's testimony constitutes improper impeachment evidence under M.R.E. 608(b).

d. In response to paragraph d of your request, the government agrees that this witness is relevant and necessary, and will make all reasonable efforts to produce this witness for personal appearance at trial.

e. In response to paragraph e of your request, this request is denied as this witness's testimony constitutes improper impeachment evidence under M.R.E. 608(b), and because this witness does not have the requisite personal knowledge to testify to Mrs. Klay's reputation for untruthfulness.

f. In response to paragraph f of your request, this request is denied as the witness is cumulative with the witnesses which the government agrees to produce in response to paragraphs g and h of your request.

g. In response to paragraph g of your request, the government agrees that this witness is relevant and necessary, and will make all reasonable efforts to produce this witness for personal appearance at trial.

h. In response to paragraph h of your request, the government agrees that this witness is relevant and necessary, and will make all reasonable efforts to produce this witness for personal appearance at trial.

i. In response to paragraph i of your request, this request is denied as the witness is cumulative with the witnesses which the government agrees to produce in response to paragraphs g and h of your request.

j. In response to paragraph j of your request, the government agrees that this witness is relevant and necessary, and will make all reasonable efforts to produce this witness for personal appearance at trial.

k. In response to paragraph k of your request, the government agrees that this witness is relevant and necessary, and will make all reasonable efforts to produce this witness for personal appearance at trial.

l. In response to paragraph l of your request, this request is denied as the witness is cumulative with the witnesses which the government agrees to produce in response to paragraphs j and k of your request.

m. In response to paragraph m of your request, the government agrees that this witness is relevant and necessary, and will make all reasonable efforts to produce this witness for personal appearance at trial.

n. In response to paragraph n of your request, the government intends to produce this witness for personal appearance at trial as this witness is also on the government's witness list.

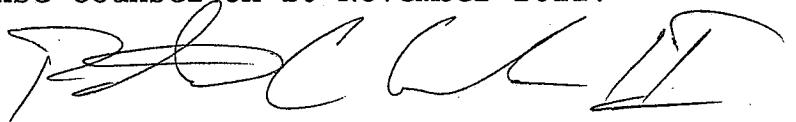
o. In response to paragraphs o/p of your request, the government intends to produce this witness for personal appearance at trial as this witness is also on the government's witness list.

3. Unless otherwise indicated, your request is denied as the witness's expected testimony is irrelevant, cumulative, improper impeachment, or otherwise inadmissible. Should you dispute any witness denied by the government I request that you contact me so that we may address and resolve the issue before it becomes necessary to litigate a motion to compel production of witnesses.



P. C. COMBE II
Captain, U.S. Marine Corps
Trial Counsel

I hereby certify that a copy of this document was served, electronically and via hand delivery, to civilian defense counsel and/or detailed defense counsel on 10 November 2011.



P. C. COMBE II
Captain, U.S. Marine Corps
Trial Counsel
