



**UNITED STATES MARINE CORPS**  
OFFICE OF THE STAFF JUDGE ADVOCATE  
DEFENSE SECTION  
MARINE CORPS RECRUIT DEPOT  
3700 CHOSIN AVENUE  
SAN DIEGO, CALIFORNIA 92140-5197

IN REPLY REFER TO:  
5800  
DEF  
18 June 10

From: Detailed Defense Counsel  
To: Trial Counsel

Subj: REQUEST FOR DISCOVERY IN U.S. V. CAPTAIN DOUGLAS WACKER,  
USMC; PRODUCTION REQUEST, BILL OF PARTICULARS, AND WITNESS  
REQUEST

Ref: (a) R.C.M. 701, M.C.M., 2008  
(b) R.C.M. 703, M.C.M., 2008  
(c) R.C.M. 707, M.C.M., 2008

1. Pursuant to the references, the Accused through counsel asks for the above referenced discovery, witnesses and speedy trial.

2. **Production request:** Regarding discovery, as provided in the references, the defense requests:

a. Copies of all documents that the Government intends to submit as investigative, trial or sentencing exhibits.

b. The name, telephone number and address of any witness the Government intends to call or could be helpful to the defense case. Specifically, please provide the current contact information (telephone number, email address and mailing address) for ALL individuals listed on the charge sheet and/or produced at the Article 32 hearing.

c. Copies of any sworn, recorded or signed statements of the Accused or any Article 32 or Government trial witness which the Government is aware relating to an offense charged.

d. A description and production of any documentary, real, or other evidence pertinent in this case which is material to the preparation of the defense or which the Government intends to introduce into evidence, and its present location. In the case of documentary evidence, legible copies are requested.

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e. A copy of the entire Naval Criminal Investigative Service/Criminal Investigative Division/Command Investigation file to include the agents'/investigators' notes on the investigation concerning the accused.

f. Disclosure and production of all evidence seized from the person or property of the accused, or believed to be owned or possessed by the accused, and its present location.

g. Any known evidence tending to diminish credibility of witnesses including, but not limited to, prior convictions and evidence of other character, conduct, or bias bearing on witness credibility. This includes a request for criminal background checks on all persons listed on the charge sheet or who testified at the Article 32 hearing.

h. Disclosure of any promise or offer of immunity, leniency, or special treatment or consideration offered or afforded any prosecution witness, including ALL witnesses named on the charge sheet or who testified at the Article 32 hearing.

i. Any and all videos tapes, photos, digital media, recordings, and etc. related to the charges that are under the control of the government.

j. Disclosure of the criminal and military history (charges and convictions) of all potential government witnesses in this case. The defense requests that the government ask each and everyone of its potential witnesses for this information, specifically ask this information of these witnesses named on the charge sheet or who testified at the Article 32 hearing.

k. Regarding any potential or alleged victims in this case, disclosure of other times that those person(s) have been an alleged victim of a crime before. The defense requests that the government ask each and everyone of its potential witnesses for this information, specifically ask this information of these witnesses named on the charge sheet or who testified at the Article 32 hearing.

l. We also specifically request complete April 1, 2007 to the present of all cell phone records, email messages, myspace and facebook and other social media entries from Elizabeth Easley and Jessica Brooder. If the Government feels that this is overbroad, we request that the myspace and facebook pages of the alleged victims be subpoenaed provided unredacted so that the defense can

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discovery exculpatory information for itself. The defense is very concerned that Jessica Brooder and Elizabeth Easley will delete facebook and myspace entries if they have not already done so and asks that the Government take every precaution to ensure that this does not happen.

n. Please produce negative military or personnel records for any witness the Government intends to call at trial or who testified at the Article 32.

o. Please produce all correspondence related in any way to the transfer of Captain Wacker from MCRD to Miramar. This includes a request for all documents related in any way to any investigation that was conducted concerning LtCol Bond's alleged communication with the members' panel in Captain Wacker's case, alleged unlawful command influence and other improprieties that resulted in Captain Wacker being transferred to Miramar from MCRD. We specifically request all HQMC, SJA, General Officer level and other communications leading to his transfer.

r. Please produce a list of the days the government calculates for speedy trial clock purposes from preferral until when the speedy trial clock stopped.

s. The defense again requests that a Command Investigation be conducted to fully investigate Unlawful Command Influence in this case surrounding and regarding the 24 September 2009 email of LtCol G. F. Bond, USMC to panel members and witnesses in the above referenced case, as well as such actions and/or statements made that preceded and followed said email between May 2009 and the present date.

t. All emails or correspondence in the possession of, sent to, sent by or received by LtCol G. F. Bond, USMC relating in anyway to Capt Wacker or this case.

u. All emails or correspondence in the possession of, sent to, sent by or received by Maj S. E. Jackson, USMC relating in anyway to Capt Wacker or this case.

v. All emails or correspondence in the possession of, sent to, sent by or received by Col S. Smith, USMC relating in anyway to Capt Wacker or this case.

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w. All emails or correspondence in the possession of, sent to, sent by or received by Col C. Huenefeld, USMC relating in anyway to Capt Wacker or this case.

x. All emails or correspondence in the possession of, sent to, sent by or received by Col Richardson, USMC relating in anyway to Capt Wacker or this case.

y. All emails or correspondence in the possession of, sent to, sent by or received by BGen A. Salinas, USMC relating in anyway to Capt Wacker or this case.

z. All emails or correspondence in the possession of, sent to, sent by or received by NCIS SA John R. Burges relating in anyway to Capt Wacker or this case.

3. **Bill of Particulars Request:** Regarding the bill of particulars request, the Defense inquires as to the following regarding the charge sheet:

a. Charge I, Spec 1: Exactly how did Capt Wacker attempt to rape Elizabeth Easley? Does the government allege force or threats were used here against Ms. Easley? Does the government allege that Ms. Easley was rendered unconscious by Captain Wacker, if so how?

b. Charge II, Spec 1: Exactly how did Capt Wacker rape Jessica Brooder? Does the government allege force or threats were used here against Ms. Brooder? Does the government allege that Ms. Brooder was rendered unconscious by Captain Wacker, if so how?

c. Charge III, Spec 1: Is the conduct charged in this specification distinct in any way from the conduct described at Charge I, Spec 1? If so, how?

d. Charge III, Spec 2: Is the conduct charged in this specification distinct in any way from the conduct described at Charge I, Spec 1 or Charge III, Spec 1? If so, how?

e. Charge III, Spec 3: Is the conduct charged in this specification distinct in any way from the conduct described at Charge II, Spec 1? If so, how?

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f. Charge III, Spec 4: What does the government mean by sexual intercourse in this charge? What evidence (if any) does the government have about Capt Wacker's intent to deceive?

4. **Witness request:** Pursuant to the reference, and subject to addition and modification, the following witnesses are requested at trial. The defense also requests full names, current addresses and phone numbers for the following:

All witnesses relevant to the New Orleans incident that testified at the Article 32 hearing.

Name: Unknown lobby worker(s)  
Contact Info: Unknown, New Orleans, LA  
Subject: The Defense requests that the lobby worker(s) of the St. Charles Royal Hotel working the evening of 3 April 07 be produced at trial because this witness(es) (if they recall the incident) would offer testimony to the effect that the alleged rape victims in this case did not appear so intoxicated that they were unable to consent to sexual intercourse.

Name: Unknown Funky Pirate bar workers  
Contact Info: Unknown, New Orleans, LA  
Subject: The Defense requests that the employees of the Funky Pirate Bar working the evening of 3 April 07 be produced. These employees would testify that they did not see the Accused put date rape drugs into the drinks of the alleged victims.

Name: Unknown Big Easy bar workers  
Contact Info: Unknown, New Orleans, LA  
Subject: The Defense requests that the employees of the Big Easy Bar working the evening of 3 April 07 be produced. These employees would testify that they did not see the Accused put date rape drugs into the drinks of the alleged victims.

Name: Unknown Razzoo's (sic?) Club workers  
Contact: Unknown, New Orleans, LA  
Subject: The Defense requests that the employees of the Razzoo's (sic?) Club working the evening of 3 April 07 be produced. These employees would testify that they did not see the Accused put date rape drugs into the drinks of the alleged victims.

Name: Rebecca Junay Barker  
Contact: 1205 Colusa Street #19, San Diego, CA 92110.  
Subject: Present the night of New Orleans incident on 3 April 07 with the Accused and the alleged victims Ms. Brooder and Ms. Easley. Saw the Accused and Brooder flirting with each other on a dance floor at one point.

Name: Michelle Reuter, General Manager  
Contact: Royal St. Charles Hotel, 135 St. Charles Avenue, New Orleans, LA 70130, Phone: (504)587-3700  
Subject: Aware that employees working at Royal St. Charles Hotel on 3 April 07 no longer work there. Can testify to the fact that no video evidence allegedly exists.

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Name: James Kessler, BGen, USMC

Contact Info: 3dMLG, [james.kessler@usmc.mil](mailto:james.kessler@usmc.mil)

Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. He was the Accused's CO at H&S Bn, 3d FSSG (Okinawa). He wrote the Accused a positive recommendation letter for the FLEP program. The Accused was in the top 2 of 1stLt FitReps the General had written at the time. The Accused had Thanksgiving dinner with the General's family in 2003. The witness would best know the Accused in a professional capacity, but with some personal experiences.

Name: James Lavine, Col, USMC

Contact Info: 13th MEU, [james.lavine@usmc.mil](mailto:james.lavine@usmc.mil)

Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. The witness was the Accused's CO at the 13th MEU. As the S-6A, the Accused had a lot of interaction with this witness and the other officers of the command element both professionally and socially.

Name: William Pigott, LtCol, USMC

Contact Info: 13th MEU, [pigottwn@state.gov](mailto:pigottwn@state.gov)

Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. This witness was the SJA at the 13th MEU. The Accused had a lot of interaction with him and the other officers of the command element both professionally and socially. The Accused and this witness frequently discussed law school and the legal profession. The Accused considers the witness to have been one of his mentors at the MEU.

Name: Robert E. McCarthy, LtCol, USMC

Contact Info: Unknown

Subj: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. This witness was the Accused's mentor and coach of the Quantico Rugby Team in 2002.

Name: Thomas McCann, LtCol

Contact Info: MCAS Miramar, [thomasgmccann@hotmail.com](mailto:thomasgmccann@hotmail.com), (808) 351-5097

Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. This witness was the Deputy SJA for 3d MAW under Col Ary when the Accused worked at the MCAS Miramar Joint Law Center. The witness was a mentor and initiator of the Miramar Law Center's Surf Club. The witness attended USD Law on the SEP Law Program for International Law during the Accused's 2L year. The witness and the Accused had a lot of interaction at school and the witness continued to be a mentor for the Accused.

Name: Ed Esposito, MAJ, USMC

Contact Info: 13th MEU, [ed\\_esposito@emcorgroup.com](mailto:ed_esposito@emcorgroup.com), (858) 967-6139

Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. The witness was a Staff Platoon Commander in the Accused's company at TBS. He was the S-4A at the 13th MEU. The Accused had a lot of interaction with the witness and the other officers of the command element

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both professionally and socially. The witness was one of the Accused's close friends and mentors at the MEU.

Name: Ken Lee, MAJ, USMC

Contact Info: 13th MEU, [kenneth.lee1971@gmail.com](mailto:kenneth.lee1971@gmail.com), (858) 245-2232

Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. The witness was the Deputy SJA for the 13th MEU. The Accused had a lot of interaction with him and the other officers of the command element both professionally and socially. The Accused and the witness frequently discussed law school and the legal profession. He was one of the Accused's close friends and mentors at the MEU.

Name: Koh Terahira, Maj, USMC

Contact Info: 13th MEU, [kohtaro.terahira@usmc.mil](mailto:kohtaro.terahira@usmc.mil), (760) 819-9838

Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. The witness was the S-2A for the 13th MEU. The Accused had a lot of interaction with him and the other officers of the command element both professionally and socially. The witness was one of the Accused's close friends at the MEU.

Name: Brian Proctor, LtCol, USMC

Contact Info: 13th MEU, [proxie99@hotmail.com](mailto:proxie99@hotmail.com), (858) 472-0780

Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. The witness was the Air Officer for the 13th MEU. The Accused had a lot of interaction with him and the other officers of the command element both professionally and socially. He was one of the Accused's close friends at the MEU.

Name: John Knotts, Maj, USMC

Contact Info: 13th MEU, (760) 525-6956

Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. He was the Asst. Air Officer for the 13th MEU. The Accused had a lot of interaction with him and the other officers of the command element both professionally and socially. He was one of the Accused's close friends at the MEU.

Name: Michael Gaffney, Maj, USMC

Contact Info: 13th MEU, [michael.g.gaffney@usmc.mil](mailto:michael.g.gaffney@usmc.mil), (760) 522-6939

Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. He was the Fires Officer for the 13th MEU. The Accused had a lot of interaction with him and the other officers of the command element both professionally and socially. He was one of the Accused's close friends at the MEU.

Name: Glen Hines, Maj, USMC

Contact Info: MCAS Miramar, [glen.hines@usmc.mil](mailto:glen.hines@usmc.mil)

Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. He was the Military Justice Officer at the Miramar Joint Law Center. He was the Accused's Reporting Senior during his summer fun

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after the Accused's 1L year. He was a mentor and initiator of the Law Center's Surf Club.

Name: Christopher Shaw, LtCol (sel), USMC  
Contact Info: HS BN, MCRD, San Diego, CA; [jurismarine@gmail.com](mailto:jurismarine@gmail.com), (617) 875-1630  
Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. He was in the SEP Law Program for International Law at USD during the Accused's 3L year. He is a mentor and close friend of the Accused.

Name: Chris Blosser, Capt, USMC  
Contact Info: HS BN, MCRD, San Diego, CA; [blossercg@gmail.com](mailto:blossercg@gmail.com), (760) 470-9248  
Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. He is also on the ELP Law Program and is a 3L at USD. Blosser and the Accused were in the same section our first year and have had many similar classes. He is a close friend of the Accused. He has been interviewed by NCIS and also knows all of the alleged victims.

Name: Katie Arroyo, Capt, USMC  
Contact Info: MCAS Miramar, [kmarroyo2000@yahoo.com](mailto:kmarroyo2000@yahoo.com), (917) 405-3374  
Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. The witness was a JA in military justice at the Miramar Joint Law Center. She became a mentor and close friend while the Accused was there for summer fun. The Accused also interacted with her socially.

Name: Omaar Hernandez, Capt, USMC  
Contact Info: 13th MEU, [omaarh@hotmail.com](mailto:omaarh@hotmail.com), (760) 207-0054  
Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. He was the Accused's roommate at TBS. He was a pilot with the squadron attached to the 13th MEU. The two have been friends and have stayed in touch since 2001.

Name: Jiemar Patacsil, Capt, USMC  
Contact Info: G Btry, 2/11, [patacsilusmc@gmail.com](mailto:patacsilusmc@gmail.com)  
Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. The witness was an enlisted Marine with the Accused at 4th LAAD Bn in the Marine Corps Reserve. He was a Sgt, the Accused was a Cpl, but because the Accused was commissioned first, he was the Accused's first salute. The Accused and the witness went to TBS together and the Accused has been friends with him and his wife, Jennie, since 1998. The Accused is their son's godfather.

Name: Sarah McGinley, LT, USN  
Contact Info: 13th MEU/USS Tarawa, [mcginsa@gmail.com](mailto:mcginsa@gmail.com), (858) 752-4347  
Subject: This witness is relevant and necessary because she would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. The witness was an intelligence officer with the USS Tarawa. The witness and the Accused became friends during workups and dated in the past. The witness and the Accused were in a relationship for approximately 9 months. The Accused broke up with the witness because he was attending law



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school and she had a difficult time with the Accused being occupied with school. She liked to argue, but the Accused refused to do so. The two are amicable, but don't speak or see each other often. She lives in D.C. and works at the Defense Intelligence Agency. She was interviewed by NCIS.

Name: Allen Snyder, Professor

Contact Info: University of San Diego, [asnyder@sandiego.edu](mailto:asnyder@sandiego.edu), (619) 260-4380

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. He has been a professor for two of the Accused's classes (Lawyering Skills II (Trial Advocacy) and Interviewing & Counseling). He was in the Army during Vietnam and is the faculty advisor for the Veteran Law Students Association (VLSA), of which the Accused was the President the President. The Accused has been to two wine tastings (for 8 people) at his home as part of a charity auction. He is a clinical professor, so much of his job involves getting to know students and assisting them in practical training.

Name: Shaun Martin, professor

Contact Info: University of San Diego, [smartin@sandiego.edu](mailto:smartin@sandiego.edu), (619) 260-2347

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. He has been a professor for three of the Accused's classes (Civil Procedure I&II, Law of Love, and Professional Responsibility). He volunteered to act as the faculty advisor for the Accused during the recent "interim leave" situation with the school. The witness does some consultant work for both civil and criminal cases and has argued several cases before the U.S. Supreme Court. He was interviewed by NCIS.

Name: Laura Berend, Professor

Contact Info: University of San Diego, [lberend@sandiego.edu](mailto:lberend@sandiego.edu), (619) 260-2345

Subject: This witness is relevant and necessary because she would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. She is a former criminal litigator and she was a professor for the Accused's Criminal Clinic class.

Name: Robin Barnes, Professor

Contact Info: University of San Diego, [rbarnes@sandiego.edu](mailto:rbarnes@sandiego.edu), (619) 894-3004

Subject: This witness is relevant and necessary because she would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. She is a visiting professor from Univ. of Connecticut Law School. She taught the Accused's Constitutional Law II class and his First Amendment-Free Speech class. Her focus is race and gender in constitutional law. She knows about the Accused's situation and was interviewed by NCIS.

Name: Margie Cartwright, Career Services Counselor

Contact Info: University of San Diego, [mcartwright@sandiego.edu](mailto:mcartwright@sandiego.edu), (619) 260-4701

Subject: This witness is relevant and necessary because she would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. She is a counselor in the career services office who knows the Accused well. She can speak to the Accused's professionalism and active involvement in the school.

Name: Carrie Wilson, Associate Dean for Student Affairs

Contact Info: University of San Diego, [carrie@sandiego.edu](mailto:carrie@sandiego.edu), (619) 260-6851

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Subject: This witness is relevant and necessary because she would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. She knew about the Accused's situation from the very beginning. She has been the spokesperson from the law school. She can speak to the Accused's actions and conduct throughout law school. The Accused has worked with her on several student organization projects. She stated that the speaker panel the Accused organized last semester, "Guantanamo Bay After *Boumediene* and *Hamdan*: What Happens Now?" was the best event that she has seen at the law school in the past 20 years. It required organizing 6 different student groups and raising over \$3,000. 150 people attended from the law school and local community.

Name: Kelly Lowry

Contact Info: [kelly\\_lowry@hotmail.com](mailto:kelly_lowry@hotmail.com), (951) 454-3740

Subject: This witness is relevant and necessary because they would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. The witness is a past roommate of the Accused. The witness Roommate, 2000-01 and 2004-Present. Specifically, the witness is the Accused's current roommate (2004-Present), along with his younger brother, Kevon Lowry. Kelly and the Accused were in the same pledge class in the Sigma Nu Fraternity at UCLA. They became friends during college and were roommates during his senior year (2000-01). The witness is a special education teacher at Mission Bay High School and is also a Captain in the Army National Guard.

Name: Katharine Tremblay

Contact Info: [katharinetremblay@gmail.com](mailto:katharinetremblay@gmail.com), (858) 775-9718

Subject: This witness is relevant and necessary because she would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. This witness was the Accused's girlfriend from September 2008 until August 2009. She is currently a 2L at USD.

Name: Jodi McShan [Elizabeth Jo McShan]

Contact Info: [jodimcshan@gmail.com](mailto:jodimcshan@gmail.com), (214) 797-8883, 4530 Noyes Street, San Diego, CA 92109

Subject: This witness is relevant and necessary because she would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. The witness attended USD. The witness and the Accused were in the same section their 1L year at USD and became close friends. Based on her knowledge of the Accused's character, thinks the charges are outrageous.

Name: Sherlin Tung

Contact Info: [sherlintung@gmail.com](mailto:sherlintung@gmail.com) (909) 576-9703

Subject: This witness is relevant and necessary because she would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. She and the Accused attended USD together and knew each other quite well.

Name: Andrew Haden

Contact Info: [andrew.haden@gmail.com](mailto:andrew.haden@gmail.com), (619) 665-3165

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. He graduated from USD. He was a Lieutenant in the Navy prior to law school. At USD, he was the Chair of the Moot Court Board and the President and Founder of the VLISA. He was a mentor to the Accused in law school.

Name: Jenny Meeker

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Contact Info: [jlmeeker@gmail.com](mailto:jlmeeker@gmail.com), (619) 884-7106

Subject: This witness is relevant and necessary because she would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. She was a friend of the Accused and a graduate of USD. She was the Accused's TA for Lawyering Skills I along with Carolina Bravo-Karimi.

Name: Forrest Merithew

Contact Info: [fmerithew@gmail.com](mailto:fmerithew@gmail.com), (858) 822-9278

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. He is also a fact witness. The witness attended law school with the Accused at USD. The witness and the Accused became friends through intramural soccer during their 1L year. He was on the trip to New Orleans with the Accused in April 2007. The Accused and the witness worked at the same office. The witness and the Accused often hung out together during the trip. He did not see anything unusual happen.

Name: Marshall Skaletsky

Contact Info: [marshsd@gmail.com](mailto:marshsd@gmail.com), (858) 449-4995

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. The witness was a 3L at USD and was the SBA President. He was also on the Moot Court Board with the Accused. The witness and the Accused became friends through moot court last year.

Name: Ben Shiftan

Contact Info: [benjamin@shiftan.com](mailto:benjamin@shiftan.com), (858) 775-7040

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. The witness was a 3L at USD and was on the Moot Court Executive Board with the Accused. The witness and the Accused became friends through intramural soccer during their 1L year.

Name: Hillary Mueri

Contact Info: [hmueri@gmail.com](mailto:hmueri@gmail.com)

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. She was a law school student at USD and was the Executive Vice President of the VLISA. She was a Lieutenant in the Navy prior to law school.

Name: Dane Voris

Contact Info: [danevoris@yahoo.com](mailto:danevoris@yahoo.com)

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. He was a 1L at USD and is the Operational Vice President of the VLISA. He was a Lieutenant in the Navy prior to law school. The Accused was his mentor at law school.

Name: Joni Borzcik

Contact Info: [jborzcik@gmail.com](mailto:jborzcik@gmail.com), (714) 801-1744

Subject: This witness is relevant and necessary because she would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. She is currently a 3L at USD. The Accused was her mentor during her 1L year.

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Name: Maureen Abdelsayed

Contact Info: [maureen82@gmail.com](mailto:maureen82@gmail.com), (917) 533-3946

Subject: This witness is relevant and necessary because she would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. She graduated from USD lawschool. The Accused and the witness were in the same section their 1L year. The Accused and the witness were on the Moot Court Board together. The Accused dated her roommate, Samin Adib (who was also in their section 1L year), during the fall semester, but the relationship didn't last.

Name: Carolina Bravo-Karimi

Contact Info: [c.bravokarimi@gmail.com](mailto:c.bravokarimi@gmail.com), (949) 885-6763

Subject: This witness is relevant and necessary because she would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. The witness is a friend of the Accused and graduated from USD lawschool in 2008. She was the Accused's mentor for Lawyering Skills along with Jenny Meeker. She was also on the Moot Court Board with the Accused last year. She has heard about the situation from someone else and I'm not sure where she stands now, but she always liked me before.

Name: Catherine Tran

Contact Info: [cltran@gmail.com](mailto:cltran@gmail.com) (858) 472-7372

Subject: This witness is relevant and necessary because she would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. She graduated from USD. The Accused and the witness became friends through school functions and had a class together last year. She was on the trip to New Orleans.

Name: Kristen Santerre

Contact Info: [kristensanterre@gmail.com](mailto:kristensanterre@gmail.com) (858) 245-2266

Subject: This witness is relevant and necessary because he would offer good military character testimony in support of the Accused's reputation for peacefulness and honesty. She graduated from USD last year. She was the organizer of the New Orleans trip and the Accused and the witness became friends from there. The witness began dating Andrew Haden the next year and the Accused and the witness have always been friends.

Name: Ahnie Smith

Contact Info: [ahniesmith@gmail.com](mailto:ahniesmith@gmail.com) (925) 639-0666

Subject: This witness is relevant and necessary because she would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. She attended law school at USD. She was on the Moot Court Board with the Accused last year.

Name: Katie Santon

Contact Info: [ksanton@gmail.com](mailto:ksanton@gmail.com) (760) 224-4963

Subject: This witness is relevant and necessary because they would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. The witness is the Accused's friend and was a 3L at USD. The witness and the Accused met through friends and during moot court competitions, although she was not on the Moot Court Board. She dated Joe Gorman, so the Accused and her became closer friends.

Name: Amber Davis

Contact Info: (206) 718-7827

Subj: REQUEST FOR DISCOVERY IN U.S. V. CAPTAIN DOUGLAS WACKER,  
USMC; PRODUCTION REQUEST, BILL OF PARTICULARS, AND WITNESS  
REQUEST

Subject: This witness is relevant and necessary because they would offer good character testimony in support of the Accused's reputation for peacefulness and honesty.

Name: John Compton

Contact Info: (206) 915-2667

Subject: This witness is relevant and necessary because they would offer good character testimony in support of the Accused's reputation for peacefulness and honesty.

Name: Kati Burpee

Contact Info: (253) 797-7728

Subject: This witness is relevant and necessary because they would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. This witness owns a bar in Seattle and has interacted with the Accused socially since 2001.

Name: Sarah Kusch

Contact Info: (310) 945-7768

Subject: This witness is relevant and necessary because they would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. This witness attended UCLA with the Accused between 1999-2001. This witness dated the Accused and has stayed in contact with the accused to the present.

Name: Colleen (Cassidy) Blosser

Contact Info: (760) 224-6667

Subject: This witness is relevant and necessary because they would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. This witness has known the accused socially for the past 3 years. This witness is a Registered Nurse and a Lieutenant in the U.S. Navy.

Name: Henry de Vere White

Contact Info: (206) 650-9915

Subject: This witness is relevant and necessary because they would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. This witness was a bartender in Seattle in 2001 and became a close friend of the Accused. This witness has socialized frequently with the Accused.

Name: Tina de Vere White

Contact Info: (916) 284-5719

Subject: This witness is relevant and necessary because they would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. This witness has interacted with the Accused in social situations since 2006.

Name: Matthew Keasling

Contact Info: (916) 601-2507

Subject: This witness is relevant and necessary because they would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. This witness has interacted with the Accused in social situations since 2007.

Name: Naisha Covarrubias-Keasling

Contact Info: (949) 419-7314

Subj: REQUEST FOR DISCOVERY IN U.S. V. CAPTAIN DOUGLAS WACKER,  
USMC; PRODUCTION REQUEST, BILL OF PARTICULARS, AND WITNESS  
REQUEST

Subject: This witness is relevant and necessary because they would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. This witness has interacted with the Accused in social situations since 2007.

Name: Mr. John Carter (MGySgt, USMC, ret.)  
Contact Info: MCRD San Diego, CA

Subject: This witness is relevant and necessary because they would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. This witness worked with the Accused between May and October 2009.

Name: Thad Trapp, LtCol, USMC

Contact Info: MCRD San Diego, CA

Subject: This witness is relevant and necessary because they would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. This witness worked with the Accused between May and October 2009.

Name: Christopher Conlin, Col, USMC

Contact Info: MCRD San Diego, CA

Subject: This witness is relevant and necessary because they would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. This witness worked with the Accused between May and October 2009.

Name: Susan Minimizano

Contact Info: Unknown

Subject: The witness attended law school with the Accused at USD. He was on the trip to New Orleans with the Accused in April 2007.

Name: Robert O'Brien

Contact Info: Unknown

Subject: This witness attended law school with the Accused at USD. He was on the trip to New Orleans with the Accused in April 2007.

Name: Nancy Velie

Contact Info: Unknown

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. This witness was a secretary and athletic coordinator at Shorecrest H.S. and worked closely with the Accused.

Name: Heather McKimmie

Contact Info: (206) 851-0624

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. The accused attended elementary through high school with the Accused.

Name: Johanna Figurelli

Contact Info: (206) 851-0624

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. The accused attended elementary through high school with the Accused.

Name: Matthew Majorowicz

Contact Info: (206) 437-8548

Subj: REQUEST FOR DISCOVERY IN U.S. V. CAPTAIN DOUGLAS WACKER,  
USMC; PRODUCTION REQUEST, BILL OF PARTICULARS, AND WITNESS  
REQUEST

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. The accused attended high school with the Accused.

Name: Benjamin (Jamie) Hadden

Contact Info: Unknown

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. The accused attended elementary through high school with the Accused.

Name: Cory Christianson

Contact Info: (206) 769-5637

Subject: This witness is relevant and necessary because he would offer good character testimony in support of the Accused's reputation for peacefulness and honesty. The accused attended elementary through high school with the Accused.

6. Please inform the defense counsel immediately if any of the above witnesses, bill of particulars request or evidence will be denied and provide the basis for denial. The Defense also requests that the Government continue to disclose information as it is obtained in accordance with this discovery request.

/s/

C. P. HUR  
Captain, USMC