

STATEMENT

Place : MCAS Miramar San Diego, CA, Bldg 7208

Date : January 6, 2009

I, Joseph Abraham GORMAN, make the following free and voluntary statement to John R BURGE whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of my conversations with Douglas Wacker. JG

For the purposes of identification, I am a white male weighing 165 lbs. I am 70" tall and have brown hair and blue eyes. My Social Security number is 086-72-5549. I was born on August 21, 1983, in Syracuse, New York. I currently reside at 4540 Ashton St., San Diego, California, 92110.

The below statement is my recollection of the events.

I attend the University of San Diego School of Law. In the Spring semester of 2009 I noticed that my classmates Jessica Brooder and Elizabeth Easley had not returned back to class after their volunteer trip to New Orleans. Jessica and I usually carpooled to our volunteer job at the Guardianship Clinic on Thursdays so I called her to see if she was still going and if everything was ok. She was crying on the phone and told me that she wasn't going to school for the rest of the semester. JG

That week Doug and I had a conversation about New Orleans. I don't remember who initiated the conversation. Doug told me that there were accusations that he had sexually assaulted Jessica and Liz. I don't remember much of the conversation except that he said the three of them were out drinking, they went back to the hotel to hook up, and that the girls left New Orleans the next day. I was good friends with Doug, Jess, Liz, and Jess and Liz's boyfriends so I decided to stay out of it. JG

Over the next year and a half or so Doug spoke to me from time to time about the criminal investigation in New Orleans. I knew that the New Orleans District Attorney's Office was investigating the matter, but that there was the possibility of the case being thrown out. The entire ordeal appeared to be very stressful for Doug. I know he traveled to New Orleans and spent a lot of money on an attorney. JG

One day I was in the USD Library computer lab and sat at a computer with a window open. I checked to see what the window was before I closed it, making sure it wasn't something important. It was Tara Aguilar's email. The email said something about an attorney traveling to New Orleans for her friends. I told Doug about the email and I told Tara that I had seen the email and she should be more careful about leaving it open. She tried to explain the email to me, but I don't remember what she said. I don't know if Doug ever confronted her about it. JG

I know there was some type of hearing at USD regarding the Jessica and Liz situation. Doug appeared before a panel and they decided by a preponderance of the evidence that he had not committed an offense against Jessica and Liz. Doug was happy about this. JG

In the Spring of 2008 Doug asked me to talk to Nicole Cusack about a situation between the two of them. He had heard that she was accusing him of rape and he asked me to talk to her. She wasn't openly talking about it and only a handful of people knew the situation. Somehow, it had gotten back to Doug. I talked to her and I think Alex Lowder did too. I don't know if she knew about Jessica and Liz at that point. JG

Continuation of voluntary sworn statement of
Joseph Abraham GORMAN
on January 6, 2009

In the summer of 2008 I worked in Orange County. I am still friends with Jessica and her boyfriend, and Jessica came down from L.A. to hang out in Orange County. We never talked about the Doug situation, and still never have. JCA

In fall 2008, Jodi McShan told me that I may be contacted by NCIS regarding the Doug and Jessica situation. She said that she had given my name to the investigating officer and that he was probably going to call me. Jodi also told Doug that she had given the officer my name. JCA

I received a voicemail from the NCIS officer and told Nicole about it. We are now dating. She didn't want me to mention her name to the officer because she was embarrassed, she didn't want her parents to find out, and she was scared of what her dad would do to Doug. I decided not to call the officer back. I didn't want to lie to the officer about Nicole, and my main concern was making sure she didn't have to talk to him if she didn't want to. JCA

Doug asked me if he could talk to me about the investigation. I talked to him between classes. I told him they had contacted me. He told me that if they asked me about the nickname "Creepy Doug" to say I never heard of it, which I haven't. He also reminded me that there was no sexual intercourse between him and Jessica. I told him I had no way of knowing anything, that I wasn't going to talk to NCIS, but only because Nicole was scared of getting involved. I also told him that he shouldn't bring up the investigation with people, including me, because I would be forced to tell the investigating officer about what was said if I ever did talk to him. JCA

Later on, Nicole told me that April Tatton had contacted her about the investigation. I think April made Nicole feel better about talking to the agent. Nicole spoke with him. I had no reason not to speak to the agent anymore, so I agreed to, but this was nearing final exam period so I waited until the new semester. JCA

During final exams, Doug approached me and asked me if I had been contacted. I told him I had been contacted, and that I was probably going to talk to the officer. I told him that I was just going to tell them the truth. I told him that I was not going to be the judge and jury on what happened and that I was sick of talking about it and worrying if I was agreeing with the right side or not. He agreed and said he understands that since I am dating Nicole we can't really be friends but hopes that someday we can be friends. JCA

This statement, consisting of this page and 1 other page(s) was typed for me by myself as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

Signature: Joseph A Gorman

Sworn to and subscribed before me this 06 day of January in the year 2009 at

MCAS Miramar, CA, Bldg 7208

Witnessed: Spuy Lewis

Spuy Lewis
Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303