

STATEMENT

Place : MCAS Miramar, CA, Bldg 7208

Date : January 28, 2009

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I, Anand R. UPADHYE, make the following free and voluntary statement to Special Agent 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 Doug WACKER.

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For identification purposes I am an Indian male, 5'9", 170 lbs, black hair and brown eyes. My date of birth is 29Nov81 and I was born in Allentown, PA. My social security number is 602-03-7626. My home address is 1443 Felspar St., San Diego, CA 92109. I am currently a full time student at the University of San Diego School of Law.

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I heard from Doug via telephone the night he went out with Nicole in Seattle. He called me some time that night from a loud bar or club. He called me the next day and told me that he and Nicole had returned to her place and she was sick from drinking too much. He told me that she was vomiting and that he cleaned up her vomit. He also said that she was in the shower or bathtub and that at one point he went to check on her to clean up her vomit. She was naked at that time. He told me she had a good body. He never mentioned or implied that he had any sexual contact with her at this time. Hearing about her being so sick and Doug taking care of her was surprising to me because the two had just been introduced no more than a few weeks ago. I heard from Nicole later that she was grateful he was there to clean up, because she was such a mess that night. I don't think I was alone with her when she told me this. I remember her laughing when she talked about that night. I recall that after they came back from Christmas, they started dating.

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A few months ago, I gave Doug a ride back from a bar. He appeared to be drunk. It was late in the night. He told me what a nightmare it had been for him to be accused of things as a law student and a Marine. He told me how horrible his life had been since he had been accused of things. He told me how his career was on the line and how he would be limited from holding certain offices just due to the accusation leveled against him. As he told me this, I did not know exactly what he had been accused of, though I had some understanding that it related to Easley and Brooder. He never referred specifically to Easley and Brooder, but he did mention that sometimes when women wake up after a crazy night, they regret things. They remember they have boyfriends back home and that they should not have done certain things. Doug told me that something happened, but it was consensual and now he is being accused because they (Easley and Brooder) feel bad about what happened, and had to talk to their boyfriends about it. Doug talked about how much power women have to accuse men of wrongdoing. Despite the presumption of innocence, Doug told me how the accusations themselves are a punishment and will prevent him from certain career paths. Doug mentioned that he will never look at interactions with women the same way ever again because of that event. He said that he would be more careful and realized that even if he thought an encounter was consensual, he could still be accused of wrongdoing (he never used the terms "rape" or "sexual assault.")

Continuation of voluntary sworn statement of
Anand R. UPADHYE
on January 28, 2009

Ad Later, at some point, he showed me his Blackberry, which displayed some text or email that said his Louisiana case had been dropped or that the records were expunged. I congratulated him. He seemed very happy.

Ad I do not remember the last time I spoke to Doug. It could have been at the beginning of the semester, but I do not recall.

Ad 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: 

Sworn to and subscribed before me this 28 day of January in the year 2009 at
MCAS Miramar, CA, Bldg 7208

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