

DEFENDANT'S OBJECTIONS TO PLAINTIFF'S EXHIBIT LIST

Exhibit No.	Description	Objections
1	10 U.S.C. § 654 (1993)	
2	Nathaniel Frank Expert Report (Jan. 18, 2010)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
3	S. Rep. No. 103-112- National Defense Authorization Act for Fiscal Year 1994	
4	"Report of the Board Appointed to Prepare and Submit Recommendations to the Secretary of the Navy for the Revision of Policies, Procedures and Directives Dealing with Homosexuals 25 December 1956-15 March 1957)" (the "Crittenden Report") (DoD LA 7-10 49668-49741)	
5	Theodore Sarbin and Kenneth Karols, Defense Personnel Security Research and Education Center, "Nonconforming Sexual Orientations and Military Suitability" (OSD P&R 7328-7376)	
6	U.S. Gen. Accounting Office, Report to Congressional Requesters, "Defense Force Management: DOD's Policy on Homosexuality" (June 1992)	Relevance
7	U.S. Gen. Accounting Office, Report to the Hon. John W. Warner, U.S. Senate, "Homosexuals in the Military: Policies and Practices of Foreign Countries" (June 1993)	
8	RAND National Defense Research Institute, "Sexual Orientation and U.S. Military Personnel Policy: Options and Assessment" (1993)	
9	U.S. Gov. Accountability Office, Report to Congressional Requesters, "Military Personnel Financial Costs and Loss of Critical Skills Due to DOD's Homosexual	Relevance

	Conduct Policy Cannot be Completely Estimated" (Feb. 2005)	
10	Blue Ribbon Commission Members Report, "Financial Analysis of 'Don't Ask, Don't Tell': How Much Does the Gay Ban Cost?" (Feb. 2006)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
11	Sam Rodgers, "Opinions of Military Personnel on Sexual Minorities in the Military" (Zogby International, Dec. 2006)	Relevance; Hearsay; Foundation
12	Aaron Belkin et al., "How to End 'Don't Ask, Don't Tell:' A Roadmap of Political, Legal, Regulatory, and Organizational Steps to Equal Treatment" (Palm Center, May 2009)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
13	Aaron Belkin and Melissa Levitt, "Homosexuality and the Israel Defense Forces: Did Lifting the Gay Ban Undermine Military Performance?," Vol. 27 No. 4 Armed Forces & Society 541 (2001)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
14	Inadvertently Skipped	
15	Nathaniel Frank, "Gays and Lesbians at War: Military Service in Iraq and Afghanistan Under 'Don't Ask, Don't Tell'" (Center for the Study of Sexual Minorities in the Military, University of California, Santa Barbara, Sept. 15, 2004)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
16	Nathaniel Frank, "The Road to Gays in the Military Runs through Iowa," Huffington Post, <i>available at</i> http://www.huffingtonpost.com/nathaniel-frank/the-road-to-gays-in-the-m_b_183492.html (Apr. 6, 2009)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
17	Nathaniel Frank, "Refuting the Latest Arguments Against Gay Troops," Huffington Post, <i>available at</i> http://www.huffingtonpost.com/nathaniel-frank/refuting-the-latest-argum_b_327553.html (Oct. 20, 2009)	Relevance; Hearsay; Hearsay within Hearsay ; Foundation; Authentication

18	Nathaniel Frank et al., "'The Importance of Objective Analysis' on Gays in the Military: A Response to Elaine Donnelly's Constructing the Co-Ed Military" (15 Duke J. Gender L. & Pol'y 419, 2008)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
19	Not used	
20	Nathaniel Frank, <u>Unfriendly Fire</u> 113-136 (New York, St. Martin's Press 2009)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Incomplete (part of Ex. 300)
21	Nathaniel Frank, "Gay Troops and the Trouble with Polls," Huffington Post, <i>available at</i> http://www.huffingtonpost.com/nathaniel-frank/gay-troops-and-the-troubl_b_460291.html (Feb. 12, 2010)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
22	Nathaniel Frank, "Gays in Foreign Militaries 2010: A Global Primer" (Palm Center, Feb. 2010)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
23	Rob MacCoun Expert Report (Jan. 19, 2010)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
24	Inadvertently Skipped	
25	Leonard Wong et al., "Why They Fight: Combat Motivation in the Iraq War" (US Army College, Strategic Studies Institute, July 2003)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
26	Robert MacCoun et al., "Does Social Cohesion Determine Motivation in Combat? An Old Question Answered," Vol. 32 No. 4 <i>Armed Forces & Society</i> 646 (July 2006)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
27	Robert MacCoun, "Sexual Orientation and Military Cohesion: A Critical Review of the Evidence," in <u>Out in Force: Sexual Orientation and the Military</u> (University of Chicago Press, 1996)	Relevance; Hearsay; Hearsay within Hearsay; Foundation

28	Inadvertently Skipped	
29	Elizabeth Hillman Expert Report (Jan. 18, 2010)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
30	Elizabeth Hillman, "Guarding Women: Abu Ghraib and Military Sexual Culture" in <u>One of the Guys: Women as Aggressors and Torturers</u> 111-123 (Seal Press, 2007).	Relevance; Hearsay; Hearsay within Hearsay; Foundation
31	Servicemembers Legal Defense Network, "Conduct Unbecoming: 10th Annual Report on Don't Ask, Don't Tell" (2004)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
32	Bonnie Moradi and Laura Miller, <u>Attitudes of Iraq and Afghanistan War Veterans toward Gay and Lesbian Service Members</u> (Armed Forces and Society, Oct. 29, 2009).	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
33	Aaron Belkin Expert Report (Jan. 15, 2010)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
34	Aaron Belkin and Geoffrey Bateman, "Does the Gay Ban Preserve Soldiers' Privacy?" in <u>Don't Ask, Don't Tell Debating the Gay Ban in the Military</u> (Lynne Rienner Publishers, 2003)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
35	Aaron Belkin and Melissa S. Embser-Herbert, "A Modest Proposal: Privacy as a Flawed Rationale for the Exclusion of Gays and Lesbians from the U.S. Military," Vol. 27 No. 2 <u>International Security</u> 178 (2002)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
36	Log Cabin Republicans' Internal Survey of Members (LCR 1-17) (Feb. 22, 2010)	Relevance; Hearsay; Hearsay within Hearsay
37	Not used	
38	Declaration of John Doe (June 11, 2007)	Hearsay
39	Inadvertently Skipped	

40	Letter from John Alexander Nicholson (SUBJECT TO PROTECTIVE ORDER) (Feb. 10, 2002)	Relevance; Hearsay; Hearsay within Hearsay
41	Letter from John Alexander Nicholson (SUBJECT TO PROTECTIVE ORDER) (Feb. 8, 2002)	Relevance; Hearsay; Foundation
42	Not used	
43	Nathaniel Frank, <u>Unfriendly Fire</u> 191-192 (St. Martin's Press 2009)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Incomplete (part of 300)
44	Yusef Najafi, "Servicemembers' Milestone, Largest Organization of Gay Veterans Opens DC headquarters" <i>Metroweekly</i> , available at http://metroweekly.com/news/?ak=4369 (July 2, 2009)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
45	Alan Okros Expert Report	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
46	Inadvertently Skipped	
47	Inadvertently Skipped	
48	Inadvertently Skipped	
49	Inadvertently Skipped	
50	Melissa Sheridan Embser-Herbert Expert Report (Jan. 15, 2010)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
51	Melissa Sheridan Embser-Herbert Curriculum Vitae	Relevance; Foundation
52	Melissa Sheridan Embser-Herbert, Excerpt from "Feminism, Militarism, and Attitudes Toward the Role of Women in the Military," Vol. 14 Issue 2, <i>Feminist Issues</i> 25 (1994)	Relevance; Hearsay; Hearsay within Hearsay; Foundation

53	Melissa Sheridan Embser-Herbert, Excerpt from <u>Camouflage Isn't Only for Combat</u> (New York University Press, 1998)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
54	Melissa Sheridan Embser-Herbert, "A Missing Link" in <u>In the Company of Men</u> (Northeastern University Press, 2005)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
55	Melissa Sheridan Embser-Herbert, "Frederick the Great or Frederick's of Hollywood? The Accomplishment of Gender Among Women in the Military" in <u>Everyday Inequalities</u> , (Blackwell Publishing Ltd. 1998)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
56	Melissa Sheridan Embser-Herbert, "Gays and Lesbians in the Military" in <u>U.S. Military's 'Don't Ask, Don't Tell' Policy: A Reference Handbook</u> , (Praeger Sec. Int'l., 2007)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
57	Not used	
58	Lawrence Korb et al., "Ending 'Don't Ask, Don't Tell:' Practical Steps to Repeal the Ban on Openly Gay Men and Women in the U.S. Military" (Center for American Progress, June 1, 2009)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
59	Lawrence Korb Expert Report (LCR 152-171)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
60	Servicemembers Legal Defense Network, Excerpt from "About 'Don't Ask, Don't Tell,'" <i>available at</i> http://www.sldn.org	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
61	Defense Manpower Data Center, "Separations Due to Homosexual Conduct" (Report Prepared for Under Secretary of Defense for Plans, May 12, 2009) (DMDC 225-257)	Relevance; Foundation
62	Lawrence Korb, "Evolving Perspectives on the Military Policy on Homosexuals: A Personal Note in <u>Gays and Lesbians in the Military: Issues, Concerns, and Contrasts</u> (Aldine Transaction, 1994)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication

63	Memorandum from Craig Alderman to Director DOD Personnel Security Research and Educational Center regarding PERS-TR-98-002, "Nonconforming Sexual Orientations and Military Suitability" (Jan 18, 1989) (DoD LA 2-6 42416-42417)	Relevance; Foundation
64	Palm Center, excerpt from "Attitudes of Iraq and Afghanistan War Veterans Toward Gay and Lesbian Service Members" <i>available at</i> http://www.palmcenter.org/ (Oct. 29, 2009)	Relevance; Hearsay; Foundation; Authentication
65	Notice of 30(b)(6) deposition (Retained) (Dec. 21, 2009)	Relevance
66	Memorandum from David Chu to the Secretaries of the Military Departments regarding Directive Type (DTM) 08-018 "Enlistment Waivers" (June 27, 2008)	Relevance
67	Michael Boucai, "Balancing Your Strengths Against Your Felonies: Considerations for Military Recruitment of Ex-offenders," 61 U. Miami L. Rev. 997 (2007) (<i>available at</i> http://www.palmcenter.org)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
68	Not Used	
69	Gwyn Harries-Jenkins, excerpt from "Comparative International Military Personnel Policies" (U.S. Army Research Institute, May 1993) (ARI 60756-60779)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication; Incomplete
70	Franklin Pinch, "Perspectives on Organizational Change in the Canadian Forces" (U.S. Army Research Institute, January 1994) (ARI 60206-60272)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
71	Memorandum from Paul Gade to Bob Wisher regarding Review of Sr. Pinch's Report Entitled Perspectives on Organizational Change in the Canadian Forces (June 28, 1993) (ARI 60755)	Relevance
72	Email communications between Franklin Pinch and Paul Gade regarding gays in Canadian military (Nov. 1, 2000) (ARI	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication

	62002-62004)	
73	Paul Gade et al., "Social Science Research on Homosexuals in the Military" in <u>Gays and Lesbians in the Military: Issues, Concerns, and Contrasts</u> (Sandra Stanley and Wilbur Scott, eds., Aldine Transaction, 1994)	Relevance; Hearsay; Hearsay within Hearsay
74	Paul Gade, U.S. Army Research Institute, slides regarding Research Findings and Issues Concerning Homosexuals in Military Service (ARI 61994-62001)	Relevance
75	Paul Gade, "The Integration of Homosexuals in the U.S. Military" (Nov. 18, 1992) (ARI 60533-60534)	Relevance
76	Dep't of the Army, "Future organizational change US Army (Focus Army) Chronology of Policy Events/Activities" (July 30, 1993) (ARI 62125-62128)	Relevance; Hearsay; Foundation; Authentication
77	Aaron Belkin and R.L. Evans, "The Effects of Including Gay and Lesbian Soldiers in the British Armed Forces Appraising the Evidence" (Palm Center, Nov. 2000) (LCR 4706-4775)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
78	Aaron Belkin and Melissa Levitt, "Homosexuality and the Israel Defense Forces: Did Lifting the Gay Ban Undermine Military Performance?," Vol. 27 No. 4 <i>Armed Forces & Society</i> 541 (2001)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
79	Aaron Belkin and Jason McNichol, "The Effects of Including Gay and Lesbian Soldiers in the Australian Defence Forces Appraising the Evidence" (Palm Center, Sept. 19, 2000) (LCR 4666-4705)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
80	Aaron Belkin and Jason McNichol, "Effects of the 1992 Lifting of Restrictions on Gay and Lesbian Service in the Canadian Forces: Appraising the Evidence" (Palm Center, Apr. 2000)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication

81	Aaron Belkin, "Don't Ask, Don't Tell: Is the Gay Ban Based on Military Necessity?" (Palm Center, 2003) (LCR 3367-3378)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
82	Not used	
83	Ministry of Defence, Memorandum attaching 2002 "Tri-Service Review of the Armed Forces' Policy on Homosexuality and Code of Social Conduct" (British Ministry of Defence, May 18, 2007)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
84	Not used	
85	Defendants' Objections and Responses to Plaintiff's First Set of Requests for Admission (Jan. 28, 2010)	Relevance
86	Defense Manpower Data Center, Chart titled "Homosexual Separations by Service and Reason, DoD Official Numbers FY 97- FY 08" (DMDC 250-253)	Relevance; Foundation
87	Dep't of the Army, Excerpt from <u>Future Organizational Change - U.S. Army, Focus Army Task Force Documentation Book</u> (1993) (ARI 62124)	Relevance; Hearsay; Foundation; Incomplete
88	Not used	
89	Memorandum regarding Gays and Lesbians at War: Military Service in Iraq and Afghanistan Under "Don't Ask, Don't Tell" (redacted) (OSD P&R Plans 58910-58911)	Relevance; Foundation
90	Bonnie Moradi and Laura Miller, "Attitudes of Iraq and Afghanistan War Veterans toward Gay and Lesbian Service Members" (Armed Forces and Society, Oct. 29, 2009) (DMDC 11-22)	Duplicate of Ex. No. 32
91	Not used	
92	FORSCOM Regulation 500-3-3 (July 15, 1999)	

93	DOD Instruction Number 1332.14	
94	DOD Instruction Number 1332.30	
95	Dep't of Defense, Deputy Secretary of Defense Organizational Chart (2008)	Relevance
96	Dep't of Defense, Defense Agencies Organizational Chart (2008)	Relevance
97	Chart titled "Days between deployment end date and separation date active duty separations as of April 1, 2010"	Relevance
98	Not used	
99	Not used	
100	Michael McDaniel, "Preservice Adjustment of Homosexual and Heterosexual Military Accessions: Implications for Security Clearance Suitability" Defense Personnel Security Research and Education Center, (Jan. 1989) (DoD LA 2-6 42467-42496)	
101	Theodore Sarbin, "Homosexuality and Personnel Security" (Defense Personnel Security Research and Education Center, Sept. 1991) (PERSEC 7818-7863)	Relevance; Hearsay; Hearsay within Hearsay
102	Not used	
103	Defendants' Objections and Responses to Plaintiff's First Set of Requests for Production of Documents (Jan. 12, 2010)	Relevance; Hearsay
104	Defendants' Objections and Responses to Plaintiff's First Set of Interrogatories (Feb. 22, 2010)	Relevance
105	Defendants' Objections and Response to Plaintiff's Second Set of Requests for Admission (Feb. 22, 2010)	Relevance

106	Defendants' Objections and Responses to Plaintiff's Second Set of Requests for Production of Documents (Mar. 4, 2010)	Relevance; Hearsay
107	Defendants' Objections and Responses to Plaintiff's Second Set of Interrogatories (Mar. 4, 2010)	Relevance
108	Defendants' Supplemental Responses to Plaintiff's First Set of Requests for Admission (Mar. 26, 2010)	Relevance
109	Draft of Log Cabin Republicans' Bylaws (Jan. 2006)	
110	Log Cabin Republicans' Articles of Incorporation	
110A	Alex Nicholson Certificate of Release or Discharge from Active Duty (Mar. 29, 2003)	Relevance
111	Stephen Jay Vossler's Certificate of Release or Discharge from Active Duty (June 26, 2006)	Relevance
112	Michael Almy's Certificate of Release or Discharge from Active Duty (Jul. 21, 2006)	Relevance
113	Letter from Colonel Paul Trahan to all Reviewed Authorities regarding Major Michael D. Almy (Feb. 12, 2006)	Relevance
114	Memorandum from Lt. Colonel Jeffrey B, Kromer to All Reviewing Authorities regarding Major Michael Almy (Feb. 13, 2006)	Relevance
115	Memorandum from Major Scott D. Weenum, Department of the Air Force, to All Reviewing Authorities regarding Major Mike Almy (Feb. 10, 2006)	Relevance

116	Memorandum for Record from Captain Stuart A. Williamson, Department of the Air Force, regarding Major Michael D. Almy (Jan. 25, 2006)	Relevance
117	Memorandum for Record from Captain Timothy Higgins, Department of the Air Force, regarding Major Almy (Feb. 13, 2006)	Relevance
118	Letter from Captain Hyral Walker, Jr., Dep't of the Air Force, regarding Major Michael D. Almy (Feb. 8, 2006)	Relevance
119	Memorandum for Record from Captain Quintin Tran, Dep't of the Air Force, to All Reviewing Authorities, regarding Major Michael D. Almy (Feb. 3, 2006)	Relevance
120	Memorandum for Record from First Lieutenant Rahsul Freeman, Department of the Air Force, to All Reviewing Authorities, regarding Major Michael D. Almy (Feb. 10, 2006)	Relevance
121	Memorandum for Record from First Lieutenant Bryan Zollinger, Dep't of the Air Force, to All Reviewing Authorities, regarding Major Michael D. Almy (Jan. 23, 2006)	Relevance
122	Memorandum from Senior Master Sargeant Leslie D. McElya to 52FW/CC regarding Major Mike Almy (Feb. 7, 2006)	Relevance
123	Memorandum from Master Sargeant David H. Hogden to All Reviewing Authorities regarding Major Mike Almy (Jan. 30, 2006)	Relevance
124	Memorandum from Sargeant Denise D. Hyre to All Reviewing Authorities regarding Major Mike Almy (Feb. 13, 2006)	Relevance
125	Memorandum from Senior Sargeant Thomas Ray, Department of the Air Force, to All Reviewing Authorities regarding Major Mike Almy (Feb. 8, 2006)	Relevance

126	Letter from Craig Weatherwax to all concerned regarding Major Michael Almy	Relevance
127	Letter from Paul Tripp to all concerned regarding Major Michael Almy	Relevance
128	Letter from General Robert H. Foglesong to Major Mike Almy regarding 2004 USAFE Lieutenant General Leo Marquez Communcations Electronics Award (2005)	Relevance
129	Letter from M. Sgt. Patrick Nutt to undisclosed recipient regarding S. Sgt. Loverde (Apr. 29, 2009)	Relevance
130	Not used	
131	Email from Anthony Loverde to Jon Welch (Apr. 22, 2008)	Relevance; Hearsay
132	Letter from Anthony Loverde to undisclosed recipient admitting his sexual orientation (Apr. 22, 2008)	Relevance; Hearsay
133	Email from M. Sgt. Robert Eslinger to Anthony Loverde regarding "calling all supervisors" (Apr. 28, 2008)	Relevance
134	Anthony Loverde's Certificate of Discharge from Active Duty	Relevance
135	Letter from M. Sgt. Robert Eslinger to undisclosed recipient regarding Anthony Loverde	Relevance
136	Letter from CM Sgt. Michael Yakowenko to undisclosed recipient regarding Anthony Loverde (June 2, 2009)	Relevance
137	Letter from SM Sgt. Richard Horn to undisclosed recipient regarding Anthony Loverde (Apr. 28, 2008)	Relevance
138	Statement of Service, BOI Record of Proceedings in the Case of Lt.Jg. Jenny L. Kopfstein, USNR (Mar. 20, 2002)	Relevance; Hearsay
139	Jenny L. Kopfstein Fitness Report and Counseling Record	Relevance

140	Memorandum for Record from Jenny Kopfstein to Commanding Officer, USS Shiloh (Jul. 17, 2000)	Relevance; Hearsay
141	Jenny Kopfstein's Certificate of Release or Discharge from Active Duty	Relevance
142	Joseph C. Rocha's voluntary statement regarding sexual orientation (Sept. 19, 2007)	Relevance
143	Joseph C. Rocha's Evaluation Report and Counseling Record (June 22, 2006)	Relevance
144	Joseph C. Rocha Evaluation Report and Counseling Record (with additional signature from Lt. Castoire) (June 22, 2006)	Relevance
145	Joseph C. Rocha Evaluation Report and Counseling Record (with additional signatures from Lt. Castoire and Joseph Rocha) (June 22, 2006)	Relevance
146	Memorandum from Commanding Officer, U.S. Naval Support Activity Bahrain to Superintendent of the U.S. Naval Academy regarding Joseph Rocha (Jan. 23, 2006)	Relevance
147	Memorandum from Commanding Officer, U.S. Naval Support Activity Bahrain to Commander of Navy Installations Command regarding Joseph Rocha (Apr. 12, 2007)	Relevance
148	Email from Joseph Rocha to undisclosed recipient regarding harassment and abuse	Relevance; Hearsay
149	Memorandum from Commanding Officer, U.S. Naval Support Activity Bahrain to Commander, Navy Personnel Command regarding Joseph Rocha	Relevance
150	Joseph Rocha's Certificate of Release or Discharge from Active Duty	Relevance
151	Administrative Separation Proceeding Notice - Administrative Board Procedure for Joseph Rocha	Relevance

152	Dep't of Defense, "Fact Sheet: Homosexuals in the Armed Forces" (Jan 1981) (DoD LA 2-6 040937)	Relevance; Foundation
153	Bèrubè, A. and D'Emilio, J., <u>The Military and Lesbians During the McCarthy Years</u>	Relevance; Hearsay; Hearsay within Hearsay; Foundation
154	Memorandum from Robert L. Gilliat to Offices of the Judge Advocates General of the Army, Navy, and Air Force regarding Gays Veterans Association, Inc. v. Secretary of Defense Civ. No. 85-3193 filed October 4, 1985) (Oct. 15, 1985) (DoD LA 7-10 054873)	Relevance; Foundation
155	Murphy, L. R., <u>Perverts by Official Order: The Campaign Against Homosexuals by the United States Navy.</u> (Harrington Park Press, 1988)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
156	Memorandum from Secretary of Defense Richard Cheney to the Secretary of the Army et al. regarding Delegation of Authority to Suspend Provisions of Law Relating to Promotion, Retirement or Separation of Army Personnel (Nov. 23, 1988) (DoD LA 7-10 051797)	Relevance; Foundation
157	Michael McDaniel, "Preservice Adjustment of Homosexual and Heterosexual Military Accessions: Implications for Security Clearance Suitability" (Defense Personnel Security Research and Education Center, Jan. 1989) (DOD LA 2-6 042467-042496)	Duplicate of Ex. No. 100
158	Not used	
159	Memorandum from Craig Alderman, Jr., Deputy Undersecretary of Defense for Policy to Peter Nelson regarding PERSEREC Draft Report Nonconforming Sexual Orientations and Military Suitability (Feb. 10, 1989) (DOD LA 2-6 042466)	Relevance; Foundation

160	Memorandum from Maynard Anderson, Ass't Deputy Undersecretary of Defense, to Deputy Under Secretary of Defense for Security Policy regarding Congressional Briefings (Oct. 18, 1989) (DoD LA 2-6 042458-042461)	Relevance; Hearsay; Foundation
161	Michelle Benecke and Kristin Dodge, "Military Women in Nontraditional Job Fields: Casualties of the Armed Forces' War on Homosexuals," 13 Harvard Women's Law Journal 215 (1990)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
162	Allen Berube, <u>Coming Out Under Fire: The History of Gay Men and Women in World War Two</u> (The Free Press, 1990)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
163	Dyer, K. (ed.), <u>Gays in Uniform; The Pentagon's Secret Reports</u> (Boston: Alyson Publications 1990)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
164	Mary Ann Humphrey, <u>My Country, My Right to Serve: Experiences of Gay Men and Women in the Military, World War II to the Present</u> (HarperCollins 1990)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
165	Memorandum from Richard Cheney to the Secretaries of the Military Departments regarding Delegation of Authority to Suspend Provisions of Law Relating to Promotion, Retirement or Separation (Aug. 27, 1990) (DoD LA 7-10 051795 - 051796)	Relevance; Foundation
166	Dep't of the Navy, Naval Message regarding Sexual Harassment (Oct. 1990) (DoD LA 7-10 047077)	Relevance; Foundation
167	Letter from William Woodruff, Chief U.S. Army Litigation Division, to Irene Robertson regarding audit of DoD policy on homosexuality (Feb. 27, 1991) (DoD LA 2-6 042135-42137)	Relevance; Foundation
168	Randy Shilts, "Pentagon Memo Urged Reversing Ban on Gays in the Military Army Says the Officer's Opinions is his Own," (San	Relevance; Hearsay; Hearsay within Hearsay; Foundation

	Francisco Chronicle, June 25, 1991)	
169	Robert Maginnis, "A Contrary Agenda" (DoD LA 7-10 47931-47944)(1991)	Relevance; Hearsay; Hearsay within Hearsay; Foundation ; Authentication
170	Memorandum from James Schwenk to Irene Robertson attaching excerpts from Navy Women' Study Group "Update Report on the Progress of Women in the Navy" (Oct. 24, 1991) (DoD LA 7-10 50025-50035)	Relevance; Foundation
171	Robert L. Maginnis, "Homosexuality in the Army's Future?" (Approx. 1991) (DoD LA 7-10 47903 – 47922)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
172	Lori Ramsey and Barbara Urynowicz et al., "Update of the U.S. Army Research Institute's Longitudinal Research Data Base of Enlisted Personnel" (U.S. Army Research Institute, Aug. 1992)	Relevance; Hearsay; Foundation
173	Memorandum from T.D. Keating to Robert Adams stating that discharged homosexuals should receive half separation pay (Nov. 8, 1992) (DoD LA 2-6 40010 – 40011)	Relevance; Foundation
174	Charles Jackson, Executive Vice President Non Comissioned Officers Assoc., statement before Republican Study Committee on homosexuals in the Armed Forces (Dec. 9, 1992) (DoD LA 7-10 49304 – 49353)	Relevance; Hearsay; Hearsay within Hearsay; Foundation

175	Dep't of Defense, "Hypothetical Teaching Scenarios for Commanders and Personnel Involved in Recruiting, Accession Processing, Criminal Investigations, and Administrative Separations" (Navy 058969-058974)	Relevance; Foundation
176	F. Pond, A Comparative Survey and Analysis of Military Policies with Regard to Service by Gay Persons, in Policy Concerning Homosexuality in the Armed Forces, (Senate Armed Services Committee Hearing, 103d Cong., 2d Sess. Washington, D.C.)	
177	Randy Shilts, <u>Conduct Unbecoming: Lesbians & Gays in the U.S. Military Vietnam to Persian Gulf</u> (Fawcett Columbine, 1993)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
178	Marc Wolinsky and Kenneth Sherrill, <u>Gays and the Military: Joseph Steffan versus the United States</u> (Princeton University Press, 1993)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
179	David Burrelli, "Homosexuals and U.S. Military Personnel Policy" (Congressional Research Service, Jan. 14, 1993) (DoD LA 2-6 45928- 46002)	
180	Memorandum from former President of the United States, William Clinton, to Secretary of Defense regarding ending discrimination on the basis of sexual orientation in the armed forces (Jan. 29, 1993) (DoD LA 7-10 55847)	Relevance
181	Memorandum from Les Aspin to Secretaries of the Army, Navy, Air Force and Joint Chiefs of Staff regarding Administrative Separation Procedures (Feb. 3, 1993) (DoD 7-10 54450 -54451)	Relevance; Foundation
182	Memorandum from Robert Alexander to Deputy Assistant Secretaries of Army, Navy, Air Force regarding Armed Forces Applicant Screening and Periodic Briefing on Military Justice- Policy Guidance (Feb. 3, 1993) (DoD LA 7-10 55844)	Relevance; Foundation

183	Memorandum from Les Aspin to Secretaries of Army, Navy, Air Force and Joint Chief of Staff regarding Administrative Separation Procedures (Feb. 3, 1993) (DoD LA 7-10 55845 - 055846)	Relevance; Foundation
184	Eugene Gomulka, Deputy Chaplain of U.S. Marine Corps, testimony on “Homosexuality and Military Service” to Congress (Mar. 1, 1993) (DoD LA 2-6 39913 – 39917)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication; Incomplete
185	Letter from former President of the United States, William Clinton, to Admiral Jim Stockdale regarding ban on homosexuality in the military service (Mar. 4, 1993) (Navy 58991)	Relevance; Foundation
186	National Association of Evangelicals Resolution (Mar. 9, 1993) (DoD LA 2-6 39911 – 39912)	Relevance; Hearsay; Foundation; Authentication
187	Chaplain James Hutchens' testimony regarding Homosexuals in the Military before United States House of Representatives Republican Study Committee (Mar. 24, 1993) (DoD LA 2-6 39890 – 39903)	Incomplete (part of legislative history)
188	Chaplain Edgren testimony regarding Homosexuals in the Military before United States House of Representatives Republican Study Research Committee (Mar. 24, 1993) (DoD LA 2-6 39904- 39910)	Relevance; Hearsay; Foundation; Authentication; Incomplete
189	Chaplain James Shaw, Director of the Ministry to the Armed Forces, Lutheran Church statement regarding Homosexuals in the Military to United States House of Representatives Republican Study Research Committee (Mar. 24, 1993) (DoD LA 2-6 39921 – 39926)	Relevance; Hearsay; Foundation; Authentication; Incomplete
190	Chaplain Timothy Tatum testimony regarding Homosexuals in the Military to U.S. Congress (Mar. 24, 1993) (DoD LA 2-6 39927 – 39929)	Relevance; Hearsay; Foundation; Authentication; Incomplete

191	Memorandum from Edward Martin, Acting Assistant Secretary of Defense to Secretaries of the Military Depts. regarding Medical Implication of Homosexuals in the Military (Mar. 30, 1993) (PERSEC 8000 –8001)	Relevance; Foundation
192	Senate Armed Services Committee Hearing Transcript regarding "Topic: the role of Unit Cohesion...ban on homosexuals in military" (Mar. 31, 1993) (DoD LA 7-10 49032 – 49068)	Incomplete (part of legislative history)
193	RAND National Defense Research Institute, "Homosexuals and U.S. military Personnel Policy: Policy Options and Assessment" (interim report, Apr. 6, 1993)	Relevance; Hearsay; Foundation; Authentication
194	Letter from Clinton Anderson, American Psychological Association to Les Aspin regarding request for a meeting related to the ban on homosexuals in the military (Apr. 8, 1993) (DoD LA 2-6 36593-36604)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
195	U.S. Senate Committee on Armed Services Hearing Transcript, "To Receive Testimony on the Military Policy Concerning the Service of Gay Men and Lesbians in the Armed Forces: the Experience in Foreign Countries" (Apr. 29, 1993) (DoD LA 2-6 44033-44209)	Incomplete (part of legislative history)
196	Not used	
197	U.S. House of Representatives Committee on Armed Forces Hearing Transcript regarding policy implications of lifting the ban on homosexuals in the military (May 4, 1993) (DoD LA 2-6 43653-44032)	Incomplete (part of legislative history)
198	U.S. Senate Committee on Armed Services Hearing Transcript "Testimony from Current and Former Members of the Military Services of Gay Men and Lesbians in the Armed Forces" (May 11, 1993) (DoD LA 2-6 43411-43652)	Incomplete (part of legislative history)

199	RAND National Defense Research Institute, "Homosexuals and U.S. military Personnel Policy : Policy Options and Assessment" (interim report, June 3, 1993)	Relevance; Hearsay; Foundation; Authentication
200	Memorandum from Attorney General Janet Reno to President Clinton regarding defensibility of the new policy on homosexual conduct in the military (June 19, 1993) (OSD OEPM 14872-14873)	
201	H.W. Frank, "Legal Issues Raised during Senate Committee on Armed Forces" (Military Working Group, draft issue paper, Apr. 15, 1993)	Relevance (draft document); Foundation; FRE 403
202	Ben G. Miller, "Homosexuality is Incompatible with Military Service" (Military Working Group, draft issue paper, May 20, 1993)	Relevance; Foundation
203	Military Working Group, "Draft Statement of Option #2" (Jul. 7, 1993)	Relevance (draft document); Foundation; FRE 403
204	Memorandum from Les Aspin to Secretaries of the Army, Navy, Air Force and Joint Chiefs of Staff regarding Policy on Homosexual Conduct in the Armed Forces (Jul. 19, 1993) (PERSEC 7973 –7979)	
205	Letter from Lee Aspin to Hon. Richard Shelby attaching Summary Report of the Military Working Group and RAND report "Sexual Orientation and U.S. Military Personnel Policy: Options and Assessments" (Aug. 26, 1993) (OSD P&R 7428-7454)	
206	Dep't of Defense, "DOD/GC Homosexual Conduct Implementation Memo and Service/GC Responses" (Dec. 9, 1993) (OSD OEPM 13347-13378)	Relevance; Foundation
207	DoD Directive No. 1304.26 (Qualification Standards for Enlistment, Appointment and Induction, Dec. 21, 1993) (DoD Issuances WHS 58075-58084)	

208	Memorandum from Edwin Dorn to Assistant Secretaries of Army, Navy, Airforce regarding Training Guidance for DoD Policy on Homosexual Conduct in the Armed Forces (Dec. 21, 1993) (OSD OEPM 31205 – 31229)	Relevance; Foundation
209	M. Cammermeyer, <u>Serving in Silence</u> (Viking, 1994)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
210	W. J. Scott and S.C. Stanley, <u>Gays and Lesbians in the Military: Issues, Concerns, and Contrasts</u> (Aldine de Bruyter, 1994)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
211	Dep't of Defense, "DOD Policy on Homosexual Conduct Training Plan" (U.S. Military Entrance Processing Command, 1994) (PERSEC 7912-7972)	Relevance; Foundation
212	Philippe Manigart, "Comparative International Military Personnel Policies Homosexuals in Belgian Military" (U.S. Army Research Institute, Jan. 1994) (ARI 61001 – 61026)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
213	"Additional Q's & A's for Mr. Dorn's Deposition" (Feb. 11, 1994) (OSD OEPM 27530-27531)	Relevance; Hearsay; Foundation; Authentication
214	DoD Instruction 5505.8, "Investigations of Sexual Misconduct by the Defense Criminal Investigative Organizations and Other DoD Law Enforcement Organizations" (Feb. 28, 1994) (DoD LA 7-10 48964 – 48967)	
215	DoD Directive No. 1304.26, Change 1 (Update) Qualification Standards for Enlistment, Appointment and Induction (Mar. 4, 1994) (DoD LA 7-10 48889 – 48945)	
216	Memorandum from John Deutch to the Secretaries of the Military Departments, "Recoupment of Education Assistance Funds, Bonuses and Special Pay...Basis of Homosexual Conduct" (May 17, 1994) (OSD OEPM 30783 -30786)	Relevance; Foundation

217	Canadian Forces, "Briefing Note for Director of Public Policy" (Aug. 25, 1995)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
218	C. Dixon Osburn, "A Policy in Desperate Search of a Rationale: The Military's Policy on Lesbians, Gays, and Bisexuals," 64 University of Missouri-Kansas City Law Review 199 (1995)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
219	Lois Shawver, " <u>And the Flag Was Still There: Straight People, Gay People, and Sexuality in the U.S. Military</u> " (Harrington Park Press, 1995)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
220	Servicemembers Legal Defense Network, "Conduct Unbecoming: The First Annual Report on "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" (1995) (LCR 4013-4044)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
221	Letter from Senate Armed Services Committee to Judith Ann Miller regarding <u>Able v. US</u> (Jul. 13, 1995) (DoD LA 2-6 44344-44346)	Relevance; Hearsay; Foundation
222	Memorandum from Harlan Wilder to all staff JAGs regarding clarification of policy on homosexual conduct in the armed forces (Aug. 29, 1995) (DoD LA 2-6 044347)	Relevance; Foundation
223	Servicemembers Legal Defense Network, "Conduct Unbecoming: The Second Annual Report on "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" (Feb. 1996) (LCR 4045-4080)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
224	J. Halley, "The Status/Conduct Distinction in the 1993 Revisions to Military Anti-Gay Policy," 3 GLQ: a Journal of Lesbian and Gay Studies 159 (1996)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
225	Gregory Herek et al. <u>Out in Force; Sexual Orientation in the U.S. Military</u> (University of Chicago Press, 1996)	Relevance; Hearsay; Hearsay within Hearsay; Foundation

226	C.A. Rimmerman (Ed.), <u>Gay Rights, Military Wrongs: Political Perspectives on Lesbians and Gays in the Military</u> (Garland Publishing, Inc., 1996)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
227	Leisa Meyer, <u>Creating GI Jane</u> (Columbia University Press, 1996)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
228	Dep't of Defense, "Separations for Homosexual Conduct, Fiscal Year 1996" (OSD OEPM 008310)	Relevance; Foundation
229	Ministry of Defence, Report of the Homosexuality Policy Assessment Team (London, British Ministry of Defence, Feb. 1996)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
230	Dep't of Defense, "Discharge/Separation of Officer Members by branch, sex, and reason for separation" (Feb. 21, 1996) (OSD OEPM 008312 – 8376)	Relevance; Foundation
231	Gregory M. Herek, "Successful Integration of Stigmatized Minorities into the U.S. Army: an Overview of Research Relevant to Personnel Policies Concerning Sexual Orientation" (U.S. Army Research Institute, June 26, 1996) (ARI 059823 – ARI 059908)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
232	Memorandum from Harlan Wilder to AF/JAG regarding the Air Force Equal Opportunity Policy Memorandum (Oct. 4, 1996) (DoD LA 2-6 44348)	Relevance; Foundation
233	Servicemembers Legal Defense Network, "Conduct Unbecoming: The Third Annual Report on "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" (Feb. 1997) (LCR 4081-4120)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
234	Dep't of Defense, "Information Paper" (DOD LA 2-6 040517-040522) (1980-1997)	Relevance; Hearsay; Foundation
235	Letter from Robert Tyrer to Chief of Staff attaching Dep't of Defense, "Policy Governing Service of Homosexuals in the Military" (Jul. 21, 1997) (DoD LA 2-6	Relevance; Foundation

	040746-50)	
236	Dep't of Defense, "Rebuttal Cases" (Aug. 27, 1997) (16 LC 057844-057848)	Relevance; Foundation
237	Memorandum from D.A. Anderson to Brad Weigman regarding follow-up information for SLDN report allegations (Oct. 31, 1997) (DoD LA 2-6 044704)	Relevance; Hearsay Foundation
238	Memorandum from Commandant, U.S. Coast Guard to Office of the Under Secretary of Defense (Nov. 17, 1997) (DoD LA 2-6 40484-40488)	Relevance; Foundation
239	Not used	
240	Servicemembers Legal Defense Network, "Conduct Unbecoming: The Fourth Annual Report on "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" (1998) (LCR 4121-4199)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
241	Rob MacCoun, "Biases in the interpretation and use of research results,"(49 Annual Review of Psychology 259-287 1998)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
242	E. Kier, "Homosexuals in the U.S. Military: Open Integration and Combat Effectiveness" 23 International Security 5 (1998)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
243	Melissa Sheridan Embser-Herbert, "Camouflage Isn't Only for Combat: Gender, Sexuality, and Women in the Military," (New York University Press, 1998).	Relevance; Hearsay; Hearsay within Hearsay; Foundation
244	Dep't of Defense, "Homosexual Conduct Policy Briefing" (Jan 7, 1998) (DoD LA 2-6 40780-40787)	Relevance; Foundation; Authentication
245	Memorandum from Paul Mayberry to Bernie Rostker regarding trends in Navy Separations due to Homosexual Conduct (Jan. 19, 1998) (DoD LA 2-6 40723-40730)	Relevance; Foundation

246	Memorandum from Bernard Rostker to Assistant Secretary of Defense (Force Management Policy) regarding clarification of Homosexual Separation Data (Feb. 24, 1998) (DoD LA 2-6 40760-40771)	Relevance; Foundation
247	Office of the Under Secretary of Defense (Personnel and Readiness), "Report to the Secretary of Defense regarding Effectiveness of the Application and Enforcement of the Department's Policy on Homosexual Conduct in the Military" (Apr. 1998) (DoD LA 2-6 036014-036031)	Relevance; Foundation
248	Not used	
249	Memorandum from the Assistant Secretary of Defense to the Secretary of the Army and Airforce regarding Compliance with DoD Recoupment Policy (Oct. 16, 1998) (OSD OEPM 30781 – 30795)	Relevance; Foundation
250	Memorandum and report from Harlan Wilder to ASD/FMP (Nov. 3, 1998) (DoD LA 2-6 40799-407803)	Relevance; Foundation
251	Servicemembers Legal Defense Network, "Conduct Unbecoming: The Fifth Annual Report on "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" (1999) (LCR 4200-4284)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication

252	Dep't of Defense, untitled report regarding number of DADT separations (DoD LA 2-6 040080-040081)	Relevance; Foundation
253	Dep't of Defense, report regarding number of DADT separations from FY 1994 to FY 1998 (Jan. 1999) (DoD LA 2-6 041168-041169)	Relevance; Foundation
254	Dep't of Defense, "Statement by Under Secretary of Defense for Personnel and Readiness Rudy de Leon," (Jan. 22, 1999) (DoD LA 2-6 036129-36133)	Relevance; Foundation
255	Memorandum from John P. McLaurin to Acting Assistant Secretary of Defense (Force Management Policy) regarding Compliance with DoD Recoupment Policy (Mar. 10, 1999) (OSD OEPM 30796)	Relevance; Foundation
256	Memorandum from Harlan Wilder to Commander Defense Finance and Accounting Service regarding Debt Cancellations Mr. Joshua Jones 443-92-1188 and Ms. Jincy Pace 458-41-9079 (Mar. 10, 1999) (OSD OEPM 30797 – 30800)	Relevance; Foundation
257	Memorandum from P.A. Tracey to the Director of Defense Finance and Accounting Service (Mar 17, 1999) (OSD OEPM 025367-025368)	Relevance; Foundation

258	Memorandum from Rudy De Leon to Secretaries of the Military Departments regarding Implementation of Recommendations to Homosexual Conduct Policy (Aug. 12, 1999) (DoD LA 2-6 035967-035972)	Relevance; Foundation
259	Sarah Lyall, "European Court Tells British to Let Gay Soldiers Serve," The New York Times, <i>available at</i> http://www.nytimes.com/1999/09/28/world/european-court-tells-british-to-let-gay-soldiers-serve.html (Sept. 29, 1999)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
260	Sig Christenson, "Gay separations down by half," San Antonio Express News, Oct. 11, 1999 (DoD LA 2-6 036056-036058)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
261	Servicemembers Legal Defense Network, "Conduct Unbecoming: The Sixth Annual Report on "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" (2000) (LCR 4285-4371)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
262	Dep't of Defense, "Homosexuality and the Armed Forces – Commanding Officers Information Pack" (Jan. 2000) (OSD OEPM 30885–30893)	Relevance; Foundation
263	Ministry of Defence, "A Review of the Armed Forces Policy on Homosexuality," (London: British Ministry of Defense, 2000)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
264	Palm Center, "Report of the General/Flag Officers' Study Group" (2008)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
265	Dep't of Defense, "Implementation of the DOD Homosexual Conduct Policy" (Jan 14, 2000) (OSD OEPM 31413 – 31684)	Relevance; Hearsay; Foundation
266	Dep't of Defense, "Evaluation Report: Military Environment with Respect to the Homosexual Conduct Policy" (Mar. 16, 2000) (DoD LA 2-6 036334-82)	Relevance; Foundation

267	Memorandum from Harlan Wilder to AF/SGJ (Mar. 20, 2000) (DoD LA 2-6 035829)	Relevance; Foundation
268	Letter from Charles Moskos to Secretary Cohen regarding doctors, psychologists, and inspectors general "turning in" servicemembers who make private statements (Apr. 12, 2000) (OSD OEPM 026438)	Relevance; Foundation; Authentication
269	Dep't of the Army Inspector General, "DAIG Special Assessment/ Investigation of Allegations of Violations of the DOD Homosexual Conduct Policy at Fort Campbell" (Jul. 2000) (DOD LA 2-6 036135-036332)	Relevance; Hearsay; Foundation
270	Office of the Assistant Secretary of Defense, "DoD News Briefing" (Jul 21, 2000) (OSD OEPM 31015– 31026)	Relevance; Hearsay; Foundation
271	Not used	
272	Steven Lee Myers, "Military Reserves are Falling Short in Finding Recruits," New York Times, Aug. 28, 2000	Relevance; Hearsay; Hearsay within Hearsay; Foundation
273	Servicemembers Legal Defense Network, "Conduct Unbecoming: The Seventh Annual Report on "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" (2001) (LCR 4372-4474)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
274	Gary Gates, "Lesbians and Gay Men in the U.S. Military: Estimates from Census 2000" (LCR WI 1028-1050)	Relevance; Hearsay; Foundation
275	Dep't of the Army, Army Publication 600-5, "Dignity and Respect, a Training Guide on Homosexual Conduct Policy" (2001)	Relevance; Foundation
276	Gail H. McGinn, "Homosexual Conduct Policy: Background & Current Issues" (Jul. 3, 2001) (OSD OEPM 31061 – 31074, 31188 – 311201)	Relevance; Foundation

277	Servicemembers Legal Defense Network, "Conduct Unbecoming: The Eighth Annual Report on "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" (2002) (LCR 4475-4531)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
278	Aaron Belkin and J. McNichol, "Pink and Blue: Outcomes Associated with the Integration of Open Gay and Lesbian Personnel in the San Diego Police Department," 5 Police Quarterly 63 (2002)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
279	Servicemembers Legal Defense Network, "Conduct Unbecoming: The Ninth Annual Report on "Don't Ask, Don't Tell, Don't Pursue, Don't Harass" (2003) (LCR 4532-4592)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
280	SLDN Human Rights Watch, "Uniform Discrimination: The DADT Policy of the U.S. Military" (Jan. 2003) (OSD OEPM 31318 – 31373)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
281	David R. Segal and Mady Wechsler Segal, America's Military Population (Population Bulletin, 57:4, Dec. 2004).	Relevance; Hearsay; Hearsay within Hearsay; Foundation
282	Melissa Sheridan Embser-Herbert, "A Missing Link: Institutional Homophobia and Sexual Harassment in the U.S. Military" in <u>In the Company of Men: Male Dominance and Sexual Harassment</u> (2005)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
283	Elizabeth Hillman and Elizabeth Lutes, <u>Defending America: Military Culture and the Cold War Court-Martial</u> (Princeton University Press, 2005)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
284	DoD Directive 5505.8 (Jan. 24, 2005) (DoD Issuances WHS 058644-48)	Duplicate of Ex. 214
285	Memorandum from Gail McGinn to Under Secretary of Defense regarding DoD Response to GAO Draft Report "Financial Costs and Loss of Critical Skills Due to DOD's Homosexual Conduct Policy Cannot be Completely Estimated"(P&R) (Feb. 4,	Relevance; Foundation

	2005) (13 LC 057231-57232)	
286	Letter from David Chu to Derek Stewart regarding DoD response to Government Accountability Office, draft report "Financial Costs and Loss of Critical Skills Due to DOD's Homosexual Conduct Policy Cannot be Completely Estimated"(GAO) (Feb. 7, 2005) (13 LC 57225-57229)	Relevance; Foundation
287	Military Readiness Enhancement Act of 2005 (Mar. 2, 2005) (OSD OEPM 31402 – 31405)	Relevance
288	Not used	
289	Letter from Michael Dominguez to Senator Ron Wyden regarding response to letter to Secretary Rumsfeld regarding DoD homosexual conduct policy in the military (Sept. 21, 2006) (13 LC 57312-57313)	Relevance; Foundation
290	Email from Franklin Pinch to Paul Gade regarding Gays in the Canadian Military (Nov. 1, 2000) (AR 62002-62004)	Relevance; Hearsay; Hearsay within Hearsay; Foundation Authentication
291	Not used	
292	Bradford Booth et al. "What We Know About Army Families: 2007 Update" (Caliber, 2007) <i>available at</i> http://www.army.mil/fmwrc/documents/research/whatweknow2007.pdf]	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication

293	Rick Maze, "Rise in Moral Waivers Troubles Lawmaker," Army Times, Feb. 20, 2007, <i>available at</i> http://www.armytimes.com/news/2007/02/apWaivedRecruits070213/ .	Relevance; Hearsay; Hearsay within Hearsay; Foundation
294	Alan Simpson, "Bigotry That Hurts Our Military", Washington Post, Mar. 14, 2007	Relevance; Hearsay; Hearsay within Hearsay; Foundation
295	Dep't of Defense, "Active Duty Separations By Service & ISC FY 2008" (DMDC 00003-4)	Relevance; Foundation
296	Fred Kaplan, "Dumb and Dumber," Slate, Jan. 24, 2008, <i>available at</i> http://www.slate.com/id/2182752/	Relevance; Hearsay; Hearsay within Hearsay; Foundation
297	Foreign Policy Magazine, "The U.S. Military Index," 165 Foreign Policy 76 (March/April 2008) (LCR FP 220-222)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
298	Gary Gates, Testimony regarding Don't Ask Don't Tell Submitted to U.S. House of Representatives Armed Services Committee (Jul. 18, 2008) (LCR WI 01025-27)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
299	Kyle Dropp and Jon Cohen, "Acceptance of Gay People in Military Grows Dramatically," The Washington Post, Jul. 19, 2008, <i>available at</i> http://www.washingtonpost.com/wpdyn/content/article/2008/07/18/AR2008071802561.html	Relevance; Hearsay; Hearsay within Hearsay; Foundation
300	Nathaniel Frank, <u>Unfriendly Fire</u> (St. Martin's Press, 2009)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
301	Margot Canaday, <u>The Straight State: Sexuality and Citizenship in Twentieth Century America</u> (Princeton University Press, 2009)	Relevance; Hearsay; Hearsay within Hearsay; Foundation

302	Rachel Maddow, "The Rachel Maddow Show for Tuesday, May 19," <i>available at</i> http://www.msnbc.msn.com/id/30869189/ . (May 21, 2009)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
303	Spencer Ackerman, "'Don't Ask, Don't Tell Repeal Preview?' Gates Opened CIA to Gays," Washington Independent, June 8, 2009, <i>available at</i> http://washingtonindependent.com/46071/dad-t-repeal-preview-gates-opened-cia-to-gays .	Relevance; Hearsay; Hearsay within Hearsay; Foundation
304	General John M. Shalikashvili, "Gays in the Military: Let the Evidence Speak," The Washington Post, June 19, 2009, <i>available at</i> http://www.washingtonpost.com/wp-dyn/content/article/2009/06/18/AR2009061803497.html	Relevance; Hearsay; Hearsay within Hearsay; Foundation
305	President Obama, Remarks at the LGBT Pride Month Reception (June 29, 2009) (LCR 3999-4002)	Relevance
306	President Obama, Remarks at the Human Rights Campaign Dinner (Oct. 11, 2009) (LCR 3995-3998)	Relevance
307	Col. Om Prakash, "The Efficacy of 'Don't Ask, Don't Tell,'" 55 Joint Force Quarterly 88 (2009) (LCR 4776-4782)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
308	Lawrence Kapp and Charles Henning, "Recruiting and Retention: An Overview of FY2008 and FY2009 Results for Active and Reserve Component Enlisted Personnel" (Congressional Research Service, Nov. 30, 2009)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
309	Dep't of Defense, report comparing homosexual conduct separation/recoupment with weight control separation/recoupment	Relevance; Foundation

	(OSD OEPM 27009-27011)	
310	Interview by CNN with William Cohen (Jan. 30, 2010)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
311	Gary Gates, "Lesbian, Gay, and Bisexual Men and Women in the U.S. Military: Updated Estimates" (Williams Institute, Feb. 2010) (LCR WI 1013-1050)	Relevance; Multiple Documents; Hearsay
312	Transcript of Testimony regarding Department of Defense Authorization for Appropriations for Fiscal Year 2011, and to Receive Testimony Relating to the "Don't Ask, Don't Tell" Policy: Hearing Before the Sen. Armed Services Comm., 111th Cong., 2nd Sess. (Feb. 2, 2010)	Relevance
313	Peter Baker, "Powell Favors Repeal of 'Don't Ask, Don't Tell,'" New York Times, Feb. 3, 2010	Relevance; Hearsay; Hearsay within Hearsay; Foundation
314	Julian Barnes, "Navy Moves to Allow Women on Submarines," Los Angeles Times, Feb. 24, 2010	Relevance; Hearsay; Hearsay within Hearsay; Foundation
315	Transcript of testimony given by Major Michael D. Almy to Senate Committee on Armed Services (Mar. 18, 2010)	Relevance; Hearsay; Foundation
316	John McArdle, "Wesley Clark Backs Cunningham in North Carolina," (Roll Call, Mar. 29, 2010)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
317	Craig Whitlock, "A 'Don't Ask, Don't Tell' Rules Complicate Survey of Troops on Policy Change," (Washington Post, Mar. 31, 2010)	Relevance; Hearsay; Foundation
318	Letter from American Bar Association President Carolyn Lamm to Senators Reid, McConnell, Levin, and McCain regarding support for repeal of 10 U.S.C. §654 (Apr. 26, 2010)	Relevance; Hearsay; Foundation; Authentication

319	Transcript of Testimony regarding Hearing to Receive Testimony Relating to the "Don't Ask, Don't Tell" Policy Before the Sen. Armed Services Comm., 111th Cong., 2nd Sess. (Mar. 18, 2010)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
320	Exhibits added to the record of the Hearing to Receive Testimony Relating to "Don't Ask, Don't Tell" Policy Before the Sen. Armed Serives. Comm., 111th Cong., 2nd Sess. (Mar. 18, 2010)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
321	President Obama, statement on votes to repeal "Don't Ask, Don't Tell," <i>available at</i> http://www.whitehouse.gov/the-press-office/statement-president-votes-repeal-don-t-ask-don-t-tell (May 27, 2010)	Relevance
322	Memorandum from John Hutson to the Vice-Chief of Naval Operations regarding Homosexual Conduct Policy (NAVY 058930-058931)	Relevance; Foundation
323	Personnel Security Research Center, table showing surveys of servicemembers on a variety of topics (PERSEC 7945 – 7954)	Relevance; Hearsay; Foundation; Authentication
324	Information Paper by Jim Woodard to Secretary of Defense regarding Implementation and Status of DoD Policy on Homosexual Conduct (OSD OEPM 8383 – 8384)	Relevance; Foundation
325	Dep't of Defense, untitled "questions and answers" (OSD OEPM 8390 – 8391)	Relevance; Foundation; Incomplete
326	Memorandum from Rudy de Leon to the Secretaries of the Military Departments regarding the application and enforcement of the homosexual conduct policy (DoD LA 2-6 040075-040076)	Relevance; Foundation

327	Dep't of Defense, document titled "Questions for the record: Ms. Gorelick" (DoD LA 2-6 042624-28)	Relevance (draft of information in legislative history); Foundation; FRE 403
328	Dep't of Defense, "Proceedings Involving Homosexuality" (OSD OEPM 053537)	Relevance (draft of information in legislative history); Foundation; FRE 403
329	Dep't of Defense, document regarding definition of homosexual statement (16 LC 57849-52)	Relevance; Hearsay; Foundation; Authentication
330	Not used	
331	Dep't of Defense, "Anti-Harassment Action Plan" (OSD OEPM 30852– 30853)	Relevance; Hearsay; Foundation
332	Government Accountability Office, Draft "Financial Costs and Loss of Critical Skills Due to DOD's Homosexual Conduct Policy Cannot be Completely Estimated" (OSD OEPM 31406 –31412)	Relevance; Hearsay; Foundation; Authentication

333	Palm Center, "Creators of Gay Ban Tell Author it was 'Based on Nothing,'" <i>available at</i> http://www.palmcenter.org/press/dadt/releases/Creators+of+Military+Gay+Ban+Tell+Author+It+Was+%22Based+on+Nothing%22+ . (Mar. 2, 2009)	Relevance; Hearsay; Hearsay within Hearsay; Foundation; Authentication
334	Dep't of Defense, "Policy Concerning Homosexuality in the Armed Forces" (DoD LA 7-10 48968 – 49031)	Relevance; Foundation; Authentication
335	Dep't of Defense, Department of Defense and Military Working Group Schematic Diagrams and Charts	Relevance; Foundation
336	Interview by CNN with Chairman Di Paola "NATO Chairman Di Paola: Allowing Gay men and Lesbians to serve openly working out quite well" (Media Matters from America , Feb. 24 , 2010)	Relevance; Hearsay; Hearsay within Hearsay; Foundation
1001	Not used	