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9 UNITED STATES DISTRICT COURT
 10 CENTRAL DISTRICT OF CALIFORNIA

12 LOG CABIN REPUBLICANS, a non-
 13 profit corporation,

14 Plaintiff,

15 vs.

16 UNITED STATES OF AMERICA and
 ROBERT M. GATES (substituted for
 17 Donald H. Rumsfeld pursuant to FRCP
 25(d)), SECRETARY OF DEFENSE,
 18 in his official capacity,

19 Defendants.

Case No. CV 04-8425 VAP (Ex)

**DECLARATION OF STEPHEN
 VOSSLER IN SUPPORT OF
 PLAINTIFF LOG CABIN
 REPUBLICANS' SUPPLEMENTAL
 BRIEF ON APPLICATION OF WITT
 STANDARD OF REVIEW**

Judge: Hon. Virginia A. Phillips

Complaint filed: October 12, 2004
 Trial: July 13, 2010

DECLARATION OF STEPHEN VOSSLER

21 I, Stephen Vossler, declare as follows:

22 1. I am over 18 years old and, if called as a witness, I would be able to
 23 testify competently, of my own personal knowledge, to the truth of the matters
 24 contained in this declaration.

25 2. I am a straight man from southeastern rural Nebraska. I served as an
 26 active duty member of the United States Army from June 2001 to June 2006.
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 28

1 3. I enlisted in the United States Army in November 2000. Upon
2 enlistment, I was assigned to Fort Leonard Wood in Pulaski County, Missouri for
3 basic combat training. I remained at Fort Leonard Wood from June 20, 2001 to
4 September 7, 2001.

5 4. From September 7, 2001 to February 25, 2003, I trained as a Korean
6 language cryptologic linguist at the Defense Language Institute of the Presidio in
7 Monterey, California.

8 5. At the Defense Language Institute, I shared a room with a homosexual
9 man for nine months who was in the process of being discharged under Don't Ask,
10 Don't Tell. During the time we lived together, I observed that the process of being
11 discharged was emotionally draining on my roommate, and caused him to be
12 alienated from our unit because it gave him the stigma of being a bad soldier.

13 6. Before joining the Army, I had not extensively interacted with an
14 individual I knew to be homosexual. That being said, I had no issues living with
15 my homosexual roommate.

16 7. During my training at the Defense Language Institute, I also developed
17 a close friendship with a colleague in my unit, Specialist Jarrod Chlapowski
18 ("Specialist Chlapowski"), who I met in March 2002. Specialist Chlapowski was a
19 decorated and accomplished member of the Armed Forces. He finished second in
20 his class at the Defense Language Institute, supported more than 300 sensitive
21 reconnaissance operation missions and was awarded both the Army Achievement
22 Medal and the Army Commendation Medal.

23 8. Approximately five months after meeting Specialist Chlapowski, I
24 learned that Specialist Chlapowski is homosexual when his roommate told me and
25 showed me a picture of Specialist Chlapowski hugging another man. When I told
26 Specialist Chlapowski a short time after that I knew he is homosexual, Specialist
27 Chlapowski did not try to deny his sexual orientation. Rather, Specialist
28 Chlapowski admitted his sexual orientation with full knowledge it could potentially

1 result in his discharge from the military under Don't Ask, Don't Tell. I quickly
2 developed a greater sense of respect for Specialist Chlapowski because he was
3 willing to be honest with me about his sexual orientation.

4 9. In late-February 2003, I left the Defense Language Institute and was
5 assigned to Goodfellow Air Force Base in San Angelo, Texas, just three months
6 after Specialist Chlapowski had been assigned to the same duty station.

7 10. While at Goodfellow Air Force Base, Specialist Chlapowski and I
8 learned the technical aspects of being cryptologic linguists. Cryptologic linguists
9 are responsible for performing and supervising the detection, acquisition,
10 identification and exploitation of foreign communications using signals equipment.

11 11. I remained at Goodfellow Air Force Base until mid-July 2003.

12 12. After I left Goodfellow Air Force Base, I spent a brief amount of time
13 in Nebraska recruiting for the Army. Then, on August 4, 2003, I reported to Camp
14 Humphries in the Republic of Korea.

15 13. When I arrived at Camp Humphries, I worked as a Korean linguist,
16 voice signals interceptor. Specialist Chlapowski had been assigned to Camp
17 Humphries approximately three months earlier. Although we were in different
18 units at Camp Humphries, we worked in the same building and would sometimes
19 hang out together during our off time.

20 14. Specialist Chlapowski remained at Camp Humphries until
21 approximately May 2004. I remained at Camp Humphries until August 3, 2004.
22 From there, we were both assigned to Fort Lewis near Dupont, Washington.

23 15. While at Fort Lewis, we trained in tactical military intelligence.

24 16. While at Fort Lewis, Specialist Chlapowski and I were in two all male
25 combat units. Specialist Chlapowski was dating a civilian man at the time.
26 Specialist Chlapowski spoke to me about the man he was dating when he and I
27 were alone. However, when other members of the unit were around, Specialist
28

1 Chlapowski and I used a girl's name to refer to the man to conceal Specialist
2 Chlapowski's homosexuality.

3 17. Members of our unit often told homosexual jokes. These jokes made
4 Specialist Chlapowski and I feel very uncomfortable, given that we were the only
5 two members of the unit aware of Specialist Chlapowski's homosexuality.

6 18. From September to approximately November 2005, Specialist
7 Chlapowski and I were roommates at Fort Lewis. Specialist Chlapowski's
8 homosexuality was not an issue for me. At times, we would sit and talk in our
9 room after we had taken our respective showers wearing nothing except towels
10 around our waists. I never felt that Specialist Chlapowski acted inappropriately.
11 To the contrary, Specialist Chlapowski acted as any other heterosexual soldier
12 would.

13 19. When Specialist Chlapowski's enlistment term ended in approximately
14 November 2005, he chose not to reenlist because of the burden of Don't Ask, Don't
15 Tell.

16 20. I remained at Fort Lewis until June 26, 2006. At that point, I
17 voluntarily left active duty in the United States Army.

18 21. I immediately joined the Army National Guard. On June 26, 2009, I
19 voluntarily left the Army National Guard.

20 22. As a result of my service, I was awarded the Army Commendation
21 Medal, the Army Achievement Medal, the National Defense Service Medal, the
22 Global War on Terrorism Service Medal, the Korea Defense Service Medal, the
23 Army Service Ribbon and the Overseas Service Ribbon.

