

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND  
Baltimore Division

ALBERT SNYDER,	*	
Plaintiff	*	
v.	*	Civ. No.: 1:06-cv-01389-RDB
FRED W. PHELPS, SR.,	*	
et al.	*	
Defendants.	*	
	*	
* * * * *		

DECLARATION OF NEIL BLUMBERG M.D.

My name is Neil Blumberg M.D. This declaration is made under the penalties of perjury:

1. I am over the age of eighteen and am competent to testify herein.

2. My curriculum vitae which I provided Defendants' counsel Jonathan L. Katz this year is accurate and up to date.

3. I have been informed that one of the attorneys for Plaintiff Albert Snyder has indicated that one of the Plaintiff's attorneys in this case intends to be present at the independent medical examination (IME) that is scheduled with me for June 18, 2007.

4. The presence of a third party, and especially Plaintiff's attorney, may interfere with Plaintiff's willingness

and ability to discuss various issues and display any accompanying emotional reactions.

5. The presence of Plaintiff's attorney is likely to make the IME a more adversarial process, as opposed to an objective effort to understand Plaintiff's thoughts and feelings about a wide variety of matters, including but not limited to the allegations that are the focus of the current litigation.

6. The anticipated evaluation will include the following: A clinical interview which includes a family history, past psychiatric history, past medical history, past legal history, personal history from birth through the date of the evaluation, Mr. Snyder's account of the trauma he has experienced from the Defendants' activities, and a mental status examination. The clinical interview will be followed by testing designed to assess Mr. Snyder's level of depression, post-traumatic stress, and general psychological functioning.

7. It is my professional opinion, to a reasonable degree of medical certainty, that the presence of anybody other than myself and the Plaintiff during the examination, may significantly interfere with my ability to make accurate and reliable observations and conclusions concerning the Plaintiff, any possible emotional difficulties he might be experiencing and the causation of those difficulties.

8. The presence of witnesses at the examination, including his attorneys, compromises the integrity of the examination. Their presence will contribute to Mr. Snyder's being defensive, guarded, and behaving differently than if he were without witnesses; such problems will not contribute to an accurate examination.

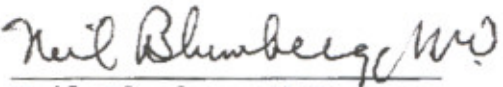
9. I take detailed handwritten notes for my examinations, and plan to do so with Mr. Snyder. I understand that all my notes and reports are available to all parties as part of the discovery process. I also plan to generate raw data and written interpretations from this examination, which I also understand are available to all parties through the discovery process.

10. In the event the possible alternative of videotaping or audiotaping the examination is addressed by the Court, it is my opinion within a reasonable degree of medical certainty that such recordation also would compromise the accuracy of the examination. For instance, Mr. Snyder's knowledge that the examination is being recorded (with the recording available for others to hear) will tend to make him more guarded during the examination than if there were not recording devices.

Nevertheless, a recorded examination will be compromised less than if witnesses are present. If a recording technician is used, the technician can set up the equipment and leave the examination room before the examination commences.

11. I do have a waiting room in my office, and the presence of anybody accompanying the Plaintiff in the waiting room certainly will not interfere with the testing.

The foregoing is true and correct to the best of my knowledge and under the penalties of perjury.

  
Neil Blumberg M.D.

June 6, 2007