

EXHIBIT 5

Excerpts from Plaintiff's Second Set
of Requests for Production of Documents

1 THE HONORABLE RONALD B. LEIGHTON

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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 MAJOR MARGARET WITT,

11 Plaintiff,

12 v.

13 UNITED STATES DEPARTMENT OF THE
AIR FORCE, et al.,

14 Defendants.

No. C06-5195 RBL

**PLAINTIFF'S SECOND SET OF
REQUESTS FOR PRODUCTION OF
DOCUMENTS AND THINGS TO
DEFENDANTS**

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16 Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Plaintiff Major Margaret
17 Witt submits the following Second Set of Requests for Production of Documents and Things to
18 Defendants (collectively the "Discovery Requests"), the Department of Air Force, Robert M.
19 Gates, the Secretary of Defense, Michael B. Donley, the Secretary of the Air Force, and Colonel
20 Janette Moore-Harbert.

21 **INSTRUCTIONS**

22 1. These Discovery Requests must be answered fully, in writing and under oath, and
23 the requested documents served on counsel for Plaintiff, within thirty days of service of these
24

1 **Request for Production No. 31:** Produce all public statements made by the Defendants (dating
2 from January 1, 2004 to the present), including but not limited to speeches, presentations,
3 reports, and press releases, on the subject of United States Armed Forces personnel and sexual
4 orientation or sexual conduct between two people of the same sex.

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6 **Request for Production No. 32:** Produce all documents and communications referring or
7 relating to all studies and assessments concerning service by gay and lesbian service members in
8 the United States Armed Forces.

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10 **Request for Production No. 33:** Produce Colonel Linda Carneal's personnel file and all
11 documents pertaining to disciplinary action or admonishment concerning her relationship with
12 Major Kevin Windsor¹.

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14 **Request for Production No. 34:** Produce Major Kevin Windsor's personnel file and all
15 documents pertaining to discipline and admonishment regarding his relationship with Colonel
16 Linda Carneal.

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18 **Request for Production No. 35:** Produce Major Sharon Carlson's personnel file and all
19 documents relating to her relationship with Sergeant Candice Newberry².

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¹ We believe that Major Windsor is still on active duty in the Air Force however we are unaware of his current rank.

24 ² We believe that Candice Newberry is still on active duty in the Air Force however we are unaware of her current rank.

1 **Request for Production No. 36:** Produce Sergeant Charlene Taylor's³ personnel file and all
2 documents pertaining to her relationship with Marla⁴.

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4 **Request for Production No. 37:** Produce the Unit Manning Documents for the 446th AES for
5 the years 2002 through 2007.

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7 **Request for Production No. 38:** Produce all documents created, collected, obtained, produced
8 or maintained, concerning the 446th AES, by MSgt Aaron W. Maness, the unit historian and in
9 his role as the unit historian, from 2000 to 2006.

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12 DATED this 23rd day of February, 2010.

13
14 AMERICAN CIVIL LIBERTIES UNION OF WASHINGTON FOUNDATION

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³ We believe that Charlene Taylor is still on active duty in the Air Force however we are unaware of her current rank. It is also our understanding that she previously went by the name of Charlene Livingston.

⁴ We have reason to believe that Charlene Taylor is engaged in a relationship with another unit member by the first name of Marla, but we do not have knowledge of her rank or last name.