

1 The Honorable Ronald B. Leighton

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6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 MAJOR MARGARET WITT,

11 Plaintiff,

12 vs.

13 UNITED STATES DEPARTMENT OF
14 THE AIR FORCE; ROBERT M. GATES,
Secretary of Defense; MICHAEL B.
15 DONLEY, Secretary of the Department of
Air Force; and COLONEL JANETTE L.
16 MOORE-HARBERT, Commander, 446th
Aeromedical Evacuation Squadron,
McChord AFB;

17 Defendants.
18

NO. C06-5195 RBL

DECLARATION OF HEATHER
JULIAN

19 I, Heather Julian, do hereby declare under penalty of perjury under the laws of the
20 United States of America that the following facts are true and correct:

21 1. I have personal knowledge of the facts set forth here.

DECLARATION OF HEATHER
JULIAN – 1
NO. C06-5195 RBL

CARNEY
BADLEY
SPELLMAN

LAW OFFICES
A PROFESSIONAL SERVICE CORPORATION
700 FIFTH AVENUE, #5800
SEATTLE, WA 98104-5017
FAX (206) 467-8215
TEL (206) 622-8020

WIT004 plds lc054203 3/5/10

- 1 2. I am a retired member of the 446th Aeromedical Evacuation Squadron. I am
2 married to MSgt. Stacey Julian, who is currently serving as a member of the
3 446th.
- 4 3. Within the past month Attorney James Lobsenz left a number of telephone
5 messages for me and my husband Stacey Julian, seeking to talk to us about
6 Major Margaret Witt's case.
- 7 4. Stacey did not return those telephone messages himself, but only because he
8 had received orders that he was not allowed to talk to any attorneys who might
9 contact him unless and until the interview was approved of by the Air Force.
10 He received those orders from Lt. Colonel Anna Sullivan and a JAG officer.
11 In obedience to these orders Stacey did not return his messages from Mr.
12 Lobsenz, however, I returned mine and I explained why he was not returning
13 Mr. Lobsenz' call.
- 14 5. I called Mr. Lobsenz back and I told him that Stacey wants to talk to him but
15 he cannot right now because he has been ordered not to respond to Mr.
16 Lobsenz.
- 17 6. Stacey followed the orders given to him. Pursuant to his orders he reported to
18 Colonel Moore-Harbert that Mr. Lobsenz had left phone messages for him, and
19 rather than responding he reported the contact to her. Colonel Moore-Harbert
20 gave him the number of someone to call and he called and reported the contact
21 to that person.


DECLARATION OF HEATHER
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- 1 7. Stacey had a prior commitment to go to a school camp with our daughter and I
2 advised Mr. Lobsenz that he would like to move the date of the deposition so
3 that it would not interfere with those plans. Mr. Lobsenz agreed to do that and
4 rescheduled Stacey's deposition accordingly. Stacey wants to talk to Mr.
5 Lobsenz, and has no objection at all to being deposed. He is more than willing
6 to testify to his knowledge of the facts and he looks forward to doing so.
- 7 8. I believe that over the past decade 5 or 6 different people who are gay or
8 lesbian have served in the 446th, that virtually everyone in the unit had the
9 same beliefs, and that no one had any problem with their serving in the unit.
- 10 9. I am informed that the Air Force has maintained that it would be burdensome for
11 him to be deposed, and that he does not want to be deposed. That is false. The
12 opposite is true.
- 13 10. I am also perfectly willing to be deposed.

14 DATED this 5 day of March, 2010.

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16 
17 Heather Julian
18 Major (Ret.)
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20
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DECLARATION OF HEATHER
JULIAN - 3
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