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The Honorable Ronald B. Leighton

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MAJOR MARGARET WITT,

Plaintiff,

vs.

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

Defendants.

NO. C06-5195 RBL

DECLARATION OF EDMOND  
HRIVNAK

I, EDMOND HRIVNAK, do hereby declare under penalty of perjury under the  
laws of the United States of America that the following facts are true and correct:

*EJH*

DECLARATION OF EDMOND  
HRIVNAK – 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  
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1 I am a retired member of the Air Force Reserve. I served for 20 years in the Air  
2 Force and for ten of those years I was a member of the 446<sup>th</sup> AES. I have personal  
3 knowledge of the facts set forth here.

4 2. One of the reasons I retired from the Air Force is that I was angry over the way  
5 it treated Major Margaret Witt. I understand that the Air Force claims that to allow Major  
6 Witt to serve as an open lesbian in the Air Force would be harmful to unit morale and unit  
7 cohesion of the 446th.

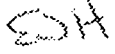
8 3. I know this to be untrue because during the time that I served in the 446<sup>th</sup> AES,  
9 there were roughly six to eight people in the unit who were gay or homosexual, everyone  
10 knew it, and they did not cause any problems to unit morale or unit cohesion. Nobody  
11 cared that we had gays and lesbians in the unit because everyone knew them to be people  
12 who could be relied upon to do their jobs well.

13 4. No one who served in the 446<sup>th</sup> for more than a year could possibly fail to be  
14 aware that there were gays and lesbians serving in the unit. While they were discreet and  
15 did not advertise or flaunt their sexual orientation, everyone knew who they were.

16 5. For part of the time I served in the 446<sup>th</sup>, my unit commander was Colonel  
17 Linda Carneal. It was well known in the unit that Colonel Carneal had an inappropriate  
18 relationship with a male officer serving under her. Several people in the unit complained  
19 that Colonel Carneal appeared to be showing favoritism to the male officer. I personally  
20 complained to Colonel Robert Spencer. As a result of the complaints (from me and from  
21 several others), Colonel Carneal eventually retired and was replaced by Colonel Walker.

DECLARATION OF EDMOND  
HRIVNAK -- 2  
NO. C06-5195 RBL

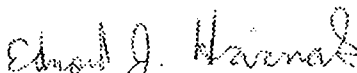
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**CARNEY  
BADLEY  
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1 6. It is the height of hypocrisy for the Air Force to maintain that Major Witt would  
2 cause unit cohesion or morale problems because she is a homosexual and to attempt to  
3 justify her discharge on that basis, when the only person whose sexuality has ever caused  
4 a unit morale problem was a heterosexual who was the commander of the unit. They did  
5 not discharge her, and yet they did discharge Major Witt. Colonel Carneal's relationship  
6 was conducted with another member of the unit. Whatever relationship Major Witt had  
7 was conducted with someone who was not a member of the unit, and it never caused any  
8 unit morale, discipline or cohesion problem. Moreover, the unit was completely unaware  
9 of the fact that she was having a relationship with another woman.

10 7. I understand that the Air Force is arguing that it would be burdensome for  
11 members of the 446<sup>th</sup> to be deposed. I do not consider it burdensome. I am perfectly at  
12 ease with it, and I am looking forward to my deposition.

13 DATED this 5th day of March, 2010.

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15   
16 Edmond Hrivnak

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**DECLARATION OF EDMOND  
HRIVNAK – 3  
NO. C06-5195 RBL**

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**CARNEY  
BADLEY  
SPELLMAN**

*ESH*  
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