

Judge Ronald B. Leighton

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MAJOR MARGARET WITT

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
THE AIR FORCE, et al.

Defendants.

No. C06-5195 RBL

**DECLARATION OF
BRADLEY V. HOLMGREN**

1. I, Lieutenant Colonel Bradley V. Holmgren, am the Staff Judge Advocate for the 446th Air Wing (AW) at Joint Base Lewis-McChord, Washington. I have held this position since Apr/May 2007.

2. I am a "Traditional Reservist," meaning that my normal duty consists of performing two days of duty each month and one two-week annual tour. At present, however, I have been mobilized for five months of continuous active duty. The mobilization is in response to the many things currently going on at and within the 446th AW. For example, we are in a pre-identified period over which the 446th AW is "tagged" to provide personnel for deployments.

3. As the 446th AW Staff Judge Advocate, I lead an office of three attorneys (including

1 myself) and three paralegals. While my primary role is to serve as legal advisor to the 446th
2 Wing Commander, I and my staff also provide legal services to subordinate units comprising the
3 446th Wing. One such subordinate unit is the 446th Aeromedical Evacuation Squadron (AES).

4 4. Last fall (2009), sometime around the October time-frame, I addressed members of the
5 446th AES at one of their Saturday morning UTA Commanders Calls. A representative from
6 Public Affairs (PA) was also there, as well as the unit commander, Col. Moore-Harbert. We
7 spent about ten to fifteen minutes talking about ongoing litigation in the Witt case. At that time,
8 the members at the meeting were informed that the parties to the case would be exchanging
9 witness requests and setting up possible witness interviews; that each side was represented by
10 counsel; and that some folks in the unit may be contacted by Maj. Witt's counsel.

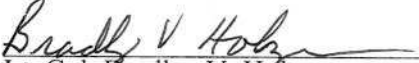
11 5. I further advised them that if they were contacted by plaintiff's counsel for an interview,
12 there was a process to be followed, and that was to let either me or Col. Moore-Harbert know
13 about it so that it could be worked through the Air Force attorney handling the case (at the time,
14 Maj. Letendre). The main point I was trying to get across was one of "process" – there's a
15 particular way to handle the situation. I never advised anyone that they could never talk to
16 plaintiff's counsel under any circumstances.

17 6. The thrust of PA's comments was that if a member was approached by the media
18 (because the case had been in the media at various points), that member should contact PA.

19 7. I also recall that Col Moore-Harbert concluded by reiterating the information that had
20 already been provided, *i.e.*, if a member is contacted by plaintiff's counsel, that member should
21 contact Air Force counsel.

22 8. I declare under penalty of perjury that the foregoing is true and correct
23

24 Executed on 5 May 2010.

25 
26 Lt. Col. Bradley V. Holmgren
27
28