

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

RICHARD ROE, ET AL.,

PLAINTIFFS,

v.

RICHARD V. SPENCER, ET AL.,

DEFENDANTS.

CIVIL ACTION NO. 1:18-cv-01565

NICHOLAS HARRISON, ET AL.,

PLAINTIFFS,

v.

RICHARD V. SPENCER, ET AL.,

DEFENDANTS.

CIVIL ACTION NO. 1:18-CV-00641

PLAINTIFFS' SECOND SUPPLEMENTAL EXHIBIT LIST

Exhibit No.	Description	Date	Bates Range/ Document Number	Authentic	Admissible	Admitted
PX389	Email chain between Jimmy Stevens, Matthew Huibregtse and other re Personnel Policy Review for HIV Positive Members	12/21/17	US00040271-40273			
PX390	Email chain between Patrick Danaher, Leonard Trout, Matthew McWhirter, Jennifer Stangle, and others re Policy Clarification: Adjudicating Retainability for Members Identified with Asymptomatic HIV	2/7/18	US00040186_0001-12			
PX391	Email chain between William Fischer and Robert Labrutta re Position on Retention of Airmen with HIV	12/28/17	US00040238_0001-02			
PX392	Email chain between Brian Pinkston, Shane T. Prater, John K. Vallario and others re Retention of Airmen with HIV memo	1/4/18	US00031831_0001-03			
PX393	Email between Shane T. Prater, Mark Teskey and others re Possible Topic for SAF/MR Meeting – Retention of Airmen with HIV	1/6/18	US00031830_0001-02			
PX394	Email chain between Karen Downes, Shane T. Prater and others re New HIV Policy Memo	6/13/18	US00031826_0001-08			
PX395	Email chain between Shane T. Prater, John Fedrigo and other re New HIV Policy Memo Clarification	6/22/18	US00031828_0001-03			
PX396	Email chain between Lisa Craig, Shane T. Prater, John Vallario and other re Draft MR Clarification memo for Airmen with asymptomatic HIV	1/31/18	US00031743_0001-06			

PX397	Email between Guy Palumbo and Shane T. Prater re HIV Clarification Memo	6/8/18	US00031776_0001-03			
PX398	Email chain between John K. Vallario and Michael Hodges re Denial Rationale for HIV cases	10/26/18	US00031535_0001-02			
PX399	Email chain between Karen Downes and Shane T. Prater, Martie Soper, and others re New HIV Policy Memo	6/13/18	US00031432_0001-07			
PX400	Email chain between Shane T. Prater John Fredrigo and others re Asymptomatic HIV Policy Clarification	7/16/18	US00031222_0001-03			
PX401	Email from Martha Soper re Policy Conflicts	7/24/18	US00031435_0001-02			
PX402	Email chain between Guy Palumbo, Richard A. McKee, Damon Menendez and others re Policy Clarification: Adjudicating Retainability for Members Identified with Asymptomatic HIV	10/13/17	US00040288_0001-06			
PX403	Email chain between Patrick Danaher, Karen Downes and others re Adjudicating Retainability for Members Identified as Asymptomatic HIV	10/10/17	US00040331_0001-03			
PX404	Talking Paper on the Retention of Airmen with Human Immunodeficiency Virus	6/14/17	US00040332_0001-03			
PX405	US Air Force Retention/Deployability		US00040350_0001-02			
PX406	Slides on deployability, memo, chronic conditions, and questions		US00040352_0001-04			
PX407	Email chain between Kimberly Toney, Patrick Danaher and others re Personnel Policies Regarding Members of the Armed Forces Infected with HIV	12/27/17	US00040377_0001-02			

PX408	Email chain between Matthew McWhirter, Karen Downes and others re Policy Clarification: Adjudicating Retainability for Members Identified with Asymptomatic HIV	10/19/17	US00040386_0001-03			
PX409	Email from Patrick Danaher to Karen Downes re Airmen with HIV Statistics	4/11/18	US00040401			
PX410	Email from Shane T. Prater to Karen Downes re New HIV Policy Memo	6/12/18	US00040409_0001-02			
PX411	Email between Patrick Danaher and Karen Downes re HIV Memo?	3/16/18	US00040421_0001-02			
PX412	Email chain between Patrick Danaher, Karen Downes re Retention of Airmen with HIV Memorandum	10/10/17	US00040422_0001-03			
PX413	Email chain between Lisa Snyder, Karen Downes, and others re Policy Clarification: Adjudicating Retainability for Members Identified with Asymptomatic HIV	10/16/17	US00040426-40430			
PX414	Memorandum for the Assistant Secretary of Health Affairs re Recommendations Regarding Department of Defense Policy on Emergency Blood Transfusions in Combat Theaters and Impact on Human Immunodeficiency Testing Policy	6/2/08	US00040746-40753			
PX415	Woodson, et al., <i>Virologic Suppression in U.S. Navy Personnel Living with HIV Infection and Serving in Operational Assignments</i>	0/0/19	Harrison&Roe 003828-3831			

PX416	Cardo, et al., <i>A case-control study of HIV seroconversion in health care workers after percutaneous exposure. Centers for Disease Control and Preventions Needlestick Surveillance Group</i>		Harrison&Roe 002444-2449			
PX417	CDC, <i>Recommendations for postexposure interventions to prevent HIV infections with Hepatitis B virus, Hepatitis C virus, or Human Immunodeficiency Virus, and Tetanus in Persons Wounded During Bombings and Other Mass-Casualty Events</i>		US00011855-11877			
PX418	Kao & McAlister, <i>Care of victims of suicide bombing</i>		DX014			
PX419	Won, <i>Active Duty ART Outcomes V2.0</i>		US00000012- 00000043			

Plaintiffs reserve the right to use demonstratives at trial. Plaintiffs also reserve the right to supplement this list with documents newly produced, or newly produced in unredacted form, to Plaintiffs on or after July 23, 2019.

Dated: July 23, 2019

/s/ Scott Schoettes

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CERTIFICATE OF SERVICE

I certify that, on the 23rd day of July, 2019, I caused this document to be filed electronically through the Court's CM/ECF system, which automatically sent a notice of electronic filing to all counsel of record.

Dated: July 23, 2019

Respectfully submitted,

/s/ John H. Harding
John W.H. Harding