

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

NICHOLAS HARRISON; and OUTSERVE-
SLDN, INC.,

Plaintiffs,

v.

MARK T. ESPER, in his official capacity as
Acting Secretary of Defense; MARK T.
ESPER, in his official capacity as Secretary of
the Army; and the UNITED STATES
DEPARTMENT OF DEFENSE,

Defendants.

No. 1:18-cv-641-LMB-IDD

RICHARD ROE; VICTOR VOE; and
OUTSERVE-SDLN, INC.,

Plaintiffs,

v.

MARK T. ESPER, in his official capacity as
Acting Secretary of Defense; MATTHEW P.
DONOVAN, in his official capacity as acting
Secretary of the Air Force; and the UNITED
STATES DEPARTMENT OF DEFENSE,

Defendants.

No. 1:18-cv-1565-LMB-IDD

**DEFENDANTS' OBJECTIONS TO PLAINTIFFS'
FIRST SUPPLEMENTAL EXHIBIT LIST**

Defendants hereby lodge their objections to Plaintiff's First Supplemental Exhibit List.

Harrison v. Esper, No. 1:18-cv-641, Dkt. 196; *Roe v. Esper*, No. 1:18-cv-1565, Dkt. 159.

These objections are based on the present status of the above-captioned matters.

Defendants do not waive future objections in the event that any exhibit becomes irrelevant because of this Court's ruling on any potential motion for summary judgment or motion *in limine* to be filed

in advance of trial, and by not objecting at this stage Defendants do not concede that certain topics are relevant to the claims remaining against Defendants.

Additionally, several of these objections are only to the introduction and admission of the exhibit as affirmative evidence, and Defendants reserve the right to utilize and admit any particular exhibit as impeachment if necessary.

Plaintiffs have identified several exhibits in their exhibit list that appear to be chains of electronic mail messages, which it appears they intend to introduce into evidence in their entirety. Defendants' objections to such exhibits reflect this understanding. However, to the extent that Plaintiffs intend to introduce only certain messages within the overall chain, Defendants reserve the right to interpose amended objections (especially those presented on hearsay grounds). Similarly, Defendants' objections to compilations of exhibits may relate only to certain documents within the compendium or incomplete exhibit, and not necessarily to every document included within the compendium or, where a partial document was included in the exhibit, to the complete document.

Defendants reserve the right to waive any of these objections, to interpose objections based upon authentication, foundation, and—depending on usage—hearsay, and to add to these objections based upon any ruling this Court might enter on the parties' respective motions for summary judgment and/or motions *in limine*.

In addition, Defendants further object to these exhibits as outside the proper scope of judicial review. For the reasons previously identified by defendants in opposition to Plaintiffs' motions for preliminary injunction, *Harrison v. Shanahan*, No. 1:18-cv-641, ECF Dkt. 40, at 20-30, *Roe v. Shanahan*, No. 1:18-cv-1565, ECF Dkt. 50, at 9-10, 21-25, Plaintiffs' constitutional challenges properly are governed by rational basis review. The Supreme Court has made abundantly clear that a legislative choice subject to the rational basis test "is not subject to courtroom fact-finding and may be based on rational speculation unsupported by evidence or empirical data." *FCC v. Beach*

Commc'ns, 508 U.S. 307, 315 (1993). The proper analysis instead asks whether the agency “rationally could have believed” that the conditions of the regulation would promote its objective. *W. & S. Life Ins. Co. v. State Bd.*, 451 U.S. 648, 671-72 (1981) (emphasis in original). Rational basis review, moreover, “is not a license for courts to judge the wisdom, fairness, or logic of legislative choices.” *Beach Commc'ns*, 508 U.S. at 313. Rather, “those challenging the legislative judgment must convince the court that the legislative facts on which the classification is apparently based could not reasonably be conceived to be true by the governmental decisionmaker.” *Vance v. Bradley*, 440 U.S. 93, 111 (1979). .

Defendants also reserve an objection to the presentation of evidence that is outside of the administrative record. The Department of Defense’s and Department of the Air Force’s administrative processes that resulted in final agency action are supported by administrative records. In making the determination whether those policies are “contrary to constitutional right,” 5 U.S.C. § 706(2)(B), the Court “shall review the whole record,” *id.* § 706. The Court’s review is therefore limited to “the full administrative record that was before the Secretary at the time he made his decision.” *Citizens to Preserve Overton Park, Inc. v. Volpe*, 401 U.S. 402, 420 (1971).

Further, as recently emphasized by the D.C. Circuit in a challenge to another military personnel policy, the Court must give great deference to the judgment of military officials. *Doe 2 v. Shanahan*, 755 F. App’x 19, 24–25 (D.C. Cir. 2019) (per curiam). Such deference means that neither the Plaintiffs, Plaintiffs’ witnesses, nor the Court may undertake an independent evaluation of the evidence. *Rostker v. Goldberg*, 453 U.S. 57, 81 (1981) (“In relying on this testimony . . . the District Court palpably exceeded its authority when it ignored Congress’ considered response to this line of reasoning.”); *id.* at 82-83 (“The District Court was quite wrong in undertaking an independent evaluation of this evidence.”); *Goldman v. Weinberger*, 475 U.S. 501, 508 (1986) (“[W]hether or not expert witnesses may feel that religious exceptions to [the challenged military regulation] are

desirable is quite beside the point.”); *see also Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 25 (2008) (“We accept these officers’ assertions [that a certain practice] is of the utmost importance to the Navy and the Nation.”); *Doe 2*, 917 F.3d 694 at 737 (Williams, J., concurring) (noting the court’s role in evaluating military policy is so circumscribed that extra-record evidence and discovery is “quite beside the point” (quoting *Goldman v. Weinberger*, 475 U.S. 503, 509 (1986))). Rather, as the Supreme Court emphasized in *Trump v. Hawaii*, 138 S. Ct. 2392, 2420 (2018), the Court’s review of the Department of Defense, Department of the Army, and Department of the Air Force policies must focus on the stated justifications for the policies.

Moreover, the Administrative Procedure Act “confines judicial review of executive branch decisions to the administrative record of proceedings before the pertinent agency. As such, there can be no genuine issue of material fact in an APA action. . . .” *Shipbuilders Council of Am. v. U.S. Dep’t of Homeland Sec.*, 770 F.Supp.2d 793, 802 (E.D.Va.2011) (citations omitted). With respect to such claims, “the function of the district court is to determine whether or not as a matter of law the evidence in the administrative record permitted the agency to make the decision it did.” *Id.* (internal quotation marks omitted).

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX001	Department of Defense Instruction 6485.01 (1991 version): Human Immunodeficiency Virus (HIV) in Military Service Members		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX002	Department of Defense Instruction 6485.01 (2006 version): Human Immunodeficiency Virus (HIV) in Military Service Members	US00021177–00021182	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX003	Department of Defense Instruction 6485.01 (current version): Human Immunodeficiency Virus (HIV) in Military Service Members	NH-000157–000164		
PX004	Comment Matrix for DoDI 6485.01	US00013978_001–US00013978_007	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX005	Department of Defense Instruction 6490.07: Deployment-Limiting Medical Conditions for Service Members and DoD Civilian Employees	US00003652–00003665	Relevance (FRE 401, 402, 403)	
PX006	Action Memo for the Deputy Under Secretary of Defense: DoD instruction 6490.gg, “Deployment-Limiting Medical Conditions for Service Members and DoD Civilian Employees”	US00013979–00014029	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403)
PX007	Department of Defense Instruction 6130.03: Medical Standards for Appointment, Enlistment, or Induction into the Military Services	NH-000604–000652	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX008	Action Memo for the Under Secretary of Defense for Personnel and Readiness: Proposed Department of Defense Instruction 6130.3, "Medical Standards for Appointment, Enlistment, or Induction into the Military Services"	US00013857–00013977	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403)
PX009	Department of Defense Instruction 1332.18: Disability Evaluation System (DES)	US00007238–00007292	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403)
PX010	Department of Defense Instruction 1332.45: Retention Determinations for Non-Deployable Service Members	NH-000102–000121		
PX011	Department of Defense Instruction 6025.19: Individual Medical Readiness	NH-000524–000538		
PX012	Air Force Guidance Memorandum Establishing Guidance for Implementing Department of Defense Instruction (DoDI) 1332.45, Retention Determinations for Non-Deployable Service Members	OutServe_RV-000275–000281	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX013	Air Force Instruction 44-178: Human Immunodeficiency Virus(HIV) in Military Service Members	OutServe_RV-000716–000759	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX014	Air Force Instruction 48-122: Deployment Health (2015 version)	US00030079–00030101	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX015	Air Force Instruction 48-122: Deployment Health (current version)	US00030102–00030132	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX016	Air Force Instruction 48-123: Medical Examinations and Standards			
PX017	Air Force Instruction 36-3212: Physical Evaluation for Retention, Retirement, and Separation	OutServe_RV-000618–000715	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX018	Air Force Instruction 36-3802: Force Support Readiness Program		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX019	Air Force Memorandum on the Retention of Airmen with Asymptomatic HIV	US00031061	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX020	Memorandum for Air Force Personnel Center, Air Force Medical Standards Branch, and Air Force Medical Operations: Appropriate Evaluation of Fitness for Continued Service for Airmen with Asymptomatic Human Immunodeficiency Virus (HIV)	OutServe-000150– 000152	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX021	Memorandum for Air Force Review Boards Agency, Air Force Personnel Center, Air Force Medical Standards Branch, and Air Force Medical Operations Agency: Airmen with Asymptomatic Human Immunodeficiency Virus (HIV) Disposition	US00031049–00031050	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX022	Army Regulation 600-110: Identification, Surveillance, and Administration of Personnel Infected with Human Immunodeficiency Virus (1988 version)		Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX023	Army Regulation 600-110: Identification, Surveillance, and Administration of Personnel Infected with Human Immunodeficiency Virus (current version)	NH-000023–000085		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX024	Army Regulation 40-501: Standards of Medical Fitness	NH-000349–000499		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX025	SECNAV Instruction 5300.30F: Management of Human Immunodeficiency Virus, Hepatitis B Virus, and Hepatitis C Virus Infection in the Navy and Marine Corps	US00031478–00031513	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX026	SECNAV Instruction 5300.30E: Management of Human Immunodeficiency Virus, Hepatitis B Virus, and Hepatitis C Virus Infection in the Navy and Marine Corps	NH-000165–000187	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX027	SECNAV Instruction 1850.4E: Department of the Navy (DON) Disability Evaluation Manual	US00004968–00005268	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX028	MILPERSMAN 1300-1300: Assignment of Personnel with Bloodborne Pathogens (BPP)	US00005512–00005524	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX029	Department of the Navy Memorandum for Assistant Secretary of Defense for Health Affairs: Request for Information (RFI) Regarding Personnel with Human Immunodeficiency Virus (HIV) and Approved Deployment Waivers	US00020075–00029984	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX030	Marine Corps Order 1300.8: Marine Corps Personnel Assignment Policy	US00015950–00016028	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX031	OPNAV Instruction 1300.20: Deployability Assessment and Assignment Program	US00019649–00019666	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX032	COMNAVCRUITCOMIN ST 1130.8K, Chapter 2, Section 7 “Physical Requirement”	US00014452–00014473	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX033	COMNAVCRUITCOMIN ST 1130.8K, Chapter 3 “Waivers”	US00014507–00014521	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX034	Memorandum for SEE Distribution: Army Direction 2018-22 (Retention Policy for Non-Deployable Soldiers)	US00006912–00006919		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX035	Memorandum for SEE Distribution: Characterization of Human Immunodeficiency Virus (HIV) Positive Soldier Deployable Status for the Purpose of Calculating Non-Deployable Time	US00005451–00005452		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX036	Information Paper for the Navy, Army, and Air Force: Accession Qualification Standards for Human Immunodeficiency Virus (HIV) Infection	US00010760_0001– 00002		
PX037	Information Paper: Request for Exemption to Policy for Identification, Surveillance, and Administration of Personnel Infected with Human Immunodeficiency Virus, to provide updated information on Sgt. Harrison, Nicholas request for exception to policy (ETP)	US00001997–00002011	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX038	Department of Defense Personnel Policies Regarding Members of the Armed Forces Infected with Human Immunodeficiency Virus: Report to the Committees on the Armed Services of the Senate and House of Representatives, dated August 2018 (“2018 Report to Congress”)	OutServe_RV-000071–000104		
PX039	List of Documents considered by Dr. Donald Shell in the Report to Congress on HIV Personnel Policies	US00004965–00004967	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX040	Report to Congressional Defense Committees on Department of Defense Personnel Policies Regarding Members of the Armed Forces with HIV or Hepatitis B (“2014 Report to Congress”)	US00000659–00000674		
PX041	USCENTCOM 231245Z March 207 Modification Thirteen to USCENCOM Individual Protection and Individual-Unit Deployment Policy (“Mohd 13”)	US000009910–00009931		
PX042	PPG-TAB A: Amplification of the Minimal Standards of fitness for Deployment to the CENTCOM AOR; To Accompany Mod Thirteen to USCENCOM Individual Protection and Individual/Unit Deployment Policy (“Tab A to Mod 13”)	US00010225–00010234		

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX043	USEUCOM Genadmin for Deployment Force Health Protection		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901)
PX044	NORAD and USNORTHCOM Instruction 44-163, Individual Medical Readiness		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901)
PX045	USINDOPACOM Force Health Protection		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901)
PX046	SOUTHCOM Force Health Protection		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX047	Memorandum for Secretaries of the Military Departments; Chairman of the Joint Chiefs of Staff; Under Secretaries of Defense; Deputy Chief Management Officer; Chief, National Guard Bureau; Director of Cost Assessment and Program Evaluation: DoD Retention Policy for Non-Deployable Service Members	US00006607–00006608	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403)
PX048	Memorandum for Assistant Secretary of the Army, Navy, Air Force: Policy Memorandum – Human Immunodeficiency Virus Interval Testing	NH-000310–000324	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX049	HIV Country Restrictions, Summary of Findings	US00041277–00041278	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX050	Armed Services Blood Program Medical Condition List, listing medical conditions that render a person ineligible to donate blood	US00040539–00040573	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403)
PX051	OraQuick Advance® Rapid HIV-1/2 Antibody Test, Customer Letter	US00040756–00040773	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Proposed exhibit does not match plaintiffs' description	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Proposed exhibit does not match plaintiffs' description
PX052	Deployment statistics showing numbers of active duty members who deployed at least once from FY 2015 to FY 2017	US00031094–00031114	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX053	Active Duty Deployment TDY Rate for Fiscal Year 2018	US00031134–00031188	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX054	Army Public Health Center: Malaria Field Guide, The Prevention, Diagnosis and Treatment of Malaria in the U.S. Africa Command (USAFRICOM)	NH-000188–000254	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX055	Assistant Secretary of Defense, Health Affairs, Memorandum regarding Guidance on Medications for Prophylaxis of Malaria	OutServe_RV-000894–000897	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX056	Army Staffing Form: Request for Exemption to Army Regulation 600-110, Identification, Surveillance, and Administration of Personnel Infected with Human Immunodeficiency Virus, with attached Harrison request for exception to policy	US00025518–00025540		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX057	Joint Trauma System Clinical Practice Guideline for Whole Blood Transfusion	US00005296–00005334		
PX058	Armed Services Blood Program, “About Us”	NH-000539–000540	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX059	Update to Secretary to the Army From TSG in response to question regarding the deployability of HIV+ Soldiers in light of the recent release of DoDI 1332.45 (Retention Determination for Non-Deployable Service Members)	US00025937	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX060	Army Staffing Form: Army-wide Review for Major Revision of AR 600-110, Identification, Surveillance, and Administration of Personnel Infected with Human Immunodeficiency Virus	US00025945–00025947	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX061	PDF pages of a tracking spreadsheet showing the requests that Lisa Lute received for exceptions to AR 600-110, their status, and their outcome, from 12/18/13 through 10/9/18	Lute Ex. 19A	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX062	Asymptomatic HIV Case Summaries regarding decisions on 10 cases considered on October 18, 2018	US00031443–00031444	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX063	Presentation including table attached to Murray Report showing “HIV-infected AD SM Viral Suppression”			
PX064	Summaries of Three Recent HIV Cases	US00031836–00031837	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX065	Criteria for Considering HIV Cases (including Richard Roe)	US00033270–00033271	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX066	U.S. Military Entrance Processing Command Document	US00003436_0001	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX067	Chart of Deployment Limiting Conditions requiring waivers	US00006143_0001	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX068	Annual Decision Gate In Progress Review for the Transfusion Transmitted Disease Rapid Diagnostic Device (TTDRDD) Product Development Effort	US00040435–00040459	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX069	Armed Service Blood Program Development of Rapid Field Tests for Transfusion Transmitted Diseases and ABO Rh Compatibility	US00040796–00040807	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX070	Staff Summary Sheet from Col. Prater regarding Medical Fitness Determinations for Airmen with Asymptomatic HIV	US00031427_0001	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX071	Staff Summary Sheet from Col. Prater regarding Medical Fitness Determinations for Airmen with Asymptomatic HIV	US00031788_0001	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX072	OutServe-SLDN, Inc. Leaders and Locations List	OutServe-000019	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX073	First Amended and Restated Bylaws of OutServe	OutServe-000012–000018		
PX074	OutServe Certificate of Incorporation	OutServe-000001–000005		
PX075	OutServe-SLDN Positive Forum	OutServe-000025	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX076	OutServe-SLDN Transgender Forum	OutServe-000026	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX077	OutServe Afghanistan/Iraq	OutServe-000027	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX078	OutServe-Belgium	OutServe-000028	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX079	OutServe-SLDN Christian Service Members Forum	OutServe-000029	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX080	Donate to OutServe-SLDN	OutServe-000030–000039	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403)
PX081	OutServe Germany	OutServe-000045	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX082	OutServe-SLDN Hawaii	OutServe-000046	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX083	Richard Roe joining OutServe-SLDN email list	OutServe-000047–000054	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX084	OutServe National Capital Region	OutServe-000055	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX085	OutServe-SLDN Network	OutServe-000056	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX086	Nicholas Harrison joining OutServe-SLDN email list	OutServe-000057–000064	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX087	OutServe-SLDN, Inc. Bylaws	OutServe-000065–000069		
PX088	OutServe-SLDN, Inc. First Amended and Restated Bylaws	OutServe_RV-000249–000255		
PX089	OutServe-SLDN Military Advisory Council “Mission and Responsibilities”	OutServe_RV-000261–000267	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX090	OutServe-SLDN Positive Forum list showing inclusion of plaintiffs and declarants as members	OutServe-000070– 000076	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX091	OutServe-UK	OutServe-000081	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX092	OutServe-SLDN, Inc., Freedom to Serve Guide (2nd ed.)	OutServe_RV- 000004–000070	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX093	Nicholas Harrison Resume	NH-001506– 001510		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX094	Nicholas Harrison Resume (different form)	US00000949– 00000950		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX095	Nicholas Harrison letter to the Judge Advocate Recruiting Office	US00000838	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX096	Congratulations email informing Nicholas Harrison that he was pre- selected by the Judge Advocate General	NH-001931– 001934	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX097	Nicholas Harrison letter to the Judge Advocate Recruiting Office, renewing interest in commissioning	US00000918	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX098	Nicholas Harrison 2011 Army JAG Application	US00000880– 00000917	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX099	Certificate of Release or Discharge from Active Duty for Nicholas Harrison	NH-001552– 001555		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX100	NCO Evaluation Report for Nicholas Harrison	NH-001662– 001678		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX101	Letter from Dr. Czarnogorski certifying that Nicholas Harrison is healthy and fit for application for a JAG officer position	NH-001614	Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX102	Letter from Oklahoma Board of Bar Examiners informing the DC Bar that Nicholas Harrison had successfully passed the Oklahoma bar examination	NH-001960–001961		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX103	HealthVet Personal Health Record for Nicholas Harrison as of 4/24/14	NH-001979–001994	Completeness (FRE 106)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX104	Memorandum for Record regarding Drug and Alcohol Testing for Sgt Harrison, Nicholas, showing no positive tests	NH-001550	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX105	Army Physical Fitness Test Scorecard for Nicholas Harrison	US00000323		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX106	Memorandum denying Nicholas Harrison's request for waiver, with application for waiver attached	US00003219–00003254		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX107	Letter of Admission to the DC Bar for Nicholas Harrison	NH-001551		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX108	NCO Evaluation Report for Nicholas Harrison	NH-001539–1540		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX109	HealthVet Personal Information Report as of 1/1/15	NH-001623–001638		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX110	Medical Action Detail regarding Accession Waiver Commission for Sergeant (SGT) Nicholas Harrison, with notes page	US00003256–00003257	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX111	Memorandum from Nicholas Harrison regarding a Request for an Exception to Policy (AR 600-110, DoDI 6485.01)	NH-000014–000016		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX112	Letter from the Deputy Director Accessions Policy to Nicholas Harrison, in response to Nicholas Harrison's Letter to Under Secretary of Defense Jessica Wright, advising him that he needs to seek a waiver to commission as an officer	NH-001575	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX113	Medical Record for Nicholas Harrison as of 3/27/15	NH-001639–001650	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX114	Memorandum from Namataka Heru regarding Letter of Recommendation in support of Sgt. Harrison, Nicholas A. for a Direct Commission as an Army JAG Officer	NH-001655–001656	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX115	Enlisted Record Brief for Nicholas Harrison as of 4/10/15	NH-001538	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX116	Memorandum for the Directorate of Military Personnel Management: Request for a Medical Opinion, Sgt. Nicholas Harrison	US00001136	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX117	Memorandum from Nicholas Harrison regarding his Request for Exception to Policy (AR 600-110, DoDI 6485.01)	NH-001484–001486	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX118	Memorandum from Namataka Heru regarding Letter of Recommendation in support of Sgt. Harrison, Nicholas A. for a Direct Commission as an Army JAG Officer	NH-001499–001500	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX119	Preventive Medicine Counseling Record for Nicholas Harrison	NH-001501–001505	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX120	Memorandum from Nicholas Harrison regarding his Request for Exception to Policy (AR 600-110, DoDI 6485.01), with denial	US000000026–00000029		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX121	Memorandum for the Directorate of Military Personnel Management: Request for Medical Opinion, Sgt. Nicholas Harrison	US00001062		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX122	Information Paper regarding Nicholas Harrison's Request for Exemption to Policy for the purpose of providing updated information on Sgt. Harrison, Nicholas's request for exemption	US00001111.0001– 0002	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX123	Memorandum to Nicholas Harrison from the Acting Under Secretary of Defense for Personnel Readiness denying his 7/21/16 request for exception to 6485.01	NH-000691	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX124	Application to the Board for Correction of Military Records regarding being denied a commission under 6485.01	US000000001–00000010		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX125	Signature page to Application to the Board for Correction of Military Records regarding being denied a commission under 6485.01	US000000015		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX126	Email confirming receipt of Nicholas Harrison's Application to the ABCMR	NH-000675–000676		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX127	Memorandum from Nicholas Harrison regarding Reconsideration of a Request for Exception to Policy (DoDI 6485.01)	NH-001615–001618	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX128	Memorandum from Nicholas Harrison regarding Reconsideration of a Request for Exception to Policy (DoDI 6485.01)	NH-001734–001738	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX129	Memorandum for Land Component Commander, District of Columbia Army National Guard: Recommendation Regarding Exception to Policy from Sgt. Harrison, Nicholas, with request for Reconsideration of a Request for an Exception to Policy (DoDI 6485.01), dated 4/22/17	US00003143–00003150	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX130	Nicholas Harrison U.S. Army Judge Advocate General's Corps Active Duty and Army Reserve Application	US00000931–00000943	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX131	Memorandum from ABCMR denying Nicholas Harrison's application	NH-000678–000687		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX132	Nicholas Harrison HealthVet Account Summary as of 3/19/19	NH-000692–001482		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX133	Exhibit for the FPEB, Awards and recognitions received by Richard Roe	US00030819–00030835	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Hearsay (FRE 802)
PX134	Exhibit for the FPEB. Certificates of Promotion for Richard Roe	US00030837–00030839	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Hearsay (FRE 802)
PX135	Exhibit for the FPEB, Certificates of Completion of training programs for Richard Roe	US00030841–00030852	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Hearsay (FRE 802)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX136	Formal Physical Evaluation Board Contention Slip	US00030786	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX137	Richard Roe's Entrance Medical Exam	US00030958–00030982	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX138	Exhibit for the FPEB, Notification of Air Force Member's Qualification Status as of 6/9/2016	US00030817	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX139	Richard Roe's Chronological Record of Medical Care as of 11/6/17	US00030950–00030957	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX140	Duty Limiting Condition Report for Richard Roe	US00030815	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX141	DES Counseling Acknowledgement Sheet	US00030891	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX142	Veterans Affairs Compensation and Pension Physical	US00030900–00030949	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX143	Commander's Impact Statement for Medical Evaluation Board for Richard Roe	US00030880–00030881	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX144	Memorandum for the Medical Evaluation Board from Richard Roe providing narrative summary (NARSUM) of Richard Roe's medical condition	US00030893–00030899	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX145	Medical Evaluation Board Report for Richard Roe	US00030878–00030979	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX146	Impartial Review Election for Richard Roe	US00030882	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX147	Letter of Exception submitted to Informal Physical Evaluation Board	ROE-000067–000069	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX148	Exhibit for the PEB, Memorandum for the Honorable Members of the Board from D.H. regarding a Character Statement for [Richard Roe]	ROE-000072	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX149	Exhibit for the PEB, Memorandum for the Honorable Members of the Board from K.K. regarding a Character Letter for [Richard Roe]	ROE-000074	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX150	Exhibit for the PEB, Memorandum for All Reviewing Authorities from C.A. regarding a Character Statement for [Richard Roe]	ROE-000073	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX151	Exhibit for the PEB, Memorandum for All Reviewing Authorities from S.K. regarding a Character Statement for [Richard Roe]	ROE-000070	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX152	Exhibit for the PEB, Memorandum for All Reviewing Authorities from J.R. regarding a Character Statement for [Richard Roe]	ROE-000071	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX153	Personal Data of Richard Roe as of 1/31/18	US00030875–00030876	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX154	Veterans Affairs Disability Evaluation System Proposed Rating and coding sheet	US00031002–0003006	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX155	Findings and Recommended Disposition of the Informal Physical Evaluation Board regarding [Richard Roe]	US00031007–00031008	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX156	Action on PEB findings by Richard Roe requesting Formal Physical Evaluation Board	US00030853	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX157	Exhibit for FPEB, Air Force Fitness Management System II, Member Individual Fitness Report for Richard Roe	ROE-000089–000090	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX158	Exhibit for the FPEB, Memorandum for President, U.S. Air Force Formal Physical Evaluation Board from D.M. regarding Letter of Reference – Fit for Duty, [Richard Roe]	ROE-000082–000083	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX159	Exhibit for FPEB, Awards and Decorations Information for Richard Roe	US00030810	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX160	Exhibit for the FPEB, Memorandum for President, U.S. Air Force Formal Physical Evaluation Board from S.M. regarding Letter of Reference – Fit for Duty, [Richard Roe]	ROE-000084–000085	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX161	Letter from Dr. Jason F. Okulicz in support of the retention of Richard Roe, exhibit J for the FPEB	US00030767	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX162	Findings and Recommended Disposition of USAF Formal Physical Evaluation Board regarding [Richard Roe]	US00030991–00030992	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX163	Memorandum for the SAFPC from Richard Roe regarding an Appeal of the Findings of the Formal Physical Evaluation Board	ROE-000012–000013	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX164	Memorandum for the SAFPC, Appeal of the Formal Physical Evaluation Board Hearing, with Attachments	US00030762–00030764	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX165	SAFPC exhibit, Memorandum for President, U.S. Formal Physical Evaluation Board from J.P. regarding a Letter of Reference – Fit for Duty, [Richard Roe]	US00030771–00030772	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX166	SAFPC exhibit, Memorandum for President, U.S. Formal Physical Evaluation Board from R.S. regarding a Letter of Reference – Fit for Duty, [Richard Roe]	ROE-000075–000076	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX167	Richard Roe’s Request for Retention for Medical Treatment or Evaluation	ROE-000093	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX168	SAFPC exhibit, Memorandum for President, U.S. Formal Physical Evaluation Board from N.F. regarding a Letter of Reference – Fit for Duty, [Richard Roe]	ROE-000077–000078	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX169	SAFPC exhibit, Memorandum for President, U.S. Formal Physical Evaluation Board from M.G. regarding a Letter of Reference – Fit for Duty, [Richard Roe]	ROE-000079–000080	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX170	Letter from Dr. Jason F. Okulicz in support of the retention of Richard Roe for the SAFPC	ROE-000081	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX171	Memorandum from the SAFPC/AFPB informing Richard Roe that his appeal of the recommended disposition of the PEB was denied, and that he would be separated with a 10% disability rating because he was unable to deploy because of his HIV	US00030985–00030987	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX172	Request and Authorization for Separation of Richard Roe	US00031009–00031010	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX173	Entrance Medical Examination for Victor Voe	US00030619–00030630	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX174	Chronological Record of Medical Care for Victor Voe as of 4/3/17	US00030482–00030499	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX175	DES Counseling Acknowledgement Sheet for Victor Voe	US00030476	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX176	Department of Veterans Affairs Compensation and Pension Physical, Statement in Support of Claim	US00030500–0003030618	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX177	Commander's Impact Statement for Medical Board Report	US00030473–00030474	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX178	IRILO-MEB Narrative Summary of Victor Voe's medical condition	US00030479–00030481	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX179	Medical Evaluation Board Report for Victor Voe	US00030471–00030472	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX180	Duty Limiting Condition Report for Victor Voe	US00030478	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX181	Impartial Review Election of MEB Findings by Victor Voe	US00030475	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX182	Memorandum from Victor Voe to the AFPC regarding his Request for Retention Beyond his ETS (expiration of term of service)	US00030477	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX183	Personal Data of Victor Voe as of 10/10/17	US00030468–00030469	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX184	Veterans Affairs Disability Evaluation System Proposed Rating and Coding Sheet	US00030453–00030465	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX185	Veterans Affairs Benefits Letter for Victor Voe	US00030446–00030452	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX186	Findings and Recommended Disposition of the USAF Informal Physical Evaluation Board regarding [Victor Voe]	US00030467	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX187	Findings and Recommended Disposition of USAF Formal Physical Evaluation Board regarding [Victor Voe]	US00030435–00030436	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX188	Formal Physical Evaluation Board Contention Slip	US00030438	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX189	Memorandum for the SAFPC/AFPB from Victor Voe, regarding his Appeal of the Findings of the Formal Physical Evaluation Board (FPEB)	US00030431–00030432	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX190	Victor Voe's Action on Physical Evaluation Board Findings and Recommended Disposition, requesting referral to the SAFPC for review and final decision	US00030433	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX191	Memorandum for the SAF requesting review of the PEB proceedings, with PEB proceedings attached	US00030430	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX192	Air Force Personnel Vote Sheet (“AFPB Vote Sheet”) regarding Victor Voe, unanimously finding that he is fit, and should be returned to duty	Sealed Supplemental Administrative Record, Roe ECF No. 84	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX193	Unsent Memorandum from the SAFPC/AFPB informing Victor Voe that his appeal of the recommended disposition of the PEB was granted, and that he would be returned to duty	US00031011–00031012	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX194	Findings and Recommended Disposition of the SAFPC	US00031035	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403)
PX195	AFPB Vote Sheet regarding Victor Voe, unanimously finding him unfit, and discharging him with 10% severance pay	Sealed Supplemental Administrative Record, Roe ECF No. 84	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX196	Memorandum from the SAFPC/AFPB informing Victor Voe that his appeal of the recommended disposition of the PEB was denied, and that he would be separated with a 10% disability rating because he was unable to deploy because of his HIV	US00030631–00030633	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX197	Request and Authorization for Separation for Victor Voe	US00030634–30635	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	
PX198	Findings and Recommended Disposition of USAF SAFPC Physical Evaluation	US00032583–32584	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX199	Memorandum from the SAF regarding Physical Evaluation	US00032579–32580	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX200	Memorandum from the SAF regarding Physical Evaluation	US00034235–34244	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX201	Memorandum from the SAFPC/AFP re D.N.	Ex. C3 to Plaintiffs' Motion for Preliminary Injunction, ECF No. 40	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX202	Memorandum from the SAFPC/AFP informing K.R. that his appeal of the recommended disposition of the PEB was denied, and that he would be separated with a 10% disability rating because he was unable to deploy because of his HIV	Ex. C1 to Plaintiffs' Motion for Preliminary Injunction, ECF No. 40	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX203	Memorandum from the SAFPC/AFP re S.H.	Ex. C2 to Plaintiffs' Motion for Preliminary Injunction, ECF No. 40	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX204	Declaration of Kevin Cron in Support of Defendants' Opposition to Plaintiffs' Motion to Preliminary Injunction in Roe	Appendix (A423–427) to Defendants Opposition to Plaintiffs' Motion for Preliminary Injunction, ECF No. 47	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX205	Email chain between Marguerite Lawrence, Stephen Thomas, and others	US00002428–2433	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX206	Email chain from James Becker to Lisa Lute	US00002498–2500	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX207	Email chain from Dr. Jason Blaylock to Lisa Lute	US00025570–25575	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX208	Email from Stephanie Scoville to Lisa Lute	US00025924–25925	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX209	Email chain between Shane T Prater and Bradley Achayatay	US00031796–31797	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX210	Email chain from Craig Greene (staff member of the House Armed Service committee) to David Knuckles and Charles Toth	US00031117_00 01–4	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX211	Email chain from Craig Greene (staff member of the House Armed Service committee) to David Knuckles and Charles Toth	US00031235_00 01-9	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX212	Email chain between David Knuckles, John Vallario, Shane T. Prater, and others	US00031217_00 01-2	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX213	Email chain between David Knuckles, John Vallario, Shane T. Prater, and others	US00031250_00 01–4	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX214	Email from John Vallario to the Board	US00031216_00 01–2	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX215	Email chain between John Fedrigo, Shane T. Prater, and John Vallario	US00031294_00 01–2	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX216	Email from John Vallario to Guy Palumbo and Tammy Hern	US00031536–31537	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX217	Email chain between Patrick Danaher to William Fischer, Jason Okulicz, Martha Soper, and others	US00040166–40172	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX218	Email chain between Patrick Danaher to William Fischer, Jason Okulicz, Martha Soper, and others	US00040173–00040179	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX219	Aggleton & Parker, Moving Beyond Biomedicalization in the HIV Response: Implications for Community Involvement and Community Leadership Among Men Who Have Sex with Men and Transgender People	Harrison&Roe 000491–000497	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX220	American Academy of HIV Med., Fundamentals of HIV Medicine, (W. David Hardy ed., CME 2017) – Chapter 3: Mechanisms of HIV Transmission	Harrison&Roe 000387–414	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX221	American Academy of HIV Med., Fundamentals of HIV Medicine, (W. David Hardy ed., CME 2017) – Chapter 17: HIV Virology	Harrison&Roe 000387–410, 415–425	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX222	American Academy of HIV Med., Fundamentals of HIV, (W. David Hardy ed., CME 2017) – Chapter 21: HIV-1 Resistance to Antiretroviral Drugs	Harrison&Roe 000387–410, 426–438	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX223	Antinori, et al. Updated research nosology for HIV-associated neurocognitive disorders, Nuerology	US00003666–00003686	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX224	Antiretroviral Therapy Cohort Collaboration, Survival of HIV-positive patients starting antiretroviral therapy between 1996 and 2013: a collaborative analysis of cohort studies	Harison&Roe 002255–002262	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX225	Asha De, et al., Physical Fitness Characteristics of Active Duty Air Force Members with HIV Infection	OutServe_RV-000219–000226	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX226	Baggaley, et al., Risk of HIV transmission for parenteral exposure and blood transfusion: a systematic review and meta-analysis	Harison&Roe 002289–002296	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX227	Ballard, et al., Transfusion-transmissible infections among U.S. military recipients of emergently transfused blood products, June 2006-December 2012	NH-000553–000558	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX228	Bavington, et al., Viral Suppression and HIV Transmission in Serodiscordant Male Couples: and International, Prospective, Observational, Cohort Study	Harrison&Roe 002304–002313	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX229	Blaylock, HIV Preexposure Prophylaxis in the U.S. Military Services – 2014-2016	US00003289–00003312		
PX230	Bobashev and Zule, Modeling the effect of high dead-space syringes on the human immunodeficiency virus (HIV) epidemic among injecting drug users	Harrison&Roe 002346–002354	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX231	Boender, et al., Long Term Virological Outcomes of First Line Antiretroviral Therapy for HIV-1 in Low- and Middle- Income Countries: A Systematic Review and Meta-analysis	Harrison&Roe 002355–002363	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX232	Brundage, et al., Durations of military service after diagnosis of HIV-1 infections among active component members of the U.S. Armed Forces, 1990-2013	NH-000333–000336	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX233	Buclin, et al., Development and Validation of Decision Rules to Guide Frequency of Monitoring CD4 Cell Count in HIV-I Infection before Starting Antiretroviral Therapy	Harrison&Roe 002366–002374	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX234	Castilla, et al., Effectiveness of highly active antiretroviral therapy in reducing heterosexual transmission of HIV	Harrison&Roe 002450–002455	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX235	Cohen, et al., Prevention of HIV-1 Infection with Early Antiretroviral Therapy	Harrison&Roe 000043–000055	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX236	Colasanti, et al., Implementation of a Rapid Entry Program Decreases Time to Viral Suppression Among Vulnerable Persons Living with HIV in the Southern United States	Harrison&Roe 002487–002492	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX237	Consensus Statement: Risk of Sexual Transmission of HIV from a Person Living with HIV who had an Undetectable Viral Load	US00004410–00004417		
PX238	Correll, “You Know about Needle Boy, Right?”: Variation in Rumors and Legends about Attacks with HIV-Infected Needles	Harrison&Roe 000529–000570	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX239	Cosma, et al., Evaluation of modified vaccinia virus Ankara as an alternative vaccine against smallpox in chronically HIV type 1-infected individuals undergoing HAART	Harrison&Roe 002495–002506	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX240	Cox, Turning the Tide: The Future of HIV Criminalization after Rhoades v. State and Legislative Reform in Iowa	Harrison&Roe 000571–000597	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX241	Crum-Cianflone, et al., Low Prevalence of neurocognitive impairment in early diagnosed and managed HIV-infected persons	US00004446–00004454		
PX242	Curran, Epidemiology of HIV infection and AIDS in the United States	Harrison&Roe 000598–000604	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX243	De Souza, et al., Risk Factors for neurocognitive impairment in HIV-infected patients and comparison of different screening tools	US00004960–00004964		
PX244	Di Biagio, et al., Discontinuation of Initial Antiretroviral Therapy in Clinical Practice: Moving Toward Individualized Therapy	Harrison&Roe 0002544–0002552	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX245	Dorward, et al., Point-of-care viral load testing and differentiated HIV care		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)
PX246	Emergency War Surgery, 4th ed. (2014),Chapter 33, Battlefield Transfusions	NH-000653–000674	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX247	Epstein, Impure Science: AIDS, Activism, and the Politics of Knowledge	Harrison&Roe 000612–000650	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX248	Folaron, et al., Effect of Military Deployment on Diabetes Mellitus in Air Force Personnel	Harrison&Roe 002563–002570	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX249	Freiberg, et al., HIV infection and the risk of acute myocardial infarction	Harrison&Roe 002571–002579	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX250	Frost, et al., Viral dynamics during structured treatment interruptions of chronic interruptions of human immunodeficiency virus type 1 infection	Harrison&Roe 002583–002594	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX251	Garlin, et al., Retroviral Rebound Syndrome with Fatal Outcome after Discontinuation of Antiretroviral Therapy	Harrison&Roe 002619–002621	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX252	Gonzalez-Serna, et al., Temporal trends in the discontinuation of first line antiretroviral therapy	Harrison&Roe 002630–002637	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX253	Grant, et al., Asymptomatic HIV- associated neurocognitive impairment increases risk for symptomatic decline	US00004418–00004425		
PX254	Grulich, et al., HIV Transmission in Male Serodiscordant Couples in Australia, Thailand and Brazil	Harrison&Roe 000439	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX255	Gulick, Structured treatment interruption in patients infected with HIV: a new approach to therapy	Harrison&Roe 002650–002658	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX256	Gussis, The Constitution, the White House, and the Military HIV Ban: A New Threshold for Presidential Non-Defense of statutes	Harrison&Roe 000655–000703	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX257	Hakre, et al., Transfusion-transmissible viral infections among US military recipients of whole blood and platelets during Operation Enduring Freedom and Operation Iraqi Freedom	US00003265–00003277		

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX258	Hall, et al., 'Tenofovir-associated kidney toxicity in HIV-infected patients: a review of the evidence	Harrison&Roe 002676–002683	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX259	Harsono, et al., Criminalization of HIV Exposure: A Review of Empirical Studies in the United States	Harrison&Roe 000704–000739	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX260	Hasenbush, et al., HIV Criminalization in Georgia: Penal Implications for People Living with HIV	Harrison&Roe 000764–000789	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX261	Hasenbush, et al., HIV Criminalization in California: Penal Implications for People Living with HIV	Harrison&Roe 000740–000763	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX262	Herbeck, et al., Is the virulence of HIV changing? A meta-analysis of trends in prognostic markers of HIV disease progression and transmission	Harrison&Roe 002747–002759	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX263	Herek & Glunt, An Epidemic of Stigma: Public Reactions to AIDS	Harrison&Roe 000797–000802	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX264	Herek, et al., HIV-Related Stigma and Knowledge in the United States: Prevalence and Trends	Harrison&Roe 000790–000796	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX265	Hoppe, Punishing Disease: HIV and the Criminalization of Sickness	Harrison&Roe 00803–001090	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX266	Jafari, et al., Tenofovir-induced nephrotoxicity: incidence, mechanism, risk factors, prognosis, and proposed agents for prevention	Harrison&Roe 002779–02790	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX267	Lehman, et al., Prevalence and Public Health Implications of State Laws That Criminalize Potential HIV Exposure in the United States	Harrison&Roe 001266–001275	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX268	Li, et al., The Size of the Expressed HIV Reservoir Predicts Timing of Viral Rebound After Treatment Interruption	Harrison&Roe 000440–000450	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX269	Okulicz and Murray, Evaluation of HIV Postexposure Prophylaxis for Occupational and Nonoccupational Exposures at a Deployed U.S. Military Trauma Hospital	Harrison&Roe 002942–002950		
PX270	Margolick, et al., Changes in T- lymphocyte subsets in intravenous drug users with HIV-1 infection	Harrison&Roe 002832–002837	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX271	Mariano D, et al., Safe Travel Preparation for HIV-Infected Patients	Harrison&Roe 002838–002843	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX272	Menegay, et al., Live versus attenuated influenza vaccine uptake and postvaccination influenza-like illness outcomes in HIV-infected US Air Force members	Harrison&Roe 002938–002941	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX273	Moyo, et al., Point-of-Care Cepheid Xpert HIV-1 Viral Load Test in Rural African Communities is Feasible and Reliable		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)
PX274	MSMR, Update: Routine screening for antibodies to human immunodeficiency virus, civilian applicants for U.S. military service and U.S. Armed Forces, active and reserve components, January 2010-June 2015	NH-000325–000332	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX275	MSMR, Update: Routine screening for antibodies to human immunodeficiency virus, civilian applicants for U.S. military service and U.S. Armed Forces, active and reserve components, January 2012- June 2017	NH-000507–000513		
PX276	MSMR, Update: Routine screening for antibodies to human immunodeficiency virus, civilian applicants for U.S. military service and U.S. Armed Forces, active and reserve components, January 2013-June 2018	NH-000576–000583		

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX277	Murphy, et al., Mortality in the United States, 2017, National Center for Health Statistics (NCHS) Data Brief	Harrison&Roe 002904–002911	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX278	Nash, et al., Performance of Xpert HIV-1 Viral Load Assay: a Systematic Review and Meta-analysis		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX279	O'Connor, et al., Durability of viral suppression with first-line antiretroviral therapy in patients with HIV in the UK: an observational cohort study	Harrison&Roe 002923–002930	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX280	Obermeyer, et al., Facilitating HIV Disclosures Across Diverse Settings: A Review	Harrison&Roe 001291–1303	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX281	Okulicz, et al., Occupational Exposures and Prevalence of Bloodborne Pathogens in a Deployed Setting: Data from a U.S. Military Trauma Center in Afghanistan	Harrison&Roe 002931–2937		
PX282	Okulicz, et al., Review of the U.S. military's human immunodeficiency virus program: a legacy of progress and a future of promise	NH-000500–000506		

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX283	Onaiwu, et al., When Ignorance Kills, Nobody Wins: Advocates Reflect on an HIV-Related Murder Case	Harrison&Roe 000651–000652	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX284	Pacha, et al., Centralized HIV Program Oversight: An Investigation of a Case Series of New HIV Infections among US Army Soldiers, 2012 to 2013	Harrison&Roe 002951–002956		
PX285	Patel, et al., Estimating per-act HIV transmission risk: a systematic review	US00004565–00004582		
PX286	Penafiel, et al., Tolerability of integrase inhibitors in a real-life setting	Harrison&Roe 002981–002988	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX287	Pilcher, et al., Amplified transmission of HIV-1: comparison of HIV-1 concentrations in semen and blood during acute and chronic infection	Harrison&Roe 002989–002996	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX288	Pozniak, et al., Switching to Tenofovir Alafenamide, Coformulated with Elvitegravir, Cobicistat, and Emtricitabine, in HIV-I Infected Patients with Renal Impairment, 48-Week Results From a Single-Arm Multicenter, Open-Label Phase	Harrison&Roe 002997–003004	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX289	Price, HIV-associated neurocognitive disorders: Epidemiology, clinical manifestations, and diagnosis	US00005269–00005291		

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX290	Quinn, et al., Viral Load and Heterosexual Transmission of Human Immunodeficiency Virus Type I	Harrison&Roe 003015–003023	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX291	Rodger, et al., Risk of HIV Transmission through Condomless Sex in Serodifferent Gay Couples with the HIV-Positive Partner Taking Suppressive Antiretroviral Therapy: Final Results of a Multicentre, Prospective Observational Study	Harrison&Roe 003067–003077	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX292	Rodger, et al., Sexual Activity Without Condoms and Risk of HIV Transmission in Serodifferent Couples When the HIV- Positive Partner is Using Suppressive Antiretroviral Therapy	Harrison&Roe 000451–000461	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX293	Ronco, et al., Efficacy of HPV-Based Screening for Prevention of Invasive Cervical Cancer: Follow-up of Four European Randomized Controlled Trials	Harrison&Roe 001313–001321	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX294	Roy, Community-Based AIDS Services: Formalization and Depoliticization	Harrison&Roe 000505–000524	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX295	Rutherford, et al., Dolutegravir Plus Two Nucleoside Reverse Transcriptase Inhibitors versus Efavirenz Plus Two Nucleoside Reverse Transcriptase Inhibitors as Initial Antiretroviral Therapy for People with HIV: A Systematic Review	Harrison&Roe 003087–003099	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX296	Saag, et al., Antiretroviral Drugs for Treatment and Prevention of HIV Infection in Adults 2018 Recommendations of the International Antiviral Society-USA Panel	US00005494–00005511	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX297	Sacktor, Changing clinical phenotypes of HIV-associated neurocognitive disorders	Harrison&Roe 000476–000480	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX298	Samji, et al., Closing the Gap: Increases in Life Expectancy among Treated HIV-Positive Individuals in the United States and Canada	Harrison&Roe 001322–001329	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX299	Satterwhite, et al., Sexually transmitted infections among US women and men: Prevalence and incidence estimates, 2008	Harrison&Roe 001330–001336	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX300	Scott, et al., Short Communication: Investigation of Incident HIV Infections Among U.S. Army Soldiers Deployed to Afghanistan and Iraq, 2001-2007	NH-000541–000545		

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX301	Silva, et al., Adverse effects of chronic treatment with the main subclasses of highly active antiretroviral therapy, a systematic review	Harrison&Roe 003119–003128	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX302	Sturmer, et al., Is transmission of HIV-1 in non-viraemic serodiscordant couples possible?	Harrison&Roe 000462–000465	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX303	Supervie, et al., Per Sex-Act Risk of HIV Transmission Under Antiretroviral Treatment: A Data Driven Approach	Harrison&Roe 003129–003133	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX304	Tanner, et al., Predictors of viral suppression and rebound among HIV-positive men who have sex with men in a large multi-site Canadian cohort	Harrison&Roe 003135–003145	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX305	Kuhar, et al., US Public Health Service Guideline: Updated US Public Health Service Guidelines for the Management of Occupational Exposures to Human Immunodeficiency Virus and Recommendations for Postexposure Prophylaxis	US00004426–00004445		
PX306	Vernazza, et al., HIV-Positive Individuals Without Additionally Sexually Transmitted Diseases And On Effective Anti-Retroviral Therapy Are Sexually Non-Infectious	Harrison&Roe 003203–003210	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX307	Abadsidis, Trump Fires HIV-Positive Airmen Right Before Christmas	Harrison&Roe 000488–0490	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX308	AIDS Map, CD4, viral load, and other tests		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX309	Amplicor HIV-1 Monitor™ Test Product Information		Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX310	Associated Press, Judge halts Air Force's efforts to discharge airmen with HIV	Harrison&Roe 000498–0499	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX311	Avert, Origin of HIV & AIDS	Harrison&Roe 000500–000504	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX312	CDC, 2015 Sexually Transmitted Diseases Treatment Guidelines		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX313	CDC, About HIV/AIDS	Harrison&Roe 00004–000007	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX314	CDC, Act Against AIDS, Facts About HIV Stigma	OutServe_RV- 000130–000133	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX315	CDC, Current Trends, Prevention of Acquired Immune Deficiency Syndrome (AIDS): Report of Inter-Agency Recommendations	Harrison&Roe 000525–000527	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX316	CDC, Dear Colleague: Information from CDC's Division of HIV/AIDS Prevention	Harrison&Roe 001286	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX317	CDC, Effectiveness of Prevention Strategies to Reduce the Risk of Acquiring or Transmitting HIV	OutServe_RV- 000123–000129	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX318	CDC, Evidence of HIV Treatment and Viral Suppression in Preventing the Sexual Transmission of HIV	Harrison&Roe 000012–000016	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX319	CDC, Exposure to Blood, What Healthcare Professionals Need to Know	Harrison&Roe 000017–0026	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX320	CDC, HIV and AIDS – United States 1981-2000		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)
PX321	CDC, HIV in the United States: At a Glance		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)
PX322	CDC, HIV Prevention		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)
PX323	CDC, HIV Risk Behaviors, Estimated Per-Act Probability of Acquiring HIV from an Infected Source, by Exposure Act	OutServe_RV-000138	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX324	CDC, HIV Treatment as Prevention	Harrison&Roe 000040–000016	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX325	CDC, HIV Transmission	Harrison&Roe 000028–000039	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX326	CDC, Pregnant Women, Infants, and Children		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)
PX327	CDC, Understanding the HIV Care Continuum		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)
PX328	DHHS Panel on Antiretroviral Guidelines for Adults and Adolescents, Guidelines for the Use of Antiretroviral Agents in Adults and Adolescents with HIV	Harrison&Roe 000056–000386		

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX329	Eckholm, Poll Finds Many AIDS Fears That the Experts Say Are Groundless	Harrison&Roe 000605–000608	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX330	Emily, Man who Admitted Killing HIV- Positive Girlfriend: “I Wanted to Make Her Pay”	Harrison&Roe 000609–000611	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX331	Gstalter, Federal Judge Temporarily Blocks Military from Discharging HIV- Positive Airmen	Harrison&Roe 000653–000654	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX332	Kaiser Family Foundation, 2012 Survey of Americans on HIV/AIDS	Harrison&Roe 001091–001155	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX333	Kaiser Family Foundation, HIV/AIDS at 30: A Public Opinion Perspective	Harrison&Roe 001156–001190	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX334	Kaiser Family Foundation, National Survey of Young Adults on HIV/AIDS	Harrison&Roe 001191–001201	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX335	Kaiser Family Foundation, The AIDS Epidemic at 20 Years: The View From America	Harrison&Roe 001202–001262	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX336	Landay, Congress Jumps into Military Special Fray Debate This Week to Focus on Gay Rights, Abortion More than Pentagon Spending	Harrison&Roe 001263–1265	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX337	Leoni, The Pentagon is being sued for allegedly discriminating against people living with HIV	Harrison&Roe 001276–001279	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX338	POZ, Living with HIV: Disclosure	Harrison&Roe 001280–1285	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX339	Mayo Clinic, Asthma: symptoms and causes		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)
PX340	Mayo Clinic, Diabetes: diagnosis and treatment		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX341	Mayo Clinic, Hypothyroidism (underactive thyroid): symptoms and causes		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)
PX342	Mayo Clinic, Menstrual Cramps: diagnosis and treatment		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)
PX343	Military Infectious Disease Research Program	US00005292–00005295		
PX344	Mitchell, Airmen Sue Pentagon Over Discharge After Testing Positive for HIV	Harrison&Roe 001289–001290	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX345	National Heart, Lung, and Blood Institute, Blood Transfusion	NH-000546–000552	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX346	AIDSinfo, Guidelines for the Use of Antiretroviral Agents in Adults and Adolescents Living with HIV, Laboratory Testing, Plasma HIV-1 RNA (Viral Load) and CD4 Count Monitoring	NH-000255–000262	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX347	AIDSinfo, Guidelines for the Use of Antiretroviral Agents in Adults and Adolescents Living with HIV, Limitations to Treatment Safety and Efficacy, Cost Considerations and Antiretroviral Therapy	NH-000300–000308	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX348	National Institute of Health, AIDSinfo, Side Effects of HIV Medicines	OutServe_RV-000227–000229	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX349	Page, The Rise and Fall of Jerry Falwell	Harrison&Roe 001304–001306	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX350	Pawlyk, Airmen Sue Defense Department over Discharges for HIV Status	Harrison&Roe 001307–001310	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX351	Reuters, Theft of AIDS Database Prompts New Effort to Guard Information	Harrison&Roe 001311–001312	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX352	Pebody, AIDS Map, Factsheet: Life Expectancy for people living with HIV		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX353	Ryan White HIV/AIDS Program, Annual Client-Level Data Report, Ryan White HIV/AIDS Program Services Report		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)
PX354	Shrager, Only one in five people take up this incredibly generous pension to retire at 40	Harrison&Roe 003111–003118	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX355	Sonne, They Tested Positive for HIV, Then, the Military Kicked Them Out	Harrison&Roe 001337–001339	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX356	Staley, In Memory of Jesse Helms, and the Condom on His House		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE901); Best Evidence (FRE 1002, 1003)
PX357	Straube, Military Starts Discharging Service Members Living with HIV	Harrison&Roe 001340–001341	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX358	Thomas, Arson Cause of Fire at Rays – Boys Start School Today	Harrison&Roe 00001342–001345	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX359	U.S. Census Bureau, Monthly Population Estimates for the United States: April 1, 2010 to December 1, 2018	NH-000573–000575	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX360	Warikoo, Detroit Woman with HIV Gets \$40K Settlement from Dearborn	Harrison&Roe 001346–1347	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901)
PX361	World Health Organization, Consolidated Guidelines on the use of antiretroviral drugs for treating and preventing HIV infection		Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)	Not disclosed in discovery (Fed. R. Civ. P. 26 & 34; Court discovery orders); Relevance (FRE 401, 402, 403); Hearsay (FRE 802); Authenticity (FRE 901); Best Evidence (FRE 1002, 1003)
PX362	Harrison Plaintiffs' Notice of Deposition of Defendants Pursuant to Fed. R. Civ. P. 30(b)(6)		Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403)
PX363	Roe Plaintiffs' Notice of Deposition of Defendants Pursuant to Fed. R. Civ. P. 30(b)(6)		Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403)
PX364	Harrison Defendants' Objections and Responses to Plaintiffs First Set of Interrogatories to Defendants (Nos. 1-23)		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX365	Harrison Defendants' Objections and Responses to Plaintiffs First Set of Requests for Admission to Defendants		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX366	Roe Defendants' Objections and Responses to Plaintiffs First Set of Requests for Admission to Defendants (Nos. 1-73)		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX367	Roe Defendants' Objections and Responses to Plaintiffs First Set of Interrogatories to Defendants (Nos. 1-13)		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX368	Roe Defendants' Objections and Responses to Plaintiffs Second Set of Requests for Admission to Defendants (Nos. 74-79)		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX369	Roe Defendants' Objections and Responses to Plaintiffs Second Set of Requests for Interrogatories to Defendants (Nos. 14-20)		Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX370	Email chain between Stephen Thomas, Marguerite Anne Lawrence and others regarding Harrison's request for exception to policy ¹	US00002428_00 01-0006	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX371	Email from Stephanie Miller to Lernes Hebert and other re AMSWG HIV Information Paper ²	US00005336_00 01	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403)
PX372	Email chain between Lawrence Mullen to David Kemp and others regarding Truvada ³	US00005759_00 01-0002	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

¹ Deliberations not part of the record are immaterial and inadmissible at trial. *See, e.g., Styrene Info. & Research Ctr., Inc. v. Sebelius*, 851 F.Supp.2d 57, 67 (D.D.C. 2012) (quoting *In re Subpoena Duces Tecum Served on Office of Comptroller of Currency*, 156 F.3d 1279, 1279-80 (D.C. Cir. 1998)).

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Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX373	Email chain between Allison Minarcik, Garby Brown and other regarding a Navy HIV White Paper proposal and Air Force white paper ⁴	US00006126_00 01-0002	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX374	Email Chain between Guy Palumbo, Patrick Danaher, and others regarding HIV Policy Execution ⁵	US00021184_00 01-00014	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX375	Email Chain between Karen Downes, Shane Prater and other regarding HIV policy for Army and Navy ⁶	US00031295_00 01-0006	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX376	HIV Policy Summary ⁷	US00006037_00 01-00010	Relevance (FRE 401, 402, 403)	Relevance (FRE 401, 402, 403)

⁴ Deliberations not part of the record are immaterial and inadmissible at trial. *See, e.g., Styrene Info. & Research Ctr., Inc. v. Sebelius*, 851 F.Supp.2d 57, 67 (D.D.C. 2012) (quoting *In re Subpoena Duces Tecum Served on Office of Comptroller of Currency*, 156 F.3d 1279, 1279-80 (D.C. Cir. 1998)).

⁵ Deliberations not part of the record are immaterial and inadmissible at trial. *See, e.g., Styrene Info. & Research Ctr., Inc. v. Sebelius*, 851 F.Supp.2d 57, 67 (D.D.C. 2012) (quoting *In re Subpoena Duces Tecum Served on Office of Comptroller of Currency*, 156 F.3d 1279, 1279-80 (D.C. Cir. 1998)).

⁶ Deliberations not part of the record are immaterial and inadmissible at trial. *See, e.g., Styrene Info. & Research Ctr., Inc. v. Sebelius*, 851 F.Supp.2d 57, 67 (D.D.C. 2012) (quoting *In re Subpoena Duces Tecum Served on Office of Comptroller of Currency*, 156 F.3d 1279, 1279-80 (D.C. Cir. 1998)).

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Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX377	Memorandum for Assistant Secretary of the Navy regarding Data Request Regarding Personnel Policies for Members of the Armed Forces Infected with Human Immunodeficiency Virus ⁸	US00017865_00 01–0003	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX378	Memorandum for Record regarding Advisory Opinion — DES processing for asymptomatic HIC conditions ⁹	US00021020_00 01–0003	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX379	Bullet Background Paper on DES Processing for Asymptomatic HIV Conditions ¹⁰	US00021175_00 01–0003	Completeness (FRE 106); Relevance (FRE 401, 402, 403)	Completeness (FRE 106); Relevance (FRE 401, 402, 403)
PX380	Comment Matrix re fiscal year 2018 edition of the Department of Defense Compensation Benefits Handbook for Wounded, Ill, and/or Injured Service Members ¹¹	US00021229_00 01–0005	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

⁸ Deliberations not part of the record are immaterial and inadmissible at trial. *See, e.g., Styrene Info. & Research Ctr., Inc. v. Sebelius*, 851 F.Supp.2d 57, 67 (D.D.C. 2012) (quoting *In re Subpoena Duces Tecum Served on Office of Comptroller of Currency*, 156 F.3d 1279, 1279-80 (D.C. Cir. 1998)).

⁹ Deliberations not part of the record are immaterial and inadmissible at trial. *See, e.g., Styrene Info. & Research Ctr., Inc. v. Sebelius*, 851 F.Supp.2d 57, 67 (D.D.C. 2012) (quoting *In re Subpoena Duces Tecum Served on Office of Comptroller of Currency*, 156 F.3d 1279, 1279-80 (D.C. Cir. 1998)).

¹⁰ Deliberations not part of the record are immaterial and inadmissible at trial. *See, e.g., Styrene Info. & Research Ctr., Inc. v. Sebelius*, 851 F.Supp.2d 57, 67 (D.D.C. 2012) (quoting *In re Subpoena Duces Tecum Served on Office of Comptroller of Currency*, 156 F.3d 1279, 1279-80 (D.C. Cir. 1998)).

¹¹ Deliberations not part of the record are immaterial and inadmissible at trial. *See, e.g., Styrene Info. & Research Ctr., Inc. v. Sebelius*, 851 F.Supp.2d 57, 67 (D.D.C. 2012) (quoting *In re Subpoena Duces Tecum Served on Office of Comptroller of Currency*, 156 F.3d 1279, 1279-80 (D.C. Cir. 1998)).

Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX381	Air Force response to HAF242613 (2Ltr) UPR006187-17 – Personnel Policies Regarding Members of the Armed Forces Infected with HIV ¹²	US00021263_00 01–0005	Completeness (FRE 106); Relevance (FRE 401, 402, 403)	Completeness (FRE 106); Relevance (FRE 401, 402, 403)
PX382	Talking Paper on Retention of Airmen with Human Immunodeficiency Virus ¹³	US00021290_00 01–0004	Completeness (FRE 106); Relevance (FRE 401, 402, 403)	Completeness (FRE 106); Relevance (FRE 401, 402, 403)
PX383	Comment Matrix re Consolidated DoD Issuance ¹⁴	US00025369_00 01–0004	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Completeness (FRE 106); Relevance (FRE 401, 402, 403); Hearsay (FRE 802)
PX384	Memorandum for LTC Conreau L. Williams, Chief Health Promotions Officer Office of the Deputy Chief of Staff, G1, U.S. Army MEDCOM regarding Infectious Diseases Community Comment on Proposed Changes to AR 600-110 ¹⁵	US00025569_00 01–0003	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

¹² Deliberations not part of the record are immaterial and inadmissible at trial. *See, e.g., Styrene Info. & Research Ctr., Inc. v. Sebelius*, 851 F.Supp.2d 57, 67 (D.D.C. 2012) (quoting *In re Subpoena Duces Tecum Served on Office of Comptroller of Currency*, 156 F.3d 1279, 1279-80 (D.C. Cir. 1998)).

¹³ Deliberations not part of the record are immaterial and inadmissible at trial. *See, e.g., Styrene Info. & Research Ctr., Inc. v. Sebelius*, 851 F.Supp.2d 57, 67 (D.D.C. 2012) (quoting *In re Subpoena Duces Tecum Served on Office of Comptroller of Currency*, 156 F.3d 1279, 1279-80 (D.C. Cir. 1998)).

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Exhibit No.	Description	Bates Range/ Document Number	Harrison Objection(s)	Roe Objection(s)
PX385	Dr. Hendrix's CV ¹⁶		Cumulative (FRE 403); Hearsay (FRE 802)	Cumulative (FRE 403); Hearsay (FRE 802)
PX386	Dr. Hoppe's CV ¹⁷		Cumulative (FRE 403); Hearsay (FRE 802)	Cumulative (FRE 403); Hearsay (FRE 802)
PX387	Dr. Hardy's CV ¹⁸		Cumulative (FRE 403); Hearsay (FRE 802)	Cumulative (FRE 403); Hearsay (FRE 802)
PX388	MP3 recording of AMSWG meeting ¹⁹	US00012348_0001	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)	Relevance (FRE 401, 402, 403); Hearsay (FRE 802)

¹⁶ It is Defendants' position that an expert's *curricula vitae* is inadmissible hearsay. *See, e.g., Mahnke v. Washington Metro. Area Transit Auth.*, 821 F. Supp. 2d 125, 154 (D.D.C. 2011) (sustaining objections to the admissibility of *curricula vitae* for expert witnesses because such documents are hearsay and not admissible under Fed. R. Evid. 802). If, however, this Court decides to authorize the admission of Plaintiffs' experts' *curricula vitae*, Defendants would seek, in fairness, to admit their own experts' *curricula vitae*.

¹⁷ It is Defendants' position that an expert's *curricula vitae* is inadmissible hearsay. *See, e.g., Mahnke v. Washington Metro. Area Transit Auth.*, 821 F. Supp. 2d 125, 154 (D.D.C. 2011) (sustaining objections to the admissibility of *curricula vitae* for expert witnesses because such documents are hearsay and not admissible under Fed. R. Evid. 802). If, however, this Court decides to authorize the admission of Plaintiffs' experts' *curricula vitae*, Defendants would seek, in fairness, to admit their own experts' *curricula vitae*.

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DATE: July 1, 2019

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date, I filed the foregoing using the Court's CM/ECF system, which will send a notification of electronic filing (NEF) to the following counsel of record:

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