

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

RICHARD ROE, VICTOR VOE and  
OUTSERVE-SLDN, INC.,

*Plaintiffs,*

v.

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

*Defendants.*

NO. 1:18-CV-01565-LMB-IDD

**MEMORANDUM IN SUPPORT OF MOTION TO COMPEL  
DOCUMENTS AND INFORMATION WITHHELD  
ON THE BASIS OF DELIBERATIVE PROCESS PRIVILEGE**

## **INTRODUCTION**

Plaintiffs seek the production of documents Defendants admit are relevant and responsive to Plaintiffs' requests for production, but have redacted based on an overbroad understanding of the deliberative process privilege. After this Court granted Plaintiffs' motion to compel documents Defendants withheld from their earlier productions on the grounds of deliberative process privilege, Defendants withdrew their assertion of deliberative process privilege over many of the remaining withheld documents that had not yet been subject to a motion to compel because they were identified on privilege logs produced after the original motion to compel was filed. However, Defendants refuse to produce complete versions of eight emails to and from senior officials regarding the Air Force's decision to refer asymptomatic HIV-positive Airmen into the Disability Evaluation System and to separate them from service. These eight emails fall squarely within the Court's decisions on Defendants' claims of deliberative process privilege in recent orders in this and the related *Harrison* case. *See* ECF No. 158, Order Granting in Part Pls.' Mot. to Compel; *Harrison, et al. v. Esper, et al.*, No. 18-cv-641, ECF Nos. 175–76, Order and Mem. Op. Overruling in Part Sustaining in Part Defs.' Objs. As with these previous claims, Plaintiffs' need for these documents outweighs any potential interests served by the deliberative process privilege, and they should be produced in their entirety.

The Parties have agreed, as a result of a meet and confer, that Defendants will submit the eight contested documents to the Court for *in camera* review along with their opposition to this motion. The Parties have further agreed to waive oral argument.

## **BACKGROUND**

This case presents a challenge to certain DoD and Air Force policies that discriminate against people living with HIV under equal protection and the Administrative Procedure Act. *See*

*generally* ECF No. 1, Compl. The relevant policies relate to the limited deployability of individuals living with HIV, and the separation of individuals living with HIV because of their limited deployability. Plaintiffs contend that the DoD's and Air Force's policies discriminate against people living with HIV and lack a rational basis in light of advances in science and medicine that make HIV very manageable with a simple one or two pills per day treatment. ECF No. 1, Compl. at ¶¶ 92–100; ECF No. 34, Mem. in Support of Pls. Mot. for Prelim. Inj. at 12–18. Plaintiffs further contend that Defendants have violated the APA by maintaining arbitrary and capricious policies that categorically restrict the deployability of individuals living with HIV, and by applying those policies to Plaintiffs Roe, Voe and others similarly situated in a manner that is arbitrary, capricious, and contrary to law. ECF No. 1, Compl. at ¶¶ 101–46; ECF No. 34, Mem. in Support of Pls. Mot. for Prelim. Inj. at 18–24.

The Parties have been involved a lengthy discovery dispute over Defendants' assertions of the deliberative process privilege. In response to Plaintiffs' discovery requests, served on January 23, 2019, *see* (Pls.' First Set of RFPs to Defs., Ex. A), and February 13, 2019, *see* (Pls.' Second Set of RFPs to Defs., Ex. B), Defendants issued a blanket objection to all document requests "to the extent they seek information protected by . . . the deliberative process privilege." *See* (Defs.' Obj., Ex. C at 2; Defs.' Obj., EX. D at 2). Consistent with this objection, when Defendants made their first production of documents responsive to Plaintiffs' requests on March 1, 2019, *see* (Defs.' Production 16 Letter, Ex. E), they included a privilege log noting that Defendants were withholding 223 documents on the basis of deliberative process privilege. *See* (Defs.' Production 16 Privilege Log, Ex. F).

Around the time Defendants made this first production, the Court issued an order granting Plaintiffs' motion to compel the production of documents being withheld on the basis of the deliberative process privilege in *Harrison*. *Harrison*, ECF No. 128, Order Granting Pls.' Mot. to Compel. The Court held there that "under the *Cipollone* balancing test . . . disclosure of the documents to Plaintiffs outweigh the deliberative privilege process [sic]." *Id.* at 3. Prompted by this order, Plaintiffs filed a motion to compel in this case regarding the documents withheld from Defendants' first production. *See* ECF No. 95, Pls. Mot. to Compel. Plaintiffs argued that—just as the documents in *Harrison*—the documents being withheld by Defendants should be produced under the *Cipollone* balancing test. *See* ECF No. 96 at 11–14. Concurrently with the filing of Plaintiffs' motion, however, Defendants in *Harrison* filed objections to the Magistrate Judge's order. *See Harrison*, ECF No. 132, Mot. to Stay Compliance; ECF No. 137, Defs.' Objections. In light of those objections, the Court held Plaintiffs' motion to compel in this case in abeyance pending resolution of Defendants' objections in *Harrison*. *See* ECF No. 101, Order Holding Pls.' Mot. to Compel in Abeyance.

On March 15, 2019—the last day of discovery—Defendants made two additional productions to Plaintiffs in response to Plaintiffs' second set of requests. *See* (Defs.' Production Letter, Ex. G). On March 22, 2019, they delivered privilege logs to Plaintiffs noting that they were withholding an additional 82 documents on the basis of deliberative process privilege. *See* (Defs.' Production 17 Privilege Log, Ex. H; Defs.' Production 18 Privilege Log, Ex. I). Plaintiffs did not file a motion to compel at that time because the Court suggested Plaintiffs should wait for the objections in *Harrison* to be resolved, to make more efficient use of the Court's time and resources.

On May 22, 2019, the Court overruled in part Defendants' objections in *Harrison*, ordering Defendants to produce most of the documents they were withholding on the basis of deliberative

process privilege. *See Harrison*, ECF No. 175, Mem. Op. Overruling in Part Sustaining in Part Defs.’ Objs. (ordering Defendants to produce all documents under the *Cipollone* balancing test except those that “relate to an ongoing, as-yet-unfinalized policy revision”). On June 18, 2019, the Magistrate Judge granted the *Roe* motion to compel, adopting the Court’s reasoning in *Harrison* and ordering Defendants to produce all but one document. *See* ECF No. 158, Order Granting in Part Pls.’ Mot. to Compel.

Following this Order, the Parties met and conferred on June 28, 2019 regarding the documents being withheld as privileged from Production 17 and 18, which have not yet been the subject of a motion to compel. *See* (Defs.’ Prod. 17 Priv. Log., Ex. H; Defs’ Prod 18 Priv. Log, Ex. I). When asked whether Defendants would produce the documents withheld from those productions under the reasoning of the Magistrate Judge’s June 18, 2019 order on Production 16, Defendants indicated they would withdraw their claims of privilege from and produce all but eight documents. Defendants conceded, however, that these documents were not related to “an ongoing, as-yet-unfinalized policy revision.” *See* (Defs.’ Prod. 17 Priv. Log., Ex. H at US00040124, US00040126, US00040181, US00040231, US00040238, US00040257, US00040378, US00040414). Rather, Defendants were withholding the documents simply because they are communications to or from senior officials regarding the decision to refer asymptomatic HIV-positive Airmen to the Disability Evaluation System, and the manner in which asymptomatic HIV-positive Airmen would be handled within the Disability Evaluation System. *Id.* These are precisely the kinds of documents that the Court has previously ruled in both *Harrison* (*see* ECF No. 175–76, Mem. Op. Overruling in Part Sustaining in Part Defs.’ Objs.), and in this case (*see* ECF No. 158, Order Granting in Part

Pls.’ Mot to Compel), must be produced by Defendants under the *Cipollone* balancing test. Plaintiffs therefore bring this motion to compel Defendants to produce these documents without redactions.

### **LEGAL STANDARD**

The deliberative process privilege is “not absolute and courts may balance the ‘public interest in nondisclosure with the need for the information as evidence.’” *Stone*, 2018 WL 6305131 at \*6 (quoting *Cipollone*, 812 F.2d 1400). Under this balancing test, courts consider: “(1) the relevance of the evidence to the lawsuit; (2) the availability of alternative evidence on the same matters; (3) the government’s role (if any) in the litigation; and (4) the extent to which disclosure would hinder frank and independent discussion regarding contemplated policies and decisions.” *Cipollone*, 1987 WL 36515 at \*2 (quoting *FTC v. Warner Commc’ns*, 742 F.2d 1156, 1161 (9th Cir. 1984)). When applicable, the deliberative process privilege must “be construed narrowly.” *Ethyl Corp. v. EPA*, 25 F.3d 1241, 1248 (4th Cir. 1994).

### **ARGUMENT**

The eight documents sought by this motion fall squarely within the Court’s prior reasoning and application of the *Cipollone* balancing test in both *Harrison* and this case. These eight documents are “clearly relevant to [P]laintiffs’ claims.” See *Harrison*, ECF No. 175, Mem. Op. Overruling in Part Sustaining in Part Defs.’ Objs. at 14. Information regarding Defendants’ possible motives in implementing these policies and making these decisions is not available from any other source. And Defendants are central to this litigation. Finally, “any risk of hindering policymaking efforts [is] mitigated by the presence of a protective order that would prevent public disclosure of the documents.” *Id.* at 15. Because all factors set forth in *Cipollone* favor disclosure in this case, the eight withheld documents should be produced consistent with the Courts’ prior reasoning in this case and in *Harrison*.

**A. The Requested Information Is Highly Relevant to This Case**

The eight documents still being withheld are highly relevant to this case. *See* (Defs.’ Prod. 17 Priv. Log., Ex. H at US00040124, US00040126, US00040181, US00040231, US00040238, US00040257, US00040378, US00040414). In the government’s own words, the redacted portions of these documents are communications from senior officers regarding the decision to refer asymptomatic HIV-positive Airmen into the Disability Evaluation System, and the manner in which asymptomatic HIV-positive Airmen would be handled within the DES system.

The descriptions of these documents in the privilege log also reveal their relevance to this case. These documents are described, for example, as “deliberating over policy options with regard to [the] evaluation of airmen with HIV by the [Air Force Personnel Council’s] Medical Retention Standards Office,” (*see* Defs.’ Prod. 17 Priv. Log., Ex. H at US00040124), “discussing policy options in [the] development of [the] October 2017 memo on [the] retention of servicemembers with HIV,” (*see id.* at US00040126), “detailed discussion and recommendations regarding policy options of [Integrated Disability Evaluation System] determinations for HIV positive airmen,” (*see id.* at US0004081), and “discussing individual officers’ positions on policy for retention/separation of members with HIV.” *See id.* at US00040238.

As this Court already noted, because Plaintiffs are “arguing that . . . the Air Force regulation[s]” concerning how the Air Force and DoD treats “people who have HIV, then [Plaintiffs] have the right to get information concerning what was considered in coming up with that regulation to determine whether or not [there is] a legitimate government interest that justifies that regulation . . . as well [as whether] their justification may be pretext.” *See Harrison*, ECF No. 85-8, Nov. 30, 2018 Hr’g at 43:21–44:4. These documents “could undercut both stated and conceivable justifications for the military policies at issue in this lawsuit, and are thus clearly relevant to plaintiffs’

claims.” *See Harrison*, ECF No. 175, Mem. Op. Overruling in Part Sustaining in Part Defs.’ Objs. at 14.

Although Defendants have argued in opposition to Plaintiffs’ previous motions to compel that these documents cannot be relevant because Plaintiffs claims are subject to a highly deferential standard of review under which the subjective intent of government decision makers does not matter (*see* ECF No. 98, Defs.’ Opp. to Pls.’ Mot. to Compel. at 13–14; *Harrison*, ECF No. 138, Defs.’ Obj. to Magistrate Judge’s Order at 6–9), the Court has already rejected this argument. *See* ECF No. 175, Mem. Op. Overruling in Part Sustaining in Part Defs.’ Objs. at 14 (“Defendants’ argument is not convincing at this stage of the litigation.”). As the Court pointed out, “[e]ven under rational basis review, a policy cannot stand to the extent it is based only on irrational motivations such as animus, fear, or prejudice.” *Id.* (citing *City of Cleburne v. Cleburne Living Ctr., Inc.*, 473 U.S. 432, 450 (1985); *U.S. Dep’t of Agric. v. Moreno*, 413 U.S. 528, 533–34 (1973)). Furthermore, the Court has left open the possibility that a higher standard of review could be applied. *Id.* (“Nor, as plaintiffs correctly point out, has this Court definitively foreclosed the possibility that a heightened form of scrutiny could be appropriate in this case.”). *See also* ECF No. 72, Mem. Op. Granting Pls.’ Mot. for Prelim. Inj. at 33. (noting that the question of whether HIV status might qualify as a suspect classification “can be left for another day . . . because [Plaintiffs] demonstrated a likelihood of success even assuming that rational basis review applies”). Thus, under any level of scrutiny, including rational basis, documents revealing the government’s reasoning in making the challenged policies and decisions are absolutely relevant.

#### **B. Defendants Are the Only Source of This Information**

Like the information at issue in *Cipollone*, *Harrison*, and earlier in this case, the need for this information “cannot be satisfied in other ways.” *Cipollone*, 1987 WL 36515 at \*3. “Defendants are the only source of the information” sought by Plaintiffs. *Harrison*, ECF No. 175, Mem.

Op. Overruling in Part Sustaining in Part Defs.’ Objs. at 14. *See also* ECF No. 158, Order Granting in Part Pls.’ Mot. to Compel at 1 (“[T]here is no other source of the information.”). This factor therefore weighs in favor of producing the documents.

**C. The Government Is Integral to the Case**

The Government is integral to this case because Defendants are the governmental entities that promulgated and enforce the regulations being challenged by Plaintiffs. *Harrison*, ECF No. 128, Order Granting Pls.’ Mot. to Compel at 2. The claims brought by Plaintiffs “go directly to the constitutionality and legality of those agencies’ policies.” *Harrison*, ECF No. 175, Mem. Op. Overruling in Part Sustaining in Part Defs.’ Objs. at 16. The third factor thus weighs in favor of disclosure.

**D. Disclosure Would Not Hinder Frank and Independent Discussion Regarding the Alleged Discriminatory Policies**

Finally, there is no risk of chilling effect—at least not a risk so severe as to outweigh the other three factors, all of which favor disclosure—in this case. Although Defendants argued in opposition to Plaintiffs previous motions to compel that any disclosure at all undermines the purpose of the deliberative process privilege, this argument, as this Court correctly pointed out, “treats the fourth *Cipollone* factor as an insurmountable bar, thereby converting the qualified privilege into an absolute privilege,” which is “not the law.” *Harrison*, ECF No. 175, Mem. Op. Overruling in Part Sustaining in Part Defs.’ Objs. at 15. Here, “any risk of hindering efforts [is] mitigated by the presence of a protective order that would prevent public disclosure of the documents.” *Id.* Thus, as in *Cipollone* itself—where there was a similar protective order preventing public disclosure—the chilling effect is “de minimus at best.” *Cipollone*, 1987 WL 36515, at \*3. The only risk to Defendants is that the production would provide evidence of their animus toward and/or discriminatory treatment of people living with HIV, which is highly relevant to the case.

In sum, the first three factors of the *Cipollone* balancing test weigh strongly in favor of Plaintiffs, while the fourth factor weighs only slightly in Defendants favor, if at all. The eight remaining documents still being withheld by Defendants under the deliberative process privilege should therefore be produced.

### **CONCLUSION**

For the foregoing reasons, Plaintiffs request that this Court compel Defendants to produce the remaining eight documents redacted on the basis of the deliberative process privilege.

Dated: July 12, 2019

/s/ Scott Schoettes

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Respectfully submitted,

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## CERTIFICATE OF SERVICE

I certify that, on the 12th day of July, 2019, I caused this document to be filed electronically through the Court's CM/ECF system, which automatically sent a notice of electronic filing to all counsel of record.

Dated: July 12, 2019

Respectfully submitted,

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

# EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

RICHARD ROE, ET AL.,

Plaintiffs,

v.

PATRICK M. SHANAHAN, ET AL.,

Defendants.

CIVIL ACTION NO. 1:18-cv-01565

**PLAINTIFFS' FIRST SET OF REQUESTS FOR  
PRODUCTION OF DOCUMENTS AND THINGS TO DEFENDANTS (NOS. 1-10)**

Pursuant to Federal Rule of Civil Procedure 34 and Local Civil Rule 26, Plaintiffs Richard Roe, Victor Voe, and Outserve-SLDN, Inc., by and through their undersigned counsel, propound their First Set of Requests for Production of Documents and Things (Nos. 1-10), to which Defendants Patrick M. Shanahan, Heather A. Wilson, and the United States Department of Defense (collectively "Defendants") shall respond within the time prescribed by the Federal Rules of Civil Procedure and the Local Rules, and produce to lead counsel for Plaintiffs the following documents and things within thirty (30) days of service hereof, or at such other time and place as may be mutually agreed upon by the parties, in accordance with the Definitions and Instructions set forth herein.

**DEFINITIONS**

Notwithstanding any definition set forth below, each word, term, or phrase used in these Requests for Production of Documents and Things ("Requests for Production") is intended to have the broadest meaning permitted under the Federal Rules of Civil Procedure. In these Requests for Production, the following terms are to be given their ascribed definitions:

1. The term "Plaintiffs" means Richard Roe, Victor Voe, and Outserve-SLDN, Inc.

2. The term “Individual Defendants” means Patrick M. Shanahan and Heather A. Wilson, including their predecessors.

3. The term “DoD” means the United States Department of Defense, including its various components and agencies (including but not limited to the Military Services), current or former officials, officers, subordinates, employees, contractors, agents, and attorneys.

4. The terms “Defendants,” “you” and/or “your” refers to the Individual Defendants and the DoD.

5. The term “AFI 44-178” means Air Force Instruction 44-178, Human Immunodeficiency Virus Program (March 4, 2014, certified current June 28, 2016).

6. The term “AFI 10-403” means Air Force Guidance Memorandum to Air Force Instruction 10-403, Deployment Planning and Execution (February 23, 2018).

7. The term “AFI 48-122” refers to Air Force Instruction 48-122, Deployment Health, (revised August 18, 2014).

8. The term “person” or “persons” means and includes any natural person, corporation, company, proprietorship, partnership, joint venture, association, firm, government entity or any other entity recognized in law, and shall include the owners, officers, directors, agents, trustees, parents, subsidiaries, affiliates, assignees, predecessors, and successors of each such “person.”

9. The phrase “third party” means and includes any person or persons other than Plaintiffs or Defendants.

10. “Communication” means any oral, written, electronic, or other exchange of words, thoughts, information or ideas to another person or entity, whether in person, in a group, by telephone, by letter, by Telex, by facsimile, or by any other process, electric, electronic or

otherwise. All such communications in writing shall include, without limitation, printed, typed, handwritten, or other readable documents, correspondence, memoranda, reports, contracts, drafts (both initial and subsequent), computer discs or transmissions, e-mails, instant messages, tape or video recordings, voicemails, diaries, log books, minutes, notes, studies, surveys and forecasts, and any and all copies thereof. The definition is not limited to transfers between persons, but also includes other transfers, such as records and memoranda to file; any written letter, memorandum, or other document that was sent by one or more individuals to another or others; any telephone call between one or more individuals and another or others, whether such call was by chance or prearranged, formal or informal; and any conversation or meeting between one or more individuals and another, whether such contact was by chance or prearranged or not, formal or informal.

11. “Document” and “documents” shall have the broadest possible meaning allowed by Rule 34(a) of the Federal Rules of Civil Procedure, and includes (without limitation) any writing of any kind, including originals and all non-identical copies (whether different from the original by reason of any notation made on such copies or otherwise). The terms “document” and “document(s)” shall include electronically stored information (“ESI”) and shall also include, without limitation, the following items, whether printed or reproduced by any process, or written or produced by hand or stored in computer memory, magnetic or hard disk or other data storage medium, and whether or not claimed to be privileged, confidential or otherwise excludable from discovery, namely, notes, letters, correspondence, communications, telegrams, memoranda, summaries or records of telephone conversations, summaries or records of personal conversations or meetings, diaries, reports, laboratory and research reports and notebooks, recorded experiments, charts, plans, drawings, diagrams, illustrations, requests for proposals,

press releases, drafts of documents, and all other materials fixed in a tangible medium of whatever kind known to you or in your possession, custody, or control.

12. The terms “thing” and “things” mean and include any tangible item other than a Document, and includes objects of every kind and nature.

13. “Identify,” “identity,” or “identification” means:

- a. when used with reference to a natural person, to state the person's full name, address, and telephone number, and state the person's present or last known position and employer.
- b. when used with reference to any entity (including without limitation corporation, company, firm, partnership, joint venture, association, governmental body or agency, or persons other than a natural person), to state the full legal name of the entity, the place of incorporation or organization, the address and telephone number of the principal place of business, and the nature of the business conducted by that entity.
- c. when used with reference to any document or ESI, to summarize the substance of the document or ESI and state the document's or ESI's title, date, form (e.g., letter, memorandum, email, etc.), production number range, author(s), recipients), the present location of the document or ESI, and the name of its present custodian; if the document or ESI existed at one time but does not presently exist, the reason(s) why it no longer exists and the identity of the last person having custody of it; and, if the document or ESI is in a foreign language, whether an English translation of the document or ESI exists, whether partial or complete.

- d. when used with reference to a tangible thing, to provide: (i) any model or catalogue number; (ii) any article or model name; (iii) any technical or promotional materials describing the article or its use; and (iv) the dates and locations of its production.
- e. when used with reference to any communication, to (i) summarize the substance of the communication; (ii) state the date and place of the communication; (iii) identify each person who was present at, involved in, connected with or who participated in the communication; (iv) state the form of communication (e.g., telephone call, meeting, letter, etc.); and (v) identify each document and ESI memorializing or referring to the communication.

14. As used herein, the present tense includes the past and future tenses. The singular includes the plural, and the plural includes the singular. “All” means “any and all,” “any” means “any and all.” “Including” means “including but not limited to.” “And” and “or” encompass both “and” and “or.” Words in the masculine, feminine, or neutral form shall include each of the other genders.

15. The terms “reflect,” “reflecting,” “relate to,” “refer to,” “relating to,” and “referring to” shall mean relating to referring to, referencing, concerning, mentioning, reflecting, pertaining to, evidencing, involving, describing, discussing, commenting on, embodying, containing, comprising, consisting of, responding to, supporting, showing, summarizing, memorializing, contradicting, or constituting (in whole or in part), as the context makes appropriate, including having any legal, logical, or factual connection with the designated subject matter referred to in the request.

## INSTRUCTIONS

1. These Requests for Production are continuing in nature, so as to require prompt supplemental production and/or written responses if further or different information, documents, or things become known or available to Defendants.

2. If in responding to these Requests for Production, Defendants contend that an ambiguity exists with respect to construing a request or definition, the response shall set forth the matter deemed ambiguous and the construction used in responding.

3. Whenever in these Requests you are asked to identify or produce a document which is deemed by you to be properly withheld from production:

a. If you are withholding the document under a claim of privilege not covered by the exemptions covered by the Memorandum in Support of the Joint Motion To Modify the Scheduling Order in the *Harrison* Case and for Entry of Briefing Schedule and Scheduling Order in the *Roe* Case (ECF No. 30, ¶ 8), please provide the information set forth in Federal Rule of Civil Procedure 26(b)(5), including:

- i. The date of the privileged information;
- ii. The author(s) of the privileged information;
- iii. The recipient(s) of the privileged information;
- iv. The subject matter of the privileged information; and
- v. The basis of the claim of privilege.

b. If production of any requested document(s) is objected to on the grounds that production is unduly burdensome, describe the burden or expense of the proposed discovery;

c. If you are withholding the document for any reason other than an objection that

it is beyond the scope of discovery or that a request is unduly burdensome, please provide the reason for withholding the document, and the information requested in sections 3(a) above. Regardless of whether a protective order is entered by the Court, in all instances in which you are withholding documents or things on the ground of confidentiality, please so indicate in your responses.

4. When a document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of the material contained in a document, you must clearly indicate the portions as to which the privilege is claimed. When a document has been redacted or altered in any fashion, identify as to each document the reason for the redaction or alteration, the date of the redaction or alteration, and the person performing the redaction or alteration. Any redaction must be clearly visible on the redacted document.

**5. To the extent that a particular Request for Production requires the production of any document that contains sensitive financial information such as social security numbers, taxpayer identification numbers, birth dates, or financial account information, please redact that information prior to producing the document.**

6. If the requested documents are maintained in a file, the file folder is to be included in the production of those documents.

7. If Defendants' response to a particular Request for Production is a statement that Defendants lack the ability to comply with that Request, Defendants must specify whether the inability to comply is because the particular item or category of information never existed, has been destroyed, has been lost, misplaced, or stolen, or has never been, or is no longer, in Defendants' possession, custody, or control, in which case the name and address of any person or

entity known or believed by you to have possession, custody, or control of that information or category of information must be identified.

## **REQUESTS FOR PRODUCTION**

### **DOCUMENT REQUEST NO. 1**

All Documents and things contained in the military or Air Force personnel files of Plaintiff Richard Roe, and all documents and things related to the Disability Evaluation System review of Plaintiff Roe, his appeal of the adverse determinations by the Informal Physical Evaluation Board and the Formal Physical Evaluation Board, and the decision of the Secretary of the Air Force.

### **DOCUMENT REQUEST NO. 2**

All Documents and things contained in the military or Air Force personnel files of Plaintiff Victor Voe, and all documents and things related to the Disability Evaluation System review of Plaintiff Voe, his appeal of the adverse determinations by the Informal Physical Evaluation Board and the Formal Physical Evaluation Board, and the decision of the Secretary of the Air Force.

### **DOCUMENT REQUEST NO. 3**

All Documents that Defendants considered or relied upon in drafting or promulgating changes to AFI 44-178 since 2006.

### **DOCUMENT REQUEST NO. 4**

All Documents that Defendants considered or relied upon in drafting or promulgating changes to AFI 10-403 since 2006.

**DOCUMENT REQUEST NO. 5**

All Documents that Defendants considered or relied upon in drafting or promulgating changes to AFI 48-122 since 2006.

**DOCUMENT REQUEST NO. 6**

All Documents concerning the number of individuals with a diagnosis of HIV who have been separated from the Air Force, and all documents concerning the number of individuals with a diagnosis of HIV who have been retained in the Air Force, with identifying information redacted pursuant to the protective order entered by the Court in this matter (ECF No. 45).

**DOCUMENT REQUEST NO. 7**

All Documents regarding any decision to retain an individual as a member of the Air Force after learning of that individual's HIV diagnosis, with identifying information redacted pursuant to the protective order to be entered by the Court in this matter (ECF No. 45).

**DOCUMENT REQUEST NO. 8**

All Documents regarding any decision to separate an individual as a member of the Air Force after learning of that individual's HIV diagnosis, with identifying information redacted pursuant to the protective order to be entered by the Court in this matter (ECF No. 45).

**DOCUMENT REQUEST NO. 9**

All Documents regarding any Airman living with HIV with an ALC-C code who has received a waiver to deploy or be assigned overseas, including but not limited to those referenced in the Declaration of Martha Soper in *Harrison, et al. v. Shanahan, et al.*, No. 1:18 cv-641-LMB-IDD (E.D. Va.) (ECF No. 48, at ¶ 8.b.), with identifying information redacted pursuant to the protective order to be entered by the Court in this matter (ECF No. 45).

**DOCUMENT REQUEST NO. 10**

All Documents on which you will rely to rebut or defend against any of the claims in this action.

Dated: January 23, 2019

/s/ Scott Schoettes  
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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the above document was served on this 23 day of January, 2019 to the following counsel of record via electronic mail:

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Dated: January 23, 2019

Respectfully submitted,

/s/ Andrew R. Sommer  
Andrew R. Sommer

# EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

RICHARD ROE, ET AL.,

Plaintiffs,

v.

PATRICK M. SHANAHAN, ET AL.,

Defendants.

CIVIL ACTION NO. 1:18-cv-01565

**PLAINTIFFS' SECOND SET OF REQUESTS FOR  
PRODUCTION OF DOCUMENTS AND THINGS TO DEFENDANTS (NOS. 11-19)**

Pursuant to Federal Rule of Civil Procedure 34 and Local Civil Rule 26, Plaintiffs Richard Roe, Victor Voe, and Outserve-SLDN, Inc., by and through their undersigned counsel, propound their Second Set of Requests for Production of Documents and Things (Nos. 11-19), to which Defendants Patrick M. Shanahan, Heather A. Wilson, and the United States Department of Defense (collectively "Defendants") shall respond within the time prescribed by the Federal Rules of Civil Procedure and the Local Rules, and produce to lead counsel for Plaintiffs the following documents and things within thirty (30) days of service hereof, or at such other time and place as may be mutually agreed upon by the parties, in accordance with the Definitions and Instructions set forth in Plaintiffs' First Set of Requests for Production of Documents and Things (Nos. 1-10), incorporated here by reference, and in accordance with the following additional definitions.

**DEFINITIONS**

Notwithstanding any definition set forth below, each word, term, or phrase used in these Requests for Production of Documents and Things ("Requests for Production") is intended to have the broadest meaning permitted under the Federal Rules of Civil Procedure. In these Requests for Production, the following terms are to be given their ascribed definitions:

1. The term “Air Force June 6, 2018 Memorandum on Appropriate Evaluation of Fitness for Continued Service for Airmen with Asymptomatic Human Immunodeficiency Virus (HIV)” means the document found on page A-00338 of the Appendix to Defendants’ Memorandum in Support of Defendants’ Motion to Dismiss and Defendants’ Opposition to Plaintiffs’ Motion for Preliminary Injunction (ECF No. 50).

2. The term “Air Force September 26, 2018 Memorandum on Airmen with Asymptomatic Human Immunodeficiency Virus (HIV) Disposition” means the document found on pages A-00339-340 of the Appendix to Defendants’ Memorandum in Support of Defendants’ Motion to Dismiss and Defendants’ Opposition to Plaintiffs Motion for Preliminary Injunction (ECF No. 50).

3. The term “Air Force October 11, 2017 Memorandum on Retention of Airmen with Asymptomatic HIV” means the document found on page A-00341 of the Appendix to Defendants’ Memorandum in Support of Defendants’ Motion to Dismiss and Defendants’ Opposition to Plaintiffs’ Motion for Preliminary Injunction (ECF No. 50).

4. The term “Air Force Personnel Center’s Medical Retention Standards Office” means the division of the Air Force described in ¶¶ 2-3 of the Declaration of Ms. Martha Soper, located at page A-00415 of the Appendix to Defendants’ Memorandum in Support of Defendants’ Motion to Dismiss and Defendants’ Opposition to Plaintiffs’ Motion for Preliminary Injunction (ECF No. 50).

5. The term “Waiver Action Officer for U.S. Central Command” means the individual described in ¶ 1 of the Declaration of Kevin Cron in Support of Defendants’ Opposition to Plaintiffs’ Motion for Preliminary Injunction, located at page A-00423 of the

Appendix to Defendants' Memorandum in Support of Defendants' Motion to Dismiss and Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction (ECF No. 50).

6. The term "Disability Evaluation System" means the procedures described in Department of Defense Instruction 1332.18, located at page A-00001-58 of the Appendix to Defendants' Memorandum in Support of Defendants' Motion to Dismiss and Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction (ECF No. 50).

### **REQUESTS FOR PRODUCTION**

#### **DOCUMENT REQUEST NO. 11**

All documents and things from 2006 to the present related to the Air Force's reasons for retaining some HIV-positive Airmen but separating other HIV-positive Airmen, with identifying information redacted pursuant to the protective order entered by the Court in this matter (ECF No. 45).

#### **DOCUMENT REQUEST NO. 12**

All documents that Defendants considered or relied upon in drafting or promulgating the Air Force June 6, 2018 Memorandum on Appropriate Evaluation of Fitness for Continued Service for Airmen with Asymptomatic Human Immunodeficiency Virus (HIV).

#### **DOCUMENT REQUEST NO. 13**

All documents that Defendants considered or relied upon in drafting or promulgating the Air Force September 26, 2018 Memorandum on Airmen with Asymptomatic Human Immunodeficiency Virus (HIV) Disposition.

#### **DOCUMENT REQUEST NO. 14**

All documents that Defendants considered or relied upon in drafting or promulgating the Air Force October 11, 2017 Memorandum on Retention of Airmen with Asymptomatic HIV.

**DOCUMENT REQUEST NO. 15**

All documents and communications that the Air Force Personnel Center's Medical Retention Standards Office considered in its review of Plaintiff Roe's circumstances and in making decision to refer Plaintiff Roe's case to the Disability Evaluation System.

**DOCUMENT REQUEST NO. 16**

All documents and communications that the Air Force Personnel Center's Medical Retention Standards Office considered in its review of Plaintiff Voe's circumstances and in making the decision to refer Plaintiff Voe's case to the Disability Evaluation System.

**DOCUMENT REQUEST NO. 17**

All documents and communications considered or made in conducting the risk assessments for HIV-positive Airmen who have requested waivers to deploy from the Waiver Action Officer for U.S. Central Command, as described in the Appendix to Defendants' Memorandum in Support of Defendants' Motion to Dismiss and Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction at A-00426-427, ¶ 11, with identifying information redacted pursuant to the Protective Order entered in this case (ECF No. 45).

**DOCUMENT REQUEST NO. 18**

All documents produced or withheld on the basis of privilege by the DoD in the *Harrison, et al. v. Shanahan, et al.*, 1:18-cv-00641-LMB-IDD (E.D. Va. 2018).

**DOCUMENT REQUEST NO. 19**

All documents ordered produced in Magistrate Judge Davis's November 30, 2018 Order, *see* Order Granting Plaintiff's Motion to Compel Production of Documents, *Harrison, et al. v. Shanahan, et al.*, 1:18-cv-00641-LMB-IDD (E.D. Va. 2018) (ECF No. 81).

Dated: February 13, 2019

/s/ Scott Schoettes

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above document was served on this 13th day of February, 2019, to the following counsel of record via electronic mail.

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/s/ Andrew R. Sommer

# EXHIBIT C

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

RICHARD ROE; VICTOR VOE; and	)	
OUTSERVE-SLDN, INC.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
PATRICK M. SHANAHAN, in his official	)	
capacity as Acting Secretary of Defense;	)	
HEATHER A. WILSON, in her official	)	
capacity as 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 SET OF REQUESTS FOR PRODUCTION OF  
DOCUMENTS AND THINGS TO DEFENDANTS (NOS. 1-10)**

Pursuant to Local Rule 26(C) and Federal Rule of Civil Procedure and 34(b), Defendants, Partrick M. Shanahan, in his official capacity as Acting Secretary of Defense, the Department of Defense (together, the “Department of Defense”) and Heather A. Wilson, in her official capacity as Secretary of the U.S. Air Force (“U.S. Air Force”) (collectively, “Defendants”), through undersigned counsel, note the following objections to Plaintiffs’ Requests for Production of Documents and Things to Defendants (Nos. 1-10).

Although these objections are being filed within the period provided by Local Rule 26(C), Defendants’ counsel have not yet had a sufficient opportunity to review all material and information that may be responsive to Plaintiffs’ requests for production. Defendants may later elect to waive any of the below objections with respect to any particular fact. Such waiver, should it occur, shall not be construed as a waiver of objections to other information.

In accordance with Local Rule 37(E), counsel will also endeavor in good faith to resolve with Plaintiffs any controversy that may arise with respect to any discovery matter or to narrow any issue in dispute.

Additionally, Defendants hereby reaffirm that the Administrative Procedure Act provides the proper vehicle for Plaintiffs' constitutional challenges to agency action, including agency policies, and therefore Plaintiffs' claims should be reviewed by the Court on an administrative record and discovery should not be permitted. *See* 5 U.S.C. § 706.

**OBJECTIONS APPLICABLE TO DEFINITIONS AND INSTRUCTIONS  
THAT PLAINTIFFS STATE WILL APPLY TO EACH REQUEST**

1. Defendants object to Plaintiffs' interrogatories to the extent they seek information protected by the attorney-client privilege, the attorney work-product privilege, or the deliberative process privilege.

2. Defendants object to Plaintiffs' Definition No. 3 to the extent that it seeks information in the custody of the U.S. Army, U.S. Navy, U.S. Marine Corps, or U.S. Coast Guard. Plaintiffs Roe and Voe, who are airmen in the U.S. Air Force, are the only Plaintiffs to have alleged an injury in this case. Information in the custody and control of Military Departments to which Plaintiffs Roe and Voe do not belong have no bearing on this case and responding to requests for that information would impose a significant burden on these Military Departments. Defendants further object further to Plaintiffs' Definition No. 3 as overly broad and unduly burdensome to the extent that it encompass all "current or former officials, subordinates, employees, contractors, agents, and attorney." The Department of Defense is a large, worldwide organization with millions of employees. There is no way to gather information or records from every military unit, every Navy ship, every Air Force wing, and every Coast Guard cutter. And the time, expense, and effort to conduct such a worldwide search is not proportionate to the needs of this case.

3. Defendants object to Definition No. 10 to the extent that it seeks information that is protected by the deliberative process privilege, as is inherent in the inclusion of “thoughts,” “ideas,” “drafts (both initial and subsequent),” “diaries,” “minutes,” “memoranda,” and “any conversation or meeting between one or more individuals and another, whether such contact was by chance or prearranged or not, formal or informal.” Defendants also object to this definition on the ground that the category of information it seeks is overly broad and unduly burdensome given the size of the organizations identified by Plaintiffs and the time period encompassed by the request for production.

4. Defendants object to Definition No. 11 to the extent that it seeks drafts or any other information or documents that are protected by the deliberative process privilege, as is inherent in the inclusion of “summaries or records of personal conversations or meetings,” “diaries,” “notes,” and “drafts.” Defendants also object to this definition on the ground that the category of information it seeks is overly broad and unduly burdensome given the size of the organizations identified by Plaintiffs and the time period encompassed by the request for production.

5. Defendants object to Definition No. 13, including its five subparts, to the extent that it seeks to require Defendants to create or otherwise produce documents not already in existence. *See* Fed. R. Civ. P. 34.

6. Defendants object to Definition No. 15 to the extent that it seeks information that is protected by the deliberative process privilege, as is inherent in in the phrases “reflecting,” “discussing,” “commenting on,” and “memorializing.”

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**OBJECTIONS TO SPECIFIC REQUESTS FOR PRODUCTION**

**DOCUMENT REQUEST NO. 1**

All Documents and things contained in the military or Air Force personnel files of Plaintiff Richard Roe, and all documents and things related to the Disability Evaluation System review of Plaintiff Roe, his appeal of the adverse determinations by the Informal Physical Evaluation Board and the Formal Physical Evaluation Board, and the decision of the Secretary of the Air Force.

**OBJECTIONS:** Defendants object to this request because Plaintiffs' claims should properly be reviewed on the administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to this request on the basis that "all documents and things related to" is overly broad, unduly burdensome, and not proportionate to the needs of the case. Defendants further object to the undefined phrases "military or Air Force personnel files," "Disability Evaluation System review," and "appeal of adverse determinations" as vague. Defendants also object to this request to the extent it seeks information protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege.

**DOCUMENT REQUEST NO. 2**

All Documents and things contained in the military or Air Force personnel files of Plaintiff Victor Voe, and all documents and things related to the Disability Evaluation System review of Plaintiff Voe, his appeal of the adverse determinations by the Informal Physical Evaluation Board and the Formal Physical Evaluation Board, and the decision of the Secretary of the Air Force.

**OBJECTIONS:** Defendants object to this request because Plaintiffs' claims should properly be reviewed on the administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to this request on the basis that "all documents and things related to" is overly broad, unduly burdensome, and not proportionate to the needs of the case. Defendants further object to the undefined phrases "military or Air Force personnel files," "Disability Evaluation System review," and "appeal of adverse determinations" as vague. Defendants also object to this request to the extent it seeks information protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege.

**DOCUMENT REQUEST NO. 3**

All Documents that Defendants considered or relied upon in drafting or promulgating changes to AFI 44-178 since 2006.

**OBJECTIONS:** Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because this request seeks information about Defendant's policies other than the current version of AFI 44-178, in effect at the time of Plaintiffs' alleged injuries, and therefore does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on

the basis that it is overly broad and unduly burdensome as to “considered or relied upon” and that it is not limited to a reasonable and relevant period of time, and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *Id.* Defendants also object to this request on the ground that the phrase “considered or relied upon” is vague and ambiguous.

**DOCUMENT REQUEST NO. 4**

All Documents that Defendants considered or relied upon in drafting or promulgating changes to AFI 10-403 since 2006.

**OBJECTIONS:** Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, see Modified Scheduling Order (ECF No. 32), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request on the basis that the request is overly broad and unduly burdensome because it seeks information about Defendant’s policies other than the current version of AFI 10-403, the instruction in effect at the time of Plaintiffs’ alleged injuries, and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants also object to this request on the basis that it is overly broad and unduly burdensome because it seeks information on AFI 10-403, which is a policy that was inapplicable to the Plaintiffs and offers no guidelines, criteria, or duty limiting conditions but rather contains logistics and administrative directions for deployment planning, therefore it does not seek information that is

both relevant to any parties claim or defense and proportional to the needs of the case. *Id.* Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to “considered or relied upon” and that it is not limited to a reasonable and relevant period of time, and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *Id.* Defendants also object to this request on the ground that the phrase “considered or relied upon” is vague and ambiguous.

**DOCUMENT REQUEST NO. 5**

All Documents that Defendants considered or relied upon in drafting or promulgating changes to AFI 48-122 since 2006.

**OBJECTIONS:** Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, see Modified Scheduling Order (ECF No. 32), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because it seeks information about Defendant’s policies other than the current version of AFI 48-122, in effect at the time of Plaintiffs’ alleged injuries, and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants also object to this request on the basis that it is overly broad and unduly burdensome because it seeks information on AFI 48-122, which was not applied to the Plaintiffs because it is a regulation regarding the completion of a

health questionnaire designed to collect medical information about airmen that have been selected to deploy. AFI 48-122 sets forth no standards for whether an airman would be allowed to deploy, and it is only concerned with the collection of the information which would ultimately be used to determine deployability. Therefore, this request does not seek information that is both relevant to any parties claim or defense and proportional to the needs of the case. *Id.* Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to “considered or relied upon” and it is not limited to a reasonable and relevant period of time, and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *Id.* Defendants also object to this request on the ground that the phrase “considered or relied upon” is vague and ambiguous.

**DOCUMENT REQUEST NO. 6**

All Documents concerning the number of individuals with a diagnosis of HIV who have been separated from the Air Force, and all documents concerning the number of individuals with a diagnosis of HIV who have been retained in the Air Force, with identifying information redacted pursuant to the protective order entered by the Court in this matter (ECF No. 45).

**OBJECTIONS:** Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to the extent that this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request on the basis that it is overly broad and unduly

burdensome. Specifically, this request is not limited to a reasonable and relevant period of time and therefore does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Furthermore, this request seeks documents and information related to the medical conditions of service members who are parties to the case and who have not consented to the disclosure of their personal medical information. Defendants object to producing records containing the medical information of any individual other than Plaintiffs because such records are covered by the Privacy Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191, 100 Stat. 2548. Defendants further object because this request is not limited to a reasonable and relevant period of time, and therefore does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case, and because "[a]ll documents" is overly broad and unduly burdensome. Defendants also object to this request because the phrases "concerning the number of individuals with a diagnosis of HIV," "separated from the Air Force," and "retained in the Air Force" are vague and ambiguous. Defendants further object to this request to the extent that it seeks to require Defendants to create or otherwise produce documents not already in existence. *See* Fed. R. Civ. P. 34. Defendants also object to this request on the ground that the phrases "diagnosed with HIV" and "have been separated" are vague and ambiguous.

**DOCUMENT REQUEST NO. 7**

All Documents regarding any decision to retain an individual as a member of the Air Force after learning of that individual's HIV diagnosis, with identifying information redacted pursuant to the protective order to be entered by the Court in this matter (ECF No. 45).

**OBJECTIONS:** Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to the extent that this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because it is not limited to a reasonable and relevant period of time and therefore does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of the case. Specifically, a request for "[a]ll Documents" is overbroad and unduly burdensome, and because the phrase "regarding any decision to retain an individual as a member of the Air Force" embraces, among other things, the primary medical and personnel records for airmen over an unlimited time period, requiring a search of potentially hundreds or thousands of individual medical records. Thus, this request impinges upon the personal privacy of potentially thousands of current and former Airmen. Defendants object to producing medical records and personnel records from any individual other than Plaintiffs Roe and Voe because such records are covered by the Privacy Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191, 100 Stat. 2548. Defendants further object to this request on the ground that the phrases "any decision," "retain," "learning of," and "HIV diagnosis" are vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional and APA challenges to the military's retention policy

for individuals with laboratory evidence of HIV.

**DOCUMENT REQUEST NO. 8**

All Documents regarding any decision to separate an individual as a member of the Air Force after learning of that individual's HIV diagnosis, with identifying information redacted pursuant to the protective order to be entered by the Court in this matter (ECF No. 45).

**OBJECTIONS:** Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to the extent that this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because it is not limited to a reasonable and relevant period of time and therefore does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of the case. Specifically, a request for "[a]ll Documents" is overbroad and unduly burdensome, and because the phrase "regarding any decision to separate an individual as a member of the Air Force after learning of that individual's HIV diagnosis" embraces, among other things, the primary medical and personnel records for airmen over an unlimited time period, requiring a search of potentially hundreds or thousands of individual medical records. Thus, this request impinges upon the personal privacy of potentially thousands of current and former airmen. Defendants object to producing medical records and personnel records from any individual

other than Plaintiffs Roe and Voe because such records are covered by the Privacy Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191, 100 Stat. 2548. Defendants further object to this request on the ground that the phrases “any decision,” “separate,” “learning of,” and “HIV diagnosis” are vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional and APA challenges to the military’s retention policy for individuals with laboratory evidence of HIV.

**DOCUMENT REQUEST NO. 9**

All Documents regarding any Airman living with HIV with an ALC-C code who has received a waiver to deploy or be assigned overseas, including but not limited to those referenced in the Declaration of Martha Soper in Harrison, et al. v. Shanahan, et al., No. 1:18 cv-641-LMB-IDD (E.D. Va.) (ECF No. 48, at ¶ 8.b.), with identifying information redacted pursuant to the protective order to be entered by the Court in this matter (ECF No. 45).

**OBJECTIONS:** Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because it is not limited to a reasonable and relevant period of time and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs

of the case. See Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of the case. Specifically, a request for “[a]ll Documents” is overbroad and unduly burdensome, and because the phrase “ regarding any Airman living with HIV with an ALC-C code who has received a waiver to deploy or be assigned overseas” embraces, among other things, the primary medical and personnel records for airmen over an unlimited time period. Defendants object to producing medical records and personnel records from any individual other than Plaintiffs Roe and Voe because such records are covered by the Privacy Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191, 100 Stat. 2548. Defendants further object to this request on the ground that the phrases “living with HIV,” “deploy,” and “be assigned” are vague and ambiguous. Defendants also object to this request as overbroad, disproportionate to the needs of the case, and irrelevant to the applicable claims and defenses in this case relating to the facial and as-applied constitutional and APA challenges to the military’s retention policy for individuals with laboratory evidence of HIV.

**DOCUMENT REQUEST NO. 10**

All Documents on which you will rely to rebut or defend against any of the claims in this action.

**OBJECTIONS:** Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to this request as a premature contention request, and also to the extent that it seeks to impose obligations greater than those set forth in Federal Rule of Civil Procedure

26(a) and 26(b) and the Court's Modified Scheduling Order. Defendant further objects to this request on the ground that "rely" is vague and ambiguous.

DATE: February 7, 2019

Respectfully submitted,

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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the above document was served on February 7, 2019, to the following counsel of record via electronic mail:

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*Counsel for the Government*

# EXHIBIT D

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

RICHARD ROE; VICTOR VOE; and	)	
OUTSERVE-SLDN, INC.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
PATRICK M. SHANAHAN, in his official	)	
capacity as Acting Secretary of Defense;	)	
HEATHER A. WILSON, in her official	)	
capacity as Secretary of the Air Force; and	)	
the UNITED STATES DEPARTMENT OF	)	
DEFENSE,	)	
	)	
Defendants.	)	

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

**DEFENDANTS’ OBJECTIONS TO PLAINTIFFS’  
SECOND SET OF REQUESTS FOR PRODUCTION OF  
DOCUMENTS AND THINGS TO DEFENDANTS (NOS. 11-19)**

Pursuant to Local Rule 26(C) and Federal Rule of Civil Procedure and 34(b), Defendants, Partrick M. Shanahan, in his official capacity as Acting Secretary of Defense, the Department of Defense (together, the “Department of Defense”) and Heather A. Wilson, in her official capacity as Secretary of the U.S. Air Force (“U.S. Air Force”) (collectively, “Defendants”), through undersigned counsel, note the following objections to Plaintiffs’ Second Set of Requests for Production of Documents and Things to Defendants (Nos. 11-19).

Although these objections are being filed within the period provided by Local Rule 26(C), Defendants’ counsel have not yet had a sufficient opportunity to review all material and information that may be responsive to Plaintiffs’ requests for production. Defendants may later elect to waive any of the below objections with respect to any particular fact. Such waiver, should it occur, shall not be construed as a waiver of objections to other information.

In accordance with Local Rule 37(E), counsel will also endeavor in good faith to resolve with Plaintiffs any controversy that may arise with respect to any discovery matter or to narrow any issue in dispute.

Additionally, Defendants hereby reaffirm that the Administrative Procedure Act provides the proper vehicle for Plaintiffs' constitutional challenges to agency action, including agency policies, and therefore Plaintiffs' claims should be reviewed by the Court on an administrative record and discovery should not be permitted. *See* 5 U.S.C. § 706.

**OBJECTIONS APPLICABLE TO DEFINITIONS AND INSTRUCTIONS  
THAT PLAINTIFFS STATE WILL APPLY TO EACH REQUEST**

1. Defendants object to Plaintiffs' interrogatories to the extent they seek information protected by the attorney-client privilege, the attorney work-product privilege, or the deliberative process privilege.

2. Defendants object to Plaintiffs' Definition No. 3 contained in Plaintiffs' First Set of Requests for Production of Documents and Things (Nos. 1-10) to the extent that it seeks information in the custody of the U.S. Army, U.S. Navy, U.S. Marine Corps, or U.S. Coast Guard. Plaintiffs Roe and Voe, who are airmen in the U.S. Air Force, are the only Plaintiffs to have alleged an injury in this case. Information in the custody and control of Military Departments to which Plaintiffs Roe and Voe do not belong have no bearing on this case and responding to requests for that information would impose a significant burden on these Military Departments. Defendants further object further to Plaintiffs' Definition No. 3 as overly broad and unduly burdensome to the extent that it encompass all "current or former officials, subordinates, employees, contractors, agents, and attorney." The Department of Defense is a large, worldwide organization with millions of employees. There is no way to gather information or records from every military unit, every Navy ship, every Air Force wing,

and every Coast Guard cutter. And the time, expense, and effort to conduct such a worldwide search is not proportionate to the needs of this case.

3. Defendants object to Definition No. 10 contained in Plaintiffs' First Set of Requests for Production of Documents and Things (Nos. 1-10) to the extent that it seeks information that is protected by the deliberative process privilege, as is inherent in the inclusion of "thoughts," "ideas," "drafts (both initial and subsequent)," "diaries," "minutes," "memoranda," and "any conversation or meeting between one or more individuals and another, whether such contact was by chance or prearranged or not, formal or informal." Defendants also object to this definition on the ground that the category of information it seeks is overly broad and unduly burdensome given the size of the organizations identified by Plaintiffs and the time period encompassed by the request for production.

4. Defendants object to Definition No. 11 contained in Plaintiffs' First Set of Requests for Production of Documents and Things (Nos. 1-10) to the extent that it seeks drafts or any other information or documents that are protected by the deliberative process privilege, as is inherent in the inclusion of "summaries or records of personal conversations or meetings," "diaries," "notes," and "drafts." Defendants also object to this definition on the ground that the category of information it seeks is overly broad and unduly burdensome given the size of the organizations identified by Plaintiffs and the time period encompassed by the request for production.

5. Defendants object to Definition No. 13 contained in Plaintiffs' First Set of Requests for Production of Documents and Things (Nos. 1-10), including its five subparts, to the extent that it seeks to require Defendants to create or otherwise produce documents not already in existence. *See Fed. R. Civ. P. 34.*

6. Defendants object to Definition No. 15 contained in Plaintiffs' First Set of Requests

for Production of Documents and Things (Nos. 1-10) to the extent that it seeks information that is protected by the deliberative process privilege, as is inherent in in the phrases “reflecting,” “discussing,” “commenting on,” and “memorializing.”

**OBJECTIONS TO SPECIFIC REQUESTS FOR PRODUCTION**

**DOCUMENT REQUEST NO. 11**

All documents and things from 2006 to the present related to the Air Force’s reasons for retaining some HIV-positive Airmen but separating other HIV-positive Airmen, with identifying information redacted pursuant to the protective order entered by the Court in this matter (ECF No. 45).

**OBJECTIONS:** Defendants object to this request because Plaintiffs’ claims should properly be reviewed on the administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to this request on the basis that “all documents and things . . . related to the Air Force’s reasons” is overly broad, unduly burdensome, and not proportionate to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Furthermore, this request seeks documents and information related to the medical conditions of service members who are parties to the case and who have not consented to the disclosure of their personal medical information. Defendants object to producing records containing the medical information of any individual other than Plaintiffs because such records are covered by the Privacy Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191, 100 Stat. 2548. Defendants further object to this request on the basis that it is overly broad and unduly burdensome because it is not limited to a reasonable and relevant period of time, and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *Id.* Defendants further object to that the terms “reasons,” “retaining,”

and “separating” are vague and ambiguous. Defendants also object to this request to the extent it seeks information protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege.

**DOCUMENT REQUEST NO. 12**

All documents that Defendants considered or relied upon in drafting or promulgating the Air Force June 6, 2018 Memorandum on Appropriate Evaluation of Fitness for Continued Service for Airmen with Asymptomatic Human Immunodeficiency Virus (HIV).

**OBJECTIONS:** Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to “considered or relied upon” and it is not limited to a reasonable and relevant period of time, and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *Id.* Defendants also object to this request on the ground that the phrases “considered or relied upon” and “drafting or promulgating” are vague and ambiguous.

**DOCUMENT REQUEST NO. 13**

All documents that Defendants considered or relied upon in drafting or promulgating the Air Force September 26, 2018 Memorandum on Airmen with Asymptomatic Human Immunodeficiency Virus (HIV) Disposition.

**OBJECTIONS:** Defendants object to this request on the basis that it is overly broad and

unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, see Modified Scheduling Order (ECF No. 32), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to "considered or relied upon" and it is not limited to a reasonable and relevant period of time, and therefore does not seek information that is both relevant to any party's claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants also object to this request because the phrases "considered or relied upon" and "drafting or promulgating" are vague and ambiguous.

**DOCUMENT REQUEST NO. 14**

All documents that Defendants considered or relied upon in drafting or promulgating the Air Force October 11, 2017 Memorandum on Retention of Airmen with Asymptomatic HIV.

**OBJECTIONS:** Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object to this request on the basis that it is overly broad and unduly burdensome as to "considered or relied upon" and it is not limited to a reasonable and relevant period of time, and therefore does not seek information that is both relevant to any party's claim or defense

and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants also object to this request because the phrases “considered or relied upon” and “drafting or promulgating” are vague and ambiguous.

**DOCUMENT REQUEST NO. 15**

All documents and communications that the Air Force Personnel Center’s Medical Retention Standards Office considered in its review of Plaintiff Roe’s circumstances and in making decision to refer Plaintiff Roe’s case to the Disability Evaluation System.

**OBJECTIONS:** Defendants object to this request because Plaintiffs’ claims should properly be reviewed on the administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to this request on the basis that “all documents and communications” is overly broad, unduly burdensome, and not proportionate to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants also object to this request to the extent it seeks information protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object because the undefined phrases “considered in” “Plaintiff Roe’s circumstances,” “in making [the] decision,” and “to refer” are vague and ambiguous.

**DOCUMENT REQUEST NO. 16**

All documents and communications that the Air Force Personnel Center’s Medical Retention Standards Office considered in its review of Plaintiff Voe’s circumstances and in making the decision to refer Plaintiff Roe’s case to the Disability Evaluation System.

**OBJECTIONS:** Defendants object to this request because Plaintiffs’ claims should properly be reviewed on the administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling

Order (ECF No. 32), Defendants object to this request on the basis that “all documents and communications” is overly broad, unduly burdensome, and not proportionate to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants also object to this request to the extent it seeks information protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object because the undefined phrases “considered in” “Plaintiff Voe’s circumstances,” “in making [the] decision,” and “to refer” are vague and ambiguous.

**DOCUMENT REQUEST NO. 17**

All documents and communications considered or made in conducting the risk assessments for HIV-positive Airmen who have requested waivers to deploy from the Waiver Action Officer for U.S. Central Command, as described in the Appendix to Defendants’ Memorandum in Support of Defendants’ Motion to Dismiss and Defendants’ Opposition to Plaintiffs’ Motion for Preliminary Injunction at A-00426-427, ¶ 11, with identifying information redacted pursuant to the Protective Order entered in this case (ECF No. 45).

**OBJECTIONS:** Defendants object to this request because Plaintiffs’ claims should properly be reviewed on the administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to this request on the basis that it requests “all documents and communications” and it is not limited to a reasonable and relevant period of time, and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants object to producing medical records and personnel records from any individual other than Plaintiffs Roe and Voe because such records are covered by the Privacy Act, 5 U.S.C. § 552(a), or by other medical privacy laws such as HIPAA, P.L. 104-191, 100 Stat. 2548. Defendants further object to this request

on the basis that it is overly broad and unduly burdensome as to “considered or relied upon” and it is not limited to a reasonable and relevant period of time, and therefore does not seek information that is both relevant to any party’s claim or defense and proportional to the needs of the case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further object because searching for these records would be unduly burdensome: the waiver archives are decentralized and maintained by different custodians, and identifying waiver requests concerning HIV would require an individualized review of all records. Defendants further object to this request on the ground that the phrases “considered,” “made in conducting the risk assessments,” and “waivers to deploy” are vague and ambiguous. Defendants also object to this request to the extent it seeks information protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege.

**DOCUMENT REQUEST NO. 18**

All documents produced or withheld on the basis of privilege by the DoD in the *Harrison, et al. v. Shanahan, et al.*, 1:18-cv-00641-LMB-IDD (E.D. Va. 2018).

**OBJECTIONS:** Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs’ claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to the extent that this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further incorporate by reference their objections made in *Harrison, et al. v. Shanahan, et al.*, 1:18-cv-00641-LMB-IDD (E.D. Va. 2018) Defendants’ Objections to Plaintiffs’ First Set of Requests for Production of Documents and Things to Defendants (Nos. 1-15) and Defendants’ Objections to Plaintiffs’ Second Set of Requests for Production of Documents and

Things to Defendants (Nos. 16-36).

**DOCUMENT REQUEST NO. 19**

All documents ordered produced in Magistrate Judge Davis's November 30, 2018 Order, *see* Order Granting Plaintiff's Motion to Compel Production of Documents, *Harrison, et al. v. Shanahan, et al.*, 1:18-cv-00641-LMB-IDD (E.D. Va. 2018) (ECF No. 81).

**OBJECTIONS:** Defendants object to this request on the basis that it is overly broad and unduly burdensome because Plaintiffs' claims should properly be reviewed on an administrative record and discovery should not be permitted. Recognizing, however, that discovery has been ordered in this case, *see* Modified Scheduling Order (ECF No. 32), Defendants object to the extent this request seeks information that is protected by the attorney-client privilege, attorney work product, and/or deliberative process privilege. Defendants further object on the grounds that this request is overbroad, unduly burdensome, and disproportionate to the needs of this case. Specifically, the only injury alleged by Plaintiffs in this case is related to the Secretary of the Air Force's decision to separate Plaintiffs Roe and Voe at the conclusion of the disability evaluation system process. The documents order produced in the *Harrison* litigation are from Military Departments that are not parties to this litigation, the United States Navy, the United States Army, as well as from the United States Coast Guard, a component of the Department of Homeland Security. Documents from these services that were produced in the *Harrison* litigation are neither relevant to any party's claims or defenses nor proportional to the needs of this case. *See* Fed. R. Civ. P. 26(b)(1). Defendants further incorporate by references their objections made in *Harrison, et al. v. Shanahan, et al.*, 1:18-cv-00641-LMB-IDD (E.D. Va. 2018) Defendants' Objections to Plaintiffs' First Set of Requests for Production of Documents and Things to Defendants (Nos. 1-15) and Defendants' Objections to Plaintiffs' Second Set of Requests for

Production of Documents and Things to Defendants (Nos. 16-36).

DATE: February 28, 2019

Respectfully submitted,

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United States Attorney

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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the above document was served on February 28, 2019, to the following counsel of record via electronic mail:

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# EXHIBIT E



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*Washington, DC 20530*

March 1, 2019

John Harding and Laura Cooley  
Winston & Strawn LLP  
1700 K Street., N.W.  
Washington, D.C. 20006

RE: Defendants' Production of Documents – Production 16

Dear John and Laura

Enclosed please find one encrypted DVD containing documents responsive to Plaintiffs' Requests for Production of Documents and Things to Defendants (Nos. 1-10), served on January 23, 2019, and in compliance with the Court's January 4, 2019 order in *Roe v. Shanahan* and *Harrison v. Shanahan*. The DVD is labeled "Production No. 16" and includes documents with Bates Numbers US00033606 through US00040123.

Please note that the documents in the enclosed production are provided subject to the terms of the stipulated protective order and joint discovery plan. *See* Dkt. 54.

The password for the encrypted DVD will be provided by separate email.

Sincerely,

s/ Robert M. Norway

Robert M. Norway  
Trial Attorney  
Federal Programs Branch

# EXHIBIT F

Roe v. Shanahan,  
No. 1:18-cv-1565  
Air Force Privilege Log for Production 13

BEGIN BATES	END BATES	REDACTIONS	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS
US00031016	US00031016	No	11/7/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN =JOHN.K.VALLARIO.CIV>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email dated 11/7/18 from John Vallario to Col Shane Prater discussing content of decision memo for particular case.
US00031060	US00031060	No	10/15/2018	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	Sutton, Melinda L CIV (US) <melinda.l.sutton2.civ@mail.mil>; Dvorak, Mary D Col USAF AFRBA (US) <mary.d.dvorak.mil@mail.mil>;Hodg es, Michael G Col USAF 6 MDG (US) <michael.g.hodges10.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email within medical division of AFPB discussing contents of case files for HIV cases.
US00031085	US00031085	No	2/13/2019	1069511070C		PII - Personal Privacy; DP - Deliberative Process	Spreadsheet containing personal notes of AFPB member regarding 300+ cases, discussing internal thoughts and questions about adjudication.
US00031086	US00031086	No	8/6/2018	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>;Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email within SAFPC discussing inputs for Clarification Memo for HIV Cases
US00031087	US00031087	No	7/24/2018	Lt Col Tom Joyce, SAF/MRM		DP - Deliberative Process	Unsigned, Undated draft Memo Airmen with Asymptomatic HIV Disposition
US00031088	US00031088	No	6/20/2018	1081079567A		DP - Deliberative Process	Document titled summaries of 3 recent HIV cases. Gives 3 examples of cases adjudicated by SAFPC in discussion of potential impact of new HIV Clarification memo.
US00031090	US00031090	No	7/24/2018	Lt Col Tom Joyce, SAF/MRM		DP - Deliberative Process	Unsigned draft HIV Clarification Memo
US00031091	US00031091	No	6/11/2018	1081079567A		DP - Deliberative Process	Spreadsheet discussing 3 HIV cases and applying criteria set forth in draft HIV clarification memo.
US00031092	US00031092	No	10/26/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN =JOHN.K.VALLARIO.CIV>	Hodges, Michael G Col USAF 6 MDG (US) <michael.g.hodges10.mil@mail.mil>; Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email discussing draft wording for SAFPC memos.
US00031115	US00031115	No	6/25/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN =JOHN.K.VALLARIO.CIV>	HERN, TAMMY L CIV USAF AFPC AFPC/DPFFF (tammy.hern@us.af.mil)	DP - Deliberative Process	Email between SAFPC and AFPC requesting information on CENTCOM deployment policy.
US00031117	US00031117	No	11/20/2018	Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>	Fedrigo, John A SES USAF SAF-MR (US) <john.a.fedrigo.civ@mail.mil>;Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>; Uiselt, Thomas R (Tom) CIV USAF AFRBA (US) <thomas.r.uiselt.civ@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email dated 11/20/18 discussing draft response to HASC inquiry into HIV adjudications.
US00031133	US00031133	No	10/26/2018	SSgt Smejkal		DP - Deliberative Process	Draft of rationale for SAFPC decision memo.

Roe v. Shanahan,  
No. 1:18-cv-1565  
Air Force Privilege Log for Production 13

BEGIN BATES	END BATES	REDACTIONS	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS
US00031189	US00031189	No	7/24/2018	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	Fedrico, John A SES USAF SAF-MR (US) <john.a.fedrico.civ@mail.mil>Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	DP - Deliberative Process	Email discussing adjudications of HIV cases in broader discussion of HIV retention policy.
US00031190	US00031190	No	6/22/2018	1081079567A		DP - Deliberative Process	Spreadsheet setting forth possible analysis for HIV cases under proposed HIV policy memo.
US00031216	US00031216	No	10/15/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Hodges, Michael G Col USAF 6 MDG (US) <michael.g.hodges10.mil@mail.mil>	DP - Deliberative Process	Email dated 10/15/18 within AFPB discussing information to be considered in adjudication of cases on 10/18/18 board.
US00031217	US00031217	No	11/30/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Brady, Jamie S (Scott) CIV USAF SAF-MR (US) <jamie.s.brady.civ@mail.mil>	DP - Deliberative Process	Email chain discussing response to HASC inquiry.
US00031222	US00031222	No	7/16/2018	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	Fedrico, John A SES USAF SAF-MR (US) <john.a.fedrico.civ@mail.mil>Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	DP - Deliberative Process	Email dated 7/16/18 within SAF/MR discussing drafting of HIV Policy clarification.
US00031234	US00031234	No	11/26/2018	Uiselt, Thomas R (Tom) CIV USAF AFRBA (US) <thomas.r.uiselt.civ@mail.mil>	Toth, Charles B (Charlie) Lt Col USAF SAF-LL (US) <charles.b.toth.mil@mail.mil>Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>; Nuckles, David P (Crackin) Lt Col USAF SAF-LL (US) <david.p.nuckles.mil@mail.mil>	DP - Deliberative Process	Email chain deliberating response to HASC inquiry.
US00031235	US00031235	No	11/26/2018	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>	DP - Deliberative Process	Email chain dated 11/26/18 discussing response to HASC inquiry.
US00031236	US00031236	No	11/19/2018	Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Hodges, Michael G Col USAF 6 MDG (USA) <michael.g.hodges10.mil@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR dated 11/19/18 discussing HASC inquiry
US00031240	US00031240	No	11/19/2018	1081079567A		DP - Deliberative Process	Draft response to HASC inquiry regarding HIV adjudications.

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US00031243	US00031243	No	11/16/2018	Fedrigio, John A SES USAF SAF-MR (US) <john.a.fedrigio.civ@mail.mil>	Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email chain dated 11/16/18 discussing response to HASC inquiry.
US00031249	US00031249	No	11/27/2018	Fedrigio, John A SES USAF SAF-MR (US) <john.a.fedrigio.civ@mail.mil>	Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email chain dated 11/27/18 discussing response to HASC inquiry.
US00031250	US00031250	No	12/18/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Vallario, John K CIV USAF SAF-MR (US) (john.k.vallario.civ@mail.mil)	DP - Deliberative Process	Email chain dated 12/18/18 discussing response to HASC inquiry.
US00031251	US00031251	No	11/20/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email chain dated 11/20/18 discussing response to HASC inquiry.
US00031294	US00031294	No	9/28/2018	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email within SAF/MR discussing information to be provided to Board members prior to adjudication of HIV cases. Dated 9/28/18.
US00031295	US00031295	No	7/2/2018	Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>	DP - Deliberative Process	SAF/MR email chain discussing Army and Navy HIV retention policies.
US00031360	US00031360	No	7/2/2018	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR dated 7/2/18 discussing Army and Navy HIV policies.
US00031425	US00031425	No	6/11/2018	Pinkston, Brian S Col USAF (US) <brian.s.pinkston.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR discussing Army and Navy HIV policies.
US00031427	US00031427	No	6/25/2018			DP - Deliberative Process	SSS signed by John Fedrigio dated 6/22/18 requesting review of HIV adjudications policy.
US00031428	US00031428	No	6/20/2018			DP - Deliberative Process	Draft staff summary sheet dated 6/21/18 from SAF/MRBP requesting review from SAF/MR of HIV policy memo.
US00031429	US00031429	No	7/24/2018	Fedrigio, John A SES USAF SAF-MR (US) <john.a.fedrigio.civ@mail.mil>	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email chain discussing draft of SAF/MR HIV clarification memo.

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US00031430	US00031430	No	7/24/2018	Fedrigio, John A SES USAF SAF-MR (US) <john.a.fedrigio.civ@mail.mil>	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>Down es, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>	DP - Deliberative Process	Email chain dated 7/24/18 discussing draft HIV policy memo.
US00031431	US00031431	No	7/23/2018	svetlana.bilenkina		DP - Deliberative Process	Undated draft of HIV disposition memo.
US00031432	US00031432	No	6/13/2018	Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>	DP - Deliberative Process	Email chain dated 6/13/18 discussing draft HIV policy memo.
US00031433	US00031433	No	6/11/2018	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email discussing interpretation of HIV policy memo within SAF/MR dated 6/11/18
US00031435	US00031435	No	7/24/2018	Fedrigio, John A SES USAF SAF-MR (US) <john.a.fedrigio.civ@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email chain discussing conflicting policy documents.
US00031438	US00031438	No	11/20/2018	1081079567A		DP - Deliberative Process	Draft response to HASC inquiry.
US00031439	US00031439	No	11/20/2018	1081079567A		DP - Deliberative Process	Draft response to HASC inquiry.
US00031445	US00031445	No	10/15/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN =JOHN.K.VALLARIO.CIV>	HERN, TAMMY L CIV USAF AFPC AFPC/DPFFF (tammy.hern@us.af.mil)	DP - Deliberative Process	Email from SAF/MR to AFPC requesting information to be used in adjudication of IDES cases.
US00031446	US00031446	No	6/7/2018	PALUMBO, GUY M GS-15 USAF AFPC AFPC/DPFD <guy.palumbo.1@us.af.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email between AFPC and SAF/MR discussing HIV clarification memo.
US00031452	US00031452	No	6/21/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN =JOHN.K.VALLARIO.CIV>	HERN, TAMMY L CIV USAF AFPC AFPC/DPFFF (tammy.hern@us.af.mil)	DP - Deliberative Process	Email chain between AFPC and SAF/MR discussing dispositions of HIV cases.
US00031453	US00031453	No	11/19/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN =JOHN.K.VALLARIO.CIV>	STANGLE, JENNIFER A Lt Col USAF AFPC AFPC/DP2NP <jennifer.stangle@us.af.mil>	DP - Deliberative Process	Email between SAF/MR and AFPC discussing response to HASC inquiry.

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US00031454	US00031454	No	11/19/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Palumbo, Guy M CIV USAF AFPC (US) <guy.palumbo.1@us.af.mil>; Hern, Tammy L CIV USAF (US) <tammy.hern@us.af.mil>; STANGLE, JENNIFER A Lt Col USAF AFPC AFPC/DP2NP <jennifer.stangle@us.af.mil>; Gartland, Charles J Lt Col USAF AFLOA (US) <charles.j.gartland.mil@mail.mil>-Jolly, Savannah K 1st Lt USAF SAF-MR (USA) <savannah.k.jolly.mil@mail.mil>; Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>; Toth, Charles B (Charlie) Lt Col USAF SAF-LL (US) <charles.b.toth.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>; Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>;	DP - Deliberative Process	Email chain dated 11/19/18 discussing response to HASC inquiry.
US00031455	US00031455	No	11/19/2018	1081079567A		DP - Deliberative Process	Draft response to HASC inquiry.
US00031475	US00031475	No	5/1/2018	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	Downes, Karen M Lt Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>-Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Pinkston, Brian S Col USAF (US) <brian.s.pinkston.mil@mail.mil>	DP - Deliberative Process	Email from SAF/MR seeking updates on HIV policy.
US00031477	US00031477	No	1/3/2019	Downes, Karen M Col USAF SAF-MR (USA) <karen.m.downes2.mil@mail.mil>	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email within SAF/MR discussing Navy HIV policy.
US00031516	US00031516	No	11/7/2018	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>-Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email within SAF/MR discussing language used in decision memos.
US00031517	US00031517	No	10/1/2018	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email within SAF/MR discussing staffing of 11 Oct 18 personnel board.

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US00031518	US00031518	No	9/28/2018	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email discussion within SAF/MR discussing manning of personnel board.
US00031519	US00031519	No	10/1/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email within SAF/MR discussing manning of personnel board.
US00031520	US00031520	No	10/16/2018	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	Hodges, Michael G Col USAF 6 MDG (US) <michael.g.hodges10.mil@mail.mil>; Overton, Suellen Col USAF (US) <suellen.overton.mil@mail.mil>; Donato, Robin A Lt Col USAF (US) <robin.a.donato.mil@mail.mil>; Teeter, Mary R Col USAF 89 AW (US) <mary.teeter@us.af.mil>Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>; Dvorak, Mary D Col USAF AFRBA (US) <mary.d.dvorak.mil@mail.mil>; Sutton, Melinda L CIV (US) <melinda.l.sutton2.civ@mail.mil>; Segura, Edward C Col USAF SAF-MR (US) <edward.c.segura.mil@mail.mil>	DP - Deliberative Process	Email discussing review of materials for 18 Oct 18 personnel board.
US00031521	US00031521	No	10/15/2018	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email discussing information to be presented at 18 Oct 18 personnel board.
US00031522	US00031522	No	10/16/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Hodges, Michael G Col USAF 6 MDG (US) <michael.g.hodges10.mil@mail.mil>; Overton, Suellen Col USAF (US) <suellen.overton.mil@mail.mil>; Donato, Robin A Lt Col USAF (US) <robin.a.donato.mil@mail.mil>; Teeter, Mary R Col USAF 89 AW (US) <mary.teeter@us.af.mil>Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>; Dvorak, Mary D Col USAF AFRBA (US) <mary.d.dvorak.mil@mail.mil>; Sutton, Melinda L CIV (US) <melinda.l.sutton2.civ@mail.mil>; Segura, Edward C Col USAF SAF-MR (US) <edward.c.segura.mil@mail.mil>	DP - Deliberative Process	Email discussing information to be presented at 10/18/18 personnel board.

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US00031523	US00031523	No	10/16/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Hodges, Michael G Col USAF 6 MDG (US) <michael.g.hodges10.mil@mail.mil>; Overton, Suellen Col USAF (US) <suellen.overton.mil@mail.mil>; Donato, Robin A Lt Col USAF (US) <robin.a.donato.mil@mail.mil>; Teeter, Mary R Col USAF 89 AW (US) <mary.teeter@us.af.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>; Dvorak, Mary D Col USAF AFRBA (US) <mary.d.dvorak.mil@mail.mil>; Sutton, Melinda L CIV (US) <melinda.l.sutton2.civ@mail.mil>; Segura, Edward C Col USAF SAF-MR (US) <edward.c.segura.mil@mail.mil>	DP - Deliberative Process	Email discussing cases to be heard at 10/18/18 personnel board.
US00031524	US00031524	No	10/15/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Hodges, Michael G Col USAF 6 MDG (US) <michael.g.hodges10.mil@mail.mil>	DP - Deliberative Process	Email discussing information to be presented at 10/18/18 personnel board.
US00031525	US00031525	No	10/15/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Hodges, Michael G Col USAF 6 MDG (US) <michael.g.hodges10.mil@mail.mil>	DP - Deliberative Process	Email discussing information to be presented at 10/18/18 personnel board.
US00031527	US00031527	No	10/16/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Hodges, Michael G Col USAF 6 MDG (US) <michael.g.hodges10.mil@mail.mil>	DP - Deliberative Process	Email dated 10/16/18 discussing scheduling of HIV cases at SAFPC.
US00031528	US00031528	No	11/30/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Brady, Jamie S (Scott) CIV USAF SAF-MR (US) <jamie.s.brady.civ@mail.mil>	DP - Deliberative Process	Email dated 11/30/18 within SAF/MR discussing response to HASC inquiry.
US00031529	US00031529	No	11/30/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR dated 11/30/18 discussing response to HASC inquiry.
US00031530	US00031530	No	11/30/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Brady, Jamie S (Scott) CIV USAF SAF-MR (US) <jamie.s.brady.civ@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR dated 11/30/18 discussing response to HASC inquiry.
US00031531	US00031531	No	1/17/2018	Pinkston, Brian S Col USAF (US) <brian.s.pinkston.mil@mail.mil>	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR discussing which materials can be presented in considering cases dated 1/17/18.

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US00031532	US00031532	No	7/13/2018	Peel, Brooks T Capt USAF SAF-MR (US) <brooks.t.peel.mil@mail.mil>	Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Sams, Kelly M Lt Col USAF SAF-MR (US) <kelly.m.sams.mil@mail.mil>Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR dated 7/13/18 discussing scheduling of meetings for HIV policy discussions.
US00031533	US00031533	No	7/16/2018	Fedrigio, John A SES USAF SAF-MR (US) <john.a.fedrigio.civ@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR dated 7/16/18 discussing scheduling of meetings for HIV policy discussions.
US00031534	US00031534	No	10/26/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN =JOHN.K.VALLARIO.CIV>	Hodges, Michael G Col USAF 6 MDG (US) <michael.g.hodges10.mil@mail.mil>; Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email dated 10/26/18 discussing draft of language to be used in AFBP decisions.
US00031535	US00031535	No	10/26/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN =JOHN.K.VALLARIO.CIV>	Hodges, Michael G Col USAF 6 MDG (US) <michael.g.hodges10.mil@mail.mil>	DP - Deliberative Process	Email dated 10/26/18 discussing draft of language to be used in AFBP decisions.
US00031538	US00031538	No	7/23/2018	Sutton, Melinda L CIV (US) <melinda.l.sutton2.civ@mail.mil>	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email dated 7/23/18 within SAF/MR discussing scheduling of meetings regarding development of HIV policy.
US00031743	US00031743	No	1/31/2018	Craig, Lisa M Col USAF SAF-MR (US) <lisa.m.craig25.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Pinkston, Brian S Col USAF (US) <brian.s.pinkston.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR dated 2/1/18 discussing draft changes to HIV policy clarification memo.
US00031744	US00031744	No	7/24/2018	Fedrigio, John A SES USAF SAF-MR (US) <john.a.fedrigio.civ@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	DP - Deliberative Process	Email dated 7/24/18 discussing proposed changes to HIV evaluation through the DES.
US00031745	US00031745	No	7/18/2018	McCants, Latoya E MSgt USAF SAF-MR (US) <latoya.e.mccants.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR dated 7/18/18 discussing logistics for HIV policy changes.

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US00031746	US00031746	No	10/4/2018	Carson, Horace R CIV USAF AFRBA (US) <horace.r.carson.civ@mail.mil>	Ohman, Mynda L G Col USAF AFRBA (US) <mynda.l.ohman.mil@mail.mil>Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Uiselt, Thomas R (Tom) CIV USAF AFRBA (US) <thomas.r.uiselt.civ@mail.mil>; Fedrigo, John A SES USAF SAF-MR (US) <john.a.fedrigo.civ@mail.mil>	DP - Deliberative Process	10/4/18 email within AFRBA discussing possible policy changes within AFRBA due to publication of DoDI 1332.45
US00031747	US00031747	No	11/20/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Toth, Charles B (Charlie) Lt Col USAF SAF-LL (US) <charles.b.toth.mil@mail.mil>; Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR dated 11/20/18 discussing response to HASC inquiry.
US00031748	US00031748	No	11/20/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Toth, Charles B (Charlie) Lt Col USAF SAF-LL (US) <charles.b.toth.mil@mail.mil>; Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>	DP - Deliberative Process	Email chain dated 11/20/18 discussing response to HASC inquiry.
US00031749	US00031749	No	11/19/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Hodges, Michael G Col USAF 6 MDG (USA) <michael.g.hodges10.mil@mail.mil>	DP - Deliberative Process	Email chain dated 11/19/18 within SAF/MR discussing response to HASC inquiry.
US00031750	US00031750	No	11/19/2018	1081079567A		DP - Deliberative Process	Draft response to HASC inquiry in HIV cases.
US00031766	US00031766	No	11/27/2018	Uiselt, Thomas R (Tom) CIV USAF AFRBA (US) <thomas.r.uiselt.civ@mail.mil>	Nuckles, David P (Crackin) Lt Col USAF SAF-LL (US) <david.p.nuckles.mil@mail.mil>Toth, Charles B (Charlie) Lt Col USAF SAF-LL (US) <charles.b.toth.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email chain dated 11/27/18 discussing response to HASC inquiry.
US00031767	US00031767	No	11/27/2018	Uiselt, Thomas R (Tom) CIV USAF AFRBA (US) <thomas.r.uiselt.civ@mail.mil>	Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email chain dated 11/27/18 discussing response to HASC inquiry.
US00031768	US00031768	No	11/27/2018	Nuckles, David P (Crackin) Lt Col USAF SAF-LL (US) <david.p.nuckles.mil@mail.mil>	Uiselt, Thomas R (Tom) CIV USAF AFRBA (US) <thomas.r.uiselt.civ@mail.mil>Toth, Charles B (Charlie) Lt Col USAF SAF-LL (US) <charles.b.toth.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email chain dated 11/27/18 discussing response to HASC inquiry.
US00031769	US00031769	No	11/26/2018	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>	DP - Deliberative Process	Email chain dated 11/26/18 within SAF/MR discussing response to HASC inquiry.

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US00031771	US00031771	No	1/3/2018	Craig, Lisa M Col USAF SAF-MR (US) <lisa.m.craig25.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email chain dated 1/3/18 discussing drafting of AFPB memos for HIV cases.
US00031772	US00031772	No	1/3/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Craig, Lisa M Col USAF SAF-MR (US) <lisa.m.craig25.mil@mail.mil>; Storm, Aimee L Col USAF AFRBA (US) <aimee.l.storm.mil@mail.mil>Pinkston, Brian S Col USAF (US) <brian.s.pinkston.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	DP - Deliberative Process	Email chain dated 1/3/18 discussing drafting of AFPB memos for HIV cases.
US00031773	US00031773	No	11/7/2018	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR discussing completion of decision memos for HIV cases.
US00031774	US00031774	No	10/17/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	HERN, TAMMY L CIV USAF AFPC AFPC/DPF-QA <tammy.hern@us.af.mil>	DP - Deliberative Process	Email chain between SAF/MR and AFPC discussing data to be used in adjudicating DES cases.
US00031775	US00031775	No	6/8/2018	PALUMBO, GUY M GS-15 USAF AFPC AFPC/DPFD <guy.palumbo.1@us.af.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email between AFPC and SAF/MR discussing changes to adjudication of cases due to clarification memo.
US00031776	US00031776	No	6/8/2018	PALUMBO, GUY M GS-15 USAF AFPC AFPC/DPFD <guy.palumbo.1@us.af.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email chain between AFPC and SAF/MR dated 6/8/18 discussing HIV clarification memo and proposing discussions about resolving adjudication issues.
US00031777	US00031777	No	6/7/2018	PALUMBO, GUY M GS-15 USAF AFPC AFPC/DPFD <guy.palumbo.1@us.af.mil>	Danaher, Patrick J Col USAF AFMOA (US) <patrick.j.danaher6.mil@mail.mil>; Downes, Karen M Lt Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Hern, Tammy L CIV USAF (US) <tammy.hern@us.af.mil>; Stangle, Jennifer A Lt Col USAF (US) <jennifer.stangle@us.af.mil>Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>; Tillery, Randy G CIV USAF AFPC (US) <randy.tillery.1@us.af.mil>; Menendez, Damon L Col USAF (US) <damon.menendez@us.af.mil>	DP - Deliberative Process	Email between AFMOA and AFPC discussing June 2018 clarification memo and proposed future actions in regard to DES processing of HIV cases.
US00031778	US00031778	No	6/7/2018	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Pinkston, Brian S Col USAF (US) <brian.s.pinkston.mil@mail.mil>	DP - Deliberative Process	Email dated 6/7/18 within SAF/MR discussing HIV clarification memo.

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US00031779	US00031779	No	6/11/2018	Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>	DP - Deliberative Process	Email dated 6/7/18 within SAF/MR discussing HIV clarification memo.
US00031780	US00031780	No	9/28/2018	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	DP - Deliberative Process	Email dated 9/28/18 within SAF/MR discussing specific information to be addressed in board proceedings prior to board votes.
US00031781	US00031781	No	9/27/2018	Fedrigo, John A SES USAF SAF-MR (US) <john.a.fedrigo.civ@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email within SAF/MR discussing preparations for hearing cases after publication of September HIV policy memo.
US00031782	US00031782	No	9/28/2018	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	DP - Deliberative Process	Email dated 9/28/18 within SAF/MR discussing preparations for hearing cases after publication of September HIV policy memo.
US00031783	US00031783	No	11/7/2018	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Hodges, Michael G Col USAF 6 MDG (US) <michael.g.hodges10.mil@mail.mil> Dvorak, Mary D Col USAF AFRBA (US) <mary.d.dvorak.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email dated 11/7/18 discussing drafting of memos for final decision.
US00031784	US00031784	No	11/8/2018	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	Dvorak, Mary D Col USAF AFRBA (US) <mary.d.dvorak.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Hodges, Michael G Col USAF 6 MDG (US) <michael.g.hodges10.mil@mail.mil> Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Donato, Robin A Lt Col USAF (US) <robin.a.donato.mil@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR discussing use of fitness assessment scores in DES adjudications.
US00031785	US00031785	No	6/7/2018	Pinkston, Brian S Col USAF (US) <brian.s.pinkston.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Lowry, Cheryl L Col USAF AF-SG (US) <cheryl.l.lowry.mil@mail.mil>	DP - Deliberative Process	Email dated 6/7/18 discussing Army and Navy HIV policy.
US00031786	US00031786	No	7/2/2018	Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email chain dated 7/2/18 discussing Army and Navy HIV policies.

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US00031787	US00031787	No	6/21/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email discussing draft staff summary sheet for HIV policy discussion. From within SAF/MR dated 6/21/18.	
US00031788	US00031788	No	6/21/2018			DP - Deliberative Process	Staff summary sheet from SAF/MR requesting policy clarification on the HIV clarification memo.	
US00031789	US00031789	No	6/20/2018			DP - Deliberative Process	Draft Staff Summary sheet dated 6/21/18 requesting additional review of HIV policy.	
US00031791	US00031791	No	6/25/2018			DP - Deliberative Process	Draft staff summary sheet dated 6/22/18 requesting additional review of HIV policy.	
US00031792	US00031792	No	6/20/2018			DP - Deliberative Process	Staff summary sheet dated 6/21/18 requesting additional clarification on HIV policy.	
US00031793	US00031793	No	11/19/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	STANGLE, JENNIFER A Lt Col USAF AFPC AFPC/DP2NP <jennifer.stangle@us.af.mil>	DP - Deliberative Process	Email chain between AFPC and SAF/MR discussing response to HASC inquiry.	
US00031798	US00031798	No	11/20/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR discussing response to HASC inquiry. Dated 11/20/18.	
US00031799	US00031799	No	11/20/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR discussing response to HASC inquiry. Dated 11/20/18.	
US00031802	US00031802	No	11/20/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	PALUMBO, GUY M GS-15 USAF AFPC AFPC/DPFD <guy.palumbo.1@us.af.mil>; Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Hern, Tammy L CIV USAF (US) <tammy.hern@us.af.mil>; Stangle, Jennifer A Lt Col USAF (US) <jennifer.stangle@us.af.mil>; GARTLAND, CHARLES J Lt Col USAF AFLOA AFLOA/JACL <charles.gartland@us.af.mil>; Jolly, Savannah K 1st Lt USAF SAF-MR (USA) <savannah.k.jolly.mil@mail.mil>; Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>; TOTH, CHARLES B Lt Col US Air Force SAF SAF/LL <charles.toth@us.af.mil>; Prater, Shane T Col USAF SAF-MR (USA) <shane.t.prater.mil@mail.mil>; Russo, John P Col USAF SAF-MR (US) <john.p.russo.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Hodges, Michael G Col USAF 6 MDG		DP - Deliberative Process	Email discussing response to HASC inquiry.
US00031803	US00031803	No	6/20/2018	Sutton, Melinda L CIV (US) <melinda.l.sutton2.civ@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email within SAF/MR discussing processing of HIV cases after publication of June clarification memo.	

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US00031804	US00031804	No	11/1/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	PII - Personal Privacy; DP - Deliberative Process	Email dated 11/1/18 within SAF/MR discussing particulars of non-plaintiff's condition and board deliberations.
US00031805	US00031805	No	11/1/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	DP - Deliberative Process	Email dated 11/1/18 within SAF/MR discussing particulars of non-plaintiff's condition and board deliberations.
US00031806	US00031806	No	11/1/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	PII - Personal Privacy; DP - Deliberative Process	Email dated 11/1/18 within SAF/MR discussing particulars of non-plaintiff's condition and board deliberations.
US00031807	US00031807	No	11/1/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.K.VALLARIO.CIV>	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	PII - Personal Privacy; DP - Deliberative Process	Email dated 11/1/18 within SAF/MR discussing particulars of non-plaintiff's condition and board deliberations.
US00031808	US00031808	No	7/24/2018	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>	Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>; Fedrigo, John A SES USAF SAF-MR (US) <john.a.fedrigo.civ@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>; Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>	DP - Deliberative Process	Email chain dated 7/24/18 discussing proposals for draft of HIV policy memo.
US00031809	US00031809	No	7/24/2018	Fedrigo, John A SES USAF SAF-MR (US) <john.a.fedrigo.civ@mail.mil>	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>; Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>	DP - Deliberative Process	Email chain dated 7/24/18 discussing proposals for draft of HIV policy memo.

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US00031810	US00031810	No	7/24/2018	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>	Fedrico, John A SES USAF SAF-MR (US) <john.a.fedrico.civ@mail.mil>; Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>; Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>	DP - Deliberative Process	Email chain dated 7/24/18 discussing proposals for draft of HIV policy memo.
US00031811	US00031811	No	7/24/2018	svetlana.bilenkina		DP - Deliberative Process	Draft of Airmen with Asymptomatic HIV Disposition memo.
US00031812	US00031812	No	7/24/2018	Fedrico, John A SES USAF SAF-MR (US) <john.a.fedrico.civ@mail.mil>	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>; Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>	DP - Deliberative Process	Email chain dated 7/24/18 discussing proposals for draft of HIV policy memo.
US00031813	US00031813	No	7/24/2018	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>	Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>; Fedrico, John A SES USAF SAF-MR (US) <john.a.fedrico.civ@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>; Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>	DP - Deliberative Process	Email chain dated 7/24/18 discussing proposals for draft of HIV policy memo.

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US00031814	US00031814	No	7/24/2018	svetlana.bilenkina		DP - Deliberative Process	Draft of Airmen with Asymptomatic HIV Disposition memo.
					Fedrigio, John A SES USAF SAF-MR (US) <john.a.fedrigio.civ@mail.mil>; Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>; Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>		
US00031815	US00031815	No	7/24/2018	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>		DP - Deliberative Process	Email chain dated 7/24/18 discussing proposals for draft of HIV policy memo.
US00031816	US00031816	No	7/24/2018	svetlana.bilenkina		DP - Deliberative Process	Draft of Airmen with Asymptomatic HIV memo.
					Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>; Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>		
US00031817	US00031817	No	7/24/2018	Fedrigio, John A SES USAF SAF-MR (US) <john.a.fedrigio.civ@mail.mil>		DP - Deliberative Process	Email chain dated 7/24/18 discussing proposals for draft of HIV policy memo.
US00031818	US00031818	No	7/24/2018	svetlana.bilenkina		DP - Deliberative Process	Draft of Airmen with Asymptomatic HIV memo.

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US00031819	US00031819	No	7/24/2018	Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>	Fedrico, John A SES USAF SAF-MR (US) <john.a.fedrico.civ@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil> Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>; Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>	DP - Deliberative Process	Email chain dated 7/24/18 discussing proposals for draft of HIV policy memo.
US00031820	US00031820	No	7/24/2018	svetlana.bilenkina		DP - Deliberative Process	Draft of Airmen with Asymptomatic HIV Disposition memo.
US00031821	US00031821	No	7/24/2018	Fedrico, John A SES USAF SAF-MR (US) <john.a.fedrico.civ@mail.mil>	Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email chain dated 7/24/18 discussing proposals for draft of HIV policy memo.
US00031822	US00031822	No	7/24/2018	Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>	Fedrico, John A SES USAF SAF-MR (US) <john.a.fedrico.civ@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email chain dated 7/24/18 discussing proposals for draft of HIV policy memo.
US00031823	US00031823	No	7/24/2018	svetlana.bilenkina		DP - Deliberative Process	Draft of Airmen with Asymptomatic HIV Disposition Memo.

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US00031824	US00031824	No	7/24/2018	Vallario, John K CIV USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN =JOHN.K.VALLARIO.CIV>	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>; Fedrigo, John A SES USAF SAF-MR (US) <john.a.fedrigo.civ@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>; Combs, Steven C Col USAF SAF-MR (US) <steven.c.combs2.mil@mail.mil>	DP - Deliberative Process	Email chain dated 7/24/18 discussing proposals for draft of HIV policy memo.
US00031825	US00031825	No	6/12/2018	Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Harp, Mary J CIV (US) <mary.j.harp.civ@mail.mil>	DP - Deliberative Process	Email within SAF/MR discussing meaning of June 2018 policy letter.
US00031826	US00031826	No	6/13/2018	Downes, Karen M Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email within SAF/MR discussing HIV policy memo.
US00031827	US00031827	No	6/20/2018	Ohman, Mynda L G Col USAF AFRBA (US) <mnynda.l.ohman.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	AC - Attorney Client Privilege; DP - Deliberative Process	Attorney (Ohman) client email discussing HIV policy memo dated 6/20/18.
US00031828	US00031828	No	6/22/2018	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	Fedrigo, John A SES USAF SAF-MR (US) <john.a.fedrigo.civ@mail.mil>Vallari o, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>; McCants, Latoya E MSgt USAF SAF- MR (US) <latoya.e.mccants.mil@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	DP - Deliberative Process	Email chain dated 6/22/18 discussing HIV policy clarification memo.
US00031829	US00031829	No	7/24/2018	Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	Fedrigo, John A SES USAF SAF-MR (US) <john.a.fedrigo.civ@mail.mil>; Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>	DP - Deliberative Process	Email dated 7/24/18 within SAF/MR discussing HIV policy memo.

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US00031830	US00031830	No	1/6/2018	Teskey, Mark S SES USAF SAF-MR (US) <mark.s.teskey.civ@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Pinkston, Brian S Col USAF (US) <brian.s.pinkston.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	DP - Deliberative Process	Email chain within SAF/MR dated 1/6/18 discussing meeting on HIV policy.
US00031831	US00031831	No	1/4/2018	Pinkston, Brian S Col USAF (US) <brian.s.pinkston.mil@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Craig, Lisa M Col USAF SAF-MR (US) <lisa.m.craig25.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Storm, Aimee L Col USAF AFRBA (US) <aimee.l.storm.mil@mail.mil>; Snyder, Lisa K Col USAF NGB SG (US) <lisa.k.snyder2.mil@mail.mil>	DP - Deliberative Process	Email chain dated 1/4/18 within SAF/MR and A1 discussing 2017 HIV memo.
US00031832	US00031832	No	6/11/2018	Fedrico, John A SES USAF SAF-MR (US) <john.a.fedrico.civ@mail.mil>	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Pinkston, Brian S Col USAF (US) <brian.s.pinkston.mil@mail.mil>	DP - Deliberative Process	Email chain dated 6/11/18 discussing HIV policy memo within SAF/MR.
US00031833	US00031833	No	6/6/2018	1081079567A		DP - Deliberative Process	List of questions for discussion between SAFPC and SAF/MR.
US00031834	US00031834	No	6/25/2018			DP - Deliberative Process	Staff summary sheet dated 6/22/18 requesting additional guidance on HIV policy.
US00031835	US00031835	No	6/20/2018			DP - Deliberative Process	Draft staff summary sheet dated 6/21/18 requesting additional information on HIV policy.
US00031838	US00031838	No	6/11/2018	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>	Fedrico, John A SES USAF SAF-MR (US) <john.a.fedrico.civ@mail.mil>Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater.mil@mail.mil>; Vallario, John K CIV USAF SAF-MR (US) <john.k.vallario.civ@mail.mil>; Pinkston, Brian S Col USAF (US) <brian.s.pinkston.mil@mail.mil>	DP - Deliberative Process	Email dated 6/11/18 within SAF/MR discussing ongoing development of HIV policy.
US00031881	US00031881	No	2/14/2019			PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet for non-plaintiff case
US00031889	US00031889	No	11/3/2016	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet for non-plaintiff
US00031892	US00031892	No	2/14/2019			PII - Personal Privacy; DP - Deliberative Process	
US00031894	US00031894	No	10/17/2018			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, draft, with portions of medical file
US00031900	US00031900	No	11/3/2016	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, draft
US00031903	US00031903	No	2/14/2019			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet
US00031905	US00031905	No	10/5/2018			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet
US00031911	US00031911	No	11/3/2016	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet

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US00031913	US00031913	No	2/14/2019			PII - Personal Privacy; WP - Work Product	SAFPC vote sheet
US00031914	US00031914	No	10/16/2018			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet
US00031915	US00031915	No	6/8/2018			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet
US00031917	US00031917	No	6/1/2018	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, draft, with medical file attached
US00031923	US00031923	No	11/3/2016	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, draft
US00031925	US00031925	No	6/1/2018	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, draft
US00031934	US00031934	No	2/14/2019			PII - Personal Privacy; DP - Deliberative Process	Completed SAFPC vote sheet
US00031943	US00031943	No	11/3/2016	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, draft
US00031947	US00031947	No	2/14/2019			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, complete
US00031948	US00031948	No	1/17/2019	PETERSON, TRINH W Lt Col USAF AFLOA AFLOA/CLSA		AC - Attorney Client Privilege; PII - Personal Privacy; DP - Deliberative Process	OAC appeal plus file
US00031951	US00031951	No	1/22/2019			AC - Attorney Client Privilege; PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet plus OAC letter plus medical file
US00031963	US00031963	No	12/19/2018			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, complete
US00031964	US00031964	No	11/19/2018	PETERSON, TRINH W Lt Col USAF AFLOA AFLOA/CLSA		AC - Attorney Client Privilege; PII - Personal Privacy; DP - Deliberative Process	OAC appeal letter plus overall file.
US00031967	US00031967	No	11/3/2016	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, draft
US00031976	US00031976	No	11/3/2016	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, draft
US00031977	US00031977	No	2/14/2019			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, complete
US00031990	US00031990	No	2/14/2019			PII - Personal Privacy; DP - Deliberative Process	
US00032034	US00032034	No	1/15/2019			AC - Attorney Client Privilege; PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet plus OAC appeal letter plus medical file
US00032045	US00032045	No	2/14/2019			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, completed
US00032047	US00032047	No	1/22/2019			AC - Attorney Client Privilege; PII - Personal Privacy; DP - Deliberative Process	SAFPC draft vote sheet plus OAC appeal letter plus portions of medical file
US00032064	US00032064	No	11/3/2016	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, draft
US00032065	US00032065	No	2/14/2019			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, complete.
US00032066	US00032066	No	1/10/2019			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, complete, with attachment
US00032067	US00032067	No	10/16/2018			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet plus portions of medical file
US00032068	US00032068	No	6/8/2018			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, complete
US00032069	US00032069	No	6/1/2018	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, draft
US00032070	US00032070	No	6/1/2018	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, draft, with portions of medical file
US00032073	US00032073	No	11/3/2016	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet, draft
US00032149	US00032149	No	1/29/2018	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet for airman's case.
US00032150	US00032150	No	2/5/2018			PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet for individual airman.
US00032215	US00032215	No	12/14/2017	Kirzhner, Ilona CTR USAF SAF/US(M)X		PII - Personal Privacy; DP - Deliberative Process	Deliberative sheet containing coordination for SAFPC member recommendations.

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US00032218	US00032218	No	11/16/2017			PII - Personal Privacy; DP - Deliberative Process	SAFPC voting sheet reflecting votes and internal board deliberations regarding individual airman's case.
US00032219	US00032219	No	10/31/2017	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC Voting Sheet contains deliberations regarding adjudication of specific airman's case.
US00032291	US00032291	No	12/14/2017	Kirzhner, Ilona CTR USAF SAF/US(M)X		DP - Deliberative Process	SAFPC coordination sheet containing internal deliberations regarding specific cases subsequent to vote by AFB.
US00032294	US00032294	No	11/16/2017			PII - Personal Privacy; DP - Deliberative Process	SAFPC voting sheet for individual member's case with deliberations regarding members' votes and predecisional analysis.
US00032295	US00032295	No	10/31/2017	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC voting sheet for individual member's case with deliberations regarding members' votes and predecisional analysis.
US00032298	US00032298	No	1/29/2018	1131766340V		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet reflecting votes and internal deliberations.
US00032299	US00032299	No	1/2/2018	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet containing deliberations regarding individual case
US00032300	US00032300	No	1/2/2018	Sue Nunnery		PII - Personal Privacy; DP - Deliberative Process	SAFPC Vote sheet containing deliberations regarding individual case
US00032364	US00032364	No	1/30/2018	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	SAFPC vote sheet for individual servicemember with deliberative discussion regarding case.
US00032365	US00032365	No	2/5/2018			PII - Personal Privacy; DP - Deliberative Process	SAFPC voting sheet for individual case with votes and deliberative discussion.
US00032500	US00032500	No	12/14/2017	Kirzhner, Ilona CTR USAF SAF/US(M)X		PII - Personal Privacy; DP - Deliberative Process	SAFPC coordination sheet with deliberative discussion regarding adjudication of individual case.
US00032503	US00032503	No	11/16/2017			PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet containing votes and predecisional discussion regarding adjudication of individual case.
US00032506	US00032506	No	10/31/2017	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet for individual case with predecisional deliberations regarding case.
US00032581	US00032581	No	5/19/2016			PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet for individual case with votes of members and predecisional discussion of case.
US00032644	US00032644	No	2/14/2019			PII - Personal Privacy; DP - Deliberative Process	Attorney memorandum in support of individual appeal to SAFPC.
US00032645	US00032645	No	5/16/2016	Crystal Reports		PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet for individual case with predecisional discussion of case.
US00032652	US00032652	No	2/14/2019			PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with votes and predecisional deliberations regarding case.
US00032653	US00032653	No	10/5/2018			PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with predecisional deliberations regarding individual case. Personnel and medical records of individual airman.
US00032761	US00032761	No	1/2/2018	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	AFPB Vote sheet with deliberative, predecisional discussion regarding individual case
US00032762	US00032762	No	1/29/2018	1131766340V		PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with recorded votes and predecisional deliberations regarding individual case.
US00032763	US00032763	No	1/2/2018			PII - Personal Privacy; DP - Deliberative Process	AFPB Vote sheet with predecisional deliberations regarding individual case.
US00032764	US00032764	No	5/4/2018	PINKSTON, BRIAN S Col USAF AFRC HQ AFRC/SGO		PII - Personal Privacy; DP - Deliberative Process	Pre-decisional letter setting forth recommendation in regard to retraining for airman.
US00032838	US00032838	No	12/14/2017	Kirzhner, Ilona CTR USAF SAF/US(M)X		PII - Personal Privacy; DP - Deliberative Process	Predecisional SAFPC coordination sheet with deliberations regarding case.
US00032841	US00032841	No	10/31/2017	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with predecisional discussion of individual case.
US00032842	US00032842	No	11/16/2017			PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with votes recorded and predecisional discussions regarding individual case.
US00032910	US00032910	No	8/1/2016			PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with votes recorded and predecisional discussion of case.
US00032911	US00032911	No	7/29/2016			PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with deliberative, predecisional discussion regarding case.
US00032919	US00032919	No	7/25/2016	Crystal Reports		PII - Personal Privacy; DP - Deliberative Process	AFPB Vote sheet with deliberative, predecisional discussion regarding individual case.
US00032926	US00032926	No	2/14/2019			PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with recorded votes and predecisional discussions regarding individual case.
US00033003	US00033003	No	1/5/2018	NYIRENDA, MIREYA TSgt USAF AFLOA-JACC AF-JA-JACC		PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with predecisional discussions regarding individual case.
US00033004	US00033004	No	1/29/2018	1131766340V		PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with votes recorded and predecisional discussions about individual case.

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BEGIN BATES	END BATES	REDACTIONS	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS
US00033091	US00033091	No	2/14/2019			PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with recorded votes and predecisional discussion of individual case.
US00033097	US00033097	No	2/24/2016	Crystal Reports		PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with votes recorded and predecisional discussion regarding case.
US00033104	US00033104	No	1/29/2018	1131766340V		PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet containing predecisional, deliberative discussion of individual case.
US00033105	US00033105	No	2/5/2018			PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet reflecting members' votes and predecisional discussion of individual case.
US00033160	US00033160	No	1/22/2018			PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with individual votes recorded and predecisional discussion of case.
US00033161	US00033161	No	1/16/2018	PETERSON, TRINH W Lt Col USAF AFLOA AFLOA/CLSA		PII - Personal Privacy; DP - Deliberative Process	AFPB vote sheet with predecisional discussion of individual case.
US00033252	US00033252	No	6/22/2018	1081079567A		DP - Deliberative Process	Spreadsheet containing deliberative application of DODI 1332.18 fitness criteria.
US00033253	US00033253	No	7/24/2018	Lt Col Tom Joyce, SAF/MRM		DP - Deliberative Process	Draft of Airmen with Asymptomatic HIV Disposition memo
US00033255	US00033255	No	11/19/2018	1081079567A		DP - Deliberative Process	Draft response to HASC inquiry.
US00033261	US00033261	No	6/25/2018			DP - Deliberative Process	Draft Staff Summary Sheet requesting review of HIV policy dated 6/22/18 by SAF/MRB
US00033262	US00033262	No	6/20/2018			DP - Deliberative Process	Draft staff summary sheet requesting review of HIV discharge policy by SAF/MRB dated 6/21/18.
US00033265	US00033265	No	9/5/2018	Lt Col Tom Joyce, SAF/MRM		DP - Deliberative Process	Draft of Airmen with Asymptomatic HIV Disposition memo
US00033266	US00033266	No	2/8/2018	svetlana.bilenkina		DP - Deliberative Process	Draft of Airmen with Asymptomatic HIV memo
US00033267	US00033267	No	5/9/2018	svetlana.bilenkina		DP - Deliberative Process	Draft of memo titled Airmen with Chronic and/or Progressive diseases
US00033272	US00033272	No	2/14/2019	Snyder, Lisa K Col USAF NGB SG (USA) <lisa.k.snyder2.mil@mail.mil>	Herrera, Christina H MSgt USAF SAF-MR (USA) <christina.h.herrera.mil@mail.mil>	DP - Deliberative Process	Email chain dated 11/7/18 discussing drafting of SAFPC decision memos for HIV cases.

# EXHIBIT G



**U.S. Department of Justice**

Civil Division

Telephone: (202) 353-0889

Email: robert.m.norway@usdoj.gov

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*Washington, DC 20530*

March 15, 2019

John Harding and Laura Cooley  
Winston & Strawn LLP  
1700 K Street., N.W.  
Washington, D.C. 20006

RE: Defendants' Production of Documents – Production 17 & 18

Dear John and Laura

Enclosed please find one encrypted DVD containing documents responsive to Plaintiffs' Second Requests for Production of Documents and Things to Defendants (Nos. 11-20), served on February 13, 2019, and in compliance with the Court's January 4, 2019 order in *Roe v. Shanahan* and *Harrison v. Shanahan*. The DVD is labeled "Production No. 17 and 18" and includes documents with Bates Numbers US00040124 through US00041987.

Please note that the documents in the enclosed production are provided subject to the terms of the stipulated protective order and joint discovery plan. *See* Dkt. 54.

The password for the encrypted DVD will be provided by separate email.

Sincerely,

s/ Robert M. Norway

Robert M. Norway  
Trial Attorney  
Federal Programs Branch

# EXHIBIT H

Roe v. Shanahan,  
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 Air Force Privilege Log for Production 17

BEGIN BATES	END BATES	REDACTIONS	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS
US00040124	US00040125	Yes	10/11/2017	Grosso, Gina M Lt Gen USAF AF-A1 (US) <gina.m.grosso.mil@mail.mil>	Labrutta, Robert D Maj Gen USAF AF-A1 (US) <robert.d.labrutta.mil@mail.mil>; Fore, Todd A SES USAF AF-A1 (US) <todd.a.fore.civ@mail.mil>; Floyd, Derrick J Lt Col USAF AF-A1 (US) <derrick.j.floyd.mil@mail.mil>; Sams, Kelly M Lt Col USAF AF-A1 (US) <kelly.m.sams.mil@mail.mil>; Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4.mil@mail.mil>; Izawa, Emi CIV USAF AF-A1 (US) <emi.izawa2.civ@mail.mil>; Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse.mil@mail.mil>; McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter.mil@mail.mil>; Nicholls, Kirsten L Maj USAF AF-A1 (US) <kirsten.l.nicholls.mil@mail.mil>	DP - Deliberative Process	Email between Lt Gen Grosso and Maj Gen Labrutta deliberating over policy options with regard to evaluation of airmen with HIV by AFPC's Medical Retention Standards office.
US00040126	US00040128	Yes	10/11/2017	Labrutta, Robert D Maj Gen USAF AF-A1 (US) <robert.d.labrutta.mil@mail.mil>	Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4.mil@mail.mil>; Izawa, Emi CIV USAF AF-A1 (US) <emi.izawa2.civ@mail.mil>; Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse.mil@mail.mil>; McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter.mil@mail.mil>; Tongson, Harold A Maj USAF AF-RE (US) <harold.a.tongson.mil@mail.mil>; Nicholls, Kirsten L Maj USAF AF-A1 (US) <kirsten.l.nicholls.mil@mail.mil>; Danaher, Patrick J Col USAF AFMOA (US) <patrick.j.danaher6.mil@mail.mil>	DP - Deliberative Process	Email chain within AF/A1 discussing policy options in development of October 2017 memo on retention of servicemembers with HIV.

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BEGIN BATES	END BATES	REDACTIONS	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS
US00040133	US00040135	Yes	1/4/2018	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>	Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse@mail.mil>-Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4.mil@mail.mil>; Downes, Karen M Lt Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>; McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter@mail.mil>	DP - Deliberative Process	Deliberative discussion regarding sister service policies in relation to proposed courses of action for Air Force policy on members with HIV.
US00040165	US00040165	No	9/22/2017	LOMBARDI, RICHARD W SES USAF HAF U S AIR FORCE HQ/AQ		DP - Deliberative Process	Bullet Background Paper dated 9/22/17 prepared by AF/A1PP and AFPC discussing policy options for dealing with referral of HIV+ airmen to the disability evaluation system with analysis of policy documents germane to deliberations.
US00040181	US00040182	Yes	12/27/2017	Labrutta, Robert D Maj Gen USAF AF-A1 (US) <robert.d.labrutta@mail.mil>	Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4.mil@mail.mil>; Izawa, Emi CIV USAF AF-A1 (US) <emi.izawa2.civ@mail.mil>; Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse@mail.mil>; McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter@mail.mil>	DP - Deliberative Process	Email with detailed discussion and recommendations regarding policy options for IDES determinations for HIV positive airmen.
US00040185	US00040185	No	2/7/2018	MENENDEZ, DAMON L Col USAF AFPC AFPC/DPF <damon.menendez@us.af.mil>	McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter@mail.mil>-Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4.mil@mail.mil>; Tillery, Randy G CIV USAF AFPC (US) <randy.tillery.1@us.af.mil>; Izawa, Emi CIV USAF AF-A1 (US) <emi.izawa2.civ@mail.mil>; Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse@mail.mil>; Stangle, Jennifer A Lt Col USAF (US) <jennifer.stangle@us.af.mil>	DP - Deliberative Process	Email chain dated 2/7/18 between AFMOA, AFPC, and AF/A1 deliberating over policy options regarding referral of airmen with HIV to the disability evaluation system.

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US00040186	US00040186	No	2/7/2018	STANGLE, JENNIFER A Lt Col USAF AFPC AFPC/DP2NP <jennifer.stangle@us.af.mil>	Menendez, Damon L Col USAF (US) <damon.menendez@us.af.mil>; McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter.mil@mail.mil>Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4.mil@mail.mil>; Tillery, Randy G CIV USAF AFPC (US) <randy.tillery.1@us.af.mil>; Izawa, Emi CIV USAF AF-A1 (US) <emi.izawa2.civ@mail.mil>; Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse.mil@mail.mil>	DP - Deliberative Process	Email chain dated 2/7/18 between AFMOA, AFPC, and AF/A1 deliberating over policy options regarding referral of airmen with HIV to the disability evaluation system.
US00040187	US00040187	No	10/19/2017	McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter.mil@mail.mil>	Downes, Karen M Lt Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4.mil@mail.mil>; Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse.mil@mail.mil>	DP - Deliberative Process	Email chain dated 10/19/17 discussing policy options and deliberating concerns after release of October 2017 memo regarding retention of airmen with asymptomatic HIV.
US00040188	US00040190	Yes	2/1/2018	McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter.mil@mail.mil>	Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4.mil@mail.mil>Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse.mil@mail.mil>; Izawa, Emi CIV USAF AF-A1 (US) <emi.izawa2.civ@mail.mil>	DP - Deliberative Process	Email chain within AF/A1 discussing the response to DOD 2018 report to Congress on HIV policies.
US00040191	US00040191	No	2/1/2018	ADO		DP - Deliberative Process	Draft Air Force response for 2018 report to Congress with comments made in tracked changes.
US00040196	US00040196	No	2/1/2018	ADO		DP - Deliberative Process	Draft DOD report to congress with preliminary edits, comments, and tracked changes.
US00040199	US00040199	Yes	1/12/2018	svetlana.bilenkina		DP - Deliberative Process	Undated, predecisional draft of memo discussing retention of airmen with HIV.

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BEGIN BATES	END BATES	REDACTIONS	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS
US00040202	US00040203	Yes	1/4/2018	Downes, Karen M Lt Col USAF SAF-MR (US) <karen.m.downes2@mail.mil>	Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse@mail.mil>Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4@mail.mil>; McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter@mail.mil>; Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>	DP - Deliberative Process	Email chain between SAF/MR and AF/A1 containing deliberations regarding policy options for retention of members with HIV.
US00040204	US00040204	No	1/4/2018	Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4@mail.mil>	Downes, Karen M Lt Col USAF SAF-MR (US) <karen.m.downes2@mail.mil>McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter@mail.mil>; Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse@mail.mil>	DP - Deliberative Process	Email dated 1/4/18 discussing draft of SAF/MR memo in regard to replacing October 2017 AF/A1 memo on retention of members with HIV.
US00040205	US00040208	Yes	1/4/2018	Huibregtse, Matthew J Lt Col USAF (US) </o=easf/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=matthew.j.huibregtse.MIL>	Downes, Karen M Lt Col USAF SAF-MR (US) <karen.m.downes2@mail.mil>	DP - Deliberative Process	Email containing discussion and deliberations regarding replacement of October 2017 A1 memo on retention of members with HIV.
US00040209	US00040210	Yes	1/3/2018	Prater, Shane T Col USAF SAF-MR (US) <shane.t.prater@mail.mil>	Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse@mail.mil>	DP - Deliberative Process	Email dated 1/3/18 between A1 and SAFPC discussing ongoing deliberations regarding HIV retention policy.

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US00040211	US00040213	Yes	1/4/2018	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>	Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse@mail.mil>; Downes, Karen M Lt Col USAF SAF-MR (US) <karen.m.downes2@mail.mil>Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4@mail.mil>; McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter@mail.mil>	DP - Deliberative Process	Email dated 1/4/18 between SAF/MR and AF/A1 discussing revisions of HIV retention policy with deliberations over October 2017 policy memo.
US00040214	US00040214	No	1/4/2018	Downes, Karen M Lt Col USAF SAF-MR (US) <karen.m.downes2@mail.mil>	Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4@mail.mil>McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter@mail.mil>; Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse@mail.mil>	DP - Deliberative Process	Email with deliberations regarding changes to October 2017 policy memo on retention of members with HIV.
US00040219	US00040222	Yes	11/1/2017	Downes, Karen M Lt Col USAF SAF-MR (US) <karen.m.downes2@mail.mil>	Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse@mail.mil>; McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter@mail.mil>Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>	DP - Deliberative Process	Largely non-responsive email discussing non-related personnel waiver process. One paragraph contains pre-decisional thoughts and opinions of one member related to development of HIV retention policy.
US00040223	US00040227	Yes	11/1/2017	Downes, Karen M Lt Col USAF SAF-MR (US) <karen.m.downes2@mail.mil>	Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse@mail.mil>; McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter@mail.mil>Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>	DP - Deliberative Process	Email chain discussing policy options regarding retention of HIV members, with non-responsive discussion of other personnel process.

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BEGIN BATES	END BATES	REDACTIONS	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS
US00040228	US00040228	Yes	12/28/2017	Labrutta, Robert D Maj Gen USAF AF-A1 (US) <robert.d.labrutta@mail.mil>	Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4.mil@mail.mil> >Peters, Sharri S SSGT USAF AF-A1 (US) <sharri.s.peters.mil@mail.mil>; Izawa, Emi CIV USAF AF-A1 (US) <emi.izawa2.civ@mail.mil>; Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse.mil@mail.mil>; McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter.mil@mail.mil>; Nicholls, Kirsten L Maj USAF AF-A1 (US) <kirsten.l.nicholls.mil@mail.mil>	DP - Deliberative Process	Email discussing positions of individual officers regarding HIV retention policies.
US00040229	US00040230	Yes	12/29/2017	Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4@mail.mil>	Whalen, Amanda R Capt USAF AF-A1 (US) <amanda.r.whalen3.mil@mail.mil> >Sams, Kelly M Lt Col USAF AF-A1 (US) <kelly.m.sams.mil@mail.mil>; Izawa, Emi CIV USAF AF-A1 (US) <emi.izawa2.civ@mail.mil>; Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse.mil@mail.mil>; McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter.mil@mail.mil>	DP - Deliberative Process	Discussion of positions of individual officers on topic of retention of airmen with HIV.
US00040231	US00040231	No	1/8/2018	Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4@mail.mil>	Labrutta, Robert D Maj Gen USAF AF-A1 (US) <robert.d.labrutta.mil@mail.mil> >Izawa, Emi CIV USAF AF-A1 (US) <emi.izawa2.civ@mail.mil>; Vanburger, Lizbeth L CMSgt USAF AF-A1 (US) <lizabeth.l.vanburger.mil@mail.mil>; Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse.mil@mail.mil>; McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter.mil@mail.mil>	DP - Deliberative Process	Email chain within AF/A1 discussing sister service policies in relation to policy recommendations to Air Force officials on retention of airmen with HIV.

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BEGIN BATES	END BATES	REDACTIONS	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS
US00040232	US00040232	No	1/8/2018	Krueger, Mary V COL USARMY HQDA ASA MRA (US) <mary.v.krueger.mil@mail.mil>	Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse.mil@mail.mil>	DP - Deliberative Process	Email containing discussion between Air Force and Army personnel regarding potential policy outcomes for members with HIV in light of rumored DOD policy changes.
US00040238	US00040238	No	12/28/2017	Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4@mail.mil>	Labrutta, Robert D Maj Gen USAF AF-A1 (US) <robert.d.labrutta.mil@mail.mil> >Peters, Sharri S SSgt USAF AF-A1 (US) <sharri.s.peters.mil@mail.mil>; Izawa, Emi CIV USAF AF-A1 (US) <emi.izawa2.civ@mail.mil>; Huibregtse, Matthew J Lt Col USAF (US) <matthew.j.huibregtse.mil@mail.mil>; McWhirter, Matthew A Maj USAF AF-A1 (US) <matthew.a.mcwhirter.mil@mail.mil>; Nicholls, Kirsten L Maj USAF AF-A1 (US) <kirsten.l.nicholls.mil@mail.mil>	DP - Deliberative Process	Email chain within AF/A1 discussing individual officers' positions on policy for retention/separation of members with HIV.
US00040239	US00040242	Yes	11/9/2017	AFPC/DPF Workflow <afpc.dpf.workflow@us.af.mil>	HODGE, LORIANNE R GS-13 USAF AFPC AFPC/DPF <lorianne.hodge.1@us.af.mil>; STEVENS, JIMMY D GS-12 USAF AFPC AFPC/DPF <jimmy.stevens.2@us.af.mil>	DP - Deliberative Process	Redacted portion discusses pre-decisional positions and recommendations of various offices and individuals regarding HIV retention policy.
US00040243	US00040243	No	9/22/2017	LOMBARDI, RICHARD W SES USAF HAF U S AIR FORCE HQ/AQ		DP - Deliberative Process	Draft AF/A1 background paper on retention of members with HIV summarizing predecisional viewpoints of various offices and individuals.
US00040244	US00040244	No	11/8/2017	LOMBARDI, RICHARD W SES USAF HAF U S AIR FORCE HQ/AQ		DP - Deliberative Process	Pre-decisional background paper dated 9/22/17 by AF/A1 discussing policy options and various viewpoints of individual offices.
US00040245	US00040245	No	11/13/2017	HODGE, LORIANNE R GS-13 (NON-MAIL ENABLED)		DP - Deliberative Process	Background paper expressing the Air Force Personnel Center's pre-decisional views on retention of airmen with HIV.
US00040246	US00040246	Yes	2/2/2018	svetlana.bilenkina		DP - Deliberative Process	Draft version of Airmen with Asymptomatic HIV policy memo.
US00040247	US00040247	Yes	2/1/2018	svetlana.bilenkina		DP - Deliberative Process	Draft version of Airmen with Asymptomatic HIV memo.
US00040248	US00040248	Yes	2/2/2018	svetlana.bilenkina		DP - Deliberative Process	Pre-decisional draft of airmen with asymptomatic HIV memo.

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BEGIN BATES	END BATES	REDACTIONS	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS
US00040249	US00040252	Yes	7/30/2018	STEVENS, JIMMY D GS-12 USAF AFPC AFPC/DPF-QA </o=ORGANIZATION/o u=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=STEVENS.JIMMY.D.1128600.880.C742>	HERN, TAMMY L CIV USAF AFPC AFPC/DPF-QA <tammy.hern@us.af.mil>STORY, CINDY N CIV USAF AFPC AFPC/DPF-QA <cindy.storoy.1@us.af.mil>	DP - Deliberative Process	Redactions discuss pre-decisional inputs of various individuals regarding September 2018 HIV memo.
US00040253	US00040254	Yes	7/27/2018	Lt Col Tom Joyce, SAF/MRM		DP - Deliberative Process	Pre-decisional draft of Airmen with Asymptomatic HIV Disposition memo
US00040255	US00040256	Yes	7/30/2018	Lt Col Tom Joyce, SAF/MRM		DP - Deliberative Process	Pre-decisional draft of airmen with asymptomatic HIV policy memo.
US00040257	US00040259	Yes	2/13/2018	STEVENS, JIMMY D GS-12 USAF AFPC AFPC/DPF <jimmy.stevens.2@us.af.mil>	STEVENS, JIMMY D GS-12 USAF AFPC AFPC/DPF <jimmy.stevens.2@us.af.mil>	DP - Deliberative Process	Pre-decisional discussion and individual policy recommendations regarding retention of members with HIV.
US00040260	US00040260	Yes	2/12/2018	svetlana.bilenkina		DP - Deliberative Process	Pre-decisional draft of Airmen with asymptomatic HIV policy memo.
US00040266	US00040270	Yes	9/27/2017	PALUMBO, GUY M GS-15 USAF AFPC AFPC/DPFD <guy.palumbo.1@us.af.mil>	STEVENS, JIMMY D GS-12 USAF AFPC AFPC/DPF <jimmy.stevens.2@us.af.mil>	DP - Deliberative Process	Pre-decisional discussion regarding HIV retention policy with individual recommendations and opinions regarding policy.
US00040271	US00040273	Yes	12/21/2017	STEVENS, JIMMY D GS-12 USAF AFPC AFPC/DPF </o=ORGANIZATION/o u=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=STEVENS.JIMMY.D.1128600.880.C742>	HUIBREGTSE, MATTHEW J Lt Col USAF HAF AF/AF/A1P <matthew.huibregtse@us.af.mil>MCWHIRTER, MATTHEW A Maj US Air Force HAF AF/A1PPS <matthew.mcwhirter.1@us.af.mil>; NEWMAN, ROBERT W GS-14 USAF AFPC AFPC/DPF <robert.newman.13@us.af.mil>; MENENDEZ, DAMON L Col USAF AFPC AFPC/DPF <damon.menendez@us.af.mil>; TILLERY, RANDY G GS-15 USAF AFPC AFPC/DPF <randy.tillery.1@us.af.mil>; PALUMBO, GUY M GS-15 USAF AFPC AFPC/DPFD <guy.palumbo.1@us.af.mil>; HERN, TAMMY L CIV USAF AFPC AFPC/DPF <tammy.hern@us.af.mil>; HODGE, LORIANNE R GS-13 USAF AFPC AFPC/DPF <lorianne.hodge.1@us.af.mil>	DP - Deliberative Process	Pre-decisional email containing discussion of responses for DOD 2018 report to Congress with individual and office opinions regarding responses.

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BEGIN BATES	END BATES	REDACTIONS	DATE	AUTHOR	RECIPIENT(S)	PRIVILEGE(S)	PRIVILEGE BASIS
US00040276	US00040278	Yes	9/22/2017	LOMBARDI, RICHARD W SES USAF HAF U S AIR FORCE HQ/AQ		DP - Deliberative Process	Pre-decisional AF/A1P background paper on HIV retention policy dated 9/22/17 with pre-decisional discussion of proposed policy alternatives and individual recommendations regarding policy.
US00040279	US00040279	No	10/20/2017	TROUT, LEONARD E III CIV USAF AFPC AFPC/DP2NP <leonard.trout@us.af.mil>	AFMOA AFMOA/SGHM <patrick.danaher@us.af.mil>; CASLETON, BRIAN G Col USAF AFPC AFPC/DP2N <brian.casleton@us.af.mil>; FISCHER, WILLIAM D Col USAF HAF AF/A1P <william.fischer@us.af.mil>; MCWHIRTER, MATTHEW A Maj US Air Force HAF AF/A1PPS <matthew.mcwhirter.1@us.af.mil>; PALUMBO, GUY M GS-15 USAF AFPC AFPC/DPFD <guy.palumbo.1@us.af.mil>; OKULICZ, JASON F Lt Col USAF AETC 59 MDOG/SGOMI <jason.okulicz@us.af.mil>; MENENDEZ, DAMON L Col USAF AFPC AFPC/DPF <damon.menendez@us.af.mil>; BERNSTEIN, GRAHAM H Maj USAF AFPC AFPC/JA <graham.bernstein.1@us.af.mil>; LAMONT, CHRISTINE A Col USAF AFPC AFPC/JA <christine.lamont@us.af.mil>; STEVENS, JIMMY D GS-12 USAF AFPC AFPC/DPF	DP - Deliberative Process	Pre-decisional email chain dated 10/20/17 between AFPC and AFMOA discussing HIV retention policy with individual opinions and recommendations regarding policy.
US00040280	US00040280	No	10/13/2017	STEVENS, JIMMY D GS-12 USAF AFPC AFPC/DPF <jimmy.stevens.2@us.af.mil>	PALUMBO, GUY M GS-15 USAF AFPC AFPC/DPFD <guy.palumbo.1@us.af.mil>; MENENDEZ, DAMON L Col USAF AFPC AFPC/DPF <damon.menendez@us.af.mil>; HERN, TAMMY L CIV USAF AFPC AFPC/DPF <tammy.hern@us.af.mil>; HODGE, LORIANNE R GS-13 USAF AFPC AFPC/DPF <lorianne.hodge.1@us.af.mil>; BERNSTEIN, GRAHAM H Maj USAF AFPC AFPC/JA <graham.bernstein.1@us.af.mil>	DP - Deliberative Process	Pre-decisional email within AFPC providing one individual's summary of relevant policy provisions and recommendations regarding retention of airmen with HIV.

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US00040283	US00040284	Yes	11/13/2017	HODGE, LORIANNE R GS-13 (NON-MAIL ENABLED)		DP - Deliberative Process	Pre-decisional AFPC bullet background paper discussing policy background and making recommendations regarding future policy regarding retention of airmen with HIV.
US00040285	US00040287	Yes	10/12/2017	DANAHER, PATRICK J Col USAF AFMOA AFMOA/SGHM		DP - Deliberative Process	Pre-decisional talking paper by AFMOA discussing background and policy options with recommendations regarding retention of members with HIV.
US00040288	US00040288	No	10/13/2017	PALUMBO, GUY M GS-15 USAF AFPC AFPC/DPFD <guy.palumbo.1@us.af.mil>	HODGE, LORIANNE R GS-13 USAF AFPC AFPC/DPF <lorianne.hodge.1@us.af.mil>; HERN, TAMMY L CIV USAF AFPC AFPC/DPF <tammy.hern@us.af.mil>; STEVENS, JIMMY D GS-12 USAF AFPC AFPC/DPF <jimmy.stevens.2@us.af.mil>	DP - Deliberative Process	Pre-decisional email chain within AFPC discussing policy recommendations after publication of October 2017 memo.
US00040289	US00040289	No	10/16/2017	HODGE, LORIANNE R GS-13 USAF AFPC AFPC/DPF <lorianne.hodge.1@us.af.mil>	STEVENS, JIMMY D GS-12 USAF AFPC AFPC/DPF <jimmy.stevens.2@us.af.mil>	DP - Deliberative Process	Pre-decisional email discussing policy options and expressing individual opinions regarding HIV retention policy.
US00040326	US00040326	No	2/12/2018	TONY, KIMBERLY K SES USAF AFPC AFPC/CA <kimberly.toney.2@us.af.mil>	Danaher, Patrick J Col USAF AFMOA (US); Fischer, William D Col USAF AF-A1 (US); Izawa, Emi CIV USAF AF-A1 (US); Miller, Robert I Brig Gen USAF AFMOA (US); Okulicz, Jason F Lt Col USAF USARMY MEDCOM BAMC (US); Cheatham, Thomas N Col USAF AFMSA (US); McIntee, Marie-France M (Marie) Lt Col USAF AFMSA (US); Soper, Martha P CIV USAF SAF-MR (US); Downes, Karen M Lt Col USAF SAF-MR (US); Igl, Ann M Col USAF SAF-MR (US); Labrutta, Robert D Maj Gen USAF AF-A1 (US); Dieterle, Charles E Maj USAF AFGSC A3 (US); Menendez, Damon L Col USAF (US); Tillery, Randy G CIV USAF AFPC (US)	DP - Deliberative Process	Email chain between AFPC and AFMOA engaging in predecisional debate regarding HIV retention policy alternatives.

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US00040331	US00040331	No	10/10/2017	Danaher, Patrick J Col USAF AFMOA (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PATRICK.J.DANAHER6.MIL>	Downes, Karen M Col USAF SAF-MR (USA) <karen.m.downes2.mil@mail.mil>	DP - Deliberative Process	Pre-decisional email chain discussing HIV retention policy options and recommendations of individuals.
US00040332	US00040334	Yes	10/10/2017	DANAHER, PATRICK J Col USAF AFMOA AFMOA/SGHM		DP - Deliberative Process	Pre-decisional talking paper discussing policy options and making individual recommendations regarding HIV retention policy.
US00040345	US00040345	Yes	10/10/2017	Standard Integrated Desktop 6.0		DP - Deliberative Process	Predecisional draft of memo regarding retention of airmen with HIV.
US00040346	US00040346	No	9/20/2017	Fedrico, John A SES USAF SAF-MR (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JOHN.A.FEDRICO.CIV>	Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Downes, Karen M Lt Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>	DP - Deliberative Process	Predecisional email chain discussing policy alternatives prior to creation of October 2017 A1 memo.
US00040350	US00040350	No	2/12/2018	DOWNES, KAREN M Lt Col USAF HAF AFELM DIA JI/MRR		DP - Deliberative Process	Powerpoint slide containing summary of positions of different stakeholders in retention policy discussion.
US00040351	US00040351	No	1/23/2018	DOWNES, KAREN M Lt Col USAF HAF AFELM DIA JI/MRR		AC - Attorney Client Privilege; DP - Deliberative Process	Pre-decisional summary of policy and legal advice regarding HIV retention policy.
US00040352	US00040352	No	7/5/2018	DOWNES, KAREN M Lt Col USAF HAF AFELM DIA JI/MRR		DP - Deliberative Process	Predecisional powerpoint presentation, undated, discussing HIV retention policy options in regard to revising 10/2017 AF/A1 memo.

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US00040377	US00040377	No	3/11/2019	Kimberly Toney	Danaher, Patrick J Col USAF AFMOA (US); Fischer, William D Col USAF AF-A1 (US); Izawa, Emi CIV USAF AF-A1 (US)Cc:Miller, Robert I Brig Gen USAF AFMOA (US); Okulicz, Jason F Lt Col USAF USARMY MEDCOM BAMC (US); Cheatham, Thomas N Col USAF AFMSA (US); McIntee, Marie-France M (Marie) Lt Col USAF AFMSA (US); Soper, Martha P CIV USAF SAF-MR (US); Downes, Karen M Lt Col USAF SAF-MR (US); Igl, Ann M Col USAF SAF-MR (US); Labrutta, Robert D Maj Gen USAF AF-A1 (US); Dieterle, Charles E Maj USAF AFGSC A3 (US); Menendez, Damon L Col USAF (US); Tillery, Randy G CIV USAF AFPC (US)	DP - Deliberative Process	Email discussing pre-decisional response to 2018 DOD report to Congress
US00040378	US00040378	No	10/11/2017	Danaher, Patrick J Col USAF AFMOA (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PATRICK.J.DANAHER6.MIL>	Fischer, William D Col USAF AF-A1 (US) <deprov.william.d.fischer4.mil@mail.mil>; Downes, Karen M Col USAF SAF-MR (USA) <karen.m.downes2.mil@mail.mil>; Izawa, Emi CIV USAF AF-A1 (US) <emi.izawa2.civ@mail.mil>; Soper, Martha P CIV USAF SAF-MR (USA) <martha.p.soper.civ@mail.mil>; Miller, Robert I Maj Gen USAF AFMSA (USA) <robert.i.miller.mil@mail.mil>; Zeh, Gianna R Col USAF AFMOA (USA) <gianna.zeh@us.af.mil>; Cheatham, Thomas N Col USAF AFMSA (US) <thomas.n.cheatham2.mil@mail.mil>	DP - Deliberative Process	Email discussing pre-decisional draft of HIV policy memo.
US00040379	US00040379	Yes	10/10/2017	Standard Integrated Desktop 6.0		DP - Deliberative Process	Predecisional draft of Retention of Airmen with HIV memo
US00040380	US00040380	Yes	10/10/2017	Standard Integrated Desktop 6.0		DP - Deliberative Process	Pre-decisional draft of Retention of Airmen with HIV memo.

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US00040381	US00040381	No	12/27/2017	TONEY, KIMBERLY K SES USAF AFPC AFPC/CA <kimberly.toney.2@us.af.mil>	AFMOA (US) <patrick.j.danaher6.mil@mail.mil>; Fischer, William D Col USAF AF-A1 (US) <william.d.fischer4.mil@mail.mil>; Izawa, Emi CIV USAF AF-A1 (US) <emi.izawa2.civ@mail.mil>Miller, Robert I Brig Gen USAF AFMOA (US) <robert.i.miller.mil@mail.mil>; Okulicz, Jason F Lt Col USAF USARMY MEDCOM BAMC (US) <jason.f.okulicz.mil@mail.mil>; Cheatham, Thomas N Col USAF AFMSA (US) <thomas.n.cheatham2.mil@mail.mil>; McIntee, Marie-France M (Marie) Lt Col USAF AFMSA (US) <mariefrance.m.mcintee.mil@mail.mil>; Soper, Martha P CIV USAF SAF-MR (US) <martha.p.soper.civ@mail.mil>; Downes, Karen M Lt Col USAF SAF-MR (US) <karen.m.downes2.mil@mail.mil>; Igl, Ann M Col USAF SAF-MR (US) <ann.m.igl.mil@mail.mil>;	DP - Deliberative Process	Predecisional email dated 12/27/17 discussing Air Force response to 2018 DOD report to Congress.
US00040384	US00040384	No	10/10/2017	Danaher, Patrick J Col USAF AFMOA (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PATRICK.J.DANAHER6.MIL>	Downes, Karen M Col USAF SAF-MR (USA) <karen.m.downes2.mil@mail.mil>	DP - Deliberative Process	Pre-decisional email discussing individual viewpoint and recommendation as to HIV policy memo.
US00040385	US00040385	Yes	10/10/2017	Standard Integrated Desktop 6.0		DP - Deliberative Process	Pre-decisional draft of Retention of Airmen with HIV memo.
US00040386	US00040386	No	10/19/2017	McWhirter, Matthew A Maj USAF AF-A1 (US) </O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MATTHEW.A.MCWHIRTER.MIL>	Downes, Karen M Col USAF SAF-MR (USA) <karen.m.downes2.mil@mail.mil>; Fischer, William D Col USAF AF-A1 (US) <deprov.william.d.fischer4.mil@mail.mil>; Huibregtse, Matthew J Lt Col USAF (USA) <matthew.j.huibregtse.mil@mail.mil>	DP - Deliberative Process	Pre-decisional email discussing individual viewpoints on HIV retention policy.

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US00040391	US00040391	Yes	10/10/2017	Standard Integrated Desktop 6.0		DP - Deliberative Process	Predecisional draft of Retention of Airmen with HIV Memo
US00040392	US00040392	Yes	10/10/2017	Standard Integrated Desktop 6.0		DP - Deliberative Process	Pre-decisional draft of Retention of Airmen with HIV memo
US00040393	US00040393	Yes	10/10/2017	Standard Integrated Desktop 6.0		DP - Deliberative Process	Pre-decisional draft of Retention of Airmen with HIV memo
US00040394	US00040394	Yes	10/11/2017	Standard Integrated Desktop 6.0		DP - Deliberative Process	Pre-decisional draft of Retention of Airmen with Asymptomatic HIV
US00040395	US00040395	Yes	5/4/2018	svetlana.bilenkina		DP - Deliberative Process	Pre-decisional draft of memo addressing Evaluation of Fitness for Continued Service
US00040396	US00040396	Yes	5/9/2018	svetlana.bilenkina		DP - Deliberative Process	Pre-decisional draft of memo addressing evaluation of fitness for continued service.
US00040397	US00040397	Yes	5/2/2018	svetlana.bilenkina		DP - Deliberative Process	Pre-decisional draft of memo addressing evaluation of fitness for continued service.
US00040398	US00040400	Yes	10/10/2017	DANAHER, PATRICK J Col USAF AFMOA AFMOA/SGHM		DP - Deliberative Process	Pre-decisional talking paper expressing individual viewpoint on appropriate retention policy.
US00040401	US00040401	Yes	3/11/2019	Patrick Danaher	Okulicz, Jason F Lt Col USAF USARMY MEDCOM BAMC (US)Cc:Downes, Karen M Lt Col USAF SAF-MR (US)	DP - Deliberative Process	Email discussing predecisional input for HIV retention policy.
US00040402	US00040402	No	3/11/2019	Danaher, Patrick J Col USAF AFMOA (US)	Downes, Karen M Lt Col USAF SAF-MR (US)Jaster, Thomas C CIV USAF SAF-GC (US)	DP - Deliberative Process	Pre-decisional email dated 3/29/18 discussing individual viewpoint and policy recommendations for HIV retention policy.
US00040403	US00040403	No	3/11/2019	Danaher, Patrick J Col USAF AFMOA (US)	Downes, Karen M Lt Col USAF SAF-MR (US)	DP - Deliberative Process	Pre-decisional email discussing HIV retention policy.
US00040404	US00040404	No	3/11/2019	Soper, Martha P CIV USAF SAF-MR (US)	Downes, Karen M Col USAF SAF-MR (US)Harp, Mary J CIV (US)	AC - Attorney Client Privilege; DP - Deliberative Process	Email chain between SAF General Counsel, DOD General Counsel, and SAF Manpower and Reserve affairs discussing legal advice regarding HIV policy.
US00040409	US00040409	No	3/11/2019	Prater, Shane T Col USAF SAF-MR (US)	Downes, Karen M Col USAF SAF-MR (US)Cc:Prater, Shane T Col USAF SAF-MR (US)	DP - Deliberative Process	Email between SAFPC and SAF/MR requesting further review of HIV retention policy dated 6/12/18.
US00040414	US00040414	No	3/11/2019	Danaher, Patrick J Col USAF AFMOA (US)	Fischer, William D Col USAF AF-A1 (US); Downes, Karen M Lt Col USAF SAF-MR (US)Izawa, Emi CIV USAF AF-A1 (US); Soper, Martha P CIV USAF SAF-MR (US); Miller, Robert I Brig Gen USAF AFMOA (US); Zeh, Gianna R Col USAF (US); Cheatham, Thomas N Col USAF AFMSA (US)	DP - Deliberative Process	Pre-decisional email discussing retention policy for HIV members containing individual viewpoints and recommendations.
US00040421	US00040421	No	3/11/2019	Danaher, Patrick J Col USAF AFMOA (US)	Downes, Karen M Lt Col USAF SAF-MR (US)Okulicz, Jason F Lt Col USAF USARMY MEDCOM BAMC (US)	DP - Deliberative Process	Pre-decisional email between SAF/MR and AFMOA discussing individual viewpoints and recommendations regarding HIV policy.
US00040422	US00040422	No	3/11/2019	Danaher, Patrick J Col USAF AFMOA (US)	Downes, Karen M Lt Col USAF SAF-MR (US)	DP - Deliberative Process	Email between SAF/MR and AFMOA discussing individual recommendation and viewpoint for HIV policy.

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US00040426	US00040430	Yes	3/11/2019	Snyder, Lisa K Col USAF NGB SG (US)	Downes, Karen M Lt Col USAF SAF-MR (US) Pinkston, Brian S Col USAF (US)	DP - Deliberative Process	Information expressing individual viewpoints regarding HIV retention policy.

# EXHIBIT I

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US00040746	US00040753	Yes	6/24/2008	Unknown		DP - Deliberative Process	Recommendations from the Defense Health Board to the ASD(HA) on changes that could be made to the DoD policy on emergency transfusions in OIF/OEF. The recommendations considered relevant information but It is unclear from the document whether any of the recommendations were adopted.
US00040808	US00040808	No	8/15/2018	Unknown		DP - Deliberative Process	Undated and draft Blood Program Letter concerning RTTI screening, donor deferral and notification, and lookback processes for blood donation with edits and highlighted text.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

RICHARD ROE, VICTOR VOE and  
OUTSERVE-SLDN, INC.,

*Plaintiffs,*

v.

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

*Defendants.*

NO. 1:18-CV-01565-LMB-IDD

**PROPOSED ORDER**

Upon consideration of Plaintiffs' Motion to Compel Documents and Information Withheld on the Basis of Deliberative Process Privilege, the Court GRANTS the motion, and hereby:

ORDERS Defendants to supplement their production of documents to include unredacted versions of the eight documents they continue to withhold on the basis of deliberative process privilege.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
United States Magistrate Judge