

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
NEW ORLEANS DIVISION

IN RE: FEMA TRAILER
FORMALDEHYDE
PRODUCT LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N-5"
JUDGE ENGELHARDT
MAG. JUDGE CHASEZ

THIS DOCUMENT IS RELATED TO:

Wright v. Forest River, Inc., et. al. No. 09-2977 (E.D. LA)

DEFENDANT UNITED STATES OF AMERICA'S WITNESS LIST

Pursuant to the Court's Scheduling Order, Defendant United States of America ("United States") submits its witness list.

I. Will Call Fed. R. Civ. P. 26(a)(2)(B) Expert Witnesses:

1. Dr. Robert James, Ph.D.
Terra, Inc.
1234 Timberlane Road
Tallahassee, FL 32312

Associate Scientist
Center for Environment and Human Toxicology
Building 471, Mallory Road
University of Florida
Gainesville, FL 326111-0885

Estimated Time for Direct Examination: ~ 1 hour.
Subject Matter: Toxicology/Formaldehyde.

2. Dr. Bruce Kelman, Ph.D.
Veritox, Inc.
18372 Redmond-Fall City Road
Redmond, WA 98052

Estimated Time for Direct Examination: ~ 1 hour.
Subject Matter: Toxicology/Mold

3. Dr. Michael K. Lindell, Ph.D.
Hazard Reduction & Recovery Center
107C Langford Bldg. C
3137 TAMU
College Station, TX

Estimated Time for Direct Examination: ~1 ½ hour.
Subject Matter: Disaster Response

4. Dr. Richard Monson, M.D., M.Sc., Sc.D.
Harvard School of Public Health
655 Huntington Avenue
Boston, MA 02115

Estimated Time for Direct Examination: ~ 1 hour.
Subject Matter: Epidemiology/Formaldehyde.

5. Mark J. Polk
RV Education 101
150 Bay Ridge Road
Harrells, NC 28444

Estimated Time for Direct Examination: ~ 45 minutes.
Subject Matter: Travel Trailers.

6. Coreen A. Robbins, M.H.S., Ph.D., CIH
Veritox
18372 Redmond-Fall City Road
Redmond, WA 98052

Estimated Time for Direct Examination: ~ 1 hour.
Subject Matter: Testing/Testing Methodology.

II. Will Call Fact Witnesses¹:

1. Bronson Brown
Section Chief
Occupation Safety, Health & Security Branch
Facilities Management Division
FEMA DHS

Estimated Time for Direct Examination: ~1 hour.

Subject Matter: FEMA OSH testing and participation in testing temporary emergency housing units for formaldehyde.

2. Guy Bonomo (via deposition)
Deputy Human Services Section Chief
Individual Assistance Branch
FEMA DHS

Estimated Time for Direct Examination: ~ 20 minutes.

Subject Matter: FEMA distribution of August 2006 Formaldehyde Brochure.

3. James R. Brixus (via deposition unless witness appears live on behalf of another party)
Senior Contracts Manager and Fed. R. Civ. P. 30(b)(6) Witness
Shaw Environmental, Inc.

Estimated Time for Direct Examination: ~ 20 minutes.

Subject Matter: Contract with FEMA to provide disaster aid in response to Hurricanes Katrina and Rita. Shaw's responsibility relating to hauling, installing, and maintaining travel trailers.

4. Geoffrey Compeau (via deposition unless witness appears live on behalf of another party)
Project Manager and Fed. R. Civ. P. 30(b)(6) Witness
Shaw Environmental, Inc.

Estimated Time for Direct Examination: ~ 1 hour.

Subject Matter: Hauling, installing, and maintaining travel trailers. Shaw's Standard Operating Procedures, response to notification that trailers may have formaldehyde, specifics relating to installation and maintenance travel trailer occupied by Mr. Wright.

¹ The United States has designated witnesses "via deposition" to the extent a determination has been made that the witness will testify via deposition. As to witnesses with no designation – the United States has not yet determined whether the witness will be called live or presented by deposition.

5. David Garratt
Acting Deputy Administrator
FEMA DHS

Estimated Time for Direct Examination: ~ 45 minutes.

Subject Matter: FEMA response to formaldehyde concerns ~May 2006 through Summer 2007.

6. Bellance R. "Faye" Green
Manager
FEMA National Processing Service Center
Hyattsville, MD

Estimated Time for Direct Examination: ~30 minutes.

Subject Matter: FEMA Individual Assistance Files.

7. Mike Lapinski
Federal Coordinating Officer
Office Coordinating Officer Operations
FEMA DHS

Estimated Time for Direct Examination: ~45 minutes.

Subject Matter: FEMA response actions to concerns about formaldehyde in temporary housing units from ~ July 2007 to June 2008.

8. Stanley Larson (via deposition)
DHOPS Management Specialist
FEMA DHS

Estimated Time for Direct Examination: ~20 minutes.

Subject Matter: Actions taken by FEMA to distribute July 2007 Formaldehyde Flyer to travel trailer occupants.

9. Joseph D. Little (via deposition)
Commander, Public Health Service
National Institute for Occupational Safety and Health
Centers for Disease Control and Prevention
Atlanta, GA

Estimated Time for Direct Examination: ~30 minutes.

Subject Matter: Actions taken from ~ June 2006 to May 2007 to test temporary emergency housing units and determination of an appropriate response actions to formaldehyde in temporary emergency housing units.

10. Martin McNeese
Assistant Branch Chief
FEMA Region 8
Denver, CO

Estimated Time for Direct Examination: ~45 minutes.

Subject Matter: Actions taken from ~ June 2006 to May 2007 to test temporary emergency housing units and determination of an appropriate response actions to formaldehyde in temporary emergency housing units.

11. Stephen C. Miller
Logistics Management Specialist Supervisor
FEMA DHS

Estimated Time for Direct Examination: ~45 minutes.

Subject Matter: Actions taken by FEMA to respond to formaldehyde concerns in temporary emergency housing units from ~ March 2006 through ~ October 2006.

12. Travis Morris (via deposition)
Disaster Assistance Employee
FEMA DHS

Estimated Time for Direct Examination: ~30 minutes.

Subject Matter: Distribution of July 2007 Formaldehyde Flyer.

13. Clyde Payne
Officer In Charge
Jackson Area Office
Occupation Safety and Health Agency
U.S. Department of Labor
Jackson, Mississippi

Estimated Time for Direct Examination: ~ 45 minutes.

Subject Matter: OSHA testing of unoccupied temporary emergency housing units between ~ October 2005 and ~ February 2006.

14. Kevin Souza
Chief (former)
Individual Assistance Program Management
Individual Assistance Division
FEMA DHS

Estimated Time for Direct Examination: ~ 1 hour.

Subject Matter: FEMA decision in August/September 2005 to use travel trailers as opposed to manufactured housing for temporary emergency housing. FEMA's response action commencing in ~ Spring 2006 through ~Summer 2007 to concerns about formaldehyde in temporary emergency housing units.

III. May Call Witness List:

1. Jesse Baynes
Jackson Area Office
Occupation Safety and Health Agency
U.S. Department of Labor
Jackson, Mississippi
2. Michael S. Bonner (via deposition)
Bonner Analytical Testing Company
2703 Oak Grove Road
Hattiesburg, MS 39402
Phone: 601.264.2854
3. Lenell Bryant
DHOPS Special Projects/
DHOPS Demolition Lead
FEMA DHS
4. Bryan Boyle
FEMA HQ Disaster Housing Operations
Individual Assistance Division
5. Jeffrey Burian
Production Manager
Forest River, Inc.

6. James (Chip) Burris
Senior Project Manager
Contractor Support Branch
FEMA DHS
7. David Chawaga
Safety Specialist
OM-FM-SY-SH
FEMA DHS
8. Jorge Colon
Contracting Officer's Technical Representative
FEMA DHS
9. Robert Duckworth (via videotape)
Fluor Enterprises, Inc., Fed. R. Civ. P. 30(b)(6) Witness
10. Robert Ferguson
MHOPS Maintenance
FEMA DHS
11. Doug Gaeddert
Forest River, Inc. Fed. R. Civ. P. 30(b)(6)
General Manager
South Bend, Indiana
12. Eric Gentry
Team Leader R-5 First
FEMA DHS
13. Darrian Griffin
Site Manager
Melville Staging Facility
FEMA DHS
14. Carl Hallstead
Lead Program Specialist
DAD-IA-PM-HS
FEMA DHS

15. Tracy Haynes
Branch Chief
IM-RS
FEMA DHS
16. Jack Hume (via deposition)
Bechtel National, Inc. Rule 30(b)(6) Witness
San Francisco, CA
17. Gil Jamieson
Former Associate Deputy Administrator
Gulf Coast Recovery
FEMA DHS
18. Merrit Lake
Captain, Public Health Service
19. Dr. William Lang, M.D.
Assoc. Chief of Medical Office
Dept. of Homeland Security Health

As part of its response actions to formaldehyde concerns, FEMA commencing on or about May 2007 consulted with Dr. Lang. The United States hereby notifies the parties that the advice he provided may potentially be considered Fed. R. Evid. 702, 703 or 705.

20. Deidre Lee
Director Office of Management
FEMA DHS
21. Bryan McCreary
Supervisor Contract Specialist
OM-AQ-CP-MT-NA
FEMA DHS
22. Kenneth J. Melchiorre (via deposition)
CH2M Hill Constructors, Inc. (“CH2M Hill”) Rule 30(b)(6) Witness
15010 Conference Center Drive, Suite 200
Chantilly, VA

23. Sidney Melton
Individual Assistance Section Chief
TRO MS/LA
FEMA DHS
24. Michael Miller
Area Field Office Coordinator
FEMA DHS
25. Mark Misczak
Branch Chief
DAD-IA-PM-HS
FEMA DHS
26. Clifford Oliver
Special Programs Program Manager
Acquisition Program and Planning Branch
Office of Acquisition Management
FEMA DHS
27. David Porter (via deposition)
ITESS COTR
DHS-OCIO
IT Acquisition Mgmt Branch
Department of Homeland Security
28. Rene Rodriguez (via deposition)
Disaster Assistance Employee
FEMA DHS
29. Eugene Romano
FEMA DHS
30. Dr. Jeff Rung, M.D.
Assistant Secretary Health Affairs
U.S. Dept. of Homeland Security

As part of its response actions to formaldehyde concerns, FEMA commencing on or about May 2007 consulted with Dr. Lang. The United States hereby notifies the parties that the advice he provided may potentially be considered Fed. R. Evid. 702, 703 or 705.

31. James N. Russo
Federal Coordinating Officer
RE-FC
FEMA DHS
32. Richard C. Seeds
Disaster Assistance Employee
FEMA Office of Health and Safety
FEMA DHS
33. Dan Shea (via deposition)
President
Gulf Stream Coach
34. Jim Shea (via deposition)
President/CEO
Gulf Stream Coach, Inc.
35. James W. Stark
Director
TRO-LA-OP
FEMA DHS
36. Wayne Stoeh
FEMA DHS
37. Cindy Taylor
FEMA Office of External Affairs
38. Tommy Warder
COTR, MDC
Individual Assistance, CSB
FEMA DHS IA-TAC
39. Charles Whitaker (via video)
Fluor Enterprises, Fed. R. Civ. P. 30(b)(6)
40. Tammi Wisko
Gulf Coast Recovery Office
FEMA DHS
41. Bobbie Wright

42. Lyndon T. Wright
43. Michelle Wright
44. FEMA Document Custodian from Logistics.
45. FEMA Press Officer Records Custodian.
46. All persons designated by Plaintiff as will call/may call witnesses, including any Rule 26 (a)(2)(B) Expert Witnesses.
47. All persons designated by Shaw as will call/may call witnesses, including any Rule 26 (a)(2)(B) Expert Witnesses.
48. All persons designated by Forest River as will call/may call witnesses, including any Rule 26 (a)(2)(B) Expert Witnesses.

Dated: January 12, 2010

Respectfully Submitted,

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Assistant Attorney General, Civil Division

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Washington, D.C. 20472

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CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2010, the foregoing document was filed via the U.S. District Court's CM/ECF electronic filing system a copy thereof was served upon Liaison Counsel.

//S// Henry T. Miller

HENRY T. MILLER (D.C. Bar No. 411885)