

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

VIETNAM VETERANS OF AMERICA	:	
8605 Cameron Street, Suite 400	:	
Silver Spring, MD 20910	:	
	:	
and	:	
	:	
VETERANS OF MODERN WARFARE	:	
#33107 PO Box 96503	:	
Washington, D.C. 20090	:	
	:	
Plaintiffs,	:	Civil Action No.:
v.	:	
JAMES B. PEAKE, M.D., in his official	:	
capacity as SECRETARY OF THE	:	
DEPARTMENT OF VETERANS AFFAIRS	:	
810 Vermont Avenue, N.W.	:	
Washington, D.C. 20420	:	
	:	
Defendant.	:	

DECLARATION OF ROBERT E. CATTANACH

Robert E. Cattnach declares as follows:

1. I am over the age of eighteen years, and I am competent to testify as to the matters asserted herein.
2. I am a partner at Dorsey & Whitney LLP and am admitted to practice in the States of Minnesota and Wisconsin. I represent Plaintiffs Vietnam Veterans of America and Veterans of Modern Warfare in this suit.
3. Attached as Exhibit 1 is a true and correct copy of the statement of Linda Bilmes, *Soldiers Returning From Iraq and Afghanistan: The Long Term Costs of Providing Veterans Medical Care and Disability Benefits*, Harvard University John F. Kennedy School of Government, Faculty Research Working Paper RWP07-01 (Jan. 2007).

4. Attached as Exhibit 2 is a true and correct copy of a report from the U.S. General Accounting Office to the Ranking Minority Member, Committee on Veteran's Affairs, House of Representatives, entitled VETERANS' BENEFITS: PROMISING CLAIMS-PROCESSING PRACTICES NEED TO BE EVALUATED, GAO/HEHS-00-65 (April 2000).

5. Attached as Exhibit 3 is a true and correct copy of a report from the U.S. General Accounting Office to Congressional Requesters, entitled VETERANS' BENEFITS: IMPROVEMENTS NEEDED IN THE REPORTING AND USE OF DATA ON THE ACCURACY OF DISABILITY CLAIMS DECISIONS, GAO-03-1045 (Sept. 2003).

6. Attached as Exhibit 4 is a true and correct copy of the statement of Cynthia A. Bascetta, released by the U.S. General Accounting Office as part of testimony before the Committee on Veterans' Affairs, U.S. Senate, entitled VETERANS' BENEFITS: CLAIMS PROCESSING PROBLEMS PERSIST AND MAJOR PERFORMANCE IMPROVEMENTS MAY BE DIFFICULT, GAO-05-749T (May 26, 2005).

7. Attached as Exhibit 5 is a true and correct copy of the statement of Daniel Bertoni, released by the U.S. General Accounting Office as part of testimony before the Subcommittee on Disability Assistance and Memorial Affairs, Committee on Veterans' Affairs, House of Representatives, entitled VETERANS' DISABILITY BENEFITS: PROCESSING OF CLAIMS CONTINUES TO PRESENT CHALLENGES, GAO-07-562T (March 13, 2007).

8. Attached as Exhibit 6 is a true and correct copy of the Fiscal Year 2007 Report of the Chairman, Board of Veterans' Appeals.

9. Attached as Exhibit 7 is a true and correct copy of the statement of Daniel Bertoni, released by the U.S. General Accounting Office as part of testimony before the Subcommittee on Disability Assistance and Memorial Affairs, Committee on Veterans' Affairs,

House of Representatives, entitled VETERANS' DISABILITY BENEFITS: CLAIMS PROCESSING CHALLENGES PERSIST, WHILE VA CONTINUES TO TAKE STEPS TO ADDRESS THEM, GAO-08-473T (Feb. 14, 2008).

10. Attached as Exhibit 8 is a true and correct copy of the National Center for PTSD Fact Sheet from the U.S. Dept. of Veterans Affairs entitled Common Reactions After Trauma, http://www.mentalhealth.va.gov/MENTALHEALTH/ptsd/fs_commonReactions.asp.

11. Attached as Exhibit 9 is a true and correct copy of an excerpt from the book DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS § 309.81 (Am. Psychiatric Ass'n et al. eds., 4th ed. 2000) (excerpt relating to post traumatic stress disorder).

12. Attached as Exhibit 10 is a true and correct copy of INVISIBLE WOUNDS OF WAR: PSYCHOLOGICAL AND COGNITIVE INJURIES, THEIR CONSEQUENCES, AND SERVICES TO ASSIST RECOVERY iii-xxxiii (Terri Tanielian and Lisa H. Jaycox eds., RAND Corp. 2008).

13. Attached as Exhibit 11 is a true and correct copy of *National Center for PTSD Returning from the War Zone – A Guide for Families of Military Members*, United States Dept. of Veterans Affairs, <http://www.mentalhealth.va.gov/MENTALHEALTH/ptsd/files/pdf/GuideforFamilies>

14. Attached as Exhibit 12 is a true and correct copy of the news article by the Associate Press, *22,000 Veterans have Called Suicide Hot Line*, MSNBC.com, July 28, 2008, <http://www.msnbc.msn.com/id/25875340>.

15. Attached as Exhibit 13 is a true and correct copy of the journal article by Kara Zivin, et al., *Suicide Morality Among Individuals Receiving Treatment for Depression in the Veterans Affairs Health System*, 97 AM. J. OF PUB. HEALTH 2193 (2007).

16. Attached as Exhibit 14 is a true and correct copy of the news article by Kimberly Hefling, *Veteran Suicides Highest yet Recorded*, CBS NEWS, Nov. 1, 2007, <http://www.cbsnews.com/stories/2007/11/01/terror/main3439629.shtml>.


17. Attached as Exhibit 15 is a true and correct copy of the news article by Yvonne Miller-Halee, *Veterans' Claims Found in Shredder Bins*, CBS NEWS, Oct. 16, 2008, http://www.cbsnews.com/stories/2008/10/16/cbsnews_investigates/main4527134.shtml?source=search_story.

18. Attached as Exhibit 16 is a true and correct copy of the news article by Amanda Ruggeri, *Military Veterans' Benefit Claims Records Wrongly Headed for VA Shredders*, U.S. NEWS & WORLD REP., Oct. 31, 2008, <http://www.usnews.com/articles/news/national/2008/10/31/military-veterans-benefit-claims-records-wrongly-headed-for-va-shredders.html>.

19. Attached as Exhibit 17 is a true and correct copy of the online newspaper blog post by Judith Graham, *VA Psychologist to Staff: Don't Diagnose PTSD*, ChicagoTribune.com, May 16, 2008, <http://www.chicagotribune.com>.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated this 10th day of November, 2008.

A handwritten signature in black ink, reading "Robert E. Cattanaach". The signature is written in a cursive style with a horizontal line underneath the name.

Robert E. Cattanaach