EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:23-CV-897

IN RE:
CAMP LEJEUNE WATER LITIGATION
This Document Relates To:
ALL CASES

VIDEOTAPED & VIDEOCONFERENCED DEPOSITION OF
DR. FRANK J. BOVE

Atlanta, Georgia
Thursday, October 17, 2024

Court Reporter: Michelle M. Boudreaux-Phillips, CCR

October 17, 2024

9:33 a.m.

Videotaped and videoconferenced deposition of DR. FRANK J. BOVE, held at the Centers for Disease Control and Prevention, 1600 Clifton Road NE, Atlanta, Georgia, pursuant to Agreement, before Michelle M. Boudreaux-Phillips, a Certified Court Reporter in the State of Georgia.

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INDEX

EXAMINATIONS

By Ms. Greenwald 9
By Mr. Bain 173

- - -

EXHIBITS

Exhibit Page
Exhibit 1 13
January 10 & 12, 2023 email chain [CLJA_ATSDR_BOVE-0000054934, etc.]
Exhibit 2 13
Curriculum Vitae of Frank J. Bove, Sc.D [CLJA_ATSDR_BOVE-0000054947, etc.]
Exhibit 3 39
"Evaluation of mortality among Marines and Navy personnel exposed to contaminated drinking water at USMC Base Camp Lejeune: a retrospective cohort study" [CCLJA_HEALTHEFFECCTS-0000141103, etc.]
Exhibit 4 40
"Mortality study of civilian employees exposed to contaminated drinking water at USMC Base Camp Lejeune: a retrospective cohort study" [CLJA_VA_RFP_4THSET_0000135084, etc.]
Exhibit 5 40
"ATSDR Assessment of the Evidence for the Drinking Water Contaminants at Camp Lejeune and Specific Cancers and Other Diseases" [CLJA_HEALTHEFFECTS-0000044276, etc.]
Exhibit 6 40
"Evaluation of mortality among Marines, Navy personnel, and civilian workers exposed to contaminated drinking water at USMC Base Camp Lejeune: a cohort study"

INDEX (Cont'd)

Exhibit	Page
Exhibit 7 ..... "Evaluation of cancer incidence among Marines and Navy personnel and civilian workers exposed to contaminated drinking water at USMC Base Camp Lejeune: a cohort study" [CLJA_ATSDR_BOVE-0000060101, etc.]	41
Exhibit 8 ..... "CDC Epidemiologist Wins 2014 Ozonoff Award for Studies of Camp Lejeune Families," April 17, 2014	41
Exhibit 9 ..... "About ACE: Mission/Vision/Values/Member Snapshot/History"	52
Exhibit 10 ..... "American College of Epidemiology Ethics Guidelines"	52
Exhibit 11 ..... "ATSDR Background and Congressional Mandates"	58
Exhibit 12 ..... "ATSDR Mission, Vision, and Impact"	58
Exhibit 13 ..... 12/31/2008 email to Maureen Orr from Frank Bove [CLJA_ATSDR_BOVE-0000010891]	64
Exhibit 14 ..... Frank Bove self-appraisal [CLJA_ATSDR_BOVE-0000010892, etc.]	64
Exhibit 15 ..... 11/16/2018 email to Frank Bove from Haverford [CLJA_ATSDR_BOVE-0000073102, etc.]	66
Exhibit 16 ..... "Public health practice for and with communities" (Frank J. Bove, Sc.D) [CLJA_ATSDR_BOVE-0000121758, etc.]	69

INDEX (Cont'd)

Exhibit	Page
Exhibit 17 "Peer Review Questions and Answers"	81
Exhibit 18 "Drinking Water Contamination and the Incidence of Leukemia and Non-Hodgkin's Lymphoma" (Perry Cohn, et al.)	173
Exhibit 19 "Evaluation of exposure to contaminated drinking water and specific birth defects and childhood cancers at Marine Corps Base Camp Lejeune, North Carolina: a case-control study" (Perri Ruckart, et al.) [CLJA_HEALTHEFFECTS-0000000791, etc.]	175
Exhibit 20 "Evaluation of contaminated drinking water and male breast cancer at Marine Corps Base Camp Lejeune: a case control study" (Perri Ruckart, et al.) [CLJA_HEALTHEFFECTS-0000000365, etc.]	183
Exhibit 21 4/2/2007 email chain [CLJA_ATSDR_BOVE-0000021658, etc.]	241
Exhibit 22 "Current U.S. Military Fluid Replacement Guidelines" (Margaret Kolka, et al.) [CLJA_HEALTHEFFECTS-0000308480, etc.]	266
Exhibit 23 "Morbidity Study of Former Marines, Employees, and Dependents Potentially Exposed to Contaminated Drinking Water at U.S. Marine Corps Base Camp Lejeune, April 2018" [CLJA_HEALTHEFFECTS-0000201088, etc.]	294

overview of what you were -- why you did this study and what you were trying to accomplish? And then I'm going to ask you some questions specifically.

A Well, first of all, it's not a study. It's an assessment.

Q Assessment. I'm so sorry.

A It's not a meta-analysis.

Q Right. Correct.

A It's not -- it's sort of, kind of, a systematic review, but the whole -- but we don't normally -- ATSDR doesn't normally do this.

What happened was the VA decided, with a lot of pressure being put on them, to list kidney cancer, acute myeloid leukemia, and angiosarcoma of the liver as the three presumptive diseases that they wanted to do. And that was not acceptable to the CAP or to the three senators in this room that we were in Washington -- in Congress. The three senators were the head of the -- I forget his name. But anyway, there were three senators, the two senators from North Carolina and the senator from Georgia, who I'm blanking on, who's died, who has since passed.

And if you looked at -- kidney cancer, for sure, should be on a presumption list, there's no question about that, when dealing with

trichloroethylene.

Acute myeloid leukemia makes a lot of sense if we're talking about benzene, for sure.

Acute -- angiosarcoma of the liver, you would never see at Camp Lejeune. That's an -- you have to have a heavy exposure to vinyl chloride, which you would only get in certain manufacturing. It's a rare disease anyway; and, in fact, I think there was, like, three at this one plant that started the whole -- that was a cluster. So you rarely see it, even in a vinyl chloride plant, but you shouldn't see it at all.

So putting that on the -- really, there were -- so there were really only two diseases, really, that made any sense to be on that list that the VA was proposing.

And so they were -- the senators pushed them hard. The VA secretary looked to me and Dr. Breysse, who was the head of the agency at that point, and said, "Can you help us?"

And we said, "Yes."

"Can you give us something in six weeks?"

"Yeah, we'll do it."

So I dropped everything and -- most of the tables you see in here were done within that six-week period.

the issue, IARC commissioned the meta-analysis looking at bladder cancer, in particular with dry-cleaning workers, but also workers who use PCE in the manufacturing process.

And their meta-analysis is included in this report, this assessment. I thought it was strong enough to conclude that bladder cancer was sufficient evidence. I think it was a strong meta-analysis done by IARC. And I'm pretty sure they would have said so too, but they didn't -- they haven't -- I don't know if they've revisited PCE since then.

But anyway, so I pushed that with the VA. I also was able to produce some mechanistic ideas, how PCE might cause bladder cancer. And that's all in here.

So while I was writing the other parts of the assessment, I was researching bladder cancer and PCE and trying to make a case so the VA would change their position, and they did change their position. So that's why bladder cancer is on the presumption list and why it's -- in here, it's called sufficient evidence. I thought there was strong evidence for chronic kidney disease and scleroderma. My understanding was OMB decided there wasn't for scleroderma, without giving any reasons, to me anyway.

Chronic kidney disease, I think the VA felt that that would be a huge grab bag of people having all kinds of kidney problems, similar to the problem they're having with neurobehavioral effects, which is also a grab bag and, you know, can include almost anything. So I think that's why they objected to that. I think the evidence is strong there, but we didn't win that one, that battle.

Q Okay. So let me unpack some of this, okay?

A Sure.

Q So when you were talking about that -- we have a couple of "disagreements" here, and I want to make sure -- you were referring to "disagreements," not you and I.

A Oh, okay.

Q I want to make sure that I know which disagreements you're referring to.

When you were talking about bladder, scleroderma, and chronic kidney disease, that was disagreements --

A With the VA.

Q -- with the VA and the assessment -- or, I'm sorry, the VA believing that those diseases should be --

A Remember --