

Exhibit 328

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

IN RE:)
)
CAMP LEJEUNE WATER LITIGATION)
)
This Document Relates to:)
All Cases, 7:23-cv-897)
Criswell v. United States, 7:23-cv-1482)
Dyer v. United States, 7:23-cv-357)
Cagiano v. United States, 7:23-cv-569)
Laramore v. United States, 7:23-cv-594)
Raymond v. United States, 7:23-cv-546)
Downs v. United States, 7:23-cv-01145)
Fancher v. United States, 7:23-cv-00275)
Howard v. United States, 7:23-cv-00490)
Mousser v. United States, 7:23-cv-00667)
Tukes v. United States, 7:23-cv-01553)
Carter v. United States, 7:23-cv-01565)
Davis v. United States, 7:23-cv-00043)
Keller v. United States, 7:23-cv-01501)
Kidd v. United States, 7:23-cv-1489)
Vidana v. United States, 7:23-cv-01575)
Fiolek v. United States, 7:23-cv-62)
Amsler v. United States, 7:23-cv-284)
Hill v. United States, 7:23-cv-28)
Connard v. United States, 7:23-cv-1557)
Gleesing v. United States, 7:23-cv-1486)
Peterson v. United States, 7:23-cv-1576)
McElhiney v. United States, 7:23-cv-1368)
Rothchild v. United States, 7:23-cv-858)
Welch v. United States, 7:23-cv-1503)
Sparks v. United States, 7:23-cv-682)

THE UNITED STATES' DISCLOSURE OF EXPERT TESTIMONY
FOR PHASE III PURSUANT TO FED. R. CIV. P. 26(a)(2)

Pursuant to Fed. R. Civ. P. 26(a)(2) and the Court's January 2, 2025, Order Amending Pretrial Scheduling [D.E. 312], the United States, through its attorneys, hereby discloses the identity of witnesses it may use at trial to present evidence under Fed. R. Evid. 702, 703, or 705:

BLADDER CANCER

Pursuant to Fed. R. Civ. P. 26(a)(2)(B), the United States hereby designates the following retained experts who are providing written reports and may be called upon to offer opinion testimony in the Track 1 Trial Cases alleging bladder cancer, including *Criswell*, *Dyer*, *Cagiano*, *Laramore*, *Raymond*, and *Fiolek*:

1. **Lisa A. Bailey, Ph.D.**
2. **Harold J. Bursztajn, M.D.**
3. **Max Kates, M.D.**
4. **Judy S. LaKind, Ph.D.**
5. **Tricia M. Yount, CPA, MAFF**
6. **Henry Miller, Ph.D.**
7. **Deborah Navarro, M.A., CRC, CLCP**

On this date, the United States is serving reports for the above listed experts in compliance with Fed. R. Civ. P. 26(a)(2)(B) and this Court's Scheduling Order. The reports are being served upon the Plaintiffs' Leadership Group through the U.S. Department of Justice's Enterprise File Sharing System (JEFS).

Further, pursuant to Fed. R. Civ. P. 26(a)(2)(C), the United States also discloses the following witnesses in the Track 1 Trial Cases alleging bladder cancer, including *Criswell*, *Dyer*, *Cagiano*, *Laramore*, *Raymond*, and *Fiolek*, who may provide testimony under Fed. R. Evid. 702, 703, or 705, but are not required to provide a written report. Under Fed. R. Civ. P. 26(a)(2)(C),

the United States now provides a description of the subject matter on which the witness may provide testimony under Fed. R. Evid. 702, 703, or 705 and a summary of the facts and opinions to which the witness may testify at trial.

1. **Zachary H. Passaretti, M.D.** The United States may designate all of, or portions of, Dr. Passaretti's deposition testimony given on June 4, 2024, for use at trial or hearing. The United States does not intend to call Dr. Passaretti to testify live at trial or hearing. Dr. Passaretti, a urologist, testified during his deposition about his care and treatment of Edward Raymond, including about the diagnosis or treatment of Mr. Raymond's bladder cancer, Mr. Raymond's risk factors for developing bladder cancer and risk factors generally, Mr. Raymond's prognosis as of the date of Dr. Passaretti's deposition, and Dr. Passaretti's opinions about the cause of Mr. Raymond's bladder cancer.
2. **Gaspar Msangi, M.D.** The United States may designate all of, or portions of, Dr. Msangi's deposition testimony given on May 23, 2024, for use at trial or hearing. The United States does not intend to call Dr. Msangi to testify live at trial or hearing. Dr. Msangi, a urologist, testified during his deposition about his care and treatment of Mark Cagiano, including about the diagnosis or treatment of Mr. Cagiano's bladder cancer, Mr. Cagiano's risk factors for developing bladder cancer and risk factors generally, and Mr. Cagiano's prognosis as of the date of Dr. Masangi's deposition.
3. **Victor Corrigan, M.D.** The United States may designate all of, or portions of, Dr. Corrigan's deposition testimony given on August 8, 2024, for use at trial or hearing. The United States does not intend to call Dr. Corrigan to testify live at trial or hearing. Dr. Corrigan, a cardiologist, testified during his deposition about his care and

treatment of Mark Cagiano, including the diagnosis or treatment of Mr. Cagiano's various cardiological concerns including hypertension, Mr. Cagiano's risk factors for developing hypertension and risk factors generally, and Mr. Cagiano's prognosis as of the date of Dr. Corrigan's deposition.

4. **Roc A. McCarthy, D.O.** The United States may designate all of, or portions of, Dr. McCarthy's deposition testimony given on August 9, 2024, for use at trial or hearing. The United States does not intend to call Dr. McCarthy to testify live at trial or hearing. Dr. McCarthy a urologist, testified during his deposition about his care and treatment of Terry Dyer, including his treatment of Mrs. Dyer post-cystectomy, and risk factors regarding Mrs. Dyer's bladder cancer. To the extent that PLG objects to or disputes that the United States is permitted to use this deposition testimony pursuant to Rule 32(a)(4), the United States reserves the right to call Dr. McCarthy to testify live at trial or hearing and will provide a more detailed Rule 26(a)(2)(C) summary disclosure upon timely notice of PLG's objection.
5. **John D. Boldizar, M.D.** The United States may designate all of, or portions of, Dr. Boldizar's deposition testimony given on June 3, 2024, for use at trial or hearing. The United States does not intend to call Dr. Boldizar to testify live at trial or hearing. Dr. Boldizar, a primary care physician, testified during his deposition about his care and treatment of Terry Dyer, including the treatment of Mrs. Dyer's alleged anxiety and depression, and her health generally following her bladder cancer diagnosis. To the extent that PLG objects to or disputes that the United States is permitted to use this deposition testimony pursuant to Rule 32(a)(4), the United States reserves the right to

call Dr. McCarthy to testify live at trial or hearing and will provide a more detailed Rule 26(a)(2)(C) summary disclosure upon timely notice of PLG's objection.

6. **John W. Lovett, M.D.** The United States may designate all of, or portions of, Dr. Lovett's deposition testimony given on March 11, 2014, in the *Dyer v. Urologist Associates of Southeastern North Carolina* matter, for use at trial or hearing. The United States does not intend to call Dr. Lovett to testify live at trial or hearing. Dr. Lovett, a urologist, testified during his deposition about his care and treatment of Terry Dyer, including the diagnosis or treatment of Mrs. Dyer's bladder cancer. To the extent that PLG objects to or disputes that the United States is permitted to use this deposition testimony pursuant to Rule 32(a)(4), the United States reserves the right to call Dr. McCarthy to testify live at trial or hearing and will provide a more detailed Rule 26(a)(2)(C) summary disclosure upon timely notice of PLG's objection.
7. **Brant Inman, M.D.** The United States may designate all of, or portions of, Dr. Inman's deposition testimony given on December 10, 2013, and January 21, 2014, in the *Dyer v. Urologist Associates of Southeastern North Carolina* matter, for use at trial or hearing. The United States does not intend to call Dr. Inman to testify live at trial or hearing. Dr. Inman, a urologist, testified during his deposition about his care and treatment of Terry Dyer, including about the diagnosis or treatment of Mrs. Dyer's bladder cancer, Mrs. Dyer's condition post-cystectomy, and the result of Dr. Lovett's treatment of Mrs. Dyer.
8. **Paul M. Deutsch, Ph.D.** The United States may designate all of, or portions of, Dr. Deutsch's deposition testimony given on November 7, 2014, in the *Dyer v. Urologist Associates of Southeastern North Carolina* matter, for use at trial or hearing. The

- United States does not intend to call Dr. Deutsch to testify live at trial or hearing. Dr. Deutsch, a life care planner, testified during his deposition regarding the life care plan he prepared in the course of that litigation on behalf of Mrs. Dyer, and the materials he used to create the life care plan including a questionnaire from Dr. Inman.
9. **David G. Alonzo, M.D.** The United States may designate all of, or portions of, Dr. Alonzo's deposition testimony given on June 6, 2024, for use at trial or hearing. The United States does not intend to call Dr. Alonzo to testify live at trial or hearing. Dr. Alonzo, a urologist, testified during his deposition about his care and treatment of Jimmy Laramore, including the diagnosis or treatment of Mr. Laramore's bladder cancer, Mr. Laramore's risk factors for developing bladder cancer and risk factors generally, Mr. Laramore's prognosis as of the date of Dr. Alonzo's deposition, and Dr. Alonzo's opinions about the cause of Mr. Laramore's bladder cancer.
10. **David Spencer, Jr., M.D.** The United States may designate all of, or portions of, Dr. Spencer's deposition testimony given on May 20, 2024, for use at trial or hearing. The United States does not intend to call Dr. Spencer to testify live at trial or hearing. Dr. Spencer, a urologist, testified during his deposition about his care and treatment of Jimmy Laramore, including the diagnosis or treatment of Mr. Laramore's bladder cancer, Mr. Laramore's risk factors for developing bladder cancer and risk factors generally, Mr. Laramore's prognosis as of the date of Dr. Spencer's deposition, and Dr. Spencer's opinions about the cause of Mr. Laramore's bladder cancer.
11. **Henry E. Ruiz, M.D.** The United States may designate all of, or portions of, Dr. Ruiz's deposition testimony given on June 3, 2024, for use at trial or hearing. The United States does not intend to call Dr. Ruiz to testify live at trial or hearing. Dr.

Ruiz, a urologist, testified during his deposition about his care and treatment of Jimmy Laramore, including the diagnosis or treatment of Mr. Laramore's bladder cancer, Mr. Laramore's risk factors for developing bladder cancer and risk factors generally, Mr. Laramore's prognosis as of the date of Dr. Ruiz's deposition, and Dr. Ruiz's opinions about the cause of Mr. Laramore's bladder cancer.

12. **Warren T. Hitt, M.D.** The United States may designate all of, or portions of, Dr. Hitt's deposition testimony given on May 30, 2024, for use at trial or hearing. The United States does not intend to call Dr. Hitt to testify live at trial or hearing. Dr. Hitt, a urologist, testified during his deposition about his care and treatment of Jimmy Laramore, including the diagnosis or treatment of Mr. Laramore's bladder cancer, Mr. Laramore's risk factors for developing bladder cancer and risk factors generally, Mr. Laramore's prognosis as of the date of Dr. Hitt's deposition, and Dr. Hitt's opinions about the cause of Mr. Laramore's bladder cancer.

KIDNEY CANCER

Pursuant to Fed. R. Civ. P. 26(a)(2)(B), the United States hereby designates the following retained experts who are providing written reports and may be called upon to offer opinion testimony in the Track 1 Trial Cases alleging kidney cancer, including *Downs*, *Fancher*, *Howard*, *Mousser*, and *Tukes*:

1. **Richard F. Ambinder, M.D.**
2. **Lisa A. Bailey, Ph.D.**
3. **Harold J. Bursztajn, M.D.**
4. **Duncan B. Johnstone, M.D., Ph.D., FACP**
5. **Judy S. LaKind, Ph.D.**

6. **Henry Miller, Ph.D.**
7. **Michael Shahnasarian, Ph.D.**
8. **Walter Stadler, M.D., FACP**
9. **Gail H. Vance, M.D.**
10. **Tricia M. Yount, CPA, MAFF**

On this date, the United States is serving reports for the above listed experts in compliance with Fed. R. Civ. P. 26(a)(2)(B) and this Court's Scheduling Order. The reports are being served upon the Plaintiffs' Leadership Group through the U.S. Department of Justice's Enterprise File Sharing System (JEFS).

Further, pursuant to Fed. R. Civ. P. 26(a)(2)(C), the United States also discloses the following witnesses in the Track 1 Trial Cases alleging kidney cancer, including *Downs*, *Fancher*, *Howard*, *Mousser*, and *Tukes*, who may provide testimony under Fed. R. Evid. 702, 703, or 705, but are not required to provide a written report. Under Fed. R. Civ. P. 26(a)(2)(C), the United States now provides a description of the subject matter on which the witness may provide testimony under Fed. R. Evid. 702, 703, or 705 and a summary of the facts and opinions to which the witness may testify at trial.

1. **Emily D. Brodin, FNP.** The United States intends to designate all of, or portions of, Ms. Brodin's deposition testimony given on August 1, 2024, for use at trial or hearing. The United States does not intend to call Ms. Brodin to testify live at trial or hearing. Ms. Brodin, a nurse practitioner with Peoples Community Clinic of Newberg, offered deposition testimony as Mr. Downs' treating provider regarding, *inter alia*, the treatment and/or monitoring of Mr. Downs' dizziness, neuropathy, iron deficiency, orthostatic hypotension, chronic kidney disease, and lab results. She also

offered deposition testimony regarding her referral of Mr. Downs to a hospital in July of 2024, and his health after that hospitalization.

2. **Daniel Flood, M.D.** The United States intends to designate all of, or portions of, Dr. Flood's deposition testimony given on August 7, 2024, for use at trial or hearing. The United States does not intend to call Dr. Flood to testify live at trial or hearing. Dr. Flood, a nephrologist with the VA Medical Centers in San Antonio, Texas and Kerrville, Texas, offered deposition testimony as Mr. Mousser's treating physician regarding, *inter alia*, the symptoms, diagnosis, progression, and treatment of, as well as prognosis for, Mr. Mousser's CKD. He also offered deposition testimony regarding the occupational impact of Mr. Mousser's CKD.
3. **Mary Katherine Garbarini, M.S., CGC.** The United States intends to designate all of, or portions of, Katie Garbarini's deposition testimony given on June 20, 2024, for use at trial or hearing. The United States does not intend to call Ms. Garbarini to testify live at trial or hearing. To the extent that PLG objects to or disputes that the United States is permitted to use this deposition testimony pursuant to Rule 32(a)(4), the United States reserves the right to call Ms. Garbarini to testify live at trial or hearing and will provide a more detailed Rule 26(a)(2)(C) summary disclosure upon timely notice of PLG's objection. Ms. Garbarini, a genetics healthcare professional at Angelman Syndrome Foundation and formerly with Invitae Laboratories, offered deposition testimony as Mrs. Tukes' genetic counselor regarding, *inter alia*, genetic testing methods, the interpretation of genetic testing results including those for Mrs. Tukes, and etiology of her kidney cancer.

4. **Richard Gray, M.D.** The United States intends to designate all of, or portions of, Dr. Gray's deposition testimony given on August 6, 2024, for use at trial or hearing. The United States does not intend to call Dr. Gray to testify live at trial or hearing. Dr. Gray, a urologist with the VA Medical Center in Orlando, Florida, offered deposition testimony as Mr. Fancher's treating physician regarding, *inter alia*, post-procedure surveillance and care, kidney cancer etiology, and Mr. Fancher's prognosis.
5. **Heather Jones, M.D.** The United States intends to designate all of, or portions of, Dr. Heather Jones' deposition testimony given on August 5, 2024, for use at trial or hearing. The United States does not intend to call Dr. Jones to testify live at trial or hearing. To the extent that PLG objects to or disputes that the United States is permitted to use this deposition testimony pursuant to Rule 32(a)(4), the United States reserves the right to call Dr. Jones to testify live at trial or hearing and will provide a more detailed Rule 26(a)(2)(C) summary disclosure upon timely notice of PLG's objection. Dr. Heather Jones, a nephrologist with Eastern Nephrology Associates and ECU Health Medical Center, offered deposition testimony as Mrs. Tukes' post-transplant treating nephrologist regarding, *inter alia*, Mrs. Tukes' recovery and graft function post-transplant.
6. **Theresa Koppie, M.D.** The United States intends to designate all of, or portions of, Dr. Koppie's deposition testimony given on August 1, 2024, for use at trial or hearing. The United States does not intend to call Dr. Koppie to testify live at trial or hearing. Dr. Koppie, a physician with Willamette Urology, offered deposition testimony as Mr. Downs' treating physician regarding, the diagnosis, treatment, and prognosis for Mr. Downs's kidney cancer.

7. **Kelly Miller, M.D.** The United States intends to designate all of, or portions of, Dr. Miller's deposition testimony given on May 29, 2024, for use at trial or hearing. The United States does not intend to call Dr. Miller to testify live at trial or hearing. Dr. Miller, a physician with Kettering Health Network, Hematology/Oncology, offered deposition testimony as Mr. Howard's treating physician regarding, *inter alia*, the diagnosis, treatment, and prognosis for Mr. Howard's non-Hodgkin's lymphoma.
8. **Zayid Mugharbil, M.D.** The United States intends to designate all of, or portions of, Dr. Mugharbil's deposition testimony given on August 2, 2024, for use at trial or hearing. The United States does not intend to call Dr. Mugharbil to testify live at trial or hearing. Dr. Mugharbil, a urologist at Union General Hospital in Blairsville, Georgia, offered deposition testimony as Mr. Fancher's treating physician regarding, *inter alia*, Mr. Fancher's prognosis and post-procedure surveillance and care.
9. **Ahmad Shabsigh, M.D.** The United States intends to designate all of, or portions of, Dr. Shabsigh's deposition testimony given on May 31, 2024, for use at trial or hearing. The United States does not intend to call Dr. Shabsigh to testify live at trial or hearing. Dr. Shabsigh, a physician with The Ohio State University, Wexner Medical Center, The James Comprehensive Cancer Center, offered deposition testimony as Mr. Howard's treating physician regarding, *inter alia*, the etiology, diagnosis, treatment, and prognosis for Mr. Howard's kidney cancer.
10. **Saba I. Qureshi, M.D.** The United States intends to designate all of, or portions of, Dr. Qureshi's deposition testimony given on July 29, 2024, for use at trial or hearing. The United States does not intend to call Dr. Qureshi to testify live at trial or hearing. Dr. Qureshi, a physician with Kettering Health Medical Group, offered deposition

testimony as Mr. Howard's treating physician regarding, *inter alia*, Mr. Howard's overall health, including kidney function, hypercholesterolemia, hypothyroidism, as well as the management and prognoses for these conditions.

11. **Andrew Rockwood, M.D.** The United States intends to designate all of, or portions of, Dr. Rockwood's deposition testimony given on July 24, 2024, for use at trial or hearing. The United States does not intend to call Dr. Rockwood to testify live at trial or hearing. Dr. Rockwood, a urologist with the VA Medical Center in Kerrville, Texas, offered deposition testimony as Mr. Mousser's treating physician regarding, *inter alia*, the risk factors and etiology of upper tract urothelial carcinoma ("UTUC") generally and the diagnosis, treatment, post-procedure surveillance, and prognosis for Mr. Mousser's UTUC specifically. He also offered deposition testimony regarding Mr. Mousser's post-nephrectomy kidney function, the prognosis related to his chronic kidney disease ("CKD"), and the occupational impact of Mr. Mousser's CKD.

NON-HODGKIN'S LYMPHOMA

Pursuant to Fed. R. Civ. P. 26(a)(2)(B), the United States hereby designates the following retained experts who are providing written reports and may be called upon to offer opinion testimony in the Track 1 Trial Cases alleging non-Hodgkin's lymphoma, including *Carter*, *Davis*, *Kidd*, *Keller*, *Vidana*, and *Howard*:

1. **Richard F. Ambinder, M.D.**
2. **Lisa A. Bailey, Ph.D.**
3. **David A. D'Alessio, M.D.**
4. **Judy S. LaKind, Ph.D.**
5. **Dubravka Tosic, Ph.D.**

On this date, the United States is serving reports for the above listed experts in compliance with Fed. R. Civ. P. 26(a)(2)(B) and this Court's Scheduling Order. The reports are being served upon the Plaintiffs' Leadership Group through the U.S. Department of Justice's Enterprise File Sharing System (JEFS).

Further, pursuant to Fed. R. Civ. P. 26(a)(2)(C), the United States also discloses the following witnesses in the Track 1 Trial Cases alleging kidney cancer, including *Carter*, *Kidd*, *Keller*, and *Vidana*, who may provide testimony under Fed. R. Evid. 702, 703, or 705, but are not required to provide a written report. Under Fed. R. Civ. P. 26(a)(2)(C), the United States now provides a description of the subject matter on which the witness may provide testimony under Fed. R. Evid. 702, 703, or 705 and a summary of the facts and opinions to which the witness may testify at trial.

1. **Falguni Amin-Zimmerman, M.D.** The United States may designate all of, or portions of, Dr. Amin-Zimmerman's deposition testimony given on August 1, 2024, for use at trial or hearing. The United States does not intend to call Dr. Amin-Zimmerman to testify live at trial or hearing. Dr. Amin-Zimmerman, a radiation oncologist, offered testimony regarding, *inter alia*, her care and treatment of Robert Kidd, including the treatment of Mr. Kidd's non-Hodgkin's lymphoma, Mr. Kidd's post-treatment condition, and the result of her treatment of Mr. Kidd.
2. **Michael Lee Davis, M.D.** The United States may designate all of, or portions of, Dr. Davis's deposition testimony given on April 25, 2024, for use at trial or hearing. The United States does not intend to call Dr. Davis to testify live at trial or hearing. To the extent that PLG objects to or disputes that the United States is permitted to use this deposition testimony pursuant to Rule 32(a)(4), the United States reserves the right to

call Dr. Davis to testify live at trial or hearing and will provide a more detailed Rule 26(a)(2)(C) summary disclosure upon timely notice of PLG's objection. Dr. Davis, an internal medicine doctor, offered testimony regarding, *inter alia*, his care and treatment of Ronald Carter as his primary care provider, including his treatment for chronic obstructive pulmonary disease, Bell's palsy, hypertension, migraine headaches, coronary artery disease, myocardial infarctions, vertigo, sleep apnea, pleural scarring, hypokalemia, carpal tunnel, high cholesterol, and ganglion cyst, and shingles.

3. **Roger Fleischman, M.D.** The United States may designate all of, or portions of, Dr. Fleischman's deposition testimony given on June 5, 2024, for use at trial or hearing. The United States does not intend to call Dr. Fleischman to testify live at trial or hearing. Dr. Fleischman, an oncologist, testified in his capacity as Robert Kidd's treating provider regarding, *inter alia*, his care and treatment of Mr. Kidd, including the symptoms, diagnosis, prognosis, and treatment of Mr. Kidd's non-Hodgkin's lymphoma, Mr. Kidd's post-treatment condition, and the result of his treatment of Mr. Kidd.
4. **Kevin French, M.D.** The United States may designate all of, or portions of, Dr. French's deposition testimony given on August 9, 2024, for use at trial or hearing. The United States does not intend to call Dr. French to testify live at trial or hearing. To the extent that PLG objects to or disputes that the United States is permitted to use this deposition testimony pursuant to Rule 32(a)(4), the United States reserves the right to call Dr. French to testify live at trial or hearing and will provide a more detailed Rule 26(a)(2)(C) summary disclosure upon timely notice of PLG's objection.

Dr. French, an internal medicine doctor, testified in his capacity as Mr. Carter's primary care provider regarding, *inter alia*, his care and treatment of Mr. Carter including his care and treatment of Mr. Carter for high cholesterol, arthritis, coronary artery disease, vasomotor rhinitis, chronic kidney disease, gastroesophageal reflux disease, hyperlipidemia, paroxysmal vertigo, obstructive sleep apnea, high blood pressure, chronic obstructive pulmonary disease, chronic edema, pleural plaques, and depression screenings.

5. **Stephen Iacoboni, M.D.** The United States may designate all of, or portions of, Dr. Iacoboni's deposition testimony given on August 8, 2024, for use at trial or hearing. The United States does not intend to call Dr. Iacoboni to testify live at trial or hearing. Dr. Iacoboni, an oncologist, testified in his capacity as Scott Keller's treating provider regarding, *inter alia*, his care and treatment of Mr. Keller, including the symptoms, diagnosis, prognosis, and treatment of Mr. Keller's non-Hodgkin's lymphoma, Mr. Keller's post-treatment condition, and the result of her treatment of Mr. Kellera.
6. **Jennifer W. Leach, M.D.** The United States may designate all of, or portions of, Dr. Leach's deposition testimony given on May 24, 2024, for use at trial or hearing. The United States does not intend to call Dr. Leach to testify live at trial or hearing. Dr. Leach, a nephrologist, testified in her capacity as Scott Keller's treating provider regarding, *inter alia*, her care and treatment of Mr. Keller, including the symptoms, diagnosis, prognosis, and treatment of Mr. Keller's chronic kidney disease. Dr. Leach also offered testimony regarding the etiology of Mr. Keller's chronic kidney disease.
7. **Ann F. Mohrbacher, M.D.** The United States may designate all of, or portions of, Dr. Mohrbacher's deposition testimony given on May 17, 2024, for use at trial or

- hearing. The United States does not intend to call Dr. Mohrbacher to testify live at trial or hearing. Dr. Mohrbacher, an oncologist, testified in her capacity as Jose Vidana's treating provider regarding, *inter alia*, her care and treatment of Mr. Vidana, including the symptoms, diagnosis, prognosis, and treatment of Mr. Vidana's non-Hodgkin's lymphoma, Mr. Vidana's post-treatment condition, and the result of her treatment of Mr. Vidana. Dr. Mohrbacher also offered testimony regarding the etiology of non-Hodgkin's lymphoma.
8. **Paul Pagnini, M.D.** The United States may designate all of, or portions of, Dr. Pagnini's deposition testimony given on July 26, 2024, for use at trial or hearing. The United States does not intend to call Dr. Pagnini to testify live at trial or hearing. Dr. Pagnini, a radiation oncologist, offered testimony regarding, *inter alia*, his care and treatment of Jose Vidana, including the treatment of Mr. Vidana's non-Hodgkin's lymphoma, Mr. Vidana's post-treatment condition, and the result of his treatment of Mr. Vidana.
9. **Radhika Tulpule, M.D.** The United States may designate all of, or portions of, Dr. Tulpule's deposition testimony given on June 6, 2024, for use at trial or hearing. The United States does not intend to call Dr. Tulpule to testify live at trial or hearing. Dr. Tulpule, an internal medicine specialist, offered testimony as Jose Vidana's primary care provider regarding, *inter alia*, her care and treatment of Mr. Vidana, including the care and treatment of Mr. Vidana's mental and physical health.
10. **Leslie Watts, A.P.R.N.** The United States may designate all of, or portions of, Ms. Watts' deposition testimony given on May 16, 2024, for use at trial or hearing. The United States does not intend to call Ms. Watts to testify live at trial or hearing. Ms.

Watts, a family nurse practitioner, offered testimony as Robert Kidd's primary care provider regarding, *inter alia*, her care and treatment of Mr. Kidd following his diagnosis and treatment for non-Hodgkin's lymphoma.

LEUKEMIA

Pursuant to Fed. R. Civ. P. 26(a)(2)(B), the United States hereby designates the following retained experts who are providing written reports and may be called upon to offer opinion testimony in the Track 1 Trial Cases alleging leukemia, including *Amsler*, *Hill*, *Fiolek*, *Connard*, and *Gleesing*:

- 1. Harry Erba, M.D.**
- 2. Lisa A. Bailey, Ph.D.**
- 3. Judy S. LaKind, Ph.D.**
- 4. Dubravka Tasic, Ph.D.**
- 5. Henry Miller, Ph.D.**
- 6. Deborah Navarro, M.A., CRC, CLCP**

On this date, the United States is serving reports for the above listed experts in compliance with Fed. R. Civ. P. 26(a)(2)(B) and this Court's Scheduling Order. The reports are being served upon the Plaintiffs' Leadership Group through the U.S. Department of Justice's Enterprise File Sharing System (JEFS).

Further, pursuant to Fed. R. Civ. P. 26(a)(2)(C), the United States also discloses the following witnesses in the Track 1 Trial Cases alleging leukemia, including *Amsler*, *Hill*, *Fiolek*, *Connard*, and *Gleesing*, who may provide testimony under Fed. R. Evid. 702, 703, or 705, but are not required to provide a written report. Under Fed. R. Civ. P. 26(a)(2)(C), the United States now provides a description of the subject matter on which the witness may provide testimony

under Fed. R. Evid. 702, 703, or 705 and a summary of the facts and opinions to which the witness may testify at trial.

1. **Praneeth Baratam, M.D.** The United States intends to designate all of, or portions of, Dr. Baratam's deposition testimony given on June 6, 2024, for use at trial or hearing. The United States does not intend to call Dr. Baratam to testify live at trial or hearing. Dr. Baratam, a bone marrow transplant physician, testified during his deposition about his care and treatment of Karen Amsler, including Ms. Amsler's allogenic hematopoietic stem cell transplantation, Ms. Amsler's prognosis as of the date of Dr. Baratam's deposition, risk factors for developing acute lymphoblastic leukemia (ALL) generally, and Dr. Baratam's opinions on the cause of Ms. Amsler's ALL.
2. **Jenniffer Yannucci, M.D.** The United States intends to designate all of, or portions of, Dr. Yannucci's deposition testimony given on June 3, 2024, for use at trial or hearing. The United States does not intend to call Dr. Yannucci to testify live at trial or hearing. Dr. Yannucci, a hematologist and oncologist, testified during her deposition about her care and treatment of Karen Amsler, including Ms. Amsler's diagnosis and initial treatment for acute leukemia, Ms. Amsler's prognosis as of the date of Dr. Yannucci's deposition, and risk factors for developing ALL.
3. **John Moore, M.D.** The United States intends to designate all of, or portions of, Dr. Moore's deposition testimony given on August 7, 2024, for use at trial or hearing. The United States does not intend to call Ms. Watts to testify live at trial or hearing. Dr. Moore, an internal medicine and primary care physician, testified during his deposition about his care and treatment of Karen Amsler, including Ms. Amsler's

health before her leukemia diagnosis and Ms. Amsler's overall health as of the date of Dr. Moore's deposition.

4. **Maxim N. Norkin, M.D.** The United States intends to designate all of, or portions of, Dr. Norkin's deposition testimony given on June 6, 2024, for use at trial or hearing. The United States does not intend to call Dr. Norkin to testify live at trial or hearing. Dr. Norkin, a primary care physician, testified during his deposition about his care and treatment of Mr. Bruce Hill.
5. **Bradley S. Fletcher, M.D.** The United States intends to designate all of, or portions of, Dr. Fletcher's deposition testimony given on June 13, 2024, for use at trial or hearing. The United States does not intend to call Dr. Fletcher to testify live at trial or hearing. Dr. Fletcher, a hematologist, testified during his deposition about his care and treatment of Bruce Hill, including the diagnosis or treatment of Mr. Hill's chronic lymphocytic leukemia (CLL), Mr. Hill's risk factors for developing CLL and risk factors generally, Mr. Hill's prognosis as of the date of Dr. Fletcher's deposition, and Dr. Fletcher's opinions about the cause of Mr. Hill's CLL.
6. **Jessica Schmit, M.D.** The United States intends to designate all of, or portions of, Dr. Schmit's deposition testimony given on July 15, 2024, for use at trial or hearing. The United States does not intend to call Dr. Schmit to testify live at trial or hearing. Dr. Schmit, an oncologist, testified during her deposition about her care and treatment of Bruce Hill, including the diagnosis or treatment of Mr. Hill's chronic lymphocytic leukemia (CLL), Mr. Hill's risk factors for developing CLL and risk factors generally, Mr. Hill's prognosis as of the date of Dr. Schmit's deposition, and Dr. Schmit's opinions about the cause of Mr. Hill's CLL.

7. **Stephen H. McCready, P.A.** The United States intends to designate all of, or portions of, Mr. McCready's deposition testimony given on May 8, 2024, for use at trial or hearing. The United States does not intend to call Mr. McCready to testify live at trial or hearing. Mr. McCready, a physician's assistant, testified during his deposition about his care and treatment of Bruce Hill, including the diagnosis or treatment of Mr. Hill's chronic lymphocytic leukemia (CLL), Mr. Hill's risk factors for developing CLL and risk factors generally, Mr. Hill's prognosis as of the date of Mr. McCready's deposition, and Mr. McCready's opinions about the cause of Mr. Hill's CLL.
8. **John Cho, M.D.** The United States intends to call Dr. Cho to testify at trial or hearing related to his care of Plaintiff Robert J. Fiolek. Dr. Cho is a licensed physician in North Carolina and is Board Certified in Internal Medicine and Medical Oncology. He currently serves as an oncologist and hematologist at CarolinaEast Health System. Dr. Cho received a B.S. Science in Chemical Engineering from Columbia University in 1980, a M.S. Science in Biomedical Engineering from Columbia University in 1982, and a M.D. from the University of Pittsburgh School of Medicine in 1987. Dr. Cho will provide opinions and testimony consistent with those set forth in his May 3, 2024, deposition, which is incorporated by reference, concerning the subject matter of the medical treatment of Mr. Fiolek, the alleged illness(es), causation, and damages. Specifically, Dr. Cho is expected to testify about the following: (1) his treatment of Plaintiff Robert J. Fiolek's leukemia; (2) that leukemia is often idiopathic; (3) that it is impossible to know whether any alleged exposures to volatile organic chemicals (VOCs) at Camp Lejeune may have caused Mr. Fiolek's leukemia; (4) that age is a factor in developing leukemia and cancer generally; (5) that he informed Mr. Fiolek

of the previous two statements; (6) that Mr. Fiolek's leukemia is unlikely to diminish his life expectancy at this time; (7) that Mr. Fiolek's leukemia is in at least partial remission; (8) that he began treating Plaintiff Robert J. Fiolek as a patient in August 2014; (9) that he has treated Plaintiff Robert J. Fiolek's leukemia since August 2014 to the present; (10) that Plaintiff Robert J. Fiolek's leukemia is well-controlled at present; and (11) that Plaintiff Robert J. Fiolek has had an excellent response to venetoclax with few if any side-effects from that medication. If Dr. Cho is unavailable to testify live at trial or hearing, the United States intends to designate all of, or a portion of, Dr. John Cho's deposition testimony given on May 3, 2024, for use at trial or hearing pursuant to Rule 32(a)(4).

9. **Walter Wardell, M.D.** The United States intends to designate all of, or portions of, Dr. Wardell's deposition testimony given on August 13, 2024, for use at trial or hearing. The United States does not intend to call Dr. Wardell to testify live at trial or hearing. Dr. Wardell, a primary care physician, testified during his deposition about his care and treatment of Robert J. Fiolek, including the diagnosis or treatment of Mr. Fiolek's chronic lymphocytic leukemia (CLL) and general health, Mr. Fiolek's risk factors for developing CLL and risk factors generally, Mr. Fiolek's prognosis as of the date of Dr. Wardell's deposition, and Dr. Wardell's opinions about the cause of Mr. Fiolek's CLL.
10. **Jeffrey Goodwin, M.D.** The United States intends to designate all of, or portions of, Dr. Goodwin's deposition testimony given on January 8, 2025, for use at trial or hearing. The United States does not intend to call Dr. Goodwin to testify live at trial or hearing. Dr. Goodwin, a urologist, testified during his deposition about his care and

treatment of Robert J. Fiolek, including the diagnosis or treatment of Mr. Fiolek's bladder cancer, Mr. Fiolek's risk factors for developing bladder cancer and risk factors generally, Mr. Fiolek's prognosis as of the date of Dr. Goodwin's deposition, and Dr. Goodwin's opinions about the cause of Mr. Fiolek's bladder cancer.

11. **Aaron Rapoport, M.D.** The United States intends to designate all of, or portions of, Dr. Rapoport's deposition testimony given on May 7, 2024, for use at trial or hearing. The United States does not intend to call Dr. Rapoport to testify live at trial or hearing. Dr. Rapoport, a hematologist and stem cell transplant physician, testified during his deposition about his care and treatment of Stephen Connard, including Mr. Connard's stem cell transplantation, subsequent remission, and Dr. Rapoport's opinions on the cause of Mr. Connard's acute myeloid leukemia (AML).
12. **Gorgun Akpek, M.D.** The United States intends to designate all of, or portions of, Dr. Akpek's deposition testimony given on July 19, 2024, for use at trial or hearing. The United States does not intend to call Dr. Akpek to testify live at trial or hearing. Dr. Akpek, a hematologist and oncologist, testified during his deposition about his care and treatment of Stephen Connard, including Mr. Connard's hospitalization in May 2010 and Dr. Akpek's opinions on the cause of Mr. Connard's acute myeloid leukemia (AML).
13. **Muhammad Usman, M.D.** The United States intends to designate all of, or portions of, Dr. Usman's deposition testimony given on September 26, 2024, for use at trial or hearing. The United States does not intend to call Dr. Usman to testify live at trial or hearing. Dr. Usman, a hematologist and oncologist, testified during his deposition about his care and treatment of Joseph Gleesing, including Mr. Gleesing's course of

treatment, subsequent remission, and Dr. Usman's opinions on the cause of Mr. Gleesing's CLL.

14. **Min Luo, D.O.** The United States intends to designate all of, or portions of, Dr. Luo's deposition testimony given on July 22, 2024, for use at trial or hearing. The United States does not intend to call Dr. Luo to testify live at trial or hearing. Dr. Luo, a cardiologist, testified during her deposition about her care and treatment of Joseph Gleesing, including about the diagnosis or treatment of Mr. Gleesing's various cardiological concerns, Mr. Gleesing's risk factors generally, Mr. Gleesing's prognosis as of the date of Dr. Luo's deposition, and Dr. Luo's opinions about the nature of the conditions and cause of Mr. Gleesing's CLL.

PARKINSON'S DISEASE

Pursuant to Fed. R. Civ. P. 26(a)(2)(B), the United States hereby designates the following retained experts who are providing written reports and may be called upon to offer opinion testimony in the Track 1 Trial Cases alleging Parkinson's disease, including *McElhiney*, *Peterson*, *Rothchild*, *Sparks*, and *Welch*:

On this date, the United States is disclosing the following experts' curriculum vitae ("CVs") in compliance with Fed. R. Civ. P. 26(a)(2)(B) and the Court's March 11, 2025, Order to Amend Phase III Deadlines for Track 1 Plaintiffs [D.E. 332]. The CVs are being served upon the Plaintiffs' Leadership Group through the U.S. Department of Justice's Enterprise File Sharing System (JEFS).

1. **Stephen Gollomp, M.D.**
2. **Michael J. Young, M.D., M.Phil**
3. **Lisa A. Bailey, Ph.D.**

4. **Judy S. LaKind, Ph.D.**
5. **Deborah Navarro, M.A., CRC, CLCP**
6. **Henry Miller, Ph.D.**
7. **Andrew Brod, Ph.D.**
8. **Michael Shahnasarian, Ph.D.**

Further, pursuant to Fed. R. Civ. P. 26(a)(2)(C), the United States also discloses the following witnesses in the Track 1 Trial Cases alleging Parkinson's disease, including *McElhiney, Peterson, Rothchild, Sparks, and Welch*, who may provide testimony under Fed. R. Evid. 702, 703, or 705, but are not required to provide a written report. At this time, it is anticipated that the following witnesses will be presented via deposition testimony only. Under Fed. R. Civ. P. 26(a)(2)(C), the United States now provides a description of the subject matter on which the witnesses may provide testimony under Fed. R. Evid. 702, 703, or 705, and a summary of the facts and opinions to which the witnesses may testify at trial.

1. **Veronica Kim, M.D.:** The United States intends to designate all of, or portions of, Dr. Kim's deposition testimony given on July 31, 2024, for use at trial or hearing. The United States does not intend to call Dr. Kim to testify live at trial or hearing. Dr. Kim, a treating physician at Washington University Medicine Physicians, testified during her deposition as to, *inter alia*, the diagnosis, risk factors, treatment, symptoms, prognosis, comorbidities, and damages related to Ms. Rothchild's alleged injury.
2. **Joel Perlmutter, M.D.:** The United States intends to designate all of, or portions of, Dr. Perlmutter's deposition testimony given on May 3, 2024, for use at trial or

hearing. The United States does not intend to call Dr. Perlmutter to testify live at trial or hearing. Dr. Perlmutter, a treating physician Washington University St. Louis, testified during his deposition as to, *inter alia*, the diagnosis, risk factors, treatment, symptoms, prognosis, comorbidities, and damages related to Ms. Rothchild's alleged injury.

3. **Maureen Leehey, M.D.:** The United States intends to designate all of, or portions of, Dr. Leehey's deposition testimony given on August 5, 2024, for use at trial or hearing. The United States does not intend to call Dr. Leehey to testify live at trial or hearing. Dr. Leehey, a retired board-certified neurologist, and former Founder and Division Chief of the Movement Disorders Program at the University of Colorado Anschutz, testified during her deposition as to, *inter alia*, the diagnosis, risk factors, treatment, symptoms, prognosis, comorbidities, and damages related to Mr. Sparks' alleged injury.
4. **Sabina Schickli, Psy.D.:** The United States intends to designate all of, or portions of, Dr. Schickli's deposition testimony given on August 7, 2024, for use at trial or hearing. The United States does not intend to call Dr. Schickli to testify live at trial or hearing. Dr. Schickli, a former neuropsychologist at the Rocky Mountain Regional VA Medical Center, testified during her deposition as to, *inter alia*, the diagnosis, risk factors, treatment, symptoms, prognosis, comorbidities, and damages related to Mr. Sparks' alleged injury.
5. **Christen Epstein, N.P.:** The United States intends to designate all of, or portions of, Ms. Epstein's deposition testimony given on June 28, 2024, for use at trial or hearing. The United States does not intend to call Ms. Epstein to testify live at trial or hearing.

Ms. Epstein, a former nurse practitioner at the University of Colorado Anschutz, testified during her deposition as to, *inter alia*, the diagnosis, risk factors, treatment, symptoms, prognosis, comorbidities, and damages related to Mr. Sparks' alleged injury.

6. **Jeff David Tracy, M.D.:** The United States intends to designate all of, or portions of, Dr. Tracy's deposition testimony given on August 8, 2024, for use at trial or hearing. The United States does not intend to call Dr. Tracy to testify live at trial or hearing. Dr. Tracy, a family medicine practitioner at Kaiser Permanente, testified during his deposition as to, *inter alia*, the diagnosis, risk factors, treatment, symptoms, prognosis, comorbidities, and damages related to Mr. Welch's alleged injury.
7. **Edward Markus, D.O.:** The United States intends to designate all of, or portions of, Dr. Markus' deposition testimony given on April 24, 2024, for use at trial or hearing. The United States does not intend to call Dr. Markus to testify live at trial or hearing. Dr. Markus, a neurologist at Kaiser Permanente, testified during his deposition as to, *inter alia*, the diagnosis, risk factors, treatment, symptoms, prognosis, comorbidities, and damages related to Mr. Welch's alleged injury.
8. **Caroline Neff, M.D.:** The United States intends to designate all of, or portions of Dr. Neff's deposition testimony given on April 26, 2024, for use at trial or hearing. The United States does not intend to call Dr. Neff to testify live at trial or hearing. Dr. Neff, a neurologist at Kaiser Permanente, testified during her deposition as to, *inter alia*, the diagnosis, risk factors, treatment, symptoms, prognosis, comorbidities, and damages related to Mr. Welch's alleged injury.

9. **Vera Huffnagle, M.D.:** The United States intends to designate all of, or portions of, Dr. Huffnagle's deposition testimony given on April 18, 2024, for use at trial or hearing. The United States does not intend to call Dr. Huffnagle to testify live at trial or hearing. Dr. Huffnagle, a practitioner of general neurology at Dickson Medical Associates, testified during her April 18, 2024, deposition as to, *inter alia*, the diagnosis, risk factors, symptoms, treatment, prognosis, comorbidities, and damages related to Mr. McElhiney's alleged injury.
10. **Heather Koons, M.D.:** The United States intends to designate all of, or portions of, Dr. Koons's deposition testimony given on May 14, 2024, for use at trial or hearing. The United States does not intend to call Dr. Koons to testify live at trial or hearing. Dr. Koons, a practitioner of general neurology and movement disorders at Vanderbilt Medical Center, testified during her deposition as to, *inter alia*, the diagnosis, causation, risk factors, symptoms treatment, prognosis, comorbidities, and damages related to Mr. McElhiney's alleged injury.
11. **Nicole Salloum, M.D.:** The United States intends to designate all of, or portions of, Dr. Salloum's deposition testimony given on June 17, 2024, for use at trial or hearing. The United States does not intend to call Dr. Salloum to testify live at trial or hearing. Dr. Salloum, a practitioner of primary care and internal medicine at the VA Medical Center, testified during her June 17, 2024, deposition as to, *inter alia*, the causation, risk factors, treatment, symptoms, comorbidities, and damages related to Mr. McElhiney's alleged injury.
12. **Daniel Sherwood, M.D.:** The United States intends to designate all of, or portions of, Dr. Sherwood's deposition testimony given on April 25, 2024, for use at trial or

hearing. The United States does not intend to call Dr. Sherwood to testify live at trial or hearing. Dr. Sherwood, a practitioner of family medicine at Dickson Medical Associates, testified during his April 25, 2024, deposition as to, *inter alia*, the diagnosis, causation, risk factors, treatment, symptoms, prognosis, and damages related to Mr. McElhiney's alleged injury.

13. **Tulio Bertorini, M.D.:** The United States intends to designate all of, or portions of, Dr. Bertorini's deposition testimony given on May 1, 2024, for use at trial or hearing. The United States does not intend to call Dr. Bertorini to testify live at trial or hearing. Dr. Bertorini, a neurologist at Semmes-Murphey, testified during his deposition as to, *inter alia*, the diagnosis, risk factors, treatment, symptoms, prognosis, comorbidities, and damages related to Mr. Peterson's alleged injury.

14. **Joseph Allen, II, M.D.:** The United States intends to designate all of, or portions of, Dr. Allen's deposition testimony given on August 1, 2024, for use at trial or hearing. The United States does not intend to call Dr. Allen to testify live at trial or hearing. Dr. Allen, a primary care physician at Sanders Clinic, Baptist Memorial Health Care, testified during his deposition as to, *inter alia*, the diagnosis, risk factors, treatment, symptoms, prognosis, comorbidities, and damages related to Mr. Peterson's alleged injury.

15. **Vishad Kumar, M.D.:** The United States intends to designate all of, or portions of, Dr. Kumar's deposition testimony given on June 4, 2024, for use at trial or hearing. The United States does not intend to call Dr. Kumar to testify live at trial or hearing. Dr. Kumar, a neurologist at Semmes-Murphey, testified during his deposition as to,

inter alia, the diagnosis, risk factors, treatment, symptoms, prognosis, comorbidities,
and damages related to Mr. Peterson's alleged injury.

DATED this 8th day of April, 2025.

Respectfully submitted,

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