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9 Attorneys for Plaintiffs

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12

13 DAVID P. ADAM, LANFORD H. ADAMI,  
14 JAMES P. CALZIA, BELA CSEJTEY, JR.,  
ALICE S. DAVIS, JAMES L.  
15 DRINKWATER, ARTHUR B. FORD,  
ARTHUR GRANTZ, BARRY F. HIRSHORN,  
16 H. MAHADEVA IYER, CHI-YU KING,  
STEPHEN L. LEWIS, ALLAN G. LINDH,  
17 DENNIS M. MANN, A. THOMAS  
OVENSHINE, BRENT D. TURRIN,  
18 CHESTER T. WRUCKE, *et al.*,

19 Plaintiffs,

20 v.

21 GAIL NORTON, SECRETARY,  
U.S. DEPARTMENT OF THE INTERIOR,

22 Defendant.  
23

Docket No. C98-02094 CW (EDL)

**PLAINTIFFS' AMENDED  
WITNESS LIST**

Trial date: July 1, 2003  
Judge: Honorable Claudia Wilken

24 Pursuant to FRCP Rule 26(a)(3), N. D. Civil L.R. 16-10 and the Court's Pretrial Order,  
25 Plaintiffs, David P. Adam et al., identify the following persons as witnesses which will be called  
26 during their case in chief at trial.  
27  
28

1 Expert Witnesses

- 2 1. Lepowsky, William, Statistical Expert, 544 Santa Clara Ave., Berkeley, CA, 510-  
3 464-3181 will testify regarding his conclusions in his report and his deposition testimony,  
4 to the extent it complies with the Court’s prior orders.  
5 2. Thomas, Thomas, Damages Expert, 201 San Antonio Circle, Ste. A105, Mountain View,  
6 CA, 650-949-9590 will testify regarding his conclusions in his report.

7 Fact Witnesses

- 8 3. **Adam, David P.**, (Plaintiff-appellant) will testify regarding all aspects of his claims and  
9 damages. [AR 10578-10662; 10717-10757; 14482-14661, MSPB transcript Vol 60, 61,92  
10 pp. ]  
11 4. **Adami, Lanford H.**, (Plaintiff-appellant) will testify regarding all aspects of his claims  
12 and damages. [AR 10494-10570, MSPB transcript Vol 59, p. \_\_\_\_\_]Balboni, Catherine,  
13 USGS, Menlo Park, CA, 650 329-4073, former Classification Specialist, USGS, testified  
14 at the MSPB hearing that she evaluated the Adami GS-09 position and his right to retreat  
15 to the Saburomaru GS-09 position and found that they were not “essentially identical”;  
16 she said that in order for a retreat to occur, the duties of each position had to be  
17 “identical”. [This contradicts the Agency File, which shows that Adami’s PD was not  
18 available and SMEs did not evaluate Saburomaru GS-09 position.] [designated portions  
19 of AR 001531 - 001852, MSPB transcript Vol 7-8, p. \_\_\_\_\_]  
20 5. Bergquist, Joel R., USGS, Menlo Park, CA (former appellant) will testify regarding his  
21 separation from the USGS, Branch of Western Minerals Resources, in which he was  
22 illegally denied bump rights to a GS-11 Geologist position encumbered by a tenure group  
23 III employee, his efforts to get reinstated after the Federal Circuit remanded his case to  
24 the MSPB, *Bergquist v. Department of Interior* Fed. Cir. No. 99-3468 ( July 19, 2000),  
25 on remand 101 FMSR 5087 (MSPB January 10, 2001). [designated portions of AR 8458-  
26 8623; 9358-9431; 9477-9486, MSPB transcript Vol 45, 51, 52 p. \_\_\_\_\_]  
27 6. **Calzia, James P.**, (Plaintiff-appellant) will testify regarding all aspects of his claims and  
28 damages. [AR 8624-8755, MSPB transcript Vol 46, p. \_\_\_\_\_]

- 1 7. Catchings, Rufus, USGS, Menlo Park, CA, 650 329-4749 will testify regarding the  
2 retaliation against older minority scientists who engaged in protected activity by  
3 complaining about discriminatory treatment.
- 4 8. Chiala, Gina, paralegal to Law Offices of Mary Dryovage will testify concerning the  
5 compilation of the RIF Assignment Rating Sheet data base for each plaintiff.
- 6 9. **Csejtey, Jr., Bela**, (Plaintiff-appellant) will testify regarding all aspects of his claims and  
7 damages. [AR 8069-8222; 9258-9357, MSPB transcript Vol 43, 50, 51, p. \_\_\_\_\_]
- 8 10. Clague, David, former USGS, MBARI, 7700 Sandholdt Road, Moss Landing, CA  
9 95039, 831-775-1781 will testify regarding the creation of the staffing plan in Volcanic  
10 Hazards, the duties performed by Alicé Davis were essentially identical to duties  
11 performed by Jane Reid [designated portions of AR 13141-13201, MSPB transcript Vol  
12 81, p. \_\_\_\_\_].
- 13 11. **Davis, Alicé**, (Plaintiff-appellant) will testify regarding all aspects of her claims and  
14 damages. [AR 11392-11508; 11847-11922, MSPB transcript Vol 67, p. \_\_\_\_\_]
- 15 12. **Drinkwater, James L.**, (Plaintiff-appellant) will testify regarding all aspects of his claims  
16 and damages. [AR 8756-8824, MSPB transcript Vol 47, p. \_\_\_\_\_]
- 17 13. **Ford, Arthur B.**, (Plaintiff-appellant) will testify regarding all aspects of his claims and  
18 damages. [AR 8825-8943, MSPB transcript Vol 48, p. \_\_\_\_\_]
- 19 14. **Grantz, Arthur**, (Plaintiff-appellant) will testify regarding all aspects of his claims and  
20 damages. [AR 9122-9257, MSPB transcript Vol 49, 50, p. \_\_\_\_\_]
- 21 15. Grantz, Marsha, 930 Van Auken Circle, Palo Alto, CA 94303, 650-856-3345 will testify  
22 regarding Dean Anderson's remark to her and Art Grantz that he was RIF'ed because of  
23 his age.
- 24 16. Gray, Leda Beth, (appellant) 1711 Quail Hollow Road, Ben Lomond CA 96005, 831-  
25 336-1127, will testify regarding Mike Field's efforts to keep older female employees off  
26 the staffing plan; testified at the MSPB hearing that the Adami GS-09 position and  
27 Saburomaru GS-09 position are "essentially identical". [[designated portions of AR  
28 11303-11386, MSPB transcript Vol \_\_, p. 78-81]

- 1 17. Gryc, George, formerly USGS, Menlo Park, CA, 753 Saranac Drive, Sunnyvale, CA  
2 94087, 408 245-7492, will testify as stated in his declaration in opposition to Motion for  
3 Summary Judgment [designated portions of AR 12005-12048, MSPB transcript Vol 72,  
4 p. \_\_\_\_\_]
- 5 18. Hirshorn, Barry F., (Plaintiff-appellant) [AR 9632-9648, MSPB transcript Vol 53, p.  
6 \_\_\_\_\_]
- 7 19. **Iyer, Mahadeva**, (Plaintiff-appellant) will testify regarding all aspects of his claims and  
8 damages. [AR 10182-10318;10346-10483, MSPB transcript Vol 58, p. \_\_\_\_\_]
- 9 20. John, David, Branch Representative, Western Mineral Resources, Menlo Park. USGS,  
10 Menlo Park, CA, 650 329-5424.
- 11 21. **King, Chi-Yu**, (Plaintiff-appellant) will testify regarding all aspects of his claims and  
12 damages. [AR 12198-12411, MSPB transcript Vol 74 p. \_\_\_\_\_]
- 13 22. **Lewis, Stephen L.**, (Plaintiff-appellant)will testify regarding all aspects of his claims and  
14 damages. [AR 10993-11113, MSPB transcript Vol 63, 64, p. \_\_\_\_\_]
- 15 23. **Lindh, Allen**, (Plaintiff-appellant)will testify regarding all aspects of his claims and  
16 damages. [AR 9945-10145; 10838-10992, MSPB transcript Vol 62, 63, p. \_\_\_\_\_]
- 17 24. Luepke, Gretchen, (appellant).  
18 [designated portions of AR 11509-11562, MSPB transcript, Vol 67, p.\_\_\_\_]
- 19 25. **Mann, Dennis M.**, (Plaintiff-appellant) will testify regarding all aspects of his claims  
20 and damages. [AR 5372-5416 MSPB transcript Vol 26, p. \_\_\_\_\_]
- 21 26. McGuire, Dawn, Branch of Earthquakes & Landslide Hazards, USGS, Denver, Colorado  
22 (appellant in *McGuire v. Babbitt*)
- 23 27. McKee, Edwin H., (appellant) 2025 Cowper Street, Palo Alto, home phone: 650-327-  
24 3539 testified at the MSPB hearing that the GS-09 position performed by Mr. Adami in  
25 1967-1968, was very similar to and inter-changeable with Mr. Saburomaru position.[AR  
26 12412-12538; 13222-13226, MSPB transcript Vol 75, p. \_\_\_\_\_]
- 27 28. O’Neil, James R. Professor, 674 Webster Street, Palo Alto, 650-330-1742, testified at the  
28 MSPB hearing that he was Mr. Adami’s supervisor at the USGS until 1988, that the GS-

1 09 duties of Mr. Adami and Mr. Saburomaru's position were similar, it would take about  
2 one month to transition from extracting oxygen from rocks and minerals to extracting  
3 argon from rocks and minerals. [AR 13350-13366, MSPB transcript Vol 82, p. \_\_\_\_]

4 29. **Ovenshine, A. Thomas**, (Plaintiff-appellant) will testify regarding all aspects of his  
5 claims and damages. [AR 13330-13349, MSPB transcript Vol 82, p. \_\_\_\_]

6 30. Nathenson, Manuel, Branch Chief Volcano Hazards and Geothermal Research, USGS,  
7 Menlo Park, CA, 650 329-5292.

8 31. Plafker, George, retired USGS, 235 Highland Terrace Drive, Woodside, CA 94062, 650-  
9 851-7483 will testify as stated in his declaration in opposition to motion for summary  
10 judgment [designated portions of AR 12728-12779, MSPB transcript Vol 78, p. \_\_\_\_]

11 32. Reynolds, Mitchell, USGS, Denver, CO, who was Office Chief in Regional Geology in  
12 Reston, VA until May 1995, when he was replaced by John Sutter, will testify regarding  
13 irregularities in the procedures used to determine bump and retreat rights, the justification  
14 for RIF'ing him, the role age discrimination played in the RIF, the use of unique CLCs  
15 and the reasons why he was reinstated (plaintiff in *Reynolds v. Secretary of Interior*).

16 33. Reid, Jane A., USGS, 2801 Mission Street, Santa Cruz, CA 95060, 831-427-4727, will  
17 testify that her position was "essentially identical" to that performed by Alice Davis and  
18 discrepancies between the duties listed on her position description and those she actually  
19 performed.

20 34. Reimer, Mike, former USGS, Denver, Colorado will testify regarding the age  
21 discrimination, how he was RIFd and reinstated (appellant in *Reimer v. USGS*).

22 35. Saburomaru, James, USGS, Menlo Park, CA, 650 329-4508, will testify regarding the  
23 duties he performed after the RIF.

24 36. Scholl, David, former USGS, 1495 Barton, Sunnyvale, CA 94087, 408-739-0871 will  
25 testify as stated in his declaration in opposition to motion for summary judgment [AR  
26 12780-12918, MSPB transcript Vol 78, p. \_\_\_\_].

27 37. Steel, Clint, USGS, Menlo Park, CA 650-329-5055, will testify that he was Dennis  
28 Mann's supervisor when he returned to Coastal and Marine Geology in 1997, Michael

1 Carr interfered with Dennis Mann after he was reinstated to the USGS in 1997 by  
2 blocking duties, training and promotions.

3 38. Sliter, Ray, USGS, Menlo Park, CA, 650 329-5194, will testify that his position was  
4 “essentially identical” to the former position of Dennis Mann.

5 39. Switzer, Paul, Stanford University, Palo Alto, CA 650-723-2879, 650-723-2620 will  
6 testify as stated in his MSPB testimony and declarations [AR 11952-12004, MSPB  
7 transcript Vol 72, p. \_\_\_\_\_]

8 40. Troxel, Bennie, Editor, Geological Society of America, Napa, CA, 707 253-7083.  
9 [designated portions of AR 12646-12663, Vol 77, p. \_\_\_\_]

10 41. Turrin, Brent D., (Plaintiff-appellant) testified at the MSPB hearing that Mr. Adami  
11 could learn to extract argon in 90 days and could learn other aspects of the Saburomaru  
12 position within 90 days. [AR 07660-07925, MSPB transcript Vol 41, 42, p. \_\_\_\_]

13 42. Vallier, Tracy, former USGS, Menlo Park, CA, presently in Ireland. [designated portions  
14 of AR 13367-13438 MSPB transcript Vol 83, p. \_\_\_\_\_] ]

15 43. Wilshire, Howard, (appellant).  
16 [designated portions of AR 13227-13329, MSPB transcript, Vol 82, p. \_\_\_\_]

17 44. **Wrucke, Chester T.** (Plaintiff-appellant) will testify regarding all aspects of his claims  
18 and damages. [AR 8030-8068; 9039-9121 , MSPB transcript Vol 43, 49, p. \_\_\_\_\_]

### 19 **HOSTILE WITNESSES**

20 The following witnesses will be called during plaintiffs case in chief, and if they are not  
21 available to testify at trial, designated portions of their deposition and/or MSPB testimony may  
22 be offered as a party admission at trial:

23 45. Anderson, Dean, Chief of Personnel, USGS, Menlo Park, CA, 650 329-4071, Personnel  
24 Officer in charge of Personnel RIF activities, Western Region. [designated portions of  
25 AR 000822-000857, MSPB transcript Vol 4, p. \_\_\_\_\_ and deposition transcript.]

26 46. Babicz, Jane, USGS, Menlo Park, CA, 650 329-4103, Personnel, Recruitment/Placement.  
27 [designated portions of AR\_\_\_\_\_, MSPB transcript Vol \_\_, p. \_\_\_\_\_]

28 47. Bacon, Charles, USGS, Menlo Park, CA, 650 329-5246, Round 2 Western Region SME.

- 1 [designated portions of AR 5537-5782, MSPB transcript Vol 27, p.\_\_\_\_]
- 2 48. Bakun, William, USGS, Menlo Park, CA, 650 329 4793 will testify how Mooney  
3 removed Al Lindh from the staffing plan, after it had been approved by the Program  
4 Counsel for Earthquakes. [designated portions of AR \_\_\_\_\_, MSPB transcript Vol  
5 \_\_, p.\_\_\_\_]
- 6 49. Bird, Kenneth, USGS, Menlo Park, CA, 605 354-3006 Assistant Branch Chief.  
7 [designated portions of AR 4766-4805, MSPB transcript Vol 23, p.\_\_\_\_]
- 8 50. Bohlen, Steve, USGS, Reston, VA, 703 648-6640  
9 [designated portions of AR 5326-5371, MSPB transcript Vol 25, p.\_\_\_\_]
- 10 51. Brady, Arthur Gerald, (appellant)  
11 [designated portions of AR 10154-10181; 10319-10345, MSPB transcript Vol 58]
- 12 52. Butman, Bradford, USGS, Woods Hole, MA, 508 457-2211 re: “mock RIF” and why the  
13 USGS decided not to use that computer software.
- 14 53. Callesen, Christine, USGS, Menlo Park, CA, 650 329-4101, Personnel Management  
15 Specialist. [designated portions of AR\_\_\_\_\_, MSPB transcript Vol \_\_, p. \_\_\_\_\_]
- 16 54. Cannon, William, USGS, Reston, VA, 703 648-6345, Geologist, National RIF  
17 Coordinator for Geologic Division.[designated portions of AR 00347-410, MSPB  
18 transcript Vol 2, p. \_\_\_\_\_]
- 19 55. Carter, L. David, USGS, Anchorage, AK, 907 786-7441, former Branch Chief, Branch of  
20 Alaskan Geology. [designated portions of AR 13920-13966, MSPB transcript Vol 87, p.  
21 \_\_\_\_\_]
- 22 56. Carr, Michael, USGS, Menlo Park, CA. 650-329-5174  
23 [designated portions of AR 13737-13824, MSPB transcript, Vol 86, 87]
- 24 57. Champion, Dwayne, USGS Menlo Park, CA 650-329-4671 testified at the MSPB hearing  
25 that Adami could learn to do the fast neutron irradiation and argon extractions in 90 days  
26 which are in the Saburomaru GS-09 position”. [designated portions of AR 13860-13882,  
27 MSPB transcript Vol 87, p. \_\_\_\_\_]
- 28 58. Childs, John, USGS, Menlo Park, CA 650-329-5195 will testify re: his efforts to restore

1 Dennis Mann's GS-12 position, the actions taken by Michael Carr to deny Mann the  
2 ability to perform his ship related duties and to participate in scientific fieldwork on  
3 cruises, Mike Field's efforts to keep Dennis Mann off of the staffing plan.

4 59. Creach, William, USGS, Menlo Park, CA, 650 329-4100, Personnel, Employee/Labor  
5 Relations and Training Personnel, Employee/Labor Relations and Training.

6 60. Christiansen, Robert, USGS, Menlo Park, CA, 650 329-5201, Round 2 Western Region  
7 SME. [designated portions of AR004266-004324, MSPB transcript Vol 21, p. \_\_\_\_\_]

8 61. Eaton, Gordon, former Director, USGS He will testify about the reason(s) for RIF;  
9 financial matters; rational for "simultaneous" RIF, reorganization; frequently made  
10 remarks about the "dinosaurs" at the USGS and the need to get rid of them, interactions  
11 with DOI re RIF, reorganization; Director's staff participation in RIF; promises to GD  
12 staff re RIF; assignments from Director's staff to Geologic Division. [designated portions  
13 of AR 13044-13140, MSPB transcript Vol 80, p. \_\_\_\_\_]

14 62. Ellsworth, William L., SME, USGS, Menlo Park, CA 650 329-5020 will testify how Al  
15 Lindh's position was removed from the staffing plan, how the Personnel Office of the  
16 USGS instructed the SMEs to determine bump and retreat rights to positions on the  
17 staffing plans during Round II of the RIF. [designated portions of AR 003989-4030,  
18 MSPB transcript Vol 18, p. \_\_\_\_\_]

19 63. Field, Michael, USGS, Menlo Park, CA, 650 354-3088, Branch Chief, Pacific Marine  
20 Geology will testify regarding the reasons for RIF'g older members of his Branch.  
21 [designated portions of AR 13626-13736, MSPB transcript Vol 86, p. \_\_\_\_\_]

22 64. Filson, John, USGS Former Acting Chief Geologist, Reston, VA.[designated portions of  
23 AR 66-106, MSPB transcript Vol 1, p. \_\_\_\_\_]

24 65. Fleck, Robert, USGS, Menlo Park, CA, 650 329-4658.  
25 [designated portions of AR 6334-6357, MSPB transcript, Vol 31, p. \_\_\_\_]

26 66. Fouch, Thomas, USGS, Chairman, Geologic Division Policy Council, Denver, CO.  
27 [designated portions of AR 00753- 821, MSPB transcript Vol 4, p. \_\_\_\_\_]

28 67. George, Judy, USGS, Reston, VA, 703 648-7426, Administrative staff . [designated

- 1 portions of AR\_\_\_\_\_, MSPB transcript Vol \_\_, p. \_\_\_\_\_]
- 2 68. Gray, Floyd, USGS, Tucson, AZ. Round 1 Western Region SME. [designated portions of  
3 AR 004030-4238, MSPB transcript Vol 19-20, p. \_\_\_\_\_]
- 4 69. Gutmacher, Christina, USGS, Menlo Park, CA, 650 354-3071.  
5 [designated portions of AR 12608-12645, MSPB transcript, Vol.77, p.\_\_\_\_]
- 6 70. Hamilton, Robert, former Chief, Office of Earthquakes, Volcanoes & Engineering,  
7 USGS, Reston, VA [designated portions of AR 001852-2022, MSPB transcript Vol 9, p.  
8 \_\_\_\_\_]
- 9 71. Hamilton, Warren, Dept. of Geophysics, Colorado School of Mines, Golden, CO  
10 80401-1887, 303 273-3450.
- 11 72. Hart, Pat, USGS, Chief Scientist, Menlo Park CA 650-329-5160 will testify re: verbal  
12 abuse by Michael Carr for including Dennis Mann on the crew list in August-September  
13 1997.
- 14 73. Hedge, Carl, USGS, Denver, CO, 303 236-7880, former Branch Chief, Branch of Isotope  
15 Geology, will testify that he told Mr. Adami that he should take the “buy-out” and he  
16 discussed with Mr. Saburomaru the possibility that his position would be added back.
- 17 74. Hein, James, USGS, Menlo Park, CA, 650-329-5287 will testify regarding the actual  
18 duties performed by Jane Reid after the RIF and the role of Mike Field in determining  
19 staffing for the Coastal & Marine Geology Team.
- 20 75. Hill, Gary, USGS, Reston, VA, Director's Office, 703 648-6472. [designated portions of  
21 AR 13516-13544, MSPB transcript Vol 84, p. \_\_\_\_\_]
- 22 76. Hillhouse, John, Western Regional Geology BC, USGS, Menlo Park, CA, 650 329-4668,  
23 Branch Chief.
- 24 77. Houseknecht, David, Office Chief, Energy and Marine Geology, USGS, Reston, VA.
- 25 78. LaJoie, Kenneth, USGS, 275 Oakfurst Place Menlo Park, CA, 650 332-9791. [designated  
26 portions of AR 12698-12727, MSPB transcript Vol 78, p. \_\_\_\_\_]
- 27 79. Ronald Kistler, USGS Isotope Geology Menlo Park, CA, 650-329-4661, testified at the  
28 MSPB hearing that he was a SME for Mr. Adami, he did not evaluate Mr. Adami for Mr.

1 Saburomaru’s position for purposes of the RIF; that the positions could not be considered  
2 “essentially identical” under the USGS RIF procedures if an additional duty was  
3 performed by the employee seeking to retreat into a position; because Mr. Adami, as a  
4 GS-09, operated the hydrothermal apparatus, according to his position description, and  
5 Mr. Saburomaru did not, the positions were not “essentially identical” . [AR 7569-7618,  
6 MSPB transcript Vol 39, p. \_\_\_\_]

7 80. Koski, Randolph, USGS, Menlo Park, CA, 650 354-3208. [designated portions of AR  
8 006022-6221, MSPB transcript Vol 29-30, p. \_\_\_\_]

9 81. Lanphere, Marvin, Branch Representative, Isotope Geology, Menlo Park. USGS, Menlo  
10 Park, CA, 650 329-4659. testified at the MSPB hearing that Mr. Saburomaru’s position  
11 was put on the “add-back” list. [AR 13802-13961, MSPB transcript Vol 87, p. \_\_\_\_]

12 82. Leahy, Patrick, Chief Geologist, USGS, Reston, VA, 703-648-6600. [designated portions  
13 of AR 107-285, MSPB transcript Vol 1-2, p. \_\_\_\_]

14 83. Matsueda, June, Personnel, Classification Specialist, USGS, Menlo Park, CA, 650  
15 329-4075. [designated portions of AR 002023-02211, MSPB transcript Vol 9- 10, p.  
16 \_\_\_\_]

17 84. McCarthy, Jill, USGS, Menlo Park, CA, 650 354-3140. [designated portions of  
18 AR005527-005536, 005895-006021 MSPB transcript Vol 27 and 29, p. \_\_\_\_]

19 85. McGarr, Arthur, USGS, Menlo Park, CA, 650 329-5645.  
20 [designated portions of AR 4325-4457; 4515-4555, MSPB transcript, Vol 21, 22]

21 86. McGurk, John, former Human Resources Officer, USGS, Reston, VA, 703 648-6628.  
22 [designated portions of AR 13439-13516, MSPB transcript Vol 84, p. \_\_\_\_]

23 87. Mooney, Walter, Branch Chief Seismology. USGS, Menlo Park, CA, 650 329-4764.  
24 [designated portions of AR003177 - 003988, MSPB transcript Vol 15, 16, 17 and 18 p.  
25 \_\_\_\_]

26 88. Morgan, Benjamin, former Chief Geologist, USGS, Reston, VA. [designated portions of  
27 AR 35-65, MSPB transcript Vol 1, p. \_\_\_\_]

28 89. Morton, Janet, USGS, Reston, VA. [designated portions of AR000858 - 001250, MSPB

- 1 transcript Vol 5-6, p. \_\_\_\_\_]
- 2 90. Murchey-Setnicker, Bonny, Deputy Regional Geologist, USGS, Menlo Park, CA, 650  
3 329-4980.
- 4 91. Murphy, Susan, Personnel Office, USGS, Menlo Park, CA, 650 329-4110, testified at the  
5 MSPB hearing that all of the add-back positions that needed to be referred to the SME's  
6 were referred to the SME's for evaluation during the RIF process; the SMEs found Mr.  
7 Adami's GS-09 position and Mr. Saburomaru position to be not-essentially identical.  
8 [this contradicts SME testimony] [designated portions of AR 002212 - 002232; 002684-  
9 3176, MSPB transcript Vol 10, 13, 14 p. \_\_\_\_\_]
- 10 92. Normark, William, Assistant Chief Geologist, Western Region, USGS, Menlo Park, CA,  
11 650 329-5101.
- 12 93. Oppenheimer, David, USGS, Menlo Park, CA, 650 329-4792. [designated portions of  
13 AR004806-004909, 005438-005463, MSPB transcript Vol 23 and 26, p. \_\_\_\_\_]
- 14 94. Poore, Richard, Chief, Climate Program, USGS, Reston, VA, 703 648-5270 maintained  
15 computerized records of RIF. [designated portions of AR 000621-681, MSPB transcript  
16 Vol 4, p. \_\_\_\_\_]
- 17 95. Russ, David, USGS, Program Plan Development Council, Reston, VA, 703 648-6640.  
18 [designated portions of AR004910-005326, MSPB transcript Vol 24-25, p. \_\_\_\_\_]
- 19 96. Sutter, John, Office Chief, Regional Geology, USGS, Reston, VA, 703 648-6964. [AR  
20 520-569, MSPB transcript Vol 3, p. \_\_\_\_\_]
- 21 97. Till, Alison, USGS Alaska [designated portions of AR 002533-002583, MSPB transcript  
22 Vol 12, p. \_\_\_\_\_]
- 23 98. Tilling, Robert, Co-chair of Round 1 Subject-Matter Experts, USGS, Menlo Park, CA,  
24 650 329-5235. [designated portions of AR 002233-002532, MSPB transcript Vol 11-12,  
25 p. \_\_\_\_\_]
- 26 99. Van Schaack, John, USGS, Menlo Park, CA, 650 329-4780.  
27 [designated portions of AR 5783-5869, Vol 28, p.\_\_\_\_]
- 28 100. Weaver, Craig, USGS, Seattle, WA, 206 553-0627. [designated portions of AR 000682-

1 752, MSPB transcript Vol 4, p. \_\_\_\_\_]

2 101. Wentworth, Carl, Round 2 Subject Matter Expert, USGS, Menlo Park, CA, 650  
3 329-4950. [designated portions of AR \_\_\_\_\_, MSPB transcript Vol \_\_\_\_, p. \_\_\_\_\_]

4 102. Wesson, Robert, former Office Chief in the Earthquake Program, USGS, Denver, CO  
5 303-273-8524 will testify regarding the importance of the work done by Al Lindh, the  
6 inclusion of Lindh's work in the Earthquake science plan for FY 96, and removing Lindh  
7 from the staffing plan was pretextual.

8 103. White, Willis, USGS, Reston, VA, former Chief, Office of Mineral Resources,  
9 USGS.[designated portions of AR 9432-9476, MSPB transcript Vol 52, p. \_\_\_\_]

10 104. Wooden, Joseph, USGS, Menlo Park, CA, 650 329-4651.  
11 [designated portions of AR 4251-4265, MSPB transcript, p. \_\_\_\_]

12 105. Worl, Ronald, Branch Chief Western Mineral Resources, USGS, Spokane, WA, 509  
13 353-2639. [designated portions of AR 1251-1325, MSPB transcript Vol 7, p. \_\_\_\_\_]

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15 The following persons may be called as witnesses during plaintiffs' case in chief at trial.

16 106. Aaron, John M., Former Chief, Office of Scientific Publications.

17 107. Ager, Thomas, USGS, Denver, CO, former Climate Program Chief

18 108. Ahlbrandt, Thomas, USGS, Reston, VA, Branch Chief.

19 109. Andrews, Richard, Head of State of Calif. OES, Sacramento, CA, 916 262-1816

20 110. Arnaudo, Philip, Administrative Judge, MSPB, San Francisco.

21 111. Arth, Joseph G., (appellant)

22 112. Barnes, Peter, USGS, Menlo Park, CA, 650 354-3052 Assistant Branch Chiefs

23 113. Berger, Byron

24 114. Blakely, Richard, USGS, Menlo Park, CA, 650 329-5316 Round 2 Western Region SME.

25 115. Bogaert, Barbara, USGS Geophysicist.

26 116. Bohannon, Bob, USGS, Menlo Park, CA

27 117. Bramschreiber, Lori, USGS, Menlo Park, CA, 650 329-5474

28 118. Bundock, Howard, USGS, Menlo Park, CA, 650 329-5621

- 1 119. Calk, Lewis C., USGS, Menlo Park, CA, 650 329-5206
- 2 120. Campbell, David, USGS, Denver, CO, 303 236-1212, Branch Chief.
- 3 121. Chin, John, USGS, Menlo Park, CA, 650 354-3118.
- 4 122. Clarke, Samuel, USGS, Menlo Park, CA, 650-354-3091
- 5 123. Cluff, Lloyd, VP at PG&E, San Francisco, CA, 415 973-2791
- 6 124. Cochrane, Guy R., (Appellant)
- 7 125. Coleman, Robert, Dept. of Geology, Stanford University, 415 723-9205
- 8 126. Colman, Steve, USGS, Woods Hole, MA Paleoclimatology, 508 457-2341.
- 9 127. Consul, Jerry, USGS, Menlo Park, CA, 650 329-5256, Round 1 Western Region SME.
- 10 128. Cotter, Joan, USGS, Menlo Park, CA, 650 329-4171
- 11 129. Crone, Tony, global regional coordinator, USGS, Golden, CO, 303 236-1595.
- 12 130. Czamanske, Gerald K., (appellant) retired USGS, Menlo Park, CA..
- 13 131. Davis, James, Calif. State Geologist, Sacramento, CA, 916 445-1923
- 14 132. Dilles, John H., Oregon
- 15 133. Dillon, Bill, USGS, Woods Hole.
- 16 134. Donnelly-Nolan, Julie, USGS, Menlo Park, CA, 650 329-5210
- 17 135. Drake, David, USGS, Menlo Park, CA, 650-354-3097.
- 18 136. Edgar, Terry, USGS, Reston, VA.
- 19 137. Eisner, Rich, Regional Director, Calif. OES, Oakland, CA, 510 540-2713.
- 20 138. Emery, David A., Geologist, USGS, Reston (plaintiff, *David A. Emery v. Bruce Babbitt*)
- 21 139. Evans, John R., USGS Menlo Park, CA, 650 329-4514
- 22 140. Evans, Kay, former Geologist, USGS, Madison, Wisconsin (plaintiff, *Kay Evans v. Bruce*
- 23 *Babbitt*)
- 24 141. Evarts, Russell C., (appellant) USGS, Menlo Park, CA, will testify to the exaggerations
- 25 contained in the description of duties in the Wan GS-11 Geologist position description,
- 26 which claimed that experience in sophisticated up-to-date tephra studies was required,
- 27 when in fact, the position only required straightforward mineral separation capability; Dr.
- 28 Evarts performed the Wan GS-11 Geologist position for approximately 8 months.

- 1 142. Fisher, Michael A., (Plaintiff-appellant) USGS, Menlo Park, CA
- 2 143. Fishman, Neil, USGS, Denver, CO, 303 236-1644 Assistant Branch Chiefs, Associate
- 3 Branch Chief.
- 4 144. Folger, David, USGS
- 5 145. Forester, Richard, USGS, Denver, CO.
- 6 146. Friedman, Irving, USGS, Denver, CO, 303 236-7888
- 7 147. Fullerton, Gale, USGS, Menlo Park, CA, 650 329-4101 (retired)
- 8 148. Gilbert, Melanie, Menlo Park contracting office, USGS, Menlo Park, CA, 650 329 4152.
- 9 149. Glasgow, Karen D., US DOI, San Francisco 415 427-1464.
- 10 150. Hagstrum, John, USGS, Menlo Park, CA, 650 329-4672.
- 11 151. Hall, Wes, USGS, Menlo Park, CA, 650 329-4730.
- 12 152. Hirsch, Daniel, Committee to Bridge the Gap, 310 478-0829
- 13 153. Hodges, Carroll Ann, former USGS, Menlo Park, CA
- 14 154. Holzer, Thomas, USGS, Menlo Park, CA, 650 329-5637, Branch Chief.
- 15 155. Houser, Brenda, USGS, Tucson, AZ, 602 670-5509
- 16 156. Howard, Keith A. (appellant)
- 17 157. Howell, David, National Review Recommendation Evaluation Committee
- 18 158. Lester, Robert, USGS, Menlo Park, CA, 650 329-5300.
- 19 159. Julian, Bruce R., USGS, Menlo Park, CA, 650 329-4797
- 20 160. Kayen, Robert, USGS, Menlo Park, CA, 650 354-3036.
- 21 161. King, Bi-shia, USGS, Menlo Park, CA, 650 329-5262.
- 22 162. Krushensky, Richard, USGS
- 23 163. Lester, Rick, USGS, Menlo Park, CA, 650 329-4747.
- 24 164. Leventhat, Joel, National Review Recommendation Evaluation Committee, USGS
- 25 165. Ludington, Stephen, USGS, Menlo Park, CA, 650 329-5371.
- 26 166. Lyou, Joseph, Committee to Bridge the Gap
- 27 167. Mankinen, Edward A., (Plaintiff-appellant)
- 28 168. Ronnie Martin, former Assistant/Associate Branch Chief, Branch of Geophysics.

- 1 169. McCammon, Richard, USGS, Reston, VA, 703 648-6150 He will testify concerning his  
2 role in the RIF as a Branch Chief.
- 3 170. McEvelly, Thomas, Emeritus Prof., U.C. Berkeley, 510 642-4494.
- 4 171. McGregor, Bonnie, Deputy Director for Programs, USGS, Reston, VA.
- 5 172. Mchendrie, Craig, Western Region, USGS, Menlo Park, CA, 650 354-3211. Subject  
6 matter expert, Western Region, USGS
- 7 173. McLean, Hugh, (appellant)  
8 [designated portions of AR 10663-10716; 10758-10837, MSPB transcript, Vol 60, 62]
- 9 174. Meyer, Charles E., USGS, Menlo Park, CA, 650 329-4961
- 10 175. Michael, Andy, USGS, Menlo Park, CA, 650 329-4777
- 11 176. Miller, David, Associate Branch Chief, Western Regional Geology, USGS, Menlo Park,  
12 CA, 650 329-4923.
- 13 177. Moores, Eldridge, Dept. of Geology, University of California at Davis
- 14 178. Mori, James, USGS, Pasadena, CA, 818 583 7821
- 15 179. Mortensen, Carl, Member, Round 1 SME team, Western Region. USGS, Menlo Park,  
16 CA, 650 329-4856.
- 17 180. Naeser, Charles, Deputy Office Chief for Regional Geology, USGS, Denver, CO, 303  
18 236-4720.
- 19 181. Neuhauser, Doug, University of California, Berkeley, 510 642-0931
- 20 182. Nielson, Jane, USGS, Menlo Park, CA.
- 21 183. Nockleberg, Warren, USGS, Menlo Park, CA, 650 329-5732. Assistant Branch Chiefs,  
22 Associate Branch Chiefs.
- 23 184. Pearlman, David, Senior Science Editor at SF Chronicle, CA, 415 777-7117
- 24 185. Peterson, Jocelyn , USGS, Menlo Park, CA, 650 329-5406
- 25 186. Pickthorn, William J., (appellant)  
26 [designated portions of AR 8338-8457, MSPB transcript, Vol 45, p.\_\_\_\_]
- 27 187. Pike, Richard J. (appellant)
- 28 188. Pinkerton, Former Branch Chief, Branch of Western Technical Reports, USGS

- 1 189. Rafalko, Lois, Administrative. USGS, Reston, VA, 703 648-7437.
- 2 190. Ramseyer, Cynthia, National Review Recommendation Evaluation Committee, USGS.
- 3 191. Raleigh, Barry, Dean of Earth Science, U. of Hawaii, 808 956-6182
- 4 192. Robinson, Allen, (appellant).
- 5 193. Rodriguez, Anselmo, USGS, Menlo Park, CA, 650 329-4720
- 6 194. Roeloff, Evelyn, USGS, Vancouver, WA 360 696-7912
- 7 195. Ryan, Holly, USGS, Menlo Park, CA, 650-354-3133
- 8 196. Rytuba, James, USGS, Menlo Park, CA, 650 329-5418.
- 9 197. Sallenger, Abby, USGS
- 10 198. Sarna-Wojcicki, Andrei, USGS, Menlo Park, CA, 650 329-4930
- 11 199. Savage, Fran, (former USGS), 510 797-9349
- 12 200. Sawlan, Michael G. (appellant).
- 13 [designated portions of AR 13545-13572, MSPB transcript, Vol 85, p. \_\_\_\_]
- 14 201. Schlee, John, USGS, Woods Hole
- 15 202. Schweig, Buddy, USGS, Memphis, TN, 901 678-4974.
- 16 203. Shepard, Ginnie, USGS, Anchorage, Alaska, 907 786-7474
- 17 204. Sherrill, Nathaniel, USGS, Menlo Park, CA, 650 329-4666 Western Region SME.
- 18 205. Shilleto, Dan, US DOI Solicitor
- 19 206. Sims, John, USGS, Reston, VA, 703 648-6722
- 20 207. Sipkin, Stewart, USGS, Golden, CO, 303 273-8415.
- 21 208. Smith, James G., USGS, Menlo Park, CA, 650 329-5230
- 22 209. Smith, David, USGS, Denver, CO, 303 236-1800, Branch Chief.
- 23 210. Somera, Robert, USGS, Menlo Park, CA, 650 329-4774
- 24 211. Stauffer, Peter, USGS, Menlo Park, CA, 650 329-5100, on staff of the Chief Geologist.
- 25 212. Stephenson, Ellen, SME, USGS, Menlo Park, CA, 650 329-4959 Round 2 Western
- 26 Region SME.
- 27 213. Swanson, Donald A., USGS, Seattle, WA, 206 524-5587
- 28 214. Swenson, Doris, USGS, Menlo Park, CA, 650 329-5229

- 1 215. Theodore, Ted, Round 2 Subject Matter Expert. USGS, Menlo Park, CA, 650 329-5365.  
2 216. Thompson, Robert, USGS Denver, CO  
3 217. Torresan, Michael, USGS, Menlo Park, CA, 650 354-3103  
4 218. Turner, Christine, USGS, Denver, CO, 303 236-5546.  
5 219. Tuttle, Bernadette, USGS, Menlo Park, CA, 650 329-5475  
6 220. Updike, Randall, USGS, Reston, VA, 703 648-6708. 303 273-8579, Branch Chief.  
7 221. Vaughan, James, USGS, Menlo Park, CA, 650 364-5866  
8 222. Venegas, Crystal, USGS, Menlo Park, CA, 650 329-5471  
9 223. Walter, Alan, USGS, Menlo Park, CA, 650 329-4762  
10 224. Walters, Steve, USGS, Menlo Park, CA, 650 329-4748  
11 225. Wardlaw, Bruce, Reston, VA, 703 648-6916, Branch Chief.  
12 226. Wells, Ray E., USGS, Menlo Park, CA, 650 329-4933.  
13 227. Wood, John, Former Branch Chief, Branch of Earthquake & Geomagnetic Information.  
14 228. Wolf, Stephen C., (appellant)  
15 229. Zientek, Michael, USGS, Menlo Park, CA, 650 329-5445. Assistant Branch Chiefs,  
16 Associate Branch Chiefs.

17 Plaintiffs reserve the right to call additional witnesses on rebuttal, as necessary.

18 Respectfully submitted,  
19

20 DATED: June 20, 2003

21 \_\_\_\_\_  
MARY DRYOVAGE

22  
23 DATED: June 20, 2003

24 \_\_\_\_\_  
THOMAS W. OSBORNE  
AARP Foundation Litigation  
25  
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28

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

3 DAVID P. ADAM, *et al.*,

4 Plaintiffs,

5 v.

6 GAIL NORTON, SECRETARY,  
7 U.S. DEPARTMENT OF THE INTERIOR,

8 Defendant.

Docket No. C98-02094 CW (EDL)

**CERTIFICATE OF SERVICE**

9  
10 I am a citizen of the United States and have an office in the County of San Francisco; I  
11 am over the age of eighteen years and not a party to the above-entitled action; my business  
12 address is 240 Stockton Street, 9<sup>th</sup> Floor, San Francisco, CA 94108.

13 On June 20, 2003, I served the within **PLAINTIFFS' AMENDED WITNESS LIST** on  
14 the parties in said action by E-MAILING, FAXING and MAILING a true copy of each such  
15 document in a sealed envelope to the following address:

16 Steven J. Saltiel  
17 Assistant U.S Attorney  
18 450 Golden Gate Avenue, Box 36055  
19 San Francisco, CA 954102

via fax 415 436-6748  
via email: [Steven.Saltiel@usdoj.gov](mailto:Steven.Saltiel@usdoj.gov)

20 ALISON DAW, Assistant U.S Attorney  
21 280 S. First Street  
22 San Jose, CA 95113

via fax 408-535-5081

23 I declare under penalty of perjury that the foregoing is true and correct and was executed  
24 on June 20, 2003, in San Francisco, CA.  
25  
26  
27  
28