

**BROWN & ROOT SERVICES CORPORATION
LOGCAP III SUPPORT CONTRACT
OFFICE MEMO**

January 22, 2003

TO: All LOGCAP III Support Contract Team Members

FROM: John Downey, PGM
LOGCAP III Support Contract

SUBJECT: Safety

LOGCAP III Support Contract operations are often conducted in a hostile environment. This does not mean your safety will be compromised.

The LOGCAP III Support Contract safety philosophy is simple. There is not one thing that we do that is worth injury to an employee. Each of you has my personal authority to stop any activity, which you believe to be unsafe. After stopping the unsafe activity, contact a supervisor for resolution.

Mr. Thomas Hamill
c/o Stoeger Publishing
17603 Indian Head Highway
Suite 200
Accokeek, MD 20607-2501

Tommy,

Please let me start my letter by conveying how please I am that you were able to escape your captors. Your story is an amazing tale of faith.

By way of introduction, I worked for KBR in Iraq during the time you were there. I worked for KBR under the LOGCAP contract and was a member of the LOGCAP management team. I am hesitant to provide you more information about myself as I expect you may question KBR about the information that follows. As you might expect, I wouldn't want KBR to know who provided this information and possibly jeopardize my future with the company.

Having just recently read your book, *Escape in Iraq*, and, by virtue of my position, having traveled extensively throughout Iraq by military convoy, I couldn't help but think about the danger that so many of KBR's employees bravely encountered and how fortunate we all were, and continue to be, to have "escaped" unharmed.

The reason I am writing you is that a passage in your book struck me and made me recall events from last April that you may not be aware of. You make mention on page 29 of the events of April 9 prior to the convoy leaving. You mentioned that the convoy was initially cancelled due to hazardous enemy activity, and that, the convoy mission was subsequently approved.

My understanding of those events, based upon conversations I either was privy to or heard in my official duties as a KBR employee, was that the KBR executive responsible for executing the LOGCAP contract, Mr. Craig Peterson, contrary to the advice given by the KBR Security department, Mr. John Stewart, and the military commanders, ordered your convoy to proceed with its mission.

Mr. Peterson had only arrived in Iraq several weeks previously and was under pressure from KBR management to improve the performance of KBR. Having that convoy proceed in the face of danger was one way to show improved performance. Mr. Peterson is a retired Army general and his personality has been described as "aggressive."

In addition to this information, I understand that Mr. Tom Crum, and his KBR Security Manager, Mr. George Seagal, went to Baghdad to address the situation with Mr. Peterson. I am not privy to the details of that discussion, other than to know that, regardless of the circumstances about the decision to have the convoy proceed, Mr. Peterson is still a VP with KBR and works in the Arlington, Virginia offices.

I felt moved to tell you this information as I truly believe you and the convoy members are entitled to nothing less than the full truth. I believe, based upon reading your story, that you are not a vengeful person and will know how best to handle this information -- whether to share it with your colleagues, an attorney, or simply do nothing with this information. Please know that I and many of the KBR employees I worked with would want the best for you and your colleagues regardless of the impact to KBR.

Mr. Crum has returned to Houston and would be best able to confirm this information.

It is truly God's blessing that you did survive your captivity. Your message of faith is both powerful and instructive. I know firsthand that KBR employees world wide, as well as many of the Iraqi citizens I worked with in Baghdad, did pray for your safe return and I wish to think that God did hear all of those prayers. I also wish to think he decided your story of faith and strength in the face of danger could best be used to deliver his message upon your safe return to your family.

Tommy, God bless you and your family!



Jennifer Caldwell

Government Operations - LOGCAP III

4100 Clinton Dr. Houston, TX. 77020-6237

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11 November 2004

Dear Mr. Stannard,

I hope this finds you well and enjoying a swift recovery. Per our conversation today, I have included the Medical Records Release Form. This form authorizes me to share your medical records with the Pentagon Review Board for the purposes of awarding you the Secretary of Defense Medal for the Defense of Freedom.

The Defense of Freedom Medal is an honor bestowed on rare occasions to government contractors who are wounded in hostile acts while serving on a government contract. You most certainly qualify, and I am working to ensure that you receive this much-deserved piece of recognition. Due to the steps involved in awarding the Medal, it usually takes 6 months to approve. If you have any questions regarding your nomination or the Medal in general, please do not hesitate to contact me at the numbers above.

Thank you for your hard work and sacrifice while working for KBR. I wish you the best of luck in the future.

Kindest Regards,

A handwritten signature in black ink that reads "Jennifer Caldwell". The signature is written in a cursive style with a large, looped 'J' and 'C'.

Jennifer Caldwell
Special Projects Liaison

KELLOGG BROWN & ROOT, INC.

Authorization and Release Form

Use and Disclosure of Protected Information

I, _____, hereby authorize Kellogg Brown & Root, Inc., including its affiliates ("KBR") to use or disclose information relating to my physical or mental health that could be used to identify me (called "Protected Information") as described below.

Protected Information is any information that relates to:

- My past, present, or future physical or mental health or condition;
 - Health care I have received or will receive; or
 - Payment for health care I have received or will receive.
-

1. I authorize KBR to use or disclose the following information:

Any and all information, including but not limited to Protected Information, in whatever form available, necessary to process an application on my behalf for a Defense of Freedom Medal with the Department of the Army, any other branch of the United States military, any applicable Review Board, and any of their representatives wherever located, but in particular at the Pentagon in Washington, D.C. (hereinafter referred to collectively as "the Military").

2. I authorize the following people to use or disclose the information and Protected

Information listed above in section 1:

Any employee of KBR, including but not limited to Jennifer Caldwell, authorized by KBR for the purpose described above in section 1.

3. I authorize the following people to receive the Protected Information listed above

in section 1:

The Military for the purpose described above in section 1

4. I understand that the use and disclosure is being made at my request.

5. I understand that I have the right to revoke this authorization (but not the release in section 9 below) at any time prior to its expiration date. Any revocation I make must be

made in writing and submitted to KBR. I also understand that a revocation is effective except to the extent that KBR already has taken action in reliance upon this authorization prior to its receipt of the revocation.

- 6. I understand that the information or Protected Information used or disclosed pursuant to this Authorization may be disclosed further by the receiving party.
- 7. I understand that this authorization and release is voluntary.
- 8. I may see and copy the information or Protected Information described on this form if I request it.
- 9. Release: I agree that in consideration for the application for a Defense of Freedom Medal on my behalf that on behalf of myself, my heirs, executors, administrators, assigns, and successors, I hereby release, acquit and discharge and do hereby release, acquit and discharge KBR, all KBR employees, the Military, and any of their representatives (in both their official and individual capacities), collectively and individually, with respect to and from any and all claims and any and all causes of action, of any kind or character, whether now known or unknown, I may have against any of them which exist as of the date of this authorization and all claims or causes of action arising from or related to this authorization or the use or disclosure of the information or Protected Information described in section 1 above by any of the aforementioned parties. This release also applies to any claims brought by any person or agency or class action under which I may have a right or benefit.
- 10. This authorization expires on October 1, 2005.

Signature of Individual or Individual's Representative*

Date

(Form must be completed before signing.)

* If this form is signed by a personal representative, another signed and completed form authorizing such legal representation (as may be acceptable to KBR) must be attached to this form, unless such a representation form is waived by KBR or is otherwise not applicable.

Deposition Excerpts

Stephen Pulley

1. PAGE 12:18 TO 12:20 (RUNNING 00:00:03.000)

18 Q. Mr. Pulley, state your name for the record,
19 please.
20 A. Stephen Pulley.

2. PAGE 25:01 TO 25:04 (RUNNING 00:00:09.000)

00025:01 Q. Okay. And April 9th, 2004, you were working for
02 Halliburton/KBR. Can you tell the jury your title,
03 please, sir?
04 A. Security coordinator.

3. PAGE 27:12 TO 27:15 (RUNNING 00:00:15.000)

12 Q. And, in fact, your notes which we're going to see
13 in a minute reflect that you spoke with Keith Richard, the
14 project manager of TTM at Camp Anaconda on April the 9th,
15 2004. Is that right?

4. PAGE 27:17 TO 27:17 (RUNNING 00:00:02.000)

17 A. Correct.

5. PAGE 28:20 TO 28:22 (RUNNING 00:00:10.000)

20 Q. And, in fact, Mr. Richard -- we're going to get
21 into the documents -- took charge of the convoy operations
22 in Iraq on April the 8th and 9th, 2004, did he not, sir?

6. PAGE 28:24 TO 29:02 (RUNNING 00:00:07.000)

24 A. Yes, he did, along with one other individual.
25 Q. (By Mr. Allen) And that other individual's name
00029:01 is?
02 A. Craig Peterson.

7. PAGE 30:01 TO 30:03 (RUNNING 00:00:10.000)

00030:01 Q. On April the 8th and 9th, 2004, who did you
02 understand was in charge of making the decision to send
03 convoys out of the various camps in Iraq?

8. PAGE 30:05 TO 30:23 (RUNNING 00:01:19.000)

05 A. My understanding is my position as a security
06 coordinator was to evaluate the information that I was
07 able to look at. Based on that information, I would shoot
08 it up the chain to my functional manager at the time.
09 Also any information and incidents that were taking place
10 were being looked at by a cell that was centered in the
11 international zone at the time. Based on the information
12 that we were seeing during that week and the current
13 threat level escalating with the incidents on the MSRs, it
14 was recommended from our functional managers, the security
15 managers, that convoys be stopped.
16 I was approached by -- I think it wasn't just
17 once but twice during that week convoys had been stopped
18 because of incidents and escalation of violence. And I
19 was approached by Keith Richard, and he told me that Joe

20 Brown does not have the authority to stop convoys. Only
21 he and Craig Peterson has that authority.
22 Q. When did Mr. Richard tell you this?
23 A. That was on the 8th, I believe it was.

9. PAGE 93:14 TO 93:16 (RUNNING 00:00:08.000)

14 Q. (By Mr. Allen) And if -- have you told the
15 defense attorneys when you met with them that it was wrong
16 to send these men out knowing the conditions?

10. PAGE 93:19 TO 94:01 (RUNNING 00:00:37.000)

19 A. I have told both sides that KBR Security did
20 their job that day, that KBR Security had did their job
21 that week, that information had been supplied,
22 recommendations had been made, and that KBR Security was
23 overruled and I was told face to face by Mr. Keith Richard
24 that KBR Security did not have the authority to stop
25 convoys, that only he and Craig Peterson had that
00094:01 authority.

11. PAGE 106:24 TO 107:16 (RUNNING 00:00:35.000)

24 Q. Okay. Well, when you said this was too dangerous
25 to travel, what did you mean by that?
00107:01 A. The road's too dangerous to travel?
02 Q. Yes, sir.
03 A. I meant that there was operations, there had
04 already been some attacks on our convoys, and that we
05 shouldn't have been putting them out there.
06 Q. Yes, sir. And, in fact --
07 A. Especially in the same area where they'd already
08 being attacked.
09 Q. As you said, convoys were being hit hard in the
10 vicinity of BIAP?
11 A. Correct.
12 Q. Numerous casualties taking place, some more
13 severe than others?
14 A. Correct.
15 Q. Roads were red, which meant they were off limits?
16 A. Correct.

12. PAGE 107:18 TO 107:20 (RUNNING 00:00:08.000)

18 Q. (By Mr. Allen) All of this was known to you and
19 KBR?
20 A. Correct.

13. PAGE 116:14 TO 116:17 (RUNNING 00:00:09.000)

14 Q. (By Mr. Allen) What happened to these men was
15 unnecessary based upon what you knew about the risk out
16 there on that day, right?
17 A. Correct.

14. PAGE 129:01 TO 129:02 (RUNNING 00:00:05.000)

00129:01 Q. Yes, sir. You saw something unsafe on April the
02 9th, 2004, didn't you?

15. PAGE 129:04 TO 129:05 (RUNNING 00:00:04.000)

04 A. To be honest with you, I saw it unsafe about
05 three or four days before that.

16. PAGE 264:06 TO 264:10 (RUNNING 00:00:14.000)

06 Q. (By Mr. Allen) Has anybody from KBR ever come to
07 you and said to you, "We're conducting a detailed
08 investigation to determine the cause and we'd like you to

09 assist us"?
10 A. No.

17. PAGE 362:19 TO 362:23 (RUNNING 00:00:20.000)

19 Q. Did you know that the Dowell Henderson convoy and
20 the Rick Reedel convoy and the Walter Teddy convoy and the
21 Sean Larvenz convoy were attacked or near BIAP on the
22 morning of April the 9th before my men were pushed out of
23 Anaconda?

18. PAGE 362:25 TO 363:03 (RUNNING 00:00:13.000)

25 A. I don't recall the names of the convoys. I just
00363:01 know that several had been attacked in that area.
02 Q. (By Mr. Allen) In fact, six simultaneously?
03 A. Correct.

Ken Waller

1. PAGE 6:06 TO 6:07 (RUNNING 00:00:00.000)

06 Q Please state your name for the record.
07 A Kenneth Waller.

2. PAGE 13:23 TO 14:01 (RUNNING 00:00:00.000)

23 Q And you were in fact present as an operations
24 specialist at the TTM on the day that the Tommy Hamill
25 convoy was deployed on April 9; is that correct?
00014:01 A Yes, I was.

3. PAGE 17:21 TO 17:24 (RUNNING 00:00:00.000)

21 Q Did that TTM operations have the authority and
22 obligation to stop or withdraw convoys if road conditions
23 were unsafe?
24 A Yes, he did.

4. PAGE 19:23 TO 20:04 (RUNNING 00:00:00.000)

23 want to make sure we're communicating. What was your
24 understanding as to the road status that day?
25 A When I arrived that morning, I asked the night
00020:01 person what was going on, Mr. Harold Blake, what the road
02 status was. And he informed me at that time the road
03 status was actually black. No one was supposed to go
04 anywhere.

5. PAGE 20:16 TO 20:18 (RUNNING 00:00:00.000)

16 Q Okay. If a road classification was black, what
17 did that mean?
18 A No traffic.

6. PAGE 25:18 TO 25:24 (RUNNING 00:00:00.000)

18 Q In fact, that morning, later, I think you said
19 it was black. Were there communications made to you by
20 Sari Berman, a supervisor/manager with KBR, about whether
21 or not convoys would be deployed that day?
22 A Yes. She specifically came into the operations
23 room and instructed Max and myself to absolutely not send
24 any convoys anywhere out the gate from Anaconda.

7. PAGE 26:09 TO 26:14 (RUNNING 00:00:00.000)

09 Q And have you learned since then from documents
10 we've shown you that other convoys were, in fact, attacked
11 that morning in the vicinity where the Tommy Hamill convoy
12 was deployed?
13 A Yes. Not only that morning, but the day prior
14 as well.

8. PAGE 33:23 TO 34:02 (RUNNING 00:00:00.000)

23 Q Why, as an operations specialist, should you not
24 send a convoy onto a route that's been designated red or
25 black?
00034:01 A Because the threat status was too high for the

02 convoy to operate safely in that environment.

9. PAGE 35:21 TO 36:09 (RUNNING 00:00:00.000)

21 Q There's been some reference, I believe, to the
22 Sonny Reina convoy. Was that convoy, was the Sonny Reina
23 convoy deployed and actually recalled the morning of April
24 9?

25 A Yes, it was. Sonny Reina notified me after he
00036:01 had departed the South Gate that he had left the area of
02 Camp Anaconda, and he was proceeding to the MSR. And at
03 that point, as directed by Sari Berman, I ordered
04 Mr. Reina to turn his convoy around and return to Camp
05 Anaconda.

06 Q Why was the Sonny Reina convoy ordered to
07 return?

08 A Because at that time we felt the threat level
09 was too high, the danger level was too high.

10. PAGE 38:09 TO 38:19 (RUNNING 00:00:00.000)

09 Q And sending the convoy into that type of threat,
10 from your knowledge, was it substantially certain that
11 drivers would be killed or injured on that particular
12 route that day?

13 A Well, we knew at the time the convoy left that
14 we had other convoys that were -- had been under attack
15 both that day and the day before. So yes, I do.

16 Q And, in fact, is that what later happened that
17 day is that the Tommy Hamill convoy was subject to an
18 extreme attack?

19 A Yes, they were.

Thomas Hamill

1. PAGE 8:09 TO 8:11 (RUNNING 00:00:07.000)

09 Q. I'm sure by now the jury will know who you are.
10 But can you state your name for the record, please, sir?
11 A. Thomas Hamill.

2. PAGE 14:10 TO 14:17 (RUNNING 00:00:15.000)

10 Since September the 28th, 2003, you've been
11 under continuous employment and been paid since then by
12 Halliburton/KBR and their subsidiaries?
13 A. Yes, sir.
14 Q. You've never missed a paycheck?
15 A. No, sir.

10 Q. Okay. And this -- as you describe it later, this
11 kill zone, you were being attacked from both sides of the
12 road?
13 A. Yes, sir.

16. PAGE 59:20 TO 59:23 (RUNNING 00:00:12.000)

20 Q. (By Mr. Allen) Mr. Hamill, my question to you
21 was: If somebody knew in advance that you were going to
22 be attacked like this, they should let you know, shouldn't
23 they?

17. PAGE 59:25 TO 60:07 (RUNNING 00:00:14.000)

25 A. Yes, sir.
00060:01 Q. (By Mr. Allen) There would be no excuse for them
02 not to --
03 A. No, sir. No, sir.
04 Q. Well, let me finish my question. There would be
05 no excuse imaginable why anybody should not give you that
06 information, correct?
07 A. No, sir, shouldn't be.

18. PAGE 60:12 TO 60:15 (RUNNING 00:00:11.000)

12 Q. "It sounded like the truck was getting pounded by
13 a hail of golf balls. Never had the kill zone been so
14 lengthy." Were you in a kill zone, sir?
15 A. Yes, sir.

19. PAGE 61:08 TO 61:12 (RUNNING 00:00:15.000)

08 Q. (By Mr. Allen) Okay? Can you describe for me
09 and these families what this means when you're in the kill
10 zone?
11 A. Just what it says, the kill zone, potential death
12 trap.

40. PAGE 337:05 TO 337:11 (RUNNING 00:00:26.000)

05 Q. (By Mr. Allen) Did anybody tell you, sir,
06 anybody from KBR or Halliburton -- anybody tell you the
07 morning of April the 9th that anybody else in KBR had
08 written down that all hell had broken loose, that KBR had
09 six convoys attacked at the same time, and numerous

10 casualties, some more serious than the others? Did
11 anybody tell you that?

41. PAGE 337:13 TO 337:16 (RUNNING 00:00:09.000)

13 A. I don't recall, sir.
14 Q. (By Mr. Allen) Sir, if they knew this, it would
15 be wrong to not tell you, wouldn't it?
16 A. Yes, sir.

42. PAGE 337:22 TO 337:23 (RUNNING 00:00:05.000)

22 Q. Sir, isn't this reprehensible conduct if they
23 knew this and didn't tell you?

43. PAGE 337:25 TO 337:25 (RUNNING 00:00:02.000)

25 A. Yes, sir.

44. PAGE 338:22 TO 339:04 (RUNNING 00:00:13.000)

22 Q. (By Mr. Allen) Is there any excuse you can
23 possibly think of why they didn't tell you that? Because
24 they didn't want to make somebody hysterical?
25 A. No, sir.
00339:01 Q. There's no good excuse, is there, sir?
02 A. No, sir.
03 Q. Not one good excuse?
04 A. No, sir.
