

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

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Case No. CV 09-0037-CW (JL)

VIETNAM VETERANS OF AMERICA, *et al.*,

Plaintiffs,

v.

CENTRAL INTELLIGENCE AGENCY, *et al.*,

Defendants.

DECLARATION OF ANNE MOROZ

I, ANNE MOROZ, hereby declare and say:

1. I am the Facility Chief Information Officer (“CIO”) for the Veterans Benefits Administration (“VBA”) at the Department of Veterans Affairs (“VA”) Central Office. I was appointed to this position on July 1, 1996.

2. As the CIO, I am responsible for, among other things, the daily operations of the VBA information technology (“IT”), local area network, and wide area network connections, facilities, including the computer room, communication closet, gateways, and IT systems.

3. The statements made herein are based on my personal knowledge and information provided to me in my official capacity. In this role, I am familiar with VBA's operations and organizations. I am aware of this litigation, the Plaintiffs’ claim against VA, and Plaintiffs’ discovery requests directed to VA.

4. As the Facility CIO, in January 2011, I instructed employees of the Office of Information and Technology (“OI&T”) to conduct a search using Microsoft Windows Explorer of VBA servers using a list of 38 keywords or phrases in order to find documents and emails responsive to Plaintiffs’ request for production. I am aware that in August 2009, VA began to

1 search its files for documents responsive to the requests for production (RFPs) in the subpoena
2 served upon VA. Because Windows Explorer could not be used to search documents or emails in
3 a pst file on a VBA server, VBA employees were instructed to search their own email for
4 responsive documents.

5 5. The purpose of this declaration is to explain the recent discovery of a folder named
6 "CAPDABBO" on a VBA server, VBACOFPC6.

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8 6. On February 24, 2012, in preparation for moving servers managed by OI&T on
9 behalf of VBA or containing VBA data from the Capitol Region Data Center ("CRDC") in
10 Falling Waters, West Virginia, to the VA Capital Region Readiness Center ("CRRC") in
11 Martinsburg, West Virginia, my staff and I examined a VBA server, VBACOFPC6, which was
12 created in Spring 2010 to provide VBA with storage for VBA data when there was no longer
13 room for data on VBA's primary servers. We examined the server to determine whether it
14 contained any files that had to be moved to the CRRC servers. None of the files on
15 VBACOFPC6 was currently in use, and the most recent folder was dated 2010. I noted a folder
16 named "PST Files From Old Users" and opened it. The folder contained a folder named
17 "CAPDABBO," which I recognized as the account name for David Abbot. I opened the
18 CAPDABBO folder, found a file named "ChemB20070502.pst" that appeared to have been
19 created on May 2, 2007, and immediately notified the VBA Compensation Service of my
20 discovery.
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