

that seeks to compel the above-referenced Defendants to submit several service members' remains to physical examination and postmortem DNA testing as specified in the motion papers.

3. I am currently employed by Bode Cellmark Forensics ("Bode"). Bode operates an internationally recognized DNA laboratory in Lorton, VA. Bode's laboratory provides different types of testing, including STR Analysis, Y-STR Analysis, Mitochondrial DNA (mtDNA) Analysis, and miniSTR Analysis.

4. Bode's DNA experts have assisted in identifying criminals in every state in the United States, as well as victims of war, terrorism, crime, and natural disasters, including the 2001 attack on the World Trade Center, the conflicts in Cyprus, and the remains of U.S. soldiers. Bode processes more than 15,000 cases per year and has delivered more than 3.5 million DNA profiles to the U.S. states and federal agencies.

5. In the past, Bode has developed DNA profiles from the unknown remains of a service member that was killed during World War II. In all, Bode has tested more than 30,000 unidentified human remains for DNA and helped identify individuals.

6. I have reviewed all of the medical records made available to me by the Plaintiffs. I am unable to render complete or accurate advice and opinions to the Plaintiffs concerning the identity, DNA, and nature of the deceased service members' remains identified in the motion unless I am allowed to make the examination and complete the tests set out in the motion papers.

7. I propose to perform postmortem DNA extraction and testing. Similar testing has not previously been performed to my knowledge. In my professional opinion, the testing has the potential to aid in the investigation of the true identity of the deceased service members' remains. If adequate DNA samples are obtained, the testing will likely assist in the identification of the deceased service members' remains. Further, in my opinion, it is necessary for the DNA

extraction and testing to be performed as soon as possible to prevent potential loss of DNA due to further deterioration.

8. All of the examinations and tests that the motion describes are routine procedures for Bode. None involves unusual risks, and all of the examination and test procedures are considered reliable and acceptable.

9. The condition sought to be examined, the identity, and DNA of the deceased service members' remains, are central issues in this lawsuit. Because of my conversations with Plaintiffs' counsel, I understand that the identity, and ability to obtain DNA of the service members' remains are disputed.

10. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 13th day of April, 2018.



Jon Davoren, Declarant