

UNITED STATES OF AMERICA

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ARMED SERVICES BOARD OF CONTRACT APPEALS

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HEARING

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IN THE MATTER OF:

THE APPEAL OF

Wesleyan Company, Inc. ASBCA Docket No.  
53896

Under Contract No.  
DAAK60-84-M-116, et al.  
¼

VOLUME 2

Wednesday  
April 16, 2008

Hearing Room B  
Seventh Floor  
Skyline Six

5109 Leesburg Pike  
Arlington, Virginia

The above-entitled matter came on for  
hearing, pursuant to notice, at 9:00 a.m.

BEFORE:

THE HONORABLE MONROE E. FREEMAN, JR.  
Administrative Judge

Neal R. Gross & Co., Inc.  
(202) 234-4433

Dr. Hubbard's  
Support for FIST  
OTMHS  
gets him removed!  
Volume 2  
p1

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1           A       My -- my human research capability  
2       was completely eliminated.

3           Q       So you were upset --

4           A       And I -- hmm?

5           Q       I said you were upset by this, is  
6       that fair?

7           A       Certainly at the time.

8           Q       And what -- what year was this?

9           A       This was 1990.

10          Q       1990. Did this have anything to do  
11       with FIST Flex?

12          A       In my opinion, it was a direct  
13       result of being a FIST Flex advocate at the  
14       November 29th Chem School Review, at which  
15       point after that meeting was over, General  
16       Watson had his aide come up to Colonel  
17       Schnockenberg and myself, I don't think  
18       Schnockenberg was there, he came up to me and  
19       he said, "I want you to tell you you really  
20       pissed off General Watson and he said you'll  
21       never see that damn colonel or his little  
22       bastard briefer in my Chem School again." He  
23       made good on the threat.

24          Q       And when -- what -- what year was  
25       that?

1 A That was November 29th, 1988.

2 Q Okay. Now, going back --

3 A And my lab was dismembered a year  
4 later, two years later.

5 JUDGE FREEMAN: Excuse me. Judge  
6 Freeman here. Who was the briefer that you  
7 understood him to be referring to?

8 THE WITNESS: I was the briefer at  
9 the Chem School.

10 JUDGE FREEMAN: All right. Go  
11 ahead.

12 BY MR. CLARKE:

13 Q Okay. Let's go back to the  
14 document at Tab N. This is the memorandum of  
15 record for the minutes for the Mask Drinking  
16 System Program Review.

17 Your testimony was that the Fist  
18 Flex System was basically killed at this  
19 meeting, is that correct?

20 A Well, it was -- it was -- it was  
21 given a modify NDI development for further  
22 development and testing. The -- the effect of  
23 this was that it was not going to ever get  
24 purchased and if -- if you could show me where  
25 it ever was purchased, I'll admit to an error.



*Judge  
Freeman  
does  
nothing!*