

Brent O. Hatch (5715)  
Paul G. Cassell (6078)  
HATCH, JAMES & DODGE, P.C.  
10 West Broadway, Suite 400  
Salt Lake City, Utah 84101  
Telephone: (801) 363-6363  
Facsimile: (801) 363-6666

Counsel for Defendants

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONALD BALL, DUSTIN HEARD,  
NICHOLAS SLATTEN, PAUL SLOUGH,  
AND EVAN LIBERTY,

Defendants.

**DECLARATION OF BRENT O.  
HATCH IN SUPPORT OF  
DEFENDANTS' MOTION FOR  
FINDING OF NO PROBABLE CAUSE  
DUE TO ABSENCE OF SUBJECT  
MATTER JURISDICTION AND  
LACK OF VENUE PURSUANT TO 18  
U.S.C. §§ 3261 ET SEQ.**

Case No.:

Magistrate Judge Paul Warner

I, Brent O. Hatch, hereby declare as follows:

1. I am a partner in the law firm of Hatch, James & Dodge, LLP and am one of the attorneys for defendants Donald Ball, Dustin Heard, Nicholas Slatten, Paul Slough, and Evan Liberty.

2. Attached hereto are true and correct copies of the following exhibits. I am submitting this declaration in support of Defendants Motion for Finding of No Probable Cause Due to Absence of Subject Matter Jurisdiction and Lack of Venue Pursuant to 18 U.S.C. §§ 3261 *et seq.*:

Exhibit 1: Excerpt from the United States Department of State's Strategic Plan for FY 2007-2012.

Exhibit 2: DoD 101, An Introductory Overview of the Department of Defense (December 5, 2008).

Exhibit 3: Task Order 6 to WPPS II Contract (August 27, 2007).

Exhibit 4: Excerpt of WPPS II Contract (August 25, 2004).

Exhibit 5: Paul Slough's Independent Contractor Service (October 2, 2006).

Exhibit 6: Paul Slough's Department of State Letter of Authorization (June 19, 2007).

Exhibit 7: Dustin Heard's Department of State Letter of Authorization (March 30, 2007).

Exhibit 8: Donald Ball's Department of State Letter of Authorization (June 11, 2007).

Exhibit 9: Nicholas Slatten's Department of State Letter of Authorization (July 11, 2007).

Exhibit 10: Evan Liberty's Department of State Letter of Authorization (May 18, 2007).

Exhibit 11: Proceedings and Debate of the 108<sup>th</sup> Congress, Second Session (June 16, 2004).

Exhibit 12: CBO Report "Contractors' Support of U.S. Operations in Iraq" (August 2008).

Exhibit 13: Letter from D. Schertler to K. Kohl (Sept. 30, 2008).

3. I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct. Executed on December 8, 2008.

A handwritten signature in black ink, appearing to read "BOH", is written over a horizontal line.

BRENT O. HATCH