State	
Coun	ty of ss:
FIRS	T BEING DULY CAUTIONED AND SWORN, AFFIANT STATES:
1,	My name is and I am of legal age, sound mind and otherwise competent to make this affidavit. I am currently the
2.	I have personal, direct knowledge of each of the facts set forth in this affidavit.
3	I am a subject matter expert with 35 years of expertise as a chief/senior principal systems engineer in the defense and space industries. I have received numerous honors and awards for this electrical engineering activity. My activities specialize in space, satellite and missile research, development requirements, analysis, risk management and customer service with U.S. Air Force Martin Marietta Rockwell International / General Dynamics Eaton Corporation / Rockwell International Autonetics, Raytheon Company, Raytheon Missile Systems Company, Liedos, Inc., Science
	Applications International Corporation, Inc. (SAIC),
	Engineering,
	I have mastery of numerous development platforms including IBM Rational DOORS with Git that has been promoted by the IBM Eclipse Foundation since its founding on Nov. 29, 2001. I have extensive experience leading and mentoring staff from clean sheet designing through production delivery and sustainment (cradle to grave programs). See Professional Resume. Exhibit A .

4. RE: INTERACTIONS WITH:

- a. <u>Andrew W. Marshall</u>, director, Office of Net Assessment, The Highlands Group, sponsor of The Highlands Forums
- b. <u>James P. Chandler, III</u>, executive principal, Office of Net Assessment, The Highlands Group
- c. <u>Richard P. O'Neill</u>, president, The Highlands Group, sponsor of The Highlands Forums
- d. <u>Anthony J. Tether</u>, director, Defense Advanced Research Projects Agency (DARPA), The Highlands Group executive principal
- 5. From 1981-2005, I was a participant in numerous meetings of a group that called itself "The Highlands Group" that sponsored "The Highlands Forums" which was sponsored by the U.S. Department of Defense Office of Net Assessment and The Defense Advanced Research Projects Agency (DARPA).
- 6. These meetings in which I was in attendance were overseen by one or more of the following people: James P. Chandler, III ("<u>Chandler</u>"), Andrew W. Marshall ("<u>Marshall</u>") Richard P. O'Neill ("<u>O'Neill</u>") and Anthony J. Tether ("<u>Tether</u>").
- 7. The Senior Executive Service (SES) and the Senior Executives Association directed and funded Marshall (1978-d. Mar. 26, 2019) and continue to direct Tether (2001-current) according to the Plum Book.²

https://web.archive.org/web/20180226185459/http://www.highlandsgroup.net:80/about.php?ID=1

¹ About. (Accessed Apr. 16, 2019). Highlands Group Overview. The Highlands Group. The WayBack Machine.

² About the Plum Book. (Accessed Apr. 16, 2019). United States Government Policy and Supporting Positions (Plum Book). Government Printing Office. https://www.govinfo.gov/collection/plum-book

- 8. The purpose of The Highlands Group ("Highlands") was very evidently intended by the Office of Net Assessment to gather government agencies and selected nongovernment contractors and financiers to make recommendations on promising innovations over which the government could apply its financial and contracting muscle to weaponize. In short, Highlands made the recommendations on war fighting systems winners and losers.3
- 9. In this noncompetitive environment, patents, copyrights and other forms of intellectual property were mere speed bumps to Highlands' public-private members. Their confiscations of private property are, in my opinion, in flagrant violation of the Fifth Amendment Takings Clause, among others. In fact, the very existence of Highlands was/is noncompetitive and worked more like a fascist system where government insiders picked winners and losers based on political alignment, rather than capability.
- 10. It is my belief that many of the Highlands' private corporate participants were eagerly carrying forward the tradition of intellectual property confiscation by the U.S. government that was instituted by President Franklin D. Roosevelt, and which fueled America's post-World War II economy—much to the benefit of the beneficiary robber barons and to the impoverishment of inventors worldwide. While American industry gave lip service to respecting the property rights of American inventors, my observation is that they treated American inventors with equal disdain.
- 11. It is my belief that Highlands participants starting in 1942 have been the beneficiaries of "over 50,000 [seized] patents" that "cover inventions in every field of applied science and representing millions of man-hours of

³ Op. cit.

research and the expenditure of many millions of dollars. These inventions represent some of the finest research achievements of modern science, particularly in the production of dyestuffs, plastics, pharmaceuticals, and electrical goods." These patents were "owned and controlled by enemy nationals, or in certain cases, by non-enemy foreign nationals." They were seized by the President under the First War Powers Act of December 1941 that resulted in Executive Orders No. 9095 (March 11, 1942), as amended by No. 9193 (July, 6, 1942). These executive orders created the Office of Alien Property Custodian as a part of the Office of Emergency Management of the Executive Office of the President. "Such property includes business enterprises of all kinds and sizes, real property, trusts, estates, ships, patents, copyrights, trademarks, and certain miscellaneous property" (but curiously, not "cash, bank deposits, and securities"). The U.S. Patent Office assisted the Office of Alien Property Custodian in the reclassification of these seized patents before they were *given* to American business applicants. 4

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⁴ Leo T. Crowley, Alien Property Custodian. (Dec. 7, 1942). Patents At Work, A Statement of Policy by the Alien Property Custodian of the United States, No. 3999066566405, No. JX5313.U6A5 1943. Office of Alien Property Custodian.

13.0'Neill's interest in	was primarily what the three
survivors.	did to survive the incident.
	I thought his question was crass
at the time. I left the g	gathering shortly after this distasteful exchange.
14.Chandler was also at t	this gathering. I do not recall whether or not
Chandler had attended	but presumably he did. I was not
introduced to Chandle	er, although one cannot help but remember his dark
complexion, crooked	teeth and stoic, emotionless face. Marshall attended
but he	did not attend the gathering afterwards.
15.In 1984, while working	ng on the Shuttle program at Vandenberg AFB, the
team	at Rockwell International Space and Missile
Division /	identified an issue with the
Sensor monitoring scr	reens in which during the monitoring cycle (every 2
minutes the screen wo	ould transition to the next screen)(there were 16 screens
in all). The issue was	that it would take a total of 32 minutes for the initial
cycle to complete and	start over leaving the status of a particular screen
unknown for up to 32	minutes.
16. developed a	short-term fix to the
software so that a ribb	oon menu was placed at the bottom of the screen that
would flash if someth	ing was identified on a screen that had already cycled
past the status viewer,	, and allowed human intervention to select the flashing
menu ribbon identifie	r which would bring that monitoring screen up
immediately.	
17. identifi	ed a long term fix that would automatically bring up
the status screen if an	issue was identified without the need for human

intervention. As was the requirement at the time, all safety hazard analysis reports had to be provided to the Cape Canaveral Safety Department for approval to implement. It was rejected by this organization stating that they did not feel it was critical to the operation.

- 18. When the Space Shuttle Challenger blew up on January 28, 1986, called back to Washington, D.C. to testify about findings at Vandenberg, and present the details of suggested fix to the issue, as well as the response by the Review Board from Cape Canaveral. During this testimony, all three of the Office of Net Assessment/Highlands Group principals attended namely Marshall, O'Neill and Chandler. Chandler took copious notes.
- 19.In October 1991, the Office of Net Assessment / Highlands Group held a meeting in a nondescript building in the Washington, D.C. suburbs also attended by Chandler, Marshall and O'Neill. The meeting participants included approximately 45 people representing an array of public and private sector entities and individuals.
- in a "black" project by Rockwell

 at the time as their

 Engineer

 in a "black" project by Rockwell

 Engineer

 in a "black" project by Rockwell

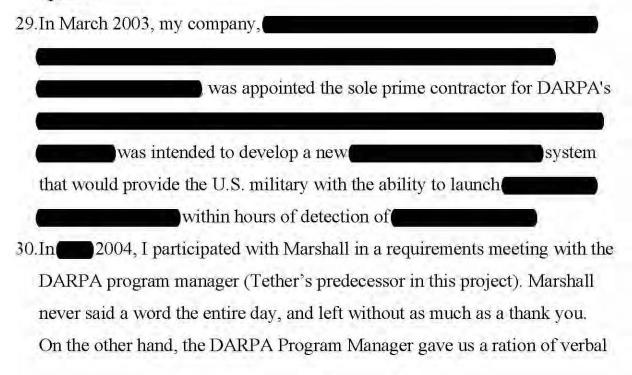
 in a "black" project by Rockwell
- 21. The stated purpose for the meeting was to discuss Rockwell's contributions to the project ("Black"). represent Black at this meeting and had to obtain a special clearance. We presumed that all the attendees would be similarly cleared to discuss this project.

⁵ A black project is a term used for a highly classified military or defense project publicly unacknowledged by government, military personnel, and contractors.

- 22.O'Neill welcomed the 45 participants then totally switched the agenda away from discussing Black—the bait that motivated this large group to travel to Washington, D.C. for the meeting. O'Neill changed the agenda to surveying the participants on their views of the security impacts of using third-party software packages (commercial off-the-shelf software—COTS) on classified programs.
- 23.O'Neill introduced Chandler who then facilitated the meeting the rest of the day. Marshall was silent the whole day. O'Neill was also silent after introducing Chandler.
- 24. The participants were equally shocked, miffed and bewildered by this bait and switch agenda.
- 25. All day long, Chandler elicited comments and opinions from the participants who mostly responded with questions and requests for more context. Some even outright said there was no reason to use third-party software since the software and security needs of the U.S. government were already well in hand.
- 26. Chandler exploded into a tirade following the participant questions and push back. He lambasted the entire gathering with profanity laced epithets about their ignorance and lack of understanding about what was going on at his strategic level. Remarkably, Chandler pulled rank on the participants, some high ranking military officers, without briefing them.
- 27.Remarkably, following the short lunch break, only 23 of the 45 contractors (51%) returned for Chandler's afternoon session. Half of the invited participants left without notice. The afternoon session with the other half who stayed was filled mostly with arguments about the pros and cons of COTS software. Frankly, COTS was a well-publicized wider conversation in

the industry across the board. It was not an issue unique to classified projects. For those with whom I spoke during the day, we agreed that if Chandler's purpose was evidently to cause rifts and political disruptions among some of the U.S. government's largest defense contractors., he achieved his goal. The meeting did not arrive at any solutions, and there was no discussion of Black.

28.I have never before or since attended such an odd government meeting as Black. It was memorable. Hindsight shows that the Department of Defense Office of Net Assessment (Andrew W. Marshall), the Highlands Group (Richard P. O'Neill), James P. Chandler, III (evidently directing both organizations) were intent on moving classified government systems away from internal to selected Highlands private sector participants. This Black meeting was evidently designed to give them enough to make their arguments plausible. There was no other reason to have this meeting, in my opinion.



abuse about	
31.In 2004,	
32. Nonetheless, three months later,	in. we completed the
second phase	This phase successfully
bench tested the	relied upon previously patented
technology to create a modu	ale for
which wa	s goal of Phase 2. See U.S. Patent No.
33.In as we were beg	inning our PDR, we were informed that the
DARPA Program Manager on or	ar project had been removed and that Tether,
the director of DARPA himself, our PDR.	would be acting as the Program Manager for
34. After a full day presenting our de	esigns and test results for the head-end module
(that incorporated our previously	patented innovations), Tether, with his head
full of our fresh information, sun	nmarily canceled the program effective
immediately. We were given one	e (1) month to provide all work product paid
for by DARPA. Note that this we	ork product did not include the
since owned the par	tents and the design.
U.S. Patent Office.	

35. As a result of this DARPA project cancellation,
off its employees and ceased operations by
position at SAIC in
36. For the record, certain misinformation about this project injects fabrications
That information is materially incorrect.
37. However, six months after stopped operations, Northrup-Grumman
announced that they had been awarded a new program. Tellingly, the DARP
Program Manager who had been fired was now was now
employed by Northrup-Grumman on this new award. Tether had included all
the proprietary inventions in the Northrup-Grumman
specification. In short, in my opinion these actions by DARPA
misappropriated proprietary patent properties.
38.In 2004 and 2005, I again participated in meetings with
Chandler and O'Neill at Office of Net Assessment / Highlands Group meeting
associated with the transitioning from Internet Protocol version 4 ((IPv4)-
Digital) to IPv6 (Hexadecimal) in conjunction with the Future System
program. Again they were interested in what security concerns there were
between the two protocols, as well as the length of time to implement the
migration efforts.
39.I became aware of substantial conflicts of interest between DARPA and Arm
personnel with regard to IPv6 implementation. Once DARPA realized that I
had inadvertently become aware of these conflicts, I was summarily escorted
out of the Boeing facility where I had learned about the conflicts and was
transferred immediately to another SAIC program (Space and

LA Air Force base in El Segundo, CA). My new assignment had no visibility into the program. It was evident that the Army and DARPA strategies were not aligned, and that DARPA (Chandler, O'Neill, Marshall, Tether) was in control of and and not the Army. I found this odd since the raison d'ê·tre of the entire DARPA program was Future Systems for the Army. The Army's supposed need appears to me in hindsight to have been a ruse for another agenda.

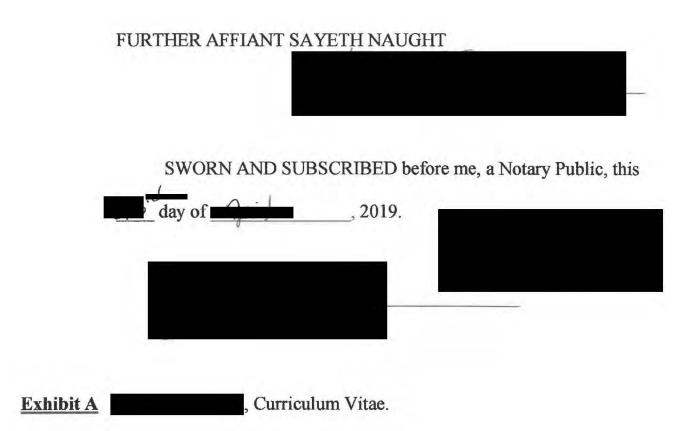


Exhibit A

Curriculum Vitae

SUMMARY

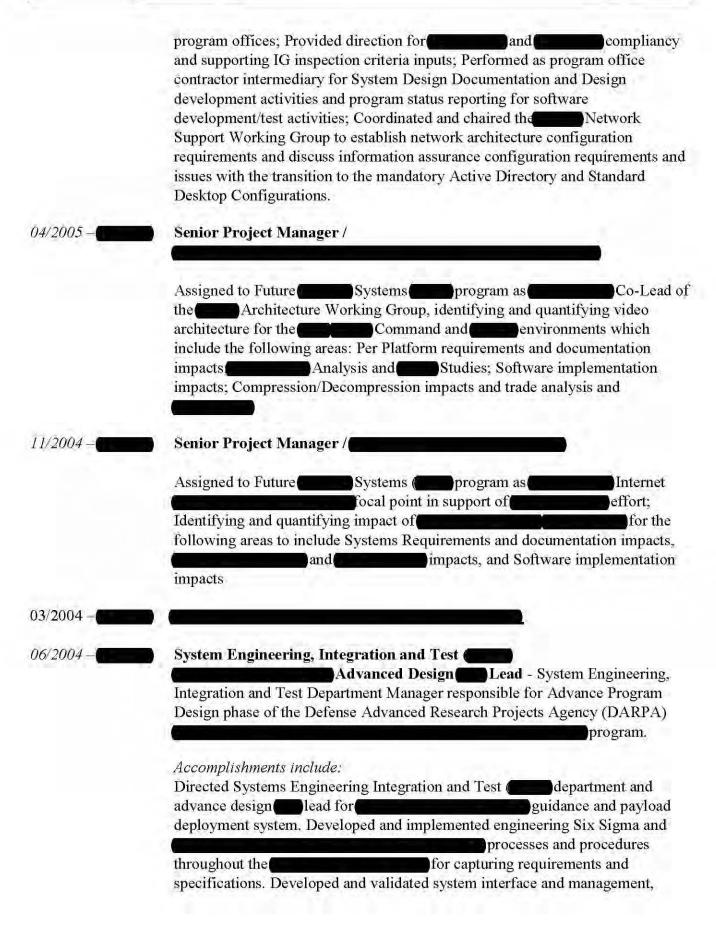
Extensive experience that includes large scale integration for net-centric operational systems, DODAF system architecture development including information assurance, SIGINT, architectures for ground and mobile assets. sub/supersonic missiles, space, Global Positioning Satellite (GPS) systems, aeronautical, aircraft, helicopters, RF/ECM/ECCM systems, power (aircraft/helicopter) and camera security systems, launch operations, analysis, and hardware to software integration. Leadership utilizing effective integrated project-teaming concepts, cross-functional matrixed program management, kaizen manufacturing, six sigma and engineering best practices; Experience includes hands-on, program management, supervisory, project leadership and group management with contract/sub-contract management with funding of \$167M combined.

EDUCATION

- -	University,
EXPERIENCE	
09/2016 –	Principle Systems Engineer – Systems engineering support to the
	Directorate at the Space AFB.
07/2015 -	
	Chief Systems Engineer – Systems engineering support for private aircraft and helicopter battery, camera and security system programs.
04/2015 –	
	support for private aircraft and helicopter battery and security system programs
05/20	LEIDOS (FORMERLY SAIC),
	Chief Systems Engineer – Systems engineering support to the national

01/2011 –	Chief Systems Engineer –
	Demonstration Systems Engineering and Integration (SE&I) -
11/2004 –	
05/2008 –	Chief Systems Engineer –
	Conventional
	Accomplishments include: Primary technical interface to the customer as Chief Engineering for Performs all system technical readiness assessments (TRA) and development of program documentation and planning; Provides direction for systems integration and safety risk assessments Supports program office as contractor intermediary for system design, integration activities, and program
	status reporting for all aspects of the demonstration phase activities; Program office start-up activities and operations; Supports Customer with information and data inputs for manning levels and performance to budget/contract.
12/2005 –	Principal Software Systems Engineer / Program Assigned to
	software (SETA) support as primary software (SETA), network integration (SETA), and test engineering (SETA) supporting increment 1 programmatic and technical expertise. Supporting increment 2 initial engineering planning meetings, provided insight into the (SETA) support as primary software (SETA) support as primary suppo
	Accomplishments include: Orchestrated integration for planning/implementation assessments and training, network architecture development, system architecture development including requirements flow-down for system security assurance requirements for the

Curriculum Vitae Page 3 of 9



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system design analysis, technical risk manage	
Worked with executive management as well	
and customer representatives to ensure that re	equirements were flowed down and
documented. Systematically evolved the	
Preliminary Design Review (P	DR) level. Established the
Systems Safety/Reliability engineering proce	sses and analysis procedures to
establish baseline assessments. Performed pr	the control of the co
assessments, identifying and establishing me	
of design implementation schedules, and pre-	
tracking and reporting to earned value measu	이번에 전에 가는 이번 구매를 가게 되었다. 그리는 이 사람들은 사람들은 사람들이 되었다.
monitored configuration management statisti	
review and publication throughout Advanced	
Systems integration and	integration assessment for
preliminary failure mode and evaluation anal	
identification. Implementing Six Sigma and	
Systems Management Process and Procedure	
Phase to ensure customer satisfaction; Success	ssfully implemented Integrated
Product Team leadership resulting in an 85%	increase in productivity;
Established baseline assessments in Systems	Safety/Reliability engineering and
provided analysis coordination with design e	ngineering teams; Implemented
Project and risk management processes, sche	
criteria, project monitoring through tracking	
criteria, configuration management, documer	
production, Specification development and re	
production, specification de velopment and re	nease in first week of assignment.
RAYTHEON	
	*
Senior Principle Engineer /	
Responsible for	
leadership and mentori	ng of multi-discipline engineers
and program support personnel in support of	를 가득한 것으로 있는 것은 이 그리고 한 1.1.1.1.1 Harrier 등 하시네네 등은 사람들이 가는 그리고 있다면 다른 사람들이 되었다.
awards spanning over four major contracts in	
project and risk management, schedule devel	
monitoring through tracking and reporting to	A STATE OF THE PROPERTY OF THE
configuration management, procurement, do	
prime item identification and descriptions, gl	교육 하는 일일 중에 가고있다는 이 회사들이 그림으로 살게 되는 것이 가게 그렇게 살아 살아 먹다고 하는 것이다.
plans, flight test plans and technical procedur	그렇게 하는데 그리고 있는 것이 하는데 그들은 사람들이 되었다. 그리고 있는데 그리고 있는데 그리고 있다.
	activities. Provide mentor
leadership for junior engineers. Launch crew	
team at	Field Operations
and Integration IPT Lead for	program;
Audit IPT Co-Lead	I for technical project coordination
with customer responsible for the technical of	lemonstrative population of the

11/99 -

Curriculum Vitae Page 5 of 9

Functional Configuration Audit Matrix for the program.

Test

06/99 -

Software Engineer / Lead Software Quality Assurance

Software Engineer - Responsibilities included but not limited to development of GUI software user interfaces, query based user interfaces using SQL queries, installation development using Install Shield products, report generation using Crystal Reports 6/7 and ActiveX controls for manufacturing management software products

01/92 -

CONSULTING

Founder / Chief Technology Consultant (CTC) (Concurrent)

NOTE: Operated consulting company on a non-interference basis concurrently with other jobs listed here.

- Performed evaluations, technical analysis, maintenance, troubleshooting computerized systems builds, and software installations for small businesses and medical offices.
- Developed recovery plans and maintenance schedules, analysis, and anomaly tracking databases, software applications for secured medical digital records database with reporting systems, time accounting, inventory control and expense reporting.
- Provided direct and computerized training of software applications, Health Insurance Portability and Accountability Act of 1996 (HIPAA) compliance requirements for medical offices, and help desk support to clients.
- Provide Management Information System (MIS) services in support of physicians, medical staff, Individuals, Small Business Owners and their employees.
- Preformed network architecture analysis with layout planning, implemented software utilization on personal and mini-mainframe computer systems and peripherals at various customer locations.
- Provided Cyber-security support and post-event forensic assessments and reporting.

01/92 -

EATON

Division Financial Manager / Senior Systems Engineer

Analyst /

Integrated Management Interface Software (IMIS) network Interface team member performing pre-planning and hierarchy structuring layout, and Technical advisor in the purchasing of computer equipment, telephonic support Curriculum Vitae Page 6 of 9

and data transmission links, development tools and OTC software; Responsible for the design, development and implementation of various Data Reduction and Management tools using DOS and Windows based spreadsheets and relational database programs. Prepare and present Executive Management Financial Reviews. Prepared technical inputs and assessed pricing for proposals in association with the B-1B Bomber Flight Test and Follow-on Support contracts.

	association with the B-1B Bomber Flight Test and Follow-on Support contracts.
09/91 -	ROCKWELL
	Lead Software / Systems Integration Engineer
	Black Program
10/85 —	EATON
	Financial Manager / Senior Systems & Flight
	Prepared documentation, Test Plans and Procedures, ground test schedules, schedules, and briefings. Performed systems tests involving simulation testing in a laboratory, ground prevalidation testing and post-flight data reduction processing. Performed Data Analysis to evaluate and validate system function during various flight test scenarios. Project Engineer on Technical Information Meetings Preliminary and Critical Design Reviews chaired and coordinated Management Review Boards in support of the B-1B Bomber Production and Flight Test Programs.
04/84	MARTIN MARIETTA
	Instrumentation Flight Systems (Engineer
	Developed implemented and maintained Automated Test procedures, Test Plans, and support documentation during the Development, Test and Evaluation (DT&E), and Operational, Test and Evaluation (OT&E) phases of the Peacekeeper (MX) missile Program; Developed and maintained procedures throughout the
	evaluation and reporting on systems proficiency and performance. Implemented systems integration and communications test validations through data reduction

and analysis processes at various remote site locations. As

operations for the

Engineer, planned, developed, and performed validation and integration testing utilizing manual and automated test procedures for missile component testing

satellite deployment.

and build activities. Responsible for customer and associate contractor interfaces and chairing of team-member review meetings. Supported launch

Curriculum Vitae Page 7 of 9

11/83 –	GENERAL DYNAMICS
	Vehicle Integrator / Test Conductor / Engineer
	Assisted in preparation of for test; developed test procedures for checkout and eactivity on As Lead Conductor, successfully implemented and completed the validation during on-site integration activities at
04/83	ROCKWELL
	Division Manager, Software Safety Department
	Manager Engineering Department - Developed and performed Systems Interface and Integration hazard analysis evaluations of software driven and hardware systems. In the execution of systems probability research and analysis for all systems interfaces to identify hazardous conditions as a result of test, simulation, and operational activities throughout the different facilities and on-board Shuttle environments. Developed and executed departmental definition requirements, process structuring, staffing requirements, training, and management protocols. Implemented the utilization of analysis, developed all supporting documentation and reports with recommendations Developed all Departmental Standard Procedures for the Software Engineering. Also supported Cape Canaveral shuttle operations for deployment and operations
10/81 -	MARTIN MARIETTA
	Systems Integration / Engineer Engineer
	Engineer- Developed, implemented, performed validation and integration testing of procedures at various field site locations during the phase of the program. Coordinated engineering interface activities with customer and associate contractor representatives
02/77	UNITED STATES AIR FORCE
	Aerospace Ground Equipment Crew Chief

Curriculum Vitae Page 8 of 9

Computer Proficiencies

Operating Systems:	Applications:	Languages:	Architectures/Protocols:	
Windows 2000, XP, NT, Vista, and 7-10	Microsoft's Office, Project, Access, and Visio	Visual Studio Suite, with C++ and Java	planning/implementation	
MAC OS 10.X	Lotus Notes	SQL		
DOS	Crystal Reports	.NET Visual Studio	Network planning	
		<u>ADDENDUM</u>		
	Professio	nal Society Affiliation	35	
			Engineers (IEEE), Tri Counties,	
CA; Membersmp	s within IEEE, includes			
	ffiliate Member, Society	y of	CA; Membership	
through SAIC	Member, National Ass	agistian of		
to Current -	Member, National Ass			
	Add	ditional Training		
ILEAD: Performs	ance Management, Scie	nce applications Interr	national Corporation (SAIC),	
HEAD GAIG		S. S. Art. Cart. 1945 S. S. S. S. S. S. S.		
• ILEAD: SAIC C	ilture Module, Science	applications Internatio	nal Corporation (SAIC)	
Leading Technica Management train			(Company sponsored	
	Tra	ining Certificates		
• SEI Introduction Certification in	to the CMMI, Software	Engineering Institute	(SEI)	
	ty+ Certification, Comp	oTIA.	ertification in	
	CompTIA INet+ Certification, CompTIA, CompTIA Certification in			
	ma Specialist (Green Be		y. Certification in	
Phase 1 Certification	tion for the Certified Pr	ogram Management Pi	rogram (CPMP) - Certification in	

Curriculum Vitae Page 9 of 9

Honors

 Recipient SAIC Team Achievement Recognition Award, Science Applications International Corporation (SAIC), El Segundo, CA; Team Achievement Recognition Award as part of the CSM Demonstration SE&I Team

- Nominee SAIC Individual Achievement Recognition Award, Science Applications International Corporation (SAIC), El Segundo, CA; Individual Achievement Recognition Award as Chief Systems Engineer on CSM Demo SE&I Team
- Mominee US Air Force SMC/XRF Individual Achievement Recognition, as Chief Systems Engineer on CSM Demo SE&I Team
- Nominee SAIC Individual Achievement Recognition Award, Science Applications
 International Corporation (SAIC), Torrance, CA; Individual Achievement Recognition Award as
 Chief Systems Engineer on CSM Demo SE&I Team
- Nominee SAIC Individual Achievement Recognition Award, Science Applications International Corporation (SAIC), Torrance, CA; Individual Achievement Recognition Award for contributions to the CSM SE&I program start up
- Nominee SAIC Team Award, Science Applications International Corporation (SAIC), Torrance, CA; Team Award as part of RAIDRS Engineering Support Team
- Nominee Raytheon Engineering Honors, Raytheon Company Missile Systems, Based on a company-wide Systems Engineering labor force.
- Recipient of Raytheon Engineering Honors, Raytheon Company Missile Systems,
 Based on a company-wide Systems Engineering labor force.
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