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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NUMBER: 9:03-cv-81110-CIV-HURLEY/HOPKINS
MAUREEN STEVENS, as Personal
Representative of the Estate of
ROBERT STEVENS, Deceased, and
on behalf of MAUREEN STEVENS,
Individually, NICHOLAS STEVENS,
HEIDI HOGAN and CASEY STEVENS,
Survivors
Plaintiffs
vs.
UNITED STATES OF AMERICA
Defendant

_____ /

The Videotaped deposition of PETER B. JAHRLING, Ph.D. was held on Tuesday, June 7, 2011, commencing at 9:23 a.m., at USAMRIID, 1520 Freedman Drive, Second Floor, MWR Conference Room, Fort Detrick, Maryland 21702, before Robert A. Shocket, Notary Public.
REPORTED BY: Robert A. Shocket

1 PROCEEDINGS

2 VIDEOGRAPHER: We are now on the record in
3 the matter of Maureen Stevens as personal
4 representative of the estate of Robert Stevens,
5 Deceased, and on behalf of Maureen Stevens
6 Individually, Nicholas Stevens, Heidi Hogan and Casey
7 Stevens, Survivors, versus The United States of
8 America, in the United States District Court, Southern
9 District of Columbia, Case Number --

10 MR. SCHULER: Florida.

11 VIDEOGRAPHER: -- oh, Florida, Case Number
12 9:03-CV-81110-CIV-Hurley/Hopkins. Today's date is June
13 7th, 2011. The time is 9:23. This is the
14 video-recorded deposition of Dr. Peter Jahrling being
15 taken at 1520 Freedman Drive in Frederick, Maryland.
16 My name is Matt Seiler on behalf of All Florida
17 Reporting and the court reporter today is Bob Shocket
18 also from All Florida. All attorneys please identify
19 themselves and the parties they represent, beginning
20 with the party noticing this proceeding.

21 MR. SCHULER: Richard Schuler on behalf of
22 the Stevens family and the Estate of Robert Stevens,
23 deceased.

24 MR. TARANTO: Leon Taranto with the Civil
25 Division, Department of Justice, representing Defendant

1 United States.

2 MR. PATIL: Jason Patil Department of
3 Justice.

4 MS. JIROUSEK-WINT: Sarah Jirousek-Wint,
5 FBI.

6 MR. MILLER: Jeffrey Miller, United States
7 Army, Fort Detrick.

8 MR. TARANTO: And we also have counsel
9 appearing through telephone. David Lankford, counsel
10 for National Institutes of Health, and Major John
11 Maloney of the Army Litigation Division.

12 MR. SCHULER: The gentlemen behind you is
13 with you?

14 MR. TARANTO: These are --

15 MR. PATIL: Clerks, clerks.

16 MR. TARANTO: -- interns with our office.

17 MR. SCHULER: Okay.

18 MR. TARANTO: They'll identify themselves.

19 MR. STEPHENS: Morgan Stephens.

20 MS. EDWARDS: Stacy Edwards.

21 MR. TARANTO: Okay.

22 MR. SCHULER: Not that I'm paranoid about
23 any additional lawyers.

24 VIDEOGRAPHER: Please administer the oath.

25

1 Whereupon,

2 PETER B. JAHRLING, Ph.D.,
3 called as a witness, having been first duly sworn to
4 tell the truth, the whole truth, and nothing but the
5 truth, was examined and testified as follows:

6 EXAMINATION BY MR. SCHULER:

7 Q Would you state your name, please.

8 A Peter B. Jahrling.

9 Q And Dr. Jahrling, what is your address?

10 A My, my home address?

11 Q Yes, please.

12 A [REDACTED]

13 [REDACTED]

14 Q And are you currently employed, sir?

15 A I am.

16 Q By whom are you employed?

17 A National Institutes of Health.

18 Q And what is your employment address for
19 that organization?

20 A It is 8200 Research Plaza, Frederick
21 Maryland.

22 Q Dr. Jahrling, have you ever had your
23 deposition taken before?

24 A Only when I was getting divorced.

25 Q Okay. Other than that, that's the only

1 It was outside the containment suite. It would have
2 killed somebody. You know, so there are those
3 unanswered questions. I don't think there's any doubt
4 whatsoever based on the forensic evidence that the seed
5 material that ultimately resulted in that powder came
6 from that flask, whatever it was.

7 Q That was going to be my next question to
8 you. You anticipated it.

9 A I mean again I don't know. I just know
10 what I read but I've heard very compelling arguments
11 from the FBI, openly presented, that, you know, my
12 understanding is that the fingerprint was that the
13 contents of that flask was actually a mixture. It
14 wasn't pure anthrax or maybe it was pure anthrax but
15 they were different strengths of anthrax, anyway. So
16 somebody who had the original A-strain of anthrax would
17 not have come up with something that had the exact
18 composition that was both in the flask and spores.
19 That's pretty close to a frigging smoking gun as far as
20 I'm concerned. Okay?

21 That doesn't mean that the powder came from
22 that flask. What it does mean is that the starter
23 material for making the powder came from that flask.
24 So I don't think there's any doubt that you can trace
25 the thread back to that flask. But how many

1 generations it went through, where it might have gone,
2 I don't know what that flask was even being maintained
3 for, to be honest with you. But, um, you know, my
4 understanding is that that material was being used to
5 send out to laboratories that were developing
6 diagnostic tests and what have you and the contents of
7 that flask could have been transferred totally
8 legitimately to another party.

9 So, you know, and I've always maintained
10 that just because it came from that flask didn't,
11 doesn't mean that Bruce Ivins did it. But, you know,
12 if you combine the circumstantial evidence and all of
13 that with that flask I think if it had gone to a jury
14 trial he would have been convicted. That's just my
15 speculation.

16 Q Okay. Now, let me ask you about the flask.
17 Do you know -- and again I know you're focused on
18 virology but do you know or were you aware of the
19 existence of that flask in Dr. Ivins' laboratory?

20 A I was not aware of it. I had no idea what
21 went on in that laboratory until, you know, after the
22 whole FBI thing unfolded. I didn't know their -- you
23 know, my understanding is that that flask was kind of
24 topped off on a regular basis with spores that were
25 produced at Dugway, dumped in there. Strikes me as

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CERTIFICATE OF DEPONENT

I hereby certify that I have read and examined the foregoing transcript, and the same is a true and accurate record of the testimony given by me.

Any additions or corrections that I feel are necessary, I will attach on a separate sheet of paper to the original transcript.

Peter B. Jahrling, Ph.D.

1 State of Maryland

2 Baltimore County, to wit:

3 I, ROBERT A. SHOCKET, a Notary Public of
4 the State of Maryland, County of Baltimore, do hereby
5 certify that the within-named witness personally
6 appeared before me at the time and place herein set
7 out, and after having been duly sworn by me, according
8 to law, was examined by counsel.

9 I further certify that the examination was
10 recorded stenographically by me and this transcript is
11 a true record of the proceedings.

12 I further certify that I am not of counsel
13 to any of the parties, nor in any way interested in the
14 outcome of this action.

15 As witness my hand and notarial seal this
16 17th day of June, 2011.

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Robert A. Shocket

21

Notary Public

22

23

24 My Commission Expires:

25 November 23, 2014