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## 1 LOS ANGELES, CALIFORNIA; WEDNESDAY, AUGUST 7, 2024 2 8:30 A.M. 3 --000--4 5 THE COURT: Could we go on the record for just a 6 moment? So we're on the record. 7 All parties and counsel are present. 8 Counsel, would you just relay to all parties what you 9 have stated to the Court so we know our timing schedule today? 10 MR. SILBERFELD: Yes, Your Honor. For this morning, 11 regrettably, we're going to run out of witnesses by about noon 12 for the day. And then we're going to spend the afternoon 13 working on settlement agreement with the Bridgeland people. But we ask that we adjourn today whenever we finish the last 14 15 witness, which will be around noontime. 16 THE COURT: All right. Then guide me on that. 17 The good thing is we don't have a jury, so we don't need 18 the same continuity we would normally need. 19 I understand that a witness -- or one of these folks may 20 have COVID or they are testing right now. And in an abundance 21 of caution, then we will recess when you tell me and both 22 parties stipulate for the day. 23 It sounds like it will be before noon, though. 24 MR. SILBERFELD: Yes, Your Honor. 25 THE COURT: Around noon. Okay.

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If you want to go straight through, then, and give yourself the afternoon for preparation, we can work partway through the lunch hour. I can go on Court Smart if you need to so you can have a block of time rather than an hour for lunch, okay. All right. Will the gentleman who was testifying yesterday please retake the stand. I'm sorry. We're five minutes early. Never mind, counsel. We will wait until 8:30. MR. ROSENBERG: For the record, we do have an additional attorney from VA here with us today. We have Mr. Robert Davenport, who's the chief counsel of VA's Real Property Law Group, based out of Washington, D.C. THE COURT: Pleasure. It's nice seeing you, sir. It's good having you here. (Off the record.) THE COURT: We are in session. All counsel are present. The parties have been present. I just received a note from Kerlan. It's been reported that several members in the audience were seen filming and photographing with phones yesterday. Once again, the parties are asking the Court and the Court is admonishing, if this is occurring, there is no video and there are no photographs to be taken during the proceedings. That is prohibited.

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1
            If you would recall your witness, please, Counsel.
 2
               MR. ROSENBAUM: Thank you, Your Honor. Good
 3
    morning, everybody.
 4
            Your Honor, we recall to the stand, Robert Reynolds.
 5
               THE COURT:
                            Thank you.
               Good morning, Mr. Reynolds. If you'd retake the
 6
 7
    stand, please.
 8
               THE WITNESS: Sure.
 9
               THE COURT: Sir, you are under the same oath that
10
    was administered yesterday.
11
            Do you understand that?
12
               THE WITNESS: Yes, Your Honor.
13
               THE COURT: We will not administer that same oath,
14
    then.
15
            Counsel, your questions on direct examination, please.
16
               MR. ROSENBAUM: Thank you, Your Honor.
17
                      DIRECT EXAMINATION (Continued)
18
    BY MR. ROSENBAUM:
          Good morning, Mr. Reynolds. How are you?
19
20
          Good morning. I'm doing well.
21
          When we broke yesterday, you were describing for the Court
22
    your experience, the conclusion of which yesterday was you were
23
    on San Vicente; is that correct?
24
    Α
          Yes.
25
          And could you describe for the Court what your state of
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- 1 mind was at that time in terms of trying to get into the 2 domiciliary? 3 Just very, very frustrated and felt defeated and wasn't 4 able to get in. 5 Did you give up? 6 I did not. No. 7 Why was that? 8 Because I knew if I got into treatment, I would get better. And what steps, if any, did you take after that to get 10 11 into the domiciliary? 12 So I was told the previous night by the social worker to 13 go to this welcome center the following day, which I did. 14 And when I went there, I still got the same line that 15 you have to get rid of the service animal, that they are not 16 permitted at the West LA VA. 17 At that time, it was very frustrating. I wanted to just 18 give up. Didn't even really care anymore. But I ended up, you 19 know, going back out to San Vicente. 20 And where did you spend that night? 21 That night, I spent it back out on the street right 22 outside the VA. 23 And where did you sleep?

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On that ground.

And what steps, if any, did you then take to get admitted

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to the domiciliary with Diva?
     So over months of time, I kept going back to the welcome
center, and I was, you know, demanding that someone put in
writing why they weren't allowing me in with the service
animal, and it took a long time.
       I finally was able to get someone from the VA to put on
VA letterhead that we can't accommodate you because we don't
have anywhere for the service animals to go at this time.
     And just at that point, how long, approximately, did that
take?
     So I showed up at the end of -- end of 2018, and I didn't
get -- that wasn't until spring of -- spring or early summer of
2019.
     And when you finally obtained the letter, what did you do
next?
     As soon as I got the letter, I went to Congressman Ted
Lieu's office. And I spoke with one of his staffers, Joey
Apodaca. And I wrote up a statement about what I had gone
through.
       And I included the letter from the VA that says they
would not accept service animals. And I also included my
service animal's paperwork.
       And at that time, a congressional inquiry was submitted
on my behalf.
  And what happened next?
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About two weeks after that was submitted, a caseworker
from the domiciliary came out to San Vicente, got me, and they
put me in a temporary shelter, PATH Cotner, until I got into
the dom, which was, like, a couple of weeks later.
     So when the social worker came out from the VA, did you
immediately get into the dom?
     I didn't. They initially -- they said -- the social
worker said we're going to put you over at PATH Cotner, which
is a veterans shelter that was about a mile away from the VA.
       And they said that we have never had a dog in the --
service animal in the domiciliary before and that we need to
figure out how to incorporate that and how to deal with that,
and then we will get you in.
     And what period of time did that take, sir?
     Several weeks to a month.
     And during -- so from the point of time which you arrived
at the West LA VA grounds to the time you were at PATH, what is
that span of time?
     It was -- I showed up to the West LA VA at the end of
October, early November, and then was admitted to PATH the end
of May, early June time frame.
       To my recollection, it was early summer.
remember the exact date. I just remember it was in the summer.
     Let's get the years. You arrived in what year?
     End of 2018. And then was admitted into the program, the
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1
    PATH Cotner, early summer of 2019.
 2
          And over that -- so how many months are we talking?
          Several. Seven, eight months.
 3
 4
          Okay. And over that period -- could it have been ten
    months?
 5
 6
          Yes.
    Α
 7
          Over that period of time, sir, where did you sleep?
 8
          So I -- I spent nights out on the street outside the VA.
    And then, also, I had met another veteran named Juan Perez, who
10
    was actually a patient in the domiciliary. And he had a
11
    service animal that he wasn't allowed to have in the dom.
12
            And the dog was living in his RV in the parking lot.
13
    when he found out I was trying to get in, he said that I could
    stay in his RV with my dog if I took his dog for a walk and
14
15
    watched it.
16
          And were there -- was that a place where vets were
17
    permitted to sleep?
18
               Had to be really cautious about coming in and out of
19
    the RV because the VA police would throw you off the property,
20
    and that's what ended up eventually happening.
21
          Did you see over this period of time -- strike that.
22
            Did you spend time on the San Vicente and Wilshire
23
    sidewalks during this period of time?
24
    Α
          Yes.
25
          Did you see other veterans besides the veterans that you
```

1 first told the Court about when you first came down? 2 There was always new veterans showing up. It seemed to be the place where everybody, when they weren't able to get 3 4 inside, that's where they congregated. It was just -- it was 5 really kind of surreal. 6 How do you know they were veterans? 7 They had their VA ID cards. And they were -- some of them were in and out of programs. And, yeah, I had seen them in the 8 VA, at the hospital, things like that. 10 Could you make a judgment as to what their state of mind 11 was? 12 A lot of people were in a state of distress, just 13 frustrated and, you know, at a really low point. 14 Did you have a car at this time? 15 I didn't at this time, no. 16 How did you get around? 17 Public transportation. 18 Any other ways? With -- you know, if another veteran had a vehicle, I 19 20 would ride with them. 21 Everybody -- the other veterans that were going through 22 this, they really kind of came together and helped one another. 23 And when you were on public transportation, where was 24 Diva? 25 She was with me. She went everywhere with me.

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1
          Okay. During this period of time, did anyone from the VA
 2
    come out and assist you getting transportation or assist you
    with Congressman Lieu or assist you in terms of the process
 3
    itself?
 4
 5
               There was no outreach to the San Vicente Boulevard,
    whatsoever. And that was one of the big things that got me
 6
 7
    involved in what I'm doing today.
 8
          Did you ultimately get into the dom?
          I did, yes.
10
          Were all of the beds filled when you were in the dom?
11
          No.
12
          Do you have an estimate as to the number of beds that were
    not filled?
13
          There was -- there is a lot of beds that are not filled.
14
15
    There's -- I would say that there is over 60 -- still today,
    there is over 60 at least that aren't filled.
16
17
            And my understanding is the dom has around a capacity
18
    for 300 veterans. There is enough beds there for that.
19
            But due to -- at least all of the years that I have been
20
    involved in this have heard there is not enough staff to
21
    veteran ratio, so those beds go unused.
22
            And veterans are put on a wait list to get into the dom.
23
    And there's still wait --
24
               THE COURT: Just a minute. We're going to have you
25
    speak a little bit slower.
```

1 THE WITNESS: Yes, Your Honor. 2 THE COURT: Re-answer the question slowly, please. That is my fault too. I'm sorry. 3 MR. ROSENBAUM: 4 THE COURT: He can finish his answer. He was 5 stating that there weren't enough beds, approximately 60, 6 understaffed, so I would like your answer completed. 7 We just need that just a little slower. I can see that 8 on realtime, okay. THE WITNESS: Yes, Your Honor. 10 THE COURT: Okay. Thank you. 11 THE WITNESS: So at the time, when I was at the dom, 12 there was empty beds. There was always rooms with empty beds. 13 And that is still a problem that persists today. My understanding, remembering, looking at the capacity 14 15 of the domiciliary, is around 300. There is enough beds for 16 that, at least. And there is always around 60 empty beds or 17 more because there is not enough staff to veteran ratio to fill 18 those beds. BY MR. ROSENBAUM: 19 20 How do you know that the issue revolves around staff? 21 When I was a patient at the dom, they would say the same 22 thing. It's still something that is said to this day, because 23 I would constantly ask why veterans from San Vicente Boulevard 24 couldn't get into the dom right away if you have all these 25 empty beds.

```
1
          Can you talk to the Court about your experience at the dom
 2
    with respect to treatment?
 3
          I'm very thankful for the domiciliary.
 4
            Once I got in, the combat track staff that I worked
 5
    with, I went through prolonged exposure therapy, cognitive
 6
    processing therapy, a lot of really good treatment that I feel
 7
    saved my life.
 8
          And do you know whether or not that sort of experience was
    what other veterans who are in the domiciliary also
10
    experienced?
11
          The ones that I was with, yes, it was. The big issue was
12
    getting access to it.
13
          The conversation that you had with the Court yesterday
14
    about what you went through in Iraq, do you have a view,
15
    Mr. Reynolds, as to whether or not you could have done that
16
    without having gone through what you did go through at the dom
    in terms of treatment?
17
18
          Could you rephrase?
19
          Yes. Did the experience at the dom play any part in your
20
    ability to relate those experiences?
21
          Yes. Well, I mean, the domiciliary was a way to help me
22
    to process -- I'm not sure if I'm answering your question
23
    correctly.
24
            But it was the -- it helped me to process a lot of my
25
    thoughts around these different traumatic events that happened
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1
    and learn how to identify different trigger points that I had
 2
    with them.
 3
          Do you still use those techniques today?
 4
          I do, yes.
 5
          After you were admitted to -- how long were you in the
 6
    dom?
 7
          Eight months.
 8
          And we will get into this more later, but did you spend
    those eight months entirely in the dom itself?
10
          I did. Yes. I went to all of my therapy and all of my
11
    group appointments.
12
            Also, that's when I began going to -- when I wasn't in a
13
    group appointment or therapy, I began going to town hall
    meetings and oversight boards to bring up the issues I was
14
15
    seeing with homeless veterans on San Vicente.
16
                THE COURT: All right. Now, let's just rest for
    just a moment, okay? So the court reporter, rest your hands.
17
18
               Okay. Counsel.
19
               MR. ROSENBAUM: Thank you.
20
    BY MR. ROSENBAUM:
21
          Do you know what a service-connected disability rating is?
22
          Yes.
23
          What is it?
24
          It's a rating that -- it's a disability rating you get
25
    from the VA if you have a disability that is connected to your
```

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1
    service to the country.
 2
          At some point after you were admitted to the dom, did you
    receive a service-connected disability rating?
 3
 4
    Α
          Yes.
 5
          Do you know what it is?
 6
          My rating is a 100 percent permanent and total for PTSD.
 7
    And then I have other disability ratings for
 8
    psych/musculoskeletal issues.
               THE COURT: I'm sorry. I couldn't understand the
10
    last portion. You have a 100 percent PTSD rating.
11
               THE WITNESS: Permanent and total. Yes, Your Honor.
12
               THE COURT: From the VA?
13
               THE WITNESS: From the VA rating me that from my
14
    deployment to Iraq.
15
               THE COURT: And you also said you had other
16
    disability ratings, and I couldn't understand what you stated.
17
               THE WITNESS: The other ratings were for hearing
18
    loss, knee injury.
    BY MR. ROSENBAUM:
19
20
          So you actually have more than 100 percent, if we put all
21
    of those together; is that right?
22
          Yes. The VA math is kind of confusing how they calculate
23
    that, but essentially.
24
         Overall, Mr. Reynolds, how would you describe your
25
    experience seeking assistance on the WLA -- the West Los
```

- 1 | Angeles grounds?
- 2 A The process of getting in was like going through the
- 3 | crucible. It was -- once I got in, I was thankful for the
- 4 | services that I got.
- 5 | Q Let's talk a little bit with the Court about your advocacy
- 6 on behalf of homeless veterans. And I want you, please, to
- 7 focus on the years 2019 and 2020.
- 8 So the starting point, sir, is -- you were in the dom
- 9 for how many months?
- 10 A Eight.
- 11 | Q Okay. And do you know what happened to the veterans whom
- 12 | you met living on San Vicente?
- 13 A Do I know, like, as far as where they are today or at that
- 14 time?
- 15 Q Where were they, if you know, during the period of time
- 16 | you were in the dom?
- 17 A They were on San Vicente Boulevard.
- 18 Q Okay. Do you know what has happened to them today?
- 19 A There has been a lot who have passed away, died, and then
- 20 | some are in permanent housing.
- 21 | Q Did you observe any change in their circumstances, their
- 22 | mental state or their physical state, while they were on San
- 23 Vicente?
- 24 A No. It always got worse when they were there.
- 25 | Q And when you say they got worse, what do you mean by that?

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Well, there would be times -- I would -- every day, I
would bring food from the domiciliary out to the veterans out
there because we had a big cafeteria. And I would bring some
food out to them.
       And I would see times where other veterans had shown up
to get help or services and been told to come back the
following day or they weren't able to get help that day.
       And, you know, they would run out into the street.
we had one veteran that, you know, would cut himself, just of
the stress of all of that. I saw a lot of issues around that.
     Did you ever see the VA bring any food out to the veterans
who were on the street?
     No. They said it was illegal.
     Who said that?
     The VA leadership and meetings, Director McKenrick.
     Anyone else?
     Matt McGahran, who was the chief of CERS at the time.
     Do you want a spelling for those? I think it would help
the reporter if you would spell those names, please.
     McKenrick is -- Robert McKenrick is M-C-K-E-N-R-I-C-K.
Then McGahran is M-C-G-A-H-R-A-N.
     Do you know what positions they had with the VA during
this time?
     Robert -- Mr. McKenrick was the -- I believe the deputy
```

medical center director. He was the second in charge under

1 Dr. Braverman at the time. 2 Speak a little bit slower, okay? 3 Α Yes. And Mr. McGahran? 4 5 Mr. McGahran was the chief of CERS. 6 And CERS, again, is what? 7 Community Engagement Reintegration Services. And who --8 THE COURT: Just a moment. Would you state that 10 more slowly, please? 11 THE WITNESS: Community Engagement Reintegration 12 Services. 13 THE COURT: Okay. 14 BY MR. ROSENBAUM: 15 C-E-R-S, all caps? 16 Yes. The homeless programs fall under CERS. 17 And I apologize if I'm repeating this, but did you have 18 discussions with them about bringing food out to the veterans 19 on San Vicente? 20 All of the time. Yes. 21 And what was the response? 22 That it is illegal for us to feed them because they are 23 not in a program. 24 And did you ever see anyone from the VA bring out any

bedding or sleeping bags for the individuals who were on the

1 street? 2 There was -- there was -- they wouldn't come out all No. 3 at that time. There was no outreach coming out. There was 4 this -- just nothing was being done. 5 Incidentally, when you talk about outreach, did you see 6 any outreach workers go out at all during this period of time? 7 I did not. I saw police go out and throw away 8 everyone's property, and then the veterans would come back. I'm going to come back to the conditions in a moment. Did 10 you ever see a van that you understood to relate to outreach? 11 Yes. When I went to the homeless veteran welcome center, 12 they had a van parked out front at the time. 13 Speak a little bit slower. 14 They had a van parked out at the time that had -- it said 15 homeless outreach on the side of it. 16 And where was that van parked? 17 Next to the homeless veteran welcome center. 18 And on how many occasions did you see that van go out. 19 I never saw the van go out at that time. 20 And over what period of time are we talking in terms of 21 that van not going out? 22 Summer of -- end of 2018 when I first got there until 23 summer of 2020. 24 That entire span? 25 That entire span.

1 How do you know the van didn't go out when you weren't 2 there? 3 It was -- during that time, it was very rare that I was 4 not there. The entire time of the Veterans Row encampment, I was there every day of the week. 5 6 You mentioned that you were getting treatment in the 7 domiciliary. Were there days that you did not go out to the San Vicente street? 8 There were not days that I didn't go out. There would be 10 times of the day that I didn't go out. 11 And can you give us a sense of what -- the span of numbers 12 of veterans whom you saw out there during this entire period of time? 13 It fluctuated. In the beginning, before the pandemic, you 14 had around between 8 and 12, sometimes 15 out there. 15 Once the pandemic hit, we had -- at one point, we had 16 60. 17 18 Did you ever see anyone from the VA come out and bring 19 safety equipment to address the pandemic? 20 Α No. 21 Anyone from the VA ever bring out masks? 22 No. 23 Hand sanitizer? 24 No. 25 0 Testing kits?

```
1
    Α
          No.
 2
          Anything to assist in the course of the pandemic itself?
         At that time, no. COVID shots were offered when they came
 3
 4
    out. But everything at that encampment was done on private
    donations.
 5
 6
          And when you say "private donations," where did those come
 7
    from?
 8
          Once the large tents were set up, those tents came from --
    the initial tents came from a veteran that lives in Brentwood.
10
            Then people in the community started to stop and ask
11
    what was going on at the West LA VA, why the veterans were out
12
    on the street. And upon explaining the situation to them, they
13
    got involved and wanted to help donate, and they started
    supplying tents and setting up food donations.
14
15
          Let's go back just a moment.
16
            The conditions that you observed before the donations
    started coming in, could you describe what that looked like to
17
18
    you?
          Prior to the donations of tents and the food and
19
20
    everything coming in, it was veterans living in makeshift tents
21
    with tarps or on sleeping bags on the ground.
22
          What would you describe -- how would you describe the
23
    physical -- what it looked like physically?
24
          It was a mess. I mean, there was trash everywhere. There
25
    was, you know, rodents and --
```

1 Have you seen encampments around Los Angeles of persons 2 who are unhoused? 3 Α Yes. 4 Could you compare what you see on the street in Los 5 Angeles with what it looked like there on San Vicente? 6 At that time, again, before the resources started coming 7 in, it was -- it looked like other encampments throughout Los 8 Angeles. Do you know what was done with respect to the trash? 10 So the -- what I would watch is that -- I was in 11 communication with the VA and the Brentwood community counsel. 12 And I would see that once trash started to build up, that would 13 be the justification to come in and remove everyone that was 14 sleeping there. 15 So I went to the VA and asked if they could provide some 16 type of dumpster so that we could put the trash into the 17 dumpster to try to prevent them from getting cleared out until 18 they got help, and they were not able to provide that. 19 Who did you speak with? 20 I spoke with McKenrick and -- Mr. McKenrick and 21 Mr. McGahran. 22 Do you recall what they said to you? 23 At that time, it was that it was not -- the veterans 24 outside that gate were not their responsibility. 25 Did they use those words, sir?

```
1
    Α
          Yes.
 2
          Did you see any trash receptacles in that area?
 3
          I did not. And then I -- what we did was I had the
 4
    veterans start cleaning and staging the trash in one location
    so it wasn't on the street. And that location was next to the
 5
 6
    Eisenhower gate at the VA.
 7
          Then what happened with respect to that, do you know?
 8
          The cleanup stopped happening less frequently. The police
    stopped coming out and removing them.
          During this period of time, did anyone from the VA come
10
11
    out and say you can stay on these grounds?
12
          No. So we had been -- myself and many others had been
13
    contacting the VA leadership and constantly asking if we could
14
    just move veterans inside the gate and -- with their tents and
15
    that.
16
            They -- there was no response to that. And it wasn't
17
    until -- let's see -- April -- March of 2020 that I received a
18
    press release from the VA stating that they were finally going
19
    to let them move in the other side of the gate.
20
          Yeah. We will talk about the circumstances of that
21
    shortly.
22
            Was there permanent supportive housing during this
23
    period of time on the West LA grounds that was available to
24
    veterans?
```

There was only one building of 53 units, Building 209.

- 1 And that was for 55 and older, but it was full. 2 When you say 55 or older, what do you mean by that? That it wasn't for veterans under the age of 55. 3 4 Any permanent supportive housing on the grounds that you were aware of at this time for veterans under the age of 55? 5 6 No. 7 When you were on San Vicente, did you see veterans whom 8 you believed to be younger than 55? Yes. There was Iraq and Afghanistan veterans that were 10 younger than 55. 11 How old were you at the time? 12 When I first arrived to the VA, I was 29. Okay. Was there other housing -- you talked to us about 13 the dom. 14 15 Was there other housing that you were aware of on the West LA grounds available for veterans? 16 17 There was New Directions and a bridge home. 18 Do you know how many openings they had? 19 The bridge home, they were consistently having around --20 you know, lots of empty beds. 21 The capacity for the bridge home is around 100. And 22 they would have, you know, sometimes 60 empty beds. 23 And Carlos Lopez and Associates, who have that
  - And Carlos Lopez and Associates, who have that contract -- they recently just lost their contract due to that

25 reason.

1 Did you ever talk to anybody there as to why those beds 2 weren't filled? 3 I would talk to other veterans. And I would just hear 4 complaints about how hard it was to get in to those programs. 5 What is the purpose of a bridge home? Do you know? To have somewhere to stay until you get into permanent 6 7 housing, a bridge to permanent housing. 8 Do you know the purpose of the New Directions housing? New Directions has several programs. They have a clinical 10 treatment program. And they also have a harm reduction 11 program, to my understanding. 12 Was there any same-day housing available for unhoused 13 veterans, like when you came on the grounds, that you were 14 aware of at this time? 15 There was no same day. That didn't come into play until 2021. 16 17 Did you see any efforts to increase the number of beds 18 during this period of time, either temporary or long term? 19 Were you aware of anything to help the veterans who were 20 on the street? 21 In fact, when the pandemic hit, they reduced the 22 occupancy to a lot of these programs for social distancing. 23 And did the capacity of the dom -- was there any effect on 24 the capacity of the dom as a result of the social distancing? 25 Yes, all of the programs. And, also, if there was anybody

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tested positive for COVID, they would stop admissions.
     To your knowledge, did the VA do anything to find
alternative housing for veterans when this capacity was
reduced?
     Well, the veterans I was working with, no. I didn't see
that.
       When lockdowns would go into place, that is when the
population on San Vicente would greatly expand. As soon as
there was a lockdown or someone tested positive for COVID in
one of the programs and they weren't doing an admission, more
and more veterans would show up and less would be able to get
in.
       And then as soon as a lockdown would go -- you know,
when that would cease, I would start seeing veterans get in.
So it was almost like an accordion effect. You know, you would
see a lot of people out there, and then it would start to
diminish and back again.
     You talked to us about your experience in terms of
veterans being able to be on the grounds.
       Was there any adjustments made so that veterans could be
on the grounds where Brentwood School had its athletic
facilities?
     No, no.
     Was there space -- have you been to Brentwood?
Α
     Yes.
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- 1 Q Have you seen the fields out there?
  2 A Yes.
- 3 Q Would there, in your judgment, be space for veterans to
- 4 | put up tents on that area?
- 5 A Yes.
- 6 Q Did you ever hear any discussion about using that land so
- 7 | that veterans didn't have to sleep on San Vicente?
- 8 A No.
- 9 Q Have you been to the baseball complex that UCLA uses
- 10 during this period of time?
- 11 A Yes.
- 12 Q Have you actually been inside that complex?
- 13 | A Yes.
- 14 Q Have you been inside the baseball stadium itself?
- 15 (Telephone ringing.)
- 16 A I apologize for that, yes.
- 17 | Q Incidentally, Mr. Reynolds, have you ever been to Dodger
- 18 | Stadium?
- 19 A I have, yes.
- 20 | Q Have you ever made any observations about the dimensions
- 21 of the field that UCLA uses and the dimensions of the field at
- 22 | Dodger stadium?
- 23 A Yes. If you can look it up, the dimensions are very
- 24 | similar between the fields themselves -- the stadium capacity
- 25 is different, but the dimensions of the field.

1 From home plate to left field, from home plate to center 2 field, from home plate to right field? 3 Α Yes. 4 The Dodgers could play at that UCLA field quite 5 comfortably without changing the nature of the field that they 6 play on? 7 Yes. 8 Was there any talk over this period of time about using that field to house veterans --10 No. 11 -- so they wouldn't have to sleep on the San Vicente? 12 Α No. 13 Did you, during the period of time that we're talking 14 about, raise your concerns with persons at the VA? You told us 15 a little bit about that, but I just want to get the full scope 16 of that. 17 In regard to the leases or in regard to getting veterans on the land? 18 19 Let's talk about the veterans on the land. 20 Yes. From 2019, you know, until always -- I was always 21 advocating to get the veterans moved off of San Vicente 22 Boulevard and onto the West LA VA. And after -- there was many 23 of us involved. 24 A lot of people in the community were advocating for the 25 same thing. And it was in around March of 2020, after months

- 1 and months of advocacy, that we received a press release from 2 the VA stating they were going to create CTRS, which stands for Care, Treatment and Rehabilitation Services. And that was to 3 4 allow veterans to sleep in tents on the VA. Let's hold off on that for just a moment. 5 6 You mentioned you spoke to Mr. McKenrick? 7 Yes. Α 8 And Mr. McGahran? Yes. Α Anyone else -- any other officials? 10 11 I spoke to Director Braverman. Anyone at the time I was 12 contacting. 13 And you contacted them in what sort of ways? 14 I would contact them in e-mails, group e-mails. I would 15 also go to town hall meetings, federal advisory board meetings. 16 Anywhere that there was a venue or avenue to speak with them. And the federal advisory board that you are talking about, 17 18 do you know if that has an acronym? 19 Yes. The Veterans Community Oversight Engagement Board. 20 Q VCOEB? 21 Yes.
- ZI A Yes.
- 22 Q And did you ever speak at the VCOEB during this period of
- 23 | time?
- 24 A I did, yes.
- 25 | Q Incidentally, during this period of time, you are at the

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1
    domiciliary?
 2
          I am.
 3
         And the meetings of the VCOEB, do you know if they are
 4
    open to the public?
 5
         Parts of them are, yes. And they have -- they allow the
 6
    public to sign up for public comment.
 7
      Do you know how frequently those meetings occur over the
 8
    year?
         Quarterly.
          And did you -- when did you -- did you go to the VCOEB
10
11
    meetings?
12
               THE COURT: Counsel, would you restate the acronym a
13
    little bit more slowly.
14
               MR. ROSENBAUM: I sure will. I didn't even
15
    understand what I was saying.
16
               THE COURT: The VC --
17
               MR. ROSENBAUM: OEB.
18
               THE COURT: OEB. And, once again, what does that
19
    stand for?
20
               THE WITNESS: The Veterans Community Oversight
21
    Engagement Board.
22
               THE COURT: Thank you.
23
    BY MR. ROSENBAUM:
24
        And where are you living during this period of time that
    you attended these meetings?
25
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- 1 A At the VA and the domiciliary.
- 2 | Q And did you attend VCOEB meetings?
- 3 A Yes.
- 4 Q How many?
- 5 A I started going 2019, early 2020. And I have been going
- 6 | ever since. I have never missed one.
- 7 Q During this period of time, did you learn anything about
- 8 | the background in terms of where the West LA grounds came from?
- 9 A Yes.
- 10 | Q Prior to that, did you see any markings, any posters, any
- 11 | signage that said, in sum or substance, this land was deeded to
- 12 | the federal government, to the predecessor of the VA?
- 13 | A I did not.
- 14 Q Did you hear -- did you see -- have any information from
- 15 anyone at the VA as to what the origins of this land was?
- 16 A No. At that time, I had no idea about that.
- 17 | I was just -- my sole concern was I just couldn't
- 18 understand why these veterans were sleeping out on the street
- 19 and they weren't getting in.
- I had no idea, really, about the land at that time.
- 21 | Q And did there come a time when you learned about the deed?
- 22 A Yes.
- 23 Q And could you describe, please, for the Court what the
- 24 | circumstances were?
- 25 A Yes. I -- prior to going to the VCOEB, I went out and I

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photographed the veterans sleeping on San Vicente and the
sheriffs coming through at one time and clearing their stuff
away. And I made a big poster board. And I went to the VCOEB.
       And they gave me five minutes to present. And I brought
the board in and set that up and just asked everyone there why
is it that all of these veterans are out here?
       You can see these pictures that no one is going out
there and checking on them.
       And upon finishing my time to speak, I was approached by
other veterans and people that lived in Brentwood, and they
collectively came up to me. And they are like, hey, we want to
explain to you why they are not answering your concerns about
homeless veterans.
       And that's when they started to explain -- that's when I
learned about the Valentini case. And that's when I learned
about the history of the property and I started working, you
know, with that group of people.
     How did that make you feel, sir?
     At first, I couldn't understand -- at first, I didn't
understand how, you know, they are getting rid of the land,
trying to get rid of veterans. It was a lot to, kind of,
comprehend at first.
           THE COURT: Would you repeat that more slowly,
please?
           THE WITNESS: At first, when I heard that, it was a
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lot to comprehend. I didn't quite put two and two together of
how the land is being illegally leased and the VA is not taking
care of veterans.
       And it was just infuriating to think that something like
that could happen.
BY MR. ROSENBAUM:
     Did you ever hear other veterans express their views as to
their response about the deed and the impact of that deed?
           I met a lot of Vietnam veterans that had been going
to the VA for, I don't know, 40 or 50 years. And they were
just telling me, like, this has been going on for decades.
       And it was just -- the more and more I learned about the
deed and, you know, their experiences, I just couldn't believe
that that was still happening in 2020 at the time.
     Did you ever bring those concerns to the officials of the
VA that you mentioned to the Court?
Α
     Yes.
     And did you get a response?
     Any time I brought up anything about the land use or the
Valentini case, they would not answer.
       They would not respond to an e-mail, or even if it was a
face-to-face discussion, they would just not want to discuss
that.
     During this period of time, did you ever speak with a
veteran who thought it was okay, in terms of what had been done
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1 with respect to the deed? 2 I never -- I never did. Every veteran that I met was very upset by what was going on and wanted to do anything they 3 4 could to help fix it. How many veterans would you say you'd spoken to that 5 6 express that view? 7 Over the years, hundreds. More than that. I mean, I 8 speak with veterans all of the time. I work with them all the time. The VCOEB meeting, did you ever attend a meeting where you 10 11 talked about what was happening to the veterans on San Vicente? 12 Yes. I spoke about it at every town hall and VCOEB that I 13 went to. And what response, if any, did you receive? 14 15 The response that I received was that the veterans can 16 come in at any time, that they are choosing to be out there, 17 that they are not all veterans, which I knew to be inaccurate. 18 Do you remember a meeting in which Mr. McGahran said 19 something about the veterans who were on the street? 20 The meeting you are referring to is Mr. McKenrick. 21 went to -- I was not getting anywhere with just myself going to 22 these meetings, and I went with -- I got the veterans from San 23 Vicente Boulevard that were sleeping outside the gates of the 24 VA, and I brought them to a town hall meeting with

Mr. McKenrick and Mr. McGahran.

1 Approximately what date, as best you can recall? 2 This was end of 2019, early 2020. It was December, January time frame. 3 4 And after you made this presentation, did Mr. McKenrick 5 say anything? 6 I had my chance to speak, and I said, you know, I want to 7 understand why the VA is not going out there to help any of these veterans. 8 And Mr. McKenrick stated to me that he knows all of the 10 veterans out there by name. 11 And at that point, I said, well, then can you name any 12 of them, because they are all sitting here in these chairs. And he wasn't able to. And all of the veterans in 13 attendance were furious -- and to the point where McGahran had 14 15 to take the microphone out of McKenrick's hand. THE COURT: Counsel, just a minute, please. I will 16 17 be right with you. 18 I'm trying to look at realtime and see if we have your answer. I will be with you in just a moment. 19 20 All right. Thank you. Please continue. 21 MR. ROSENBAUM: Thank you, Your Honor. 22 BY MR. ROSENBAUM: 23 Mr. McGahran -- Mr. Reynolds, Mr. McGahran, did he say 24 something at this point? Mr. McGahran immediately got up and took the microphone 25

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    out of McKenrick's hand, and Mr. McGahran conceded and he said,
 2
    you know what, maybe we haven't been doing things correctly out
    there, and we would like to help.
 3
 4
          After that statement, did you see the VA come out to that
 5
    property -- to the sidewalk and bring food?
 6
          No.
 7
          Did you see them come out and bring sleeping bags or
 8
    bedding material?
          No.
    Α
10
          Trash receptacles?
11
          No.
12
          Did there come a time when veterans who were living on the
13
    street in fact moved onto the grounds?
14
          So, after --
15
          That's just yes or no for now.
16
          Yes.
17
          Okay. And can you describe to the Court -- strike that.
18
            Did they come in and the VA provided housing?
19
    Α
          No.
20
          Did they come in and the VA opened up spaces to live
21
    inside buildings?
22
          No.
23
                MS. WELLS: Objection, Your Honor. Counsel is
24
    leading the witness. This is direct examination.
25
                THE COURT: Overruled.
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- 1 BY MR. ROSENBAUM:
- 2 Q What happened next with respect to inside those grounds?
- 3 A The VA created CTRS, which is Care Treatment
- 4 Rehabilitation Services, and that is when they initially
- 5 allowed veterans to set up tents inside the VA, to move inside.
- 6 Q Did the VA provide the tents?
- 7 A No. The tents were provided by Brentwood School.
- 8 Q Did you see the tents?
- 9 A I did see the tents.
- 10 Q Did you ever go inside the tents or look inside the tents?
- 11 A I never went inside because they were too small to go
- 12 inside.
- 13 Q How big were those tents?
- 14 A They were child-sized pup tents that stood maybe three
- 15 | feet off of the ground.
- 16 | Q Did the VA, to your knowledge, fund those tents?
- 17 | A They did not. They came from Brentwood School, the
- 18 | initial tents.
- 19 Q Do you know how many?
- 20 A I don't know how many.
- 21 Q Where were those tents set up?
- 22 A They were set up on a parking lot next to the Eisenhower
- 23 gate, which is just on the other side of this fence that
- 24 | borders San Vicente Boulevard. So right on the other side of
- 25 the fence of where the veterans were on the street.

- 1 Did you see what the surface area was that the tents were 2 put on? Yes. It was old blacktop pavement that was not smooth or 3 4 even or anything like that. 5 Do you know anything about the temperature at which that blacktop would get? 6 7 It would get warm during the day. And a lot of the 8 veterans that did get in there were having trouble with the heat from staying in the tent on the blacktop parking lot. Did -- were these tents -- strike that. 10 11 Did you observe whether these tents could accommodate 12 individuals who had disabilities? 13 They could not. 14 And how do you know that? 15 Because you would -- if -- we had veterans in wheelchairs and walkers that were physically unable to get down on their 16 hands and knees and crawl into the tent. 17 18 Was there room inside those tents for the belongings of those veterans? 19 20 No. Their belongings stayed outside the tent. 21 Was there room inside those tents for service animals? 22 No.
- Q Were there bathroom facilities made accessible to these
- 24 | veterans?
- 25 A Porta potties.

1 How far were the porta potties from the tents? 2 On the -- at that time, on the other side of the parking lot, on the outskirts of the parking lot where the tents are. 3 4 And did you ever observe veterans try to get to those porta potties from the tents? 5 6 Yes. 7 And could you describe to the Court what that was like? 8 The veterans with disabilities had a tough time. But at that time, early on in the encampment, that 10 encampment, the veterans with disabilities could hardly even 11 stay in those tents because of how small they were. 12 And the period of time that we're talking about was from what to what, in terms of months? 13 So this is end of April, early May 2020. That's when CTRS 14 15 was open and created. And it extended until what period of time with the tents? 16 17 It went on with the tents until November or December of 18 2021, after the Veterans Row encampment was cleared. 19 Regarding the heat that you saw, did you see any impact of 20 that heat on veterans who were inside? 21 Yes. Again, I received a lot of -- I had a lot of 22 veterans that were having a hard time with the heat on that 23 blacktop parking lot. And also, the most disabled weren't able 24 to get in. Then I spent a lot of time working with them on the

street right outside, right on the other side of the fence on

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1
    San Vicente Boulevard.
 2
          Did you ever bring these concerns to the attention of VA
    officials?
 3
 4
          Yes. I brought these concerns about the tent size
 5
    immediately, that the tents were too small.
            And another veteran, Robert Rosebrock, that lived in the
 6
 7
    community had offered to donate large 10-by-14 tents to the VA
 8
    for their new program that they were creating, and the VA
    turned down those donations.
10
          Did the VA give a reason why?
11
          They said that the tents were too big.
12
          Over this period of time, did you observe any insects or
    rodents around the tents?
13
14
          That was always an issue, yes.
15
          Did the veterans talk to you about the rodents and the
16
    insects?
          The big thing that veterans would talk to me about is how
17
18
    they wanted to get into the VA or they wanted to stay on the VA
19
    grounds but they couldn't live in these child-sized pup tents.
20
    That is why -- at the time these, that's why they were staying
21
    out on San Vicente.
22
                            That's why they were staying out?
                THE COURT:
23
                THE WITNESS: That's why they were on San Vicente
24
    Boulevard, right outside the gate.
25
    BY MR. ROSENBAUM:
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And at this period of time, Mr. Reynolds, was there any
available permanent supportive housing on the VA grounds?
          And there was none under construction.
     No.
     Did you ever raise -- when you raised the issues regarding
what Mr. Rosebrock offered, was there any discussion from the
VA about the impact of the pup tents?
          It was dismissed. The response that I received was
     No.
that the large 10-by-14 tents were too big.
           MR. ROSENBAUM: Your Honor, with your permission, we
have some demonstratives with respect to these tents. Could we
show them to the Court at this time, please?
           THE COURT: Do you also have hard copies for our
record so we can put them into evidence?
           MR. ROSENBAUM: For sure.
           THE COURT: All right. If you give those to Kerlan,
then you can show them to counsel.
           MR. ROSENBAUM: We don't have hard copies now, I
apologize. They will be on the screen, and I do promise I will
make hard copies available.
           THE COURT: What I'm going to need throughout the
proceeding is the ability to look at the piece of evidence that
you are submitting to the Court, and I want you to help me
because I don't want to be thumbing through volumes when I'm
trying to listen, make notes.
       It is distracting to me. I don't have a concern with
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1
    photographs, but I have a concern with any document versus when
 2
    we get into the 216 documents and the 221.
            So how are we going to work that out so that I can
 3
    absorb the information at the same time?
 4
 5
               MR. ROSENBAUM: This is my fault. I will represent
    to the Court that I will have documents, you know, in physical
 6
 7
    shape, that counsel and Your Honor can view them. And I will
 8
    do that with the photographs too, after today. I apologize.
 9
               THE COURT: Photographs, I'm not going to be
10
    concerned with today. Other than that, I'm not going to
11
    receive or hear any other evidentiary item until I have that
12
    physical item submitted to me.
            Is that fair to both sides?
13
14
               MR. ROSENBAUM:
                              Yes.
15
               THE COURT: All right. With the photographs, I
16
    think we can proceed. Get me those by noon then.
17
    BY MR. ROSENBAUM:
18
         Mr. Reynolds, do you have a photograph in front of you at
    this time?
19
20
    Α
          Yes.
21
          Can you identify for the Court, please, what that is?
22
               THE COURT: We need to mark this with a number.
23
               MS. WELLS:
                           And can we clarify for the record that
24
    this is a demonstrative and not an actual exhibit?
25
               MR. ROSENBAUM: Sure.
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1
               THE COURT: It still needs to have a marking.
 2
               MR. ROSENBAUM:
                                This is 208.
               THE COURT: All right. 208. Now, eventually, you
 3
 4
    are going to ask for the receipt of this photograph?
 5
               MR. ROSENBAUM: I think so, Your Honor.
               THE COURT: All right. So we're going to want to
 6
7
    know when this photograph was taken, foundationally.
 8
               MR. ROSENBAUM: Got it.
 9
    BY MR. ROSENBAUM:
10
          Do you know the circumstances around which this photograph
11
    was taken?
12
          I took the photograph.
13
          Do you know approximately when?
14
          This was -- I can get the exact date when I go through my
15
    phone, but this was early spring, summer of 2020.
16
          And can you describe for the Court what we're looking at
17
    with respect to 208?
18
          So, I'm taking this photo from standing on San Vicente
19
    Boulevard where the veterans were encamped, and that's a
20
    picture of some of the tents that were there that
21
    wheelchair-bound veterans and those in walkers could not get
22
    in.
23
          Incidentally, sir, were there amputees present inside the
24
    gate?
25
          I had amputees on San Vicente on the outside of the gate.
```

```
1
          Okay. Could an adult stand up in these tents?
 2
          No.
 3
          Do you know -- what was the weather like during this
 4
    period of time?
               THE COURT: Counsel, why don't I save this -- save
 5
    some time for both of you. I will receive this subject to
 6
 7
    motion to strike.
 8
               MR. ROSENBAUM: Great.
 9
               THE COURT: So can you put this up on the Elmo to
10
    save time.
11
            But with any other document, it has to be in a paper
12
    form also so Kerlan has it. That way we can proceed today and
13
    not waste time.
14
               MR. ROSENBAUM: It's my mistake. I will correct
15
    this.
               THE COURT: This will be received subject to a
16
    motion to strike and the laying of a proper foundation. And
17
18
    there is enough foundation in terms of time and place and who
19
    took this photograph.
20
            So, counsel, you can display 208.
                  (Exhibit 208 received into evidence.)
21
22
               MR. ROSENBAUM: Thank you.
23
    BY MR. ROSENBAUM:
24
      Do you know what the weather was like over this period of
25
    time?
```

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1
          It was around summertime in, you know, Southern
    Α
 2
    California, so the days, 70s, 80s.
          Okay. Did -- was there ever any experience with rain?
 3
 4
          At this time, no.
 5
          How about subsequently?
 6
          Later on, yes.
 7
               THE COURT: Counsel, I previously disclosed to you
 8
    that I have actually been on this site, I have seen these
 9
    tents, I have walked this area, I believe with Dr. Braverman
    and a number of VA staff.
10
11
            Were any of you folks present who are representing the
12
    VA or HUD?
13
            All right. I made that prior disclosure, so I'm well
14
    aware of this site.
15
               MR. ROSENBERG: I'm sorry, Your Honor. You're
16
    asking whether we were present when you were walking the site
    with Dr. Braverman?
17
18
               THE COURT:
                            There are a number of VA officials here.
19
    I don't know who is in the courtroom today.
20
               MR. ROSENBERG: Nobody from the government in the
21
    courtroom today was present when you walked that site.
22
               THE COURT: I am probably overdisclosing, but to be
23
    certain -- I am probably giving you too much information, but I
24
    have been at the site, I believe it was with Dr. Braverman, I
25
    can't count the number of officials present. There were
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discussions about this site, and I'm well aware of the tents
and this is asphalt area, counsel.
           MR. ROSENBAUM: Can I resume, Your Honor?
           THE COURT: Please.
BY MR. ROSENBAUM:
     Do you know what the age range was of the veterans who
were living inside these tents?
     So, you had all different age ranges. You had Vietnam
veterans, you had Gulf War, Iraq, Afghanistan.
     To your observation, did you observe anything that you
would conclude were mental health or physical disabilities?
Α
     Yes.
     Could you describe for the Court what you observed,
please?
     I observed -- I would observe veterans in the states of
emotional crisis or mental health crisis.
       And one of the big times I would see that is when a
veteran showed up to the VA to get some type of same-day
assistance and was not able to and was told to come back
another time.
       And the VA police would ask them to leave the property
and they would come out to the sidewalk on San Vicente.
       And at that time, they would just have breakdowns.
had veterans run out into traffic. I had veterans talk about
wanting to commit suicide.
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1
               MR. ROSENBAUM: Your Honor, may I now show
 2
    Mr. Reynolds demonstrative/Exhibit 209? And I will represent
 3
    that we will get hard copies made, and I would request the
 4
    Court to put up the exhibit.
 5
                THE COURT: Once again, I need time, place, and
            In other words, did he take it, when was it taken, who
 6
 7
    took this?
 8
               MR. ROSENBAUM: Got it.
 9
    BY MR. ROSENBAUM:
10
          Do you see now what has been marked as 209, Mr. Reynolds?
11
          I don't see it marked "209."
12
          Okay. Do you see a new photograph there?
13
          Yes, I do.
14
          Do you know the circumstances under which this photograph
15
    was made?
16
          I took it.
17
          And do you know approximately when?
18
          I took this -- again, I can go back through my other phone
19
    and get the exact date, but I took this photograph in the
20
    spring of 2020, early summer. It was right around the time the
21
    CTRS inside encampment opened.
22
                            Is this of 2020, again?
               THE COURT:
23
               THE WITNESS: Yes, it is, Your Honor.
24
               THE COURT: I will receive this subject to a motion
25
    to strike then.
```

```
1
                  (Exhibit 209 received into evidence.)
 2
               MR. ROSENBAUM: Thank you, Your Honor.
 3
    BY MR. ROSENBAUM:
 4
          There are two tents in the photograph; is that right?
 5
          Yes, there is.
 6
          Can you describe to the Court your understanding as to
 7
    what those two tents are?
 8
          The large tent behind it with the flag is the tents that
    were offered to the VA for their inside camping program in
10
    which they denied and said were too large.
11
            And the smaller tent is the original tents that were
12
    donated from Brentwood School for the inside encampment.
13
            And I wanted to take a picture in comparison to show how
    hard it was for wheelchair-bound veterans and disabled veterans
14
15
    to crawl in and out of that tent versus being able to walk into
16
    one of these large tents.
17
          In terms of the tent with an American flag, do you know
18
    the circumstances under which that American flag was put on
    that tent?
19
20
          When we set up the first tents on San Vicente, I had had
21
    American flags that I had purchased and we thought it would be
22
    a good idea to hang those on the tent to show that there were
23
    veterans living in them.
24
          Did you take any steps to confirm whether or not those
25
    individuals were, in fact, veterans?
```

```
1
    Α
          Yes.
 2
          And what did you do?
 3
          I spoke with -- I spoke with them. I saw their VA IDs.
 4
            Also, a lot of times I became their emergency contact,
 5
    and I would be with them when they talked to different people
 6
    at the VA or social workers.
 7
          If a veteran showed up on the West Los Angeles grounds
 8
    during this period of time, and said that he or she wanted to
    live at that site, did you observe what happened or did you
10
    learn what would happen?
11
          Yes. If a veteran showed up at that site, the first thing
12
    that I would do is try to get them inside the VA, and that
13
    would be going to Building 402 or their Homeless Veteran
14
    Welcome Center to try to get them into either the VA safe
15
    camping site or another program.
16
          Did they automatically get into a tent?
17
          No.
               They did not.
18
            At that time, the VA, as far as their program that does
19
    referrals, was operating on banker hours. So, essentially, if
20
    a veteran showed up in the afternoon, 2:30, 3:00, they would be
21
    told that they have to come back another day to get admitted
22
    into the program, and then they would not be allowed to stay on
23
    the property. The VA police would ask them to leave.
24
            And what I noticed was, at that time, that -- it became
25
    -- it severed the trust for that veteran. They worked up
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enough courage to finally get to a point to ask for help, then they were turned away, and then they would end up out in the street in one of these tents. You think this was an adequate solution to veteran homelessness? I think permanent supportive housing is an adequate solution to veteran homelessness. Do you know what the phrase "Veteran's Row" is? Yes. Α What's your understanding of what that phrase signifies? Veterans Row signifies San Vicente Boulevard. Outside the gates of West LA VA, where veterans had been sleeping and dying for years waiting to get into the VA. The veterans who were inside with the pup tents, were there veterans who then went outside to San Vicente to be in the larger tents? That happened, yes. Did you talk to them as to whether or not they voluntarily preferred living outside the gates than inside the gates? At this time, it was all about the tent size and the location of being on a blacktop parking lot. They were so low to the ground in these tiny tents that the heat was an issue. They had disabilities and it was hard to get in and out.

It was just a really hard environment for the ones that I spoke

```
1
    with.
 2
          During -- maybe you just answered this, I apologize.
 3
            Over what period of time did Veteran's Row exist?
 4
          Veteran's Row -- there are two different time periods that
    I like to think of it was. But the Veteran's Row with the
 5
 6
    large tents and the American flags, that went on from May 2020
 7
    until November 1st, 2021.
 8
          Over a year?
    Q
          Yes.
    Α
10
          During that period of time, sir, did you ever see anyone
11
    from the VA come out and offer food?
12
          Not offer food, no.
13
          Offer bedding?
14
    Α
          No.
15
          Offer sleeping bags?
16
          No.
17
          Offer anything to make the lives of those veterans better,
18
    in your judgment?
19
          No. At that time, the discussions I had with Mr. McGahran
20
    and Mr. McKenrick -- those are two I communicated with a lot --
21
    was that, you know, we can't do anything to support this
22
    encampment because we don't condone it.
23
                THE COURT: Because we don't have what?
24
                THE WITNESS: Because we don't condone it.
25
    BY MR. ROSENBAUM:
```

1 Do you know where the name Veteran's Row came from? 2 I think the veterans came up with it themselves. It was just -- that's what it was referred to. 3 4 And during this period of time, Mr. Reynolds, what was vour relationship to the domiciliary program? 5 6 So, this time, I had graduated the domiciliary program and 7 I was living in Hollywood. 8 Did you still come to Veteran's Row? Daily. Α What periods of time -- how long were you there on these 10 11 daily visits? 12 In the -- I mean, in the very beginning, I was there 12, 13 13 hours a day trying to help set up and get veterans taken care of and in, and get them together and try to figure out 14 15 ways to help get them on the property, you know. It was a 16 tremendous amount of time and undertaking. 17 Did you see veterans interact with one another? 18 Yes. 19 What was that like? 20 They helped one another. They would, you know, if someone 21 needed something, they would help one another with it, and you 22 know, offer advice on how to get into different programs and 23 relay information to them. 24 MR. ROSENBAUM: Your Honor, I have a few more 25 demonstratives and exhibits.

```
THE COURT: Why don't you mark them, identify them
 1
 2
    quickly, and if you can lay a foundation that they were all
 3
    taken by the witness, I will receive them to save some time,
 4
    subject to a motion to strike.
 5
                MR. ROSENBAUM: Thank you so much.
 6
               (Exhibits 210, 211 received into evidence.)
 7
    BY MR. ROSENBAUM:
 8
          Could we have -- this one is 210. Do you see this
    photograph, Mr. Reynolds?
10
          Yes.
11
          Can you identify it?
12
          Yes. I took this photograph.
13
          Approximately when?
14
          Over the summer of 2020.
15
          And the tents with the American flags that we see there,
16
    do you know where they came from?
17
    Α
          The first five came through Robert Rosebrock.
18
          And what about subsequent?
19
          After that, the remainder of the tents came from people
20
    that lived in Brentwood and also Code of Vets, an organization.
21
          Did any of those tents come from the VA?
22
          No.
23
          To your knowledge, did the VA ever reimburse any of the
24
    donors?
25
          They did not.
```

```
1
          Let's go to 211, please.
    Q
 2
            Do you recognize this photograph, sir?
 3
    Α
          Yes.
 4
          And do you know the circumstances under which the
 5
    photograph was made?
 6
          It was -- I was always taking photographs of the
 7
    encampment. This would be -- this would be sometime in summer
    of 2020.
 8
          And can you tell me what it represents?
10
          Each tent with a flag on it has a U.S. military veteran in
11
    it.
12
          The photograph shows, in the front, a blue material over
    one of the tents.
13
14
            Do you see that?
15
          Yes.
    Α
16
          And there are some subsequent tents that also have that
    blue material?
17
18
    Α
          Yes.
19
          Do you know what that is?
20
          They are tarps, because right on the other side of this
21
    fence, there is also a big grass field, and the water
22
    sprinklers would come on at night and they would come out and
23
    cover the whole sidewalk almost, out into the street.
24
          Did the VA provide those tarps?
25
          No.
    Α
```

```
1
          Did the VA pay for those tarps?
 2
          No.
 3
          Did the VA -- anybody from the VA ever come out and say do
 4
    you need anything to address the sprinkling issues?
          No. A resident of Brentwood named Tara Brenan, who was
 5
 6
    donating to the veterans, she had witnessed the water at night
 7
    being sprayed onto the tents and she went to the VA, went to
 8
    Mr. McKenrick and also went to the groundkeepers and demanded
    that they turned the sprinkler heads.
10
               THE COURT: Who was this person?
11
               THE WITNESS: Her name was Tara Brenan.
12
               THE COURT: Spell it, please.
13
               THE WITNESS: Sure. T-A-R-A. And then Brenan,
14
    B-R-E-N-A-N.
15
               THE COURT:
                            Thank you.
16
    BY MR. ROSENBAUM:
          Do you know if Ms. Brenan was ever reimbursed for the
17
18
    tarps?
19
          She was not. She had a nonprofit -- she ended up paying
20
    for dumpster services and porta potties for the veterans.
21
          I was going to get to that.
22
          Sure.
23
          During this period of time, did the VA provide anything to
2.4
    address the trash that was accumulating?
25
    Α
          No.
```

- 1 Q Did they supply bathrooms, porta potties?
- 2 A No.
- 3 Q Do you know what the veterans did for purposes of using
- 4 | bathrooms?
- 5 A They would try to use businesses. And I would get phone
- 6 | calls from neighbors across the street from the encampment that
- 7 | people were going to the bathroom in the bushes and things like
- 8 that.
- 9 Q Did you ever approach anyone at the VA about supplying
- 10 | trash receptacles or porta potties?
- 11 A Yes. And they said they could not do that.
- 12 Q Whom did you approach?
- 13 A Mr. McKenrick.
- 14 | Q Now, approximately how many hours a day did you tell us
- 15 | you were at Veteran's Row?
- 16 | A There would be 10 on a minimum, but there would be days I
- 17 | was there longer than that. If, you know, there were days I
- 18 | was there for 15 or 16 hours if someone had died.
- 19 | Q During the 18 months that this Veteran's Row existed, do
- 20 | you know what the availability of permanent supportive housing
- 21 | was on the VA grounds?
- 22 A There was none at the time.
- 23 | Q What about 209?
- 24 A Yes. There was Building 209 that was full. But there was
- 25 | no new permanent supportive housing.

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THE COURT: Just a moment. When we start naming these buildings, there are a number of attachments, for instance, in the different drafts. I think we should slow down and make certain that we understand where these buildings are. You don't have to do that at this time, but at some point, 209 is just a word. I'm aware of it was -- what it is from reading the documents. But I don't think that there is a clear record of that. And these -- some of these buildings have actually changed, not only in the way we refer to them, either by address, or sometimes the buildings aren't on the present draft and plan. They have been deleted. MR. ROSENBAUM: Great point, Your Honor. THE COURT: So let's clear this up quickly, or no reviewing court is going to understand. BY MR. ROSENBAUM: I'm going to go through this in detail with some of the other witnesses, but I want to start with you, Mr. Reynolds. When you hear me say "209," what do you understand that to be? 209 is a building on the north side of the campus, that was refurbished, I believe back in 2015. And it was turned into studio and one-bedroom apartments, and there are 53 units with one manager's unit. THE COURT: Now, can we just slow down. And do we

```
1
    have an exhibit that we could put up for all of us so we see
 2
    where 209 is?
            In other words, I will let you present your case. But
 3
 4
    by the same token, I'm the trier of fact, I want to be certain
    where 209 is. And I think I do from the documents you have
 5
    submitted to me on both sides.
 6
 7
               MR. ROSENBAUM: Your Honor, with the Court's
 8
    permission, I will represent that we will put full maps where
    all of these buildings are properly laid out.
                           Today. So during the recess, find those
10
               THE COURT:
11
    for me so we don't lose track. Thank you.
12
               MR. ROSENBAUM: Thank you for raising that, Your
13
    Honor.
14
    BY MR. ROSENBAUM:
15
          During this period of time, what exactly did you do at
    Veteran's Row?
16
          So, the first thing I would do in the morning when I would
17
18
    get there is I would get a group of the veterans together and
19
    go up and down the street and have them, you know, help them
20
    get all of the trash and everything cleaned up and off the
21
    street.
22
            And then I would -- I would constantly check the flags
23
    on the tents, do tent repairs, and also, you know, start trying
24
    to figure out what veterans are waiting to get into programs or
25
    how I could help them get into one.
```

- 1 Q Did the VA ever supply any materials to help repair the
- 2 tents?
- 3 A No. It was done on private donation.
- 4 | Q Did you -- do you know where else resources came to
- 5 | address the living conditions of persons who were on Veteran's
- 6 Row, veterans who were on Veteran's Row?
- 7 A It was other veterans that were in the community. It was
- 8 | myself, our family members would chip into it.
- 9 Q And how much -- how much did you supply from your own
- 10 resources?
- 11 A A lot. I wouldn't even be able to count. Anytime we were
- 12 | in a jam and we needed something, if I had the funds, I would
- 13 | get it.
- 14 | Q And where did you get those funds from?
- 15 A My service-connected disability.
- 16 | Q And were you paid for the work that you -- that you just
- 17 described that you undertook on Veteran's Row?
- 18 A I was not, no.
- 19 Q Did you observe the ages of veterans who were on Veteran's
- 20 Row.
- 21 | A Yes. I had elderly veterans that were in their 70s and
- 22 | 80s, and then younger veterans that were in their late 20s.
- 23 Q And did they relate to you as to whether or not they had
- 24 participated in any wars?
- 25 A They did. We had combat veterans of Vietnam, Gulf War,

1 Iraq, Afghanistan, and then other veterans that weren't combat 2 veterans. It was a whole gamut of that. Did you make any observations as to whether or not any of 3 4 these veterans experienced disabilities? Yes. 5 6 What were your conclusions? 7 There was many that had physical disabilities, you know, mental health issues. 8 You mentioned to us that you greeted the veterans. 10 Did the veterans, when they came to Veteran's Row, 11 explain where they came from? 12 Yes. The stories were all very similar, that they were 13 having trouble getting into the VA, and access was an issue. 14 And, you know, at this time, it was also -- COVID was 15 going on, so there was so many lockdowns that it was very 16 challenging to get people inside. 17 Do you know how veterans learned about Veteran's Row? 18 From other veterans. 19 Did you ever turn veterans away from Veteran's Row? 20 Α Never. 21 Over the period of time, sir, the 18 months that Veteran's 22 Row was set up, do you have an estimate as to how many veterans 23 you would say spent at least one night there? 24 Hundreds. This encampment really became like -- it became 25 a place where veterans would initially show up to. So even

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veterans that were getting into programs inside the VA, there
was many that came through this encampment that would spend a
night and then go in.
       We were constantly -- one of the things that we would do
is we would clean out tents. As soon as someone would stay in
it for a night and then they leave, we'd clean it out and
another person would show up.
     Were there veterans there for longer than a day?
     Yes.
Α
     What periods of time?
     There were veterans that were there for extended periods
of time, months.
     Any veterans there the entire 18 months?
     Yes.
     Do you think Veteran's Row is a permanent solution to
veteran homelessness?
Α
     Absolutely not.
     Why is that?
     Because you only -- everything I have witnessed, they
deteriorate, mental health deteriorates. It's awful for people
to be living on the street. Veterans Row was just, you know, I
was trying to work with everyone to keep it, you know, as
manageable and clean as possible, given the circumstances, and
try to get people inside. That was the sole focus.
     What was the weather like over those 18 months?
```

```
1
          It was -- you had the summers, winters, so you had hot
 2
    days, windy days, raining. The wind was very difficult on this
    because there would be a lot of times that tents would rip
 3
 4
    during the wind and we have to replace them or repair them.
 5
          During the rain, did the VA come out and provide any rain
 6
    gear?
 7
          No.
    Α
 8
          Any protection for the tents from the ravages of the
    weather?
10
          No.
11
          What was it like when it was raining on Veterans Row?
12
          So prior to -- if I find out there was a rain -- I always
13
    check the weather.
            If there was rain coming in, myself and a lot of other
14
15
    veterans that were out there helping, we would go around and
16
    we'd get tarps and donations and we would help them set up
17
    tarps above their tents to try to keep the water out and keep
18
    them from getting wet.
19
          Do you have an estimate as to the amount of time you spent
20
    soliciting donations?
21
          It was all the time. I don't -- it was the entire time of
22
    the encampment, so from May -- May 2020 to November of 2021.
23
          To your knowledge, did any of the VA officials make
24
    donations?
25
          Not to my knowledge.
```

1 The -- living on that sidewalk, can you describe what the 2 noise was like? 3 It was very loud. There were several times where cars 4 would crash into the tents. 5 Where did -- what would happen when a car would crash into 6 a tent? 7 Thankfully, by the grace of God, no one died when that 8 would happen. But there were several occasions where people would be 10 coming down San Vicente, and there is a sharp turn, and they 11 would jump the median and go into the tents. And then we would 12 go out and we would clean up all of the debris, clean the tent 13 out, and put a new tent in place for the person that just lost 14 their tent. 15 MR. ROSENBAUM: If the Court, please, I have just a 16 few more questions on this period and then we can take a break, if that is the Court's desire. 17 18 THE COURT: Tell me when to take the break when you 19 are comfortable to take a break. 20 MR. ROSENBAUM: Thank you. BY MR. ROSENBAUM: 21 22 Did you ever talk to any VA officials about their position 23 regarding Veterans Row? 24 Yes. One of the positions that they took is that it was a

25

protest encampment.

- 1 Q Did they do anything that, to your knowledge, assisted the
- 2 | veterans who were living on Veterans Row to make their lives a
- 3 | little bit easier?
- 4 A Nothing. Again, at that time, there was -- everything was
- 5 done in private donations and people volunteering.
- 6 Q What period -- what amount of time did you spend
- 7 | soliciting donations?
- 8 A Again, from, I would say, May 2020 to November of 2021
- 9 when the encampment was cleared.
- 10 Q Were there any veterans, to your knowledge, Mr. Reynolds,
- 11 | who died on Veterans Row?
- 12 A Yes.
- 13 Q How do you know that?
- 14 | A I was -- I had to go -- I was there each time right
- 15 afterward. I got the phone calls for it. Andre Butler and
- 16 | Brian Prentis.
- 17 | Q Who is Andre Butler?
- 18 A Andre Butler is a Vietnam era marine veteran.
- 19 | O What about Brian Prentis?
- 20 A Brian Prentis was a marine veteran. He was late 40s,
- 21 | early 50s.
- 22 | Q Did their deaths have an impact on the emotional
- 23 | well-being of the veterans who were on Veterans Row?
- 24 A Yes.
- 25 | Q Could you describe what your observations were, please?

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- Brian Prentis was run over by a car, so his body was in the street for quite some time until the coroner's office came to pick it up. What did you do while Mr. Prentis's body was on the road? I stayed there until the police finished their investigation. And, you know, they asked me a bunch of questions about what was going on with the encampment and, you know, the ones I spoke with thought it was an awful situation. And once the coroner's office -- once the coroner's office picked up his body, then myself and another veteran went to go clean the blood off the street so that everyone didn't have to look at it. How did you do that, sir? With a water bottle and broom. Did the VA offer any assistance in addressing that? No. Α No. What about Mr. Butler? Do you know the circumstances of his death? Mr. Butler was stabbed. Do you know if the VA made any efforts to contact the families of either Mr. Butler or Mr. Prentis? They did. I also spoke with Mr. Prentis's son, and Andre Butler's brother came to the encampment.

MR. ROSENBAUM: Your Honor, this is a convenient

```
1
    time to take a break.
 2
               THE COURT: If it's convenient for all of the
 3
    parties.
 4
            Let me ask the following: For my record, counsel
 5
    referred to 209. And if somebody was reviewing this record,
 6
    they would not know the difference between the Exhibit 209 and
 7
    Building 209. And you were referring to Building 209; is that
    correct?
 8
               THE WITNESS: Yes, Your Honor.
               THE COURT: Now, counsel, this came from what --
10
11
    would you take this over to counsel?
12
               MR. ROSENBAUM: I have an exhibit.
13
               THE COURT: No, I'm going to give you my exhibit.
    One of the exhibits you submitted me -- I forgot in which
14
15
    party -- I want you to put up the exhibit from the VA for a
    moment. And I don't know which exhibit. I have lost track of
16
17
    all of your exhibits.
18
            Put it on the Elmo for just a moment.
            Counsel for the government, why don't you folks gather
19
20
    around the Elmo also, because it will take microscopic viewing
    to view this document. So come on over for a second.
21
22
            All right. Now, this is a document -- come on over,
23
    counsel, it's okay. You're all friends. Gather at the mic.
24
                  Put that up on the --
25
               MR. ROSENBAUM: He just agreed to settle the case,
```

```
1
    Your Honor.
 2
               THE COURT:
                           That's okay. We're going to be in the
 3
    great hunt on this document for Building 209. That is how
    confusing it would be to review in court.
 4
            Let the record note that support counsel tried to
 5
 6
    operate the Elmo. Excellent. Just joking.
 7
               MR. ROSENBAUM: Let the record also reflect that
    counsel for plaintiffs have no idea.
 8
 9
               THE COURT: Well, let the record reflect the Court
10
    doesn't either, that's why I have got counsel doing it. And
11
    I'm just joking with counsel. So help us.
12
            Put up this document now. Then all of you gather around
    and find Building 209 on this VA document.
13
14
            Okay. I'm taking a microscope. You can take a
15
    microscope. Find Building 209.
16
               MR. ROSENBERG: It's in the top where you see --
17
               THE COURT: No. Go down the ledger. First of all,
18
    help me and put to 209 in our ledger.
19
            Okay. You see a bunch of little handwriting there.
20
               MR. ROSENBERG: Would you like for us to circle it
    or mark it?
21
22
               THE COURT: Yes, would you? I just need your help.
23
            No, no, no. I'm sorry. Go to the ledger. I'm very
24
    specific about this.
25
            You see the writing? It has a bunch of building numbers
```

```
1
    in black.
               Do you see that. Yes or no?
 2
               MS. GROTECLOSS: Yes.
               THE COURT: Now, find 209 and circle that for me.
 3
 4
               MS. WELLS:
                           Okay.
 5
               THE COURT:
                           I will save you time. You can't find
 6
    it.
 7
               MS. WELLS:
                           I'm looking on the ledger.
 8
               THE COURT: Take a look. I have spent hours looking
 9
    for it, squinting at it.
            You show me where 209 is in that ledger.
10
11
               MS. WELLS: I don't see it on the ledger.
12
               THE COURT: Okay. Make a clear record.
13
            Do you see it or not?
14
               MS. WELLS: No, Your Honor.
15
               THE COURT: No. Counsel, do you see it?
16
                    (Court reporter clarification.)
17
               THE COURT: Building 209. They are searching on
18
    this document for Building 209. It's not listed, counsel.
19
            Now, if you go back to the map, now we can find 209.
                                                                   So
20
    we can't find it in the ledger.
21
            Go back to the map now and circle 209, just for a
22
    moment. And now bring it down so we could see it on the Elmo.
23
    Excellent.
24
            Now, I'm going to tell you that is also referred to as
25
    Building 207.
```

```
1
               MR. ROSENBERG: Your Honor, may I ask a clarifying
 2
    question?
 3
            The Court has provided a copy of this map to the
 4
    parties, and it is not currently marked with an exhibit number.
 5
               THE COURT:
                           I will give it an exhibit number.
               MR. ROSENBERG:
                               Well, my question for the Court is
 6
7
    from which filing --
                           I don't know. I don't know.
 8
               THE COURT:
 9
               MR. ROSENBERG:
                               Okay.
               THE COURT: We will go back and see if we can find
10
11
         It also came to me earlier, I think through a -- just a
12
    Google search to try to verify what was given to me. I don't
13
    know when this was produced.
               MR. ROSENBERG: I will also let the record reflect
14
15
    that the map that we are currently viewing on the Elmo does not
16
    contain an ECF number or any other docketing number, so it does
17
    not appear that this document has been filed by any of the
18
    parties with the Court.
19
               THE COURT: It may not have been, counsel.
20
            What I'm going to do is -- it's not of import right now
21
    to me, but you see that building that is circled right now?
22
                              Who are you addressing, Your Honor?
               MR. ROSENBAUM:
23
               THE COURT:
                           Is that 209 or 207? Do you know,
24
    Mr. Reynolds?
25
               THE WITNESS: That is 209.
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THE COURT: Okay. What is the top of that -- by the
way, I have been out to this site with -- I'm trying to
overdisclose to you. Once again, with the VA when this
building was the only building was in rehabilitation at the
time. And there were -- there was also the beginning
construction on two other buildings, and I'm referring to them
as 208 and 203.
       Now, my marking could be wrong, and it could have come
to me also earlier through Steven Peck, Mr. Braverman, the VA.
I have been out there on two different occasions. I have also
looked at Google on this to verify what I was getting whenever
I was out there, and recently. And I believe it's part of one
of your exhibits as well. But you will have to search through
and help me.
       Is it Exhibit 1, counsel?
           MR. SILBERFELD:
                           Yes.
           THE COURT: Then it comes from Exhibit 1, quite
frankly. But I'm trying to verify everything you have
submitted to me if I had any prior information from either
side.
       Now, in that quadrangle, what building will we call the
building in the upper portion? Because I had that listed as
208.
           MR. ROSENBAUM: Mr. Reynolds, do you know?
           THE WITNESS: So the building that is circled is
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209, the one right behind it is 208, and then to the left is
Building 205. And all of those together are Step Up on Second.
I don't know if that helps.
           THE COURT:
                       Somebody get a magnifying glass and look
at this exhibit submitted to the Court in Exhibit 1 and read
what that building is labeled. I think if you get a magnifying
glass, you are going to find that that top building on this
diagram is labeled 208. You are literally going to need a
microscope to see this.
       Take a look at it. I think it's labeled 208, and I
think your other building is labeled 203. And I think if you
look, you will see the building to the left of this, which
isn't -- is labeled 205. So I'm just cautioning you that we
may get into a number of diagrams that may or may not match,
but I think -- take a look at it again, counsel.
       Let me get the original back for just a moment.
       Kerlan, can I see that.
       It's not a big thing, but it's going to get very
confusing later on. Because it also now is referred to as a
street address on Bonsall as well. So anybody looking at this
is going to be going 208, 209, 205, 203, on Bonsall -- there is
going to be mass confusion unless we get these designations
and --
           MR. ROSENBERG: Your Honor?
           THE COURT: So the upper building is also referred
```

1 to as 710 Bonsall. 2 The circled building is 720 Bonsall as well, so that 3 you've referred to as 209. 4 And the other one to the right that they were working on 5 is 700 Bonsall. 6 Well, I will leave that to you, counsel. 7 I'm just saying it's going to get extraordinarily 8 confusing later on unless we stay with building numbers or if you use a building number, also use a street number now because 209 has been completed. 10 11 MR. ROSENBAUM: No question you are correct, Your 12 Honor. I will represent that, either through this witness or 13 other witnesses, we will go through the entire map. 14 THE COURT: Okay. But along the way I need to make 15 certain I'm absorbing it. I'm just cautioning you. That is why -- everyone is doing an excellent job, but when you say 16 17 209, if I'm a reviewing Court, I thought it was Exhibit 209, 18 not Building 209. And now 209 actually has a street address 19 because it has been completed. 20 Go ahead and have a nice recess. We will see you in 15 21 minutes. And this, counsel, is found on Exhibit 1. 22 And counsel, just on the way out the door -- go ahead 23 and make a record of this -- when you look at the ledger, I'm 24 looking for 209 in the ledger. There is no 209 in this ledger.

Then when you go over to the actual layout, it's listed on a

```
1
    street address, a Bonsall street address. So you are never
 2
    able to match up the building number with what is being
 3
    referred to.
 4
            So any reviewing Court is going to take a look at this
    and say, well, I can't see 209 on the ledger, we have got a
 5
 6
    street address over here, what the heck is everybody talking
 7
    about?
 8
            Okay. So just slow down and get this diagram or
 9
    something up on the stand. This is where I got it from is
10
    Exhibit 201 -- or Exhibit 1, I'm sorry.
11
               MR. SILBERFELD: We will do it right after --
12
               THE COURT: Do it right away so we don't have mass
    confusion now.
13
14
               MR. ROSENBERG: Can I look at the map? Is that the
15
    one that was on the Elmo.
16
               THE COURT: Absolutely.
17
                  Off the record.
18
                      (Morning recess, 10:04 a.m.)
19
               THE COURT: We're back in session. All parties and
20
    counsel are present.
21
               Counsel.
22
               MR. ROSENBAUM: Thank you, Your Honor.
23
    appreciate the guidance from the Court.
24
            And in that vein, I would like to put Exhibit 1 in front
25
    of the witness, and we can bring Your Honor a copy, and I will
```

```
1
    represent that the government has copy. It's Exhibit 1,
 2
    page 291.
 3
                MR. DU: Your Honor, we have also flagged the page
 4
    number for you.
 5
                THE COURT:
                            Thank you. Please continue.
                                                           Thank you.
 6
                MR. ROSENBAUM: Your Honor, are we good?
 7
                THE COURT: We're good.
    BY MR. ROSENBAUM:
 8
          All right. Mr. Reynolds, do you have what has been marked
10
    as Exhibit 1?
11
          I do, yes.
12
          Do you recognize this, sir?
13
    Α
          Yes.
14
          What is your understanding of what Exhibit 1, page 291 is?
15
          It's a map of the north side of the West LA VA property
16
    north of Wilshire.
17
          Are you familiar with the VA grounds in West LA?
18
          Yes.
19
          Any part of those grounds you haven't walked?
20
    Α
          No.
21
          Could you point out to the Court where Building 209 is?
22
          Building 209 is in the north part of the campus.
23
    see Serenity Garden, it's to the left of that. 209.
24
          Is there a street that abuts it?
25
          Bonsall.
    Α
```

```
1
          Do you want to spell that?
 2
          B-O-N-S-A-L-L.
 3
          Okay. And just so the record is clear, when we have been
 4
    talking about 209, where individuals live, is this what you are
 5
    referring to?
 6
          Yes, it is.
 7
          All right. Do you see where Building 205 is?
 8
    Α
          Yes, I do.
          And where is that?
10
          If you look on the north part of the map where it says
11
    MacArthur Field, right below that you will see 205.
12
          And is there a street that abuts that?
          Yes. It's the intersection of Bonsall and MacArthur.
13
14
          Have you been there yourself?
15
    Α
          Yes.
16
          Have you been where Building 209 is?
17
    Α
          Yes.
18
          Have you been inside those buildings?
19
    Α
          Yes.
20
          Do you see where Building 208 is?
21
    Α
          Yes.
22
          And could you describe for the Court where that is?
23
                THE COURT: Counsel, why don't you point to that,
    literally, on the Elmo so he can see it.
24
25
                MR. ROSENBAUM: Your Honor, this was worth the price
```

```
1
    of admission.
 2
                THE COURT: I'm glad you are doing it because the
 3
    Court doesn't have that capability.
 4
               MR. ROSENBAUM: I'm going to be doing this all day.
 5
            So this is what weather casters do, right, they point to
 6
    the stuff? If this day job doesn't work out, I know where I'm
 7
    going next.
    BY MR. ROSENBAUM:
 8
          Do you see what has been marked here as Building 208?
10
          Yes.
11
          And you have been inside Building 208?
12
    Α
          Yes.
13
          And does it abut any streets?
          Let's see. I don't know the name of the streets. It's in
14
15
    the same quad or the same area as Building 209 and 205.
16
          Okay. And where is the relationship --
17
                THE COURT: Counsel, you can both stipulate that
18
    that's Patton. In other words, on the right-hand side.
19
    is Patton Street. So, VA, look at that for a moment, save some
20
    time. Get a stipulation to that.
21
               MR. ROSENBAUM: Yes.
22
               THE COURT: Patton.
23
               MR. ROSENBERG: Agreed.
24
               THE COURT:
                            Thank you. That saves some time.
25
    BY MR. ROSENBAUM:
```

- 1 Q And buildings 209, 205, 208, and 259, they are on Lot 27?
- 2 A Yes.
- 3 Q Have you been on Lot Number 27?
- 4 A Yes.
- 5 Q Looking at this map and comparing Lot 27, do you see where
- 6 | the UCLA baseball complex is?
- 7 A Yes.
- 8 Q Can you compare the size of the UCLA baseball complex with
- 9 Lot 27?
- 10 A It looks similar, relative in size.
- 11 | Q Have you been on the Brentwood athletic area?
- 12 | A Yes.
- 13 | Q Do you know how many acres that is?
- 14 THE COURT: Let's put that up on the map also.
- 15 Let's see this.
- 16 MR. ROSENBAUM: I will save it for another time.
- 17 | This is advanced placement.
- 18 THE COURT: You can ask the question, counsel.
- 19 BY MR. ROSENBAUM:
- 20 | Q Okay. Did there come a time, Mr. Reynolds, when there was
- 21 | an end to Veterans Row?
- 22 A Yes. November 1st of 2021.
- 23 | Q And in your judgment, sir, were there certain causes that
- 24 | led to the end of Veterans Row?
- 25 A Yes. There were several deaths that took place.

```
1
    Q
          Anything else?
 2
          And the Sheriff's Department HOST team was involved.
 3
          And when you say HOST, can you spell that for the
 4
    reporter, please?
          Homeless Outreach Service Team.
 5
 6
          Okay. And is that a VA operation?
 7
               That's part of the Los Angeles Sheriff's Department.
 8
          And does HOST -- is that an acronym for which you just
    identified?
10
          It is, yes.
11
          Cap H, cap O, cap S, cap T?
12
    Α
          Yes.
13
          We'll get back to that in a moment.
14
            Any other factors that you believe contributed to the
15
    end of Veterans Row?
16
          Secretary McDonough came.
17
          Anything else regarding the attention that Veterans Row
18
    was getting at this time?
19
          There was a lot of media attention at the time.
20
          Okay. When -- did you talk with sheriff -- strike that.
21
            During this period of time, sir, was there same day
22
    shelter on the VA grounds?
23
          There was not. And that was one of the main contributing
24
    factors to veterans sleeping on San Vicente Boulevard, that if
```

veterans would show up after hours or late in the afternoon,

- there was nowhere for them to go. They were told to come back
  another day.
- 3 Q There came a time when Sheriff Villanueva and his team
- 4 | came out?
- 5 A They did, yes.
- 6 Q Do you remember approximately when that was?
- 7 A It was the summer of 2021, around July is when they first 8 came out.
- 9 Q Okay. Did you have occasion to talk with the sheriff?
- 10 A I was in a meeting with the sheriff that he had with the
- 11 | Brentwood Community Council when he let them know that he was
- 12 going to send his HOST team out there to start identifying how
- 13 to clean up the encampment. And after that, that's when I was
- 14 introduced to the HOST team.
- 15 | Q Did you speak with the sheriff and the HOST team about
- 16 | your observations?
- 17 | A I spoke with the HOST team first, and then I did speak
- 18 | with the sheriff.
- 19 Q And what did you say to the sheriff?
- 20 A That -- could I elaborate?
- 21 | Q Sure.
- 22 A So when the sheriff's deputies arrived -- they sent a lot
- 23 of them that were veterans -- and they came out and they
- 24 | initially thought that they were going to be able to clear the
- 25 | encampment within 30 days.

And I was having discussions with them and I, you know, spoke with many of them and I said, you know, as we go through this process, you are going to see that as you get one veteran moved inside, another one is going to show up because there is no same day sheltering.

And the sheriff's officers that were out there, they began to see the exact issues that we had been raising for over a year. And the timeline to clean the encampment, that was a month, was now -- we were in the second or third month. And they asked me to come and meet with Sheriff Villanueva at the -- in Downtown Los Angeles.

- 12 Q Did you see that, sir?
- 13 A I did.

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- 14 | Q Did you have a conversation with him?
- 15 A I did, yes.
- 16 | Q Where did that actually take place?
- 17 | A In the Hall of Justice, I believe that's the name of it.
- 18 | His office in Downtown LA.
- 19 Q And the meeting itself, did it take place in the Sheriff's
- 20 Office?
- 21 | A It did, yes.
- 22 | Q And who else, if anyone, was present?
- 23 A Lieutenant Kitchin with the HOST team, and the sheriff and
- 24 | his staff. I don't recall their names.
- 25 | Q And what did you say to the sheriff?

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The sheriff asked me to -- first, the deputy started off explaining what they had seen, and then the sheriff asked me to elaborate on what I had seen out there and what needed to be done within the VA to help prevent veterans from being back out on that street once the encampment was cleared. What observations did you share with the sheriff and his team? I shared with the sheriff that one big issue is that, at this time when veterans were showing up to request shelter or housing and services, there was no consistent same day sheltering. There was no after-hours sheltering. So if they showed up in the evening, they would be told to come back another day. The VA police would ask them to leave the property, and they would end up out in the street. So, I felt that there had to be something set up to where someone could show up after hours and get a bed to sleep. Was there any discussion about permanent supportive housing? Yes. The sheriff asked for the background on the property because he was a veteran as well. What did you tell him? I told him about the previous lawsuit cases, the mismanagement of the land, and how there was no permanent supportive housing built at this time. What happened next?

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Sheriff Villanueva said that he was going to contact the secretary of the VA and make requests for some of these items that we just discussed that needed to be in place before that encampment is cleared. Did there come a time when you saw Secretary McDonough? Yes. Maybe a week or two after this meeting, a little bit longer, I was contacted by Secretary McDonough's security team and they said that he was going to be visiting the Veterans Row encampment and would like to speak with me. Did you, in fact, meet with him and talk to him? I did, yes. And the approximate date -- I know you said couple of weeks --It was October at this point. October 2021. And did you -- what did you talk to the secretary about? The secretary arrived with -- it was Secretary McDonough, Mayor Karen Bass who was Congresswoman at the time, Congressman Mark Takano, and their security team. They arrived at the Veterans Row encampment, and we -- they took a walk with me down the encampment to see all of the veterans that were staying there, and to just get an idea of what was going on. I discussed with the secretary that we needed the same day immediate shelter, we needed permanent supportive housing, and that the VA needs to stop illegally leasing land. And did the secretary respond to the concerns you

1 expressed? 2 He didn't answer me on the issues with the leases, but with the same day sheltering and permanent supportive housing, 3 he said "We'll work on it." 4 5 Anything about the permanent supportive housing? 6 Α No. 7 What, if anything, happened after that visit? After that visit -- it was mid-October -- the secretary 8 had a press conference later in the day, made a statement that 10 he was going to ensure that all the veterans on Veterans Row 11 were housed by November 1st. 12 Did that happen? 13 No. 14 Did any of the veterans who were on Veterans Row at that 15 time, at or about that time, get into actual housing? 16 There were veterans throughout the encampment that got in 17 permanent housing, but at that exact time, no. 18 Okay. Was there a change with respect to same day shelter? 19 20 There was. After Secretary McDonough's meeting or his 21 visit, the VA, Mr. McKenrick, Mr. McGahran, and Dr. Braverman, 22 we began having discussions and they were asking me what help I 23 needed to get the veterans moved off the street and onto the other side. 24

And were units of same day shelter ultimately provided?

- 1 A They were. And it was -- initially, it was just tents.
- 2 They set up tents inside the VA that they said they would let
- 3 people in 24 hours a day.
- 4 | Q Were these tents that the VA provided?
- 5 A These ones were, yes, for the same day shelter.
- 6 Q How many tents did the VA provide?
- 7 A At that time it was six.
- 8 Q Were there additional tents at any other point inside?
- 9 A Yes. Prior to the encampment being cleared, I contacted
- 10 | Code of Vets, which is an organization that would help us, and
- 11 | they shipped forty 10 by 14 tents with cots and blankets and
- 12 everything to my house. And then we set up a time with the VA
- 13 | to go in and -- prior to the clearing of the encampment, we
- 14 | went in and set up brand new tents for all of the veterans with
- 15 cots and blankets and it was -- and then, you know.
- 16 Q Who paid for those tents?
- 17 A Code of Vets.
- 18 Q Do you know if they were ever reimbursed by the VA for
- 19 | those tents?
- 20 A They were not.
- 21 | Q The same-day shelter, do you know how many units were then
- 22 | provided? How many places of shelter?
- 23 A At that time, it was six spots that were designated for
- 24 | same day. So, essentially, someone could show up 10 o'clock at
- 25 | night and get a place to stay and then worry about registration

- 1 | the following day so that they are at least not told to leave
- 2 | the property. Eventually, they became tiny sheds.
- 3 Q Okay. With respect to the six, sir, within in a year, did
- 4 | the VA provide more same-day shelter?
- 5 A Not at that time, no.
- 6 Q The next year, did they provide more same-day shelter?
- 7 A No.
- 8 Q The next year, did they provide more same-day shelter?
- 9 A The end of the next year, yes, 2023.
- 10 Q And how many units in total, then?
- 11 A Now, there are 12.
- 12 Q Did the secretary ever get back to you about permanent
- 13 | supportive housing, Secretary McDonough?
- 14 A We had a few discussions. And he would just reiterate --
- 15 | I would bring up these concerns, and he would just tell me just
- 16 | keep doing what you are doing. Keep raising these concerns.
- 17 | And we're working on it. Nothing is more important than
- 18 housing everyone.
- 19 Q Okay. At this time, sir, how many permanent supportive
- 20 | housing units were on the West LA grounds?
- 21 A So in 2021, it was just -- it was only the Building 209
- 22 | that had those units. There were other buildings, finally, at
- 23 | this point, just starting construction, and that was Building
- 24 | 207 --
- 25 Q Okay.

```
1
          -- which is --
    Α
 2
          Did everyone on Veterans Row move onto these grounds?
 3
               MR. ROSENBAUM: I'm sorry, Your Honor.
 4
               THE COURT: You just said Building 207.
 5
               THE WITNESS: Yes, Your Honor. Building 207.
               THE COURT: Show me 207 on the map, Counsel. It
 6
 7
    should be on Arnold. Put up the map so we can see and be
 8
    certain.
               THE WITNESS: Yes, Your Honor.
10
    BY MR. ROSENBAUM:
11
          Do you have the map in front of you that has been marked
12
    as Exhibit 1?
13
               THE COURT: Counsel, just point to 207 and ask him
14
    if that is the building? Is that the building?
15
               THE WITNESS: Yes, Your Honor.
16
               MR. ROSENBAUM: Thank you, Your Honor.
    BY MR. ROSENBAUM:
17
18
          During this period of time, did all of the veterans who
19
    had been on Veterans Row, to your knowledge, move onto the
20
    grounds?
21
               MS. WELLS: Objection. Lack of foundation.
22
               THE COURT: Overruled. You are familiar with the
23
    area. You spent enough time there. You can answer that
24
    question.
25
               THE WITNESS: At that time, about -- we set up 20
```

1 tents for veterans inside and started helping them move 2 belongings in. And then the remainder of the veterans -- there was around 40 out there, other ones -- got into hotel vouchers 3 4 through SSVF and LAHSA. THE COURT: And who is LAHSA? 5 6 THE WITNESS: Los Angeles Homeless Services 7 Authority. BY MR. ROSENBAUM: 8 9 Did any veterans at that time move into permanent 10 supportive housing? 11 Not at that time. It was moving to tents on the other 12 side of the fence or into a hotel. 13 So the date that Veterans Row was cleared, what was that? 14 November 1st, 2021. 15 Do you know what CTRS is? 16 Yes. 17 You have talked about it before. But, again, could you 18 state what that was? Care, treatment, rehabilitation, services. 19 20 And if I say tiny shed, do you know what that is? 21 Yes. It's the boxes that they live in, the sheds that 22 they live in, the tiny shelters. 23 Do you know who -- were there tiny sheds set up at this 24 time? 25 At that time, prior to the cleanup, there were three tiny

```
1
    sheds that were set up. They were not hooked up to
 2
    electricity. No one moved into them. They just -- three of
 3
    them were set up.
 4
          I think we have a demonstrative of that, Your Honor.
                                                                 212.
    And this is not a building. This is a --
 5
 6
               THE COURT: Exhibit 212.
 7
               MR. ROSENBAUM: Exactly.
    BY MR. ROSENBAUM:
 8
          Do you have what has been marked as Exhibit 212 in front
    of you?
10
11
          Yes.
12
          Are you familiar with this?
13
    Α
          Yes.
14
          Do you know who took this photograph?
15
          I took this photograph fairly -- right when we moved.
    this is two thousand -- I can go back through my phone. But
16
17
    2021, right when we moved everybody in. End of 2021, you know.
18
          Did you ever look inside these tiny sheds?
19
          Yes.
20
          Can you describe what you saw when you looked inside?
21
          They are -- you have a bed on one side. There is air
22
    conditioning and heating and some shelves for storage and
23
    electricity or power outlets.
24
               MR. ROSENBAUM: Could we, Your Honor, go to
25
    Exhibit 213.
```

```
1
                THE COURT: Exhibit 213. And we will receive 212,
 2
    subject to a motion to strike.
 3
                (Exhibit 212 received into evidence.)
    BY MR. ROSENBAUM:
 4
          Do you recognize what has been marked as Exhibit 213?
 5
 6
    Α
          Yes.
 7
          Do you know who took this photograph?
          I did.
 8
    Α
          Approximately when?
          Same time when we were moving all of the veterans off San
10
11
    Vicente in end of 2021.
12
          And what does this depict?
13
          This depicts the inside of one of the tiny shelters.
                                                                  So
14
    there is a bed and some shelving.
          Is the bed the size of a twin bed?
15
16
               It's more like a cot, a foldout cot size.
17
          Is there a bathroom inside these facilities, these sheds?
18
          No, there is not.
19
          Is there a kitchen?
    Q
20
    Α
          No.
21
          If an individual is sleeping inside what has been marked
22
    as Exhibit 213, what do they do if they have to use the
23
    bathroom?
24
          They go to the porta potties or a trailer to use the
25
    restrooms.
```

- 1 Do you -- do you know, sir, whether or not any of the 2 veterans who were inside these tiny sheds had physical 3 disabilities? 4 Yes. 5 Can you describe the physical disabilities that you 6 observed? 7 Yes. Wheelchair bound, walkers for assisted walking, and 8 amputees. Could you fit a wheelchair inside the shed? Some of the veterans do. It's a tight fit, but they do. 10 11 Okay. And can you turn the wheelchairs around without 12 lifting them up? 13 Yes. Depending on the -- it's really tight. It would be 14 tight. There is people in there with wheelchairs, veterans. 15 MR. ROSENBAUM: Can we have, Your Honor, what has been marked as Exhibit -- Exhibit 214 placed in front of the 16 17 witness? 18 THE COURT: All right. 214. Exhibit 214. BY MR. ROSENBAUM: 19 20 Do you know who took this picture, sir? 21 I took this photo. 22 And do you know when? 23 Yes. It was September -- September to October 2022. Ιt
- 25 Q And can you describe for Judge Carter what this photo

was -- yeah, I took this photo.

```
depicts, please?
 1
 2
          The tiny homes caught -- or they caught on fire. And I
    was -- my family was in town visiting. I had just finished
 3
 4
    dinner with them, and I received a call from the veterans at
    CTRS and said, Can you please get down here? The tiny sheds --
 5
 6
    one of them has caught on fire. And I lived close by. By the
 7
    time I was driving up San Vicente, I saw it jumping from roof
    to roof.
 8
          Do you know whether or not there was an investigation as
    to the cause of the fire?
10
11
          My understanding is that it was from a electric bike being
12
    charged with a lithium battery.
13
          Do you know why that led to a fire?
14
          It overheated. I don't entirely know why it led to a
15
    fire. I have read news stories about other --
          Were there fire extinguishers in the sheds?
16
17
          They were in the sheds. Some of them had fire
18
    extinguishers. They all should have fire extinguishers in
19
    there. They initially did when they were constructed.
20
          At that time, did they all have fire extinguishers?
21
          I imagine so, unless someone removed one.
22
          Was that sufficient to put out the fires?
23
               They were very small, like, one foot -- not even a
24
    foot tall. Really -- the smallest fire extinguisher I have
25
    ever seen.
```

- 1 Q Do you know who paid for the tiny sheds?
- 2 A Yes. Arnold Schwarzenegger donated 25. I believe
- 3 | Brentwood School also contributed to donations. They were all
- 4 done on donations because the VA said they could not pay for
- 5 them.
- 6 Q Who said that?
- 7 A The -- in meetings, we had a roundtable discussion.
- 8 Dr. Braverman at the time said the VA could not pay for them.
- 9 THE COURT: I'm sorry. You dropped your voice.
- 10 | Would you say that again?
- 11 THE WITNESS: Dr. Braverman said that they could not
- 12 pay for the tiny homes.
- 13 THE COURT: Okay. Thank you.
- 14 BY MR. ROSENBAUM:
- 15 | Q Do you consider the tiny sheds to be adequate housing for
- 16 | the veterans?
- 17 | A No. Not adequate housing.
- 18 Q Why is that?
- 19 A I believe the veterans should be in permanent housing in
- 20 | buildings on the West LA VA.
- 21 Q Are there still veterans in that housing, so far as you
- 22 know? The sheds?
- 23 A Yes.
- 24 | Q Do you know if Mr. Schwarzenegger was ever reimbursed for
- 25 those sheds?

```
1
          No, he was not. He made the donation through -- his
 2
    monetary donation for these sheds through Village for Vets,
    which is a veteran service organization or VA nonprofit.
 3
 4
          Do you know if --
                            Just a moment. What is the name of the
 5
                THE COURT:
 6
    organization again?
 7
                THE WITNESS: It was Village for Vets.
 8
                THE COURT: Village for Vets.
 9
                THE WITNESS: Yes, Your Honor.
10
                THE COURT:
                            Thank you.
11
    BY MR. ROSENBAUM:
12
          Incidentally, sir, was there a fire hydrant at this site?
13
          There was not.
14
          Do you know if Brentwood School was ever reimbursed for
15
    these donations?
          I don't know that.
16
17
          You testified, sir -- so these sheds, do you know if they
18
    are still utilized to house veterans, to be a shelter for
19
    veterans?
20
          They are, yes.
21
          Do you know if there are veterans -- based on your work,
22
    do you know if there are veterans currently in the sheds who
23
    want to be in permanent supportive housing?
24
    Α
          Yes.
25
          How do you know that?
```

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I spoke with veterans -- I have never met a veteran that after time, getting to knowing them, that doesn't want to be in some type of permanent supportive housing or want something better for themselves. Do you know whether or not any of the plaintiffs have lived in these sheds? Yes. Α Which ones? Josh Petitt, Deavin Sessom, Lavon Johnson, Joseph Fields. Just about all of them. Just drawing a blank on the other at the moment. Regarding your advocacy of meeting with Sheriff Villanueva, the media attention that you talked about, your imploring Secretary McDonough, in your judgment, sir, do you think these sheds would have been on the grounds without all of those factors and the deaths? No. Absolutely not. Why do you say that? My -- from everything I have viewed when I first arrived at the VA, nothing was there. The Veterans Row encampment was the driving factor that started to cause a lot of the change at the West LA VA because there was so much attention on the fact that these veterans were sleeping outside and there was not appropriate services and the media attention that came along with it.

- 1 Did you do advocacy work to get the plaintiffs into 2 permanent supportive housing? Yes. 3 Α 4 Over what period of time? 5 As soon as -- from the very beginning when I met these 6 veterans back in 2020, I was always advocating for them to live 7 on the West LA VA property. As soon as Building 207 started construction, which I 8 9 believe was 2021, early 2022, I started contacting the 10 leadership at the VA and sending the names of veterans from 11 Veterans Row and saying that, you know, we need to make sure 12 they are in housing because the entire time they were on San 13 Vicente, they were promised that they were going to get 14 housing. 15 Did you have an opportunity to observe what happened to the plaintiffs as they were living outside the grounds on the 16 17 street? 18 When they were outside the grounds on the street, it was 19 -- it was very rough, very rough on them. I don't think anyone 20 gets better living on the street. 21 Do you know which buildings the plaintiffs that you talked 22 about are currently in? 23 Yes. 24 Could you tell the Court which buildings, please.
  - UNITED STATES DISTRICT COURT

Α

205 and 208.

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How much time did you spend advocating for them to be admitted to those buildings? I started advocating for them to get into housing on the West LA VA starting back in 2020, as soon as I got word that construction was starting to happen on some of these buildings. In 2021, I was advocating for them to get in. In 2022 and 2023, when we were starting to get dates for potential openings of these buildings, I was advocating for them to get in. And a lot of them I went through the process with of helping them fill out their paperwork and going to their appointments and getting them registered. Did the VA assign case managers to help these individuals with their paperwork? Yes. And how long did it take for that paperwork to actually result in them getting inside the housing? The process is very long. There would be times where veterans that I worked with and plaintiffs that they would go through the process of getting a HUD-VASH voucher, and then the voucher would expire before they were even into housing. And then you have to go through the process again. Also, with the housing itself, I remember with Step Up on Second, which is buildings 205 and 208, the -- we had the veterans fill out the application to get to the building. Some time passed, and they had changed their paperwork. So we had

```
1
    to go back through and have them fill out all of the paperwork
 2
    again.
 3
            And these are -- these are not small. These are 50-page
 4
    documents sometimes.
          Are there any of the plaintiffs, to your knowledge, who
 5
 6
    are living inside any of the tiny sheds?
 7
          Yes.
    Α
 8
          Who?
          Mr. Sessom.
          Do you know the circumstances -- were you involved in the
10
11
    circumstances in terms of advocating on behalf of Mr. Sessom?
12
    Α
          Yes.
13
          Could you describe for the Court what that involved?
          He's -- Mr. Sessom is affected by the income limit
14
15
    restrictions and unable to get into permanent housing on the VA
    where he wants to live.
16
17
            I had a discussion with him about sharing this
18
    information, and he was okay with me doing it. I don't want to
19
    go into too much details about his personal situation.
20
          Incidentally, when you say income limitation, what are you
21
    referring to?
22
          The way that the permanent supportive housing or the
23
    housing that's on the property now was developed, it comes with
2.4
    restrictions on how much income someone can make.
25
            So veterans disability compensation is being counted as
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1
    income. Therefore, the most disabled veterans are being told
 2
    that they make too much money to live in that housing.
          Have you worked with veterans whom those restrictions
 3
    affected?
 4
 5
          Yes.
 6
          How many?
 7
          I have worked with a lot of veterans that -- I don't know
 8
    a number off the top of my head. I have one right now that I'm
    working with that lost his leg in Afghanistan from stepping on
    an IED. I have another one that is wheelchair bound. And I
10
11
    hear stories from veterans all of the time, but -- I work with
12
    a lot. Those are just the ones I'm specifically working with
13
    right at the moment.
          Regarding those two individuals, are they males?
14
15
          Yes.
16
          Have you observed the impact of those restrictions on
    those two gentlemen?
17
18
          It's very -- it's very hard for them. They want to -- not
19
    only do they want to be around the veteran community, they also
20
    want to be next to the hospital where they can easily access
21
    medical care.
22
            And it's challenging and -- can I elaborate more?
23
          Sure.
24
          One thing I see a lot of times and that the other veterans
25
    see and get worried about is when you take someone that is
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severely disabled, severe mental health issues, and you put them into an apartment that is 10 or 15 miles away from the VA and they have no support network, no job, they fall back into homelessness rather quickly. I am currently dealing with many veterans that are in that situation that are falling back into homelessness. are some that do well but others that are very disabled that have a hard time. The income limitations you just mentioned to Judge Carter, have you discussed those limitations and the effect of those limitations with any VA officials? Α Yes. With whom? With all of the VA leadership at the West LA VA; Dr. Braverman; Mr. Kuhn; Sally Hammitt; Tanya Bradsher, the chief of staff to Secretary McDonough. And what response, if any, have you received regarding these limitations when you discussed them with them? Let me strike that. When you presented -- when you had discussions with them, did that appear, to you, to be news to any of them? I wouldn't say news. They all agreed that it's -- every single one of them said that this -- that they didn't agree

with it, that they didn't think it was right that, you know,

these veterans were being denied housing.

1 Dr. Braverman? 2 I was in a meeting with Dr. Braverman and the assistant secretary to HUD, Dr. McClain, and he stated in that 3 4 meeting to the assistant secretary of HUD that he did not agree with this, and there shouldn't be a situation where the most 5 6 disabled veterans are being denied housing. 7 Do you know approximately when that discussion took place? 8 It happened -- I want to say -- let's see. It was after Mark -- Congressman Mark Takano sent a letter to HUD and the secretary of the VA, which was March of 2023. So it would have 10 11 been spring or early summer of 2023. 12 Have you ever heard a VA official say, I think these are a 13 good idea? I support these income restrictions? 14 Never, no. 15 Regarding -- do you know what a project-based unit is outside the West LA grounds? 16 17 Α Yes. 18 What is your understanding? A project -- my understanding is that project-based units 19 20 are built with tax credits that come with these income limit 21 restrictions. And they will also be designated -- for example, 22 like an entire building is just for veterans. 23 Have you ever been to any of these project based 24 buildings? 25 Step Up on Second, Western building.

```
1
          What is Step Up on Second?
 2
          Step Up on Second is a housing provider that has Buildings
 3
    205, 208, and 209 at the West LA VA. And also another one that
 4
    I have worked with is The Western Building, which is in South
 5
    Central Los Angeles.
 6
          All right. Let's break this down a little bit.
 7
            The Step Up, do you know if they own the buildings or if
 8
    they manage the buildings that are on the grounds?
          They manage the buildings.
10
          Do you know who owns Building 205?
11
          Well, how it works is is that the VA gives out these
12
    enhanced use leases to the developers. And I believe the
13
    developers hold the lease for that period of time. And Step Up
14
    manages it. That is my understanding.
15
          Do you have an understanding as to who owns the buildings
16
    on the ground?
          Well, I would say the VA -- they are still VA-owned
17
18
    property that are leased out.
19
          Much better than what I said.
20
            Do you know to what entity they have been leased?
21
          Yes. For Step Up on Second, it was Shangri-La
22
    Construction.
23
               THE COURT: Just one moment, please. What building
24
    again?
25
               THE WITNESS: The buildings on campus, Buildings
```

```
1
    205, 208, and 209 are Step Up on Second.
 2
               THE COURT: Just a minute. VA owns the property,
 3
    then they lease to Shangri-La.
 4
               THE WITNESS: That is my understanding. The VA owns
 5
    the property and then leases to the private developers.
 6
               THE COURT: And was this Shangri-La?
 7
               THE WITNESS: For buildings 205 and 208, yes.
               THE COURT: What about 209?
 8
 9
               THE WITNESS: 209 was constructed before Shangri-La
    was involved, but it is run by Step Up, so I'm not sure who
10
11
    constructed that.
12
               THE COURT: I'm going to repeat back to you what
13
    I've absorbed. VA, obviously, owns the property. They have an
14
    enhanced lease. Shangri-La has this enhanced lease for 205 and
    208?
15
16
               THE WITNESS: Yes.
17
               THE COURT: And 209 was previously built by Step Up
18
    Second -- not built, but -- well, built, yes.
19
               THE WITNESS: It was built by -- I'm not sure who
20
    that was built by. It was originally a Compensated Work
21
    Therapy building where veterans lived there that were working.
22
    And then that changed, I think, around 2017, and Step Up on
23
    Second took it over and started managing it.
24
               THE COURT: Okay. Thank you. Counsel.
25
    BY MR. ROSENBAUM:
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- 1 Concentrated Work Therapy, that relates to what you just 2 said about Building 209? 3 Α Yes. 4 That goes sometimes by the acronym CWT? 5 Yes. 6 Do you know how CWT works? 7 My understanding of it -- my understanding of it is is 8 that veterans that are going through treatment or just got housed can get work to start earning some income and start 10 getting back into the workforce. 11 Do you know where they get the treatment? 12 At the VA, at the West LA VA. 13 So they live on the grounds -- they live in the building, 14 but they actually get their treatment outside the building; is 15 that right? 16 Yes. They have to go get a referral and go through their mental health doctors. 17 18 And do you know when that program started with respect to Building 209? 19 20 I don't. 21 Okay. Have you had discussions with VA officials about 22 Shangri-La?
- 23 A Yes.
- 24 Q And could you tell the Court, please, what the nature of
- 25 | those conversations were?

```
1
          That the Attorney General, Rob Bonta, filed a lawsuit
 2
    against Shangri-La for fraud. And one of the CFOs from
    Shangri-La embezzled millions of dollars to spend on his own --
 3
 4
    his girlfriend and different luxury items.
               THE COURT: I'm sorry. What was his name again?
 5
               THE WITNESS: Which?
 6
 7
               MR. ROSENBAUM: The attorney general.
 8
               THE COURT: No, I know that. Bonta. Did you state
 9
    the name of the person who had spent these sums who's the head
10
    of Shangri-La?
11
               THE WITNESS: It was the CFO, to my understanding.
12
               THE COURT: CFO. Okay. Thank you.
13
               THE WITNESS: Yes, Your Honor.
14
    BY MR. ROSENBAUM:
15
          And do you know when Attorney General Bonta filed that
16
    lawsuit? Do you know roughly when?
          Roughly -- it was earlier this year. It was earlier this
17
18
    year, if I'm not mistaken. I can't remember the exact date
    when it was filed.
19
20
          And when you had these -- which VA officials did you have
    these conversations with?
21
22
          I had these -- I had these conversations with John Kuhn
23
    and -- Mr. Kuhn and Ms. Hammitt.
24
          And when you had the conversations with Mr. Kuhn and Ms.
25
    Hammitt, was it your impression that they were unaware of this
```

- 1 lawsuit by the state of California and the fraud and
- 2 | embezzlement?
- 3 A Yes. My understanding is that they were unaware of it and
- 4 | it was -- they stated that they found out about it through KCRW
- 5 | and LA Times reporting on this issue.
- 6 Q Do you know if Shangri-La is still the lessee for those
- 7 buildings?
- 8 A To my understanding, they said they were going to sever
- 9 ties with them.
- 10 | Q Do you know if, in fact, those ties have been severed?
- 11 A I don't know.
- 12 | Q The Step Up building on Western you mentioned, where is
- 13 | that located?
- 14 A On Western and Slauson.
- 15 | Q And have you visited that building?
- 16 A I have.
- 17 | Q On how many occasions?
- 18 A More than I can count. I haven't been there in about
- 19 eight months. But when it first opened, you know, more than a
- 20 dozen times.
- 21 | Q And can you describe for Judge Carter the conditions of
- 22 | those buildings over the course of the time that you went out
- 23 there?
- 24 | A Yes. The Step Up on Second Western building is a motel
- 25 | that was renovated into little studio apartments for veterans,

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and we had -- it was -- it was decent when they are moving in.
It was way better than being on the street. But over time,
everything -- within six to eight months, everything became
pretty dilapidated.
       The gate to get into the facility was broken and people
were trying to chain it together. There was constant issues in
the apartments. The veterans didn't have -- they were trying
to get Wi-Fi and they weren't able to get Wi-Fi. I remember
all of these discussions and issues going on with Step Up on
Second and the veterans bringing these issues.
     Do you know if there were reports of rats and vermin in
these buildings?
     I don't recall.
     Do you know -- how would you describe what the buildings
looked like physically at the time you are talking about?
     When it first opened, it just -- it looked like a Motel 6
would look. You open a door, you go in, you have a little bed,
these had hot plates, and it looked decent at first. It was --
just after six to eight months, there was really -- it didn't
seem like there was much maintenance on it.
       You could go there today. It looks awful. The property
manager -- they keep having constant turnover with the property
management, hard time keeping them there.
     Have you received complaints from veterans about the
conditions at Step Up on Western?
```

A Yes.

- 2 Q How frequently?
- 3 A I used to receive them all the time. Over the course of
- 4 | the last six months, I just haven't -- I have been so busy at
- 5 | the West LA VA, I haven't been following up down there.
- 6 Q How long -- did you ever drive to that building?
- 7 A Yes.
- 8 Q How long would it take you?
- 9 A From West LA, 45 minutes to an hour, depending on the time
- 10 of day and traffic.
- 11 | Q Do you know if the VA ran shuttles from that building to
- 12 | the campus?
- 13 A I don't know.
- 14 Q Did -- are you familiar with other project-based buildings
- 15 | that are not on the grounds?
- 16 A Yes.
- 17 | Q Do you know the locations of those?
- 18 A I believe Skid Row, down by Long Beach, San Pedro area,
- 19 there is one in Sylmar, I think there is one out in Lancaster
- 20 as well.
- 21 Q Have you ever driven to Lancaster?
- 22 A I have.
- 23 Q How long does that take?
- 24 A Hour and a half, hour and 15 minutes, again, depending on
- 25 traffic.

```
1
          From what location?
    Q
 2
          From the VA.
 3
          One way, hour, hour and a half?
 4
          Yes.
          Restful, peaceful drive?
 5
 6
          A lot of traffic.
 7
          Have you ever driven to the area where the project-based
 8
    housing is in East Los Angeles or Skid Row?
          Yes.
    Α
          And could you describe for the Court what that distance is
10
11
    like?
12
          It's the East Los Angeles Marmion Way is a housing unit
13
    there that a lot of veterans have moved into. Again, it can
14
    take 45 minutes to an hour or more, just depending on the
15
    traffic and the time of day, from the VA to that location.
          The income limitations that you talked to the Court about
16
    a few moments ago, do you know whether or not they apply to
17
18
    getting into those buildings?
          Yes. Though income limits apply. Any project-based unit
19
20
    will have income restrictions. When someone gets a
    tenant-based voucher, that's when it differs.
21
22
          Were you ever at a meeting with anyone from HUD where the
23
    issue of these income-based limitations was discussed?
24
          Yes.
```

0

Whom?

- 1 A The assistant secretary to HUD.
- 2 Q Who was that? Do you know the name?
- 3 A Dr. McClain.
- 4 | Q And do you know when that discussion took place?
- 5 A It was spring to early summer of 2023.
- 6 Q And who else was present at that meeting?
- 7 A Mr. John Kuhn; the chief of service, Sally Hammitt;
- 8 Dr. Braverman; I believe Director Merchant was there as well;
- 9 and I brought with me Deavin Sessom.
- 10 | Q One of the plaintiffs?
- 11 | A I did bring one of the plaintiffs because I wanted the
- 12 assistant secretary to HUD to hear from him since he was being
- 13 denied housing based on his income.
- 14 | Q Did any of the VA officials state their views about the
- 15 | income limitations at this meeting?
- 16 A Yes. Everybody in that meeting was wanting to find a way
- 17 to fix this issue.
- I didn't hear anyone say that they agreed with the most
- 19 disabled veterans being denied housing.
- 20 Q Do you know what a "red flag" is?
- 21 A Yes.
- 22 Q What is a red flag?
- 23 A A red flag, also known as a behavior flag, is something
- 24 | that can be put into a veteran's chart.
- 25 | Q Have you dealt with the issue of red flags?

- 1 A I deal with those frequently.
- 2 Q What is the nature of your involvement with the red flags?
- 3 A Trying to help veterans who have these flags in their
- 4 | chart get off of the street and into shelter and into different
- 5 programs.
- 6 Q What's the impact of the red flags?
- 7 A They are very challenging. I'm still trying to figure out
- 8 | what avenue to take to get these off of these veterans'
- 9 records, because there are some veterans that have flags that
- 10 have been on their record for a year or more. And essentially,
- 11 | when someone -- when a veteran goes to get a referral to a
- 12 program, whether it be VA or not, the social workers and the
- 13 people involved do what is called chart reading, and they go
- 14 | through the chart and they look to identify flags or any issues
- 15 | that they deem they don't think they can help this veteran, and
- 16 | then they will deny them.
- 17 | Q Do you know if any of the plaintiffs have received a red
- 18 | flag that has affected that individual's ability to get
- 19 housing?
- 20 A They -- there has been. I don't want to go into
- 21 | specifically who.
- 22 | O Okay. Are you familiar, from your work experience,
- 23 Mr. Reynolds, with individuals whom you believe are suicide
- 24 | risks, attempting to get housing?
- $25 \mid A \quad \text{Yes.}$

```
1
          Can you describe to the Court what your experience has
 2
    been?
 3
          Yes. And is it okay if I elaborate to give a little
    context?
 4
          Of course.
 5
 6
          One of the key areas that I think that a lot of -- just VA
 7
    or different homeless programs in general, they need to be
 8
    better about finding reasons to get people -- you know, the
    most disabled and severely mentally ill -- into programs.
    lot of times I feel that they look for reasons to exclude them.
10
11
            And I'll give an example of one that I had. I had a
12
    veteran that was in a psychiatric ward for suicidal ideation,
13
    the psychiatric ward, after a period of time, deemed him to be
14
    fit to be discharged. He was discharged from the program. He
15
    came to me and said that he would like to get into the CTRS,
16
    the tiny sheds, and I had him put in a referral through
17
    Building 402, which is a building on the West LA VA that does
18
    referrals.
19
               THE COURT: Slow down a little bit.
20
               THE WITNESS: Sure.
21
               And when the referral was put in, it was then denied
22
    by the program.
23
    BY MR. ROSENBAUM:
24
          Do you know the reason that was given for the denial?
25
          Because he's a suicide risk, we don't want him to commit
```

```
1
    suicide in one of the sheds.
 2
          Did you have any discussion with any VA official about
    that rationale?
 3
          Yes. My discussion was that if you have someone who has a
 4
    history of suicide, and they come and ask for help, and then
 5
 6
    you turn them away that that would make them more apt to commit
 7
    suicide.
          Do you remember with whom you had that discussion?
 8
          Leadership of the CTRS staff. And we ended up -- the
    advocacy -- we ended up getting him into the program through
10
11
    that.
12
          Okay. Without your advocacy, would that have happened,
13
    that he would have gotten into the program?
14
          I don't believe so.
15
            These are just issues that are ongoing. They are things
16
    that are always on my radar. That veterans will show up to
    programs -- and it's not just the VA, it's other homeless
17
18
    programs as well that take veterans -- that they will go
    through their chart and say, "They need a higher level of care,
19
20
    we can't take them here."
21
            And I never really understood what that means.
22
    know, if you have someone on the street and they are trying to
23
    get into a low barrier program, and you say they need a higher
24
    level of care and you deny them, then essentially, what you're
```

saying is that the street is a higher level of care?

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This is one area that I
            It really makes no sense.
    really, really strongly feel that the VA needs to do a better
    job on taking care of the most mentally disabled and the ones
    that have these flags.
          Have you seen the impact on these disabled veterans when
    they are not able to get into the housing?
          Yes. It makes their situation worse. Much worse.
          Have you seen the impact on their emotional well-being?
          Yes.
    Α
          Can you describe that for the Court.
          It's the same. It takes a toll on them when they go to
    get help and they are turned away for different reasons.
          Okay. Are you aware -- I'm going to talk to you now about
    some land use matters.
            Are you aware of entities, apart from the VA, that use
16
    the West LA grounds?
    Α
          Yes.
          And can you give some examples that come to mind?
          UCLA, Brentwood School, parking lots.
          Have you had discussions with VA officials about these
    leases?
22
          Yes.
         Let's start with UCLA.
            Do you know anything about a legal clinic that UCLA is
    involved in?
```

```
1
    Α
          Yes.
 2
          What is your understanding -- strike that.
 3
            Have you yourself had involvement with any aspect of
 4
    that legal clinic?
          Yes.
 5
 6
          Could you -- and beginning when?
 7
          2022.
    Α
          And could you describe, please, for the Court, what the
 8
    nature of your involvement with respect to the legal clinic
    beginning in 2022?
10
11
          Yes. We were -- myself and other VA employees were
12
    sending veterans to this legal center that was located on the
13
    north side of the campus. And it was behind a locked door, so
    you could get into the lobby, but then there was no one sitting
14
15
    in the lobby and the door was locked to get back into the
16
    offices.
17
            So, veterans were showing up there and were unable to
18
    get in. And then they were -- UCLA was only providing one day,
19
    on Tuesday, where you could make a phone call to call and get
20
    registered for the legal clinic.
21
            And I had asked one of the staff attorneys at the UCLA
22
    legal clinic why they were behind the locked door, and they
23
    said because some of the veterans can get violent.
24
          Did you have any discussions with Dr. Braverman about the
25
    locked door and access to the clinic?
```

```
1
          I had discussions with VA leadership, and I believe it was
 2
    Dr. Braverman. I can't be certain. I was referred then to
 3
    talk to Tony DeFrancesco at UCLA.
          Who is Mr. DeFrancesco?
 4
 5
          He was in charge of the UCLA veterans affairs relations.
 6
               THE COURT: Who is this person again? Will you
 7
    spell this person's name, please.
 8
               THE WITNESS: Tony DeFrancesco, I'm not sure of
 9
    spelling of his name.
10
               THE COURT: Do you know the name of the person?
11
               THE WITNESS: I do.
12
               THE COURT: Once again. Tony? What is the name of
13
    this person at UCLA?
14
               THE WITNESS: Tony.
15
               THE COURT: Tony, okay.
16
               THE WITNESS: DeFrancesco.
17
               THE COURT: All right. Thank you.
18
    BY MR. ROSENBAUM:
          And over what period -- did you have more than one
19
20
    discussion with Mr. DeFrancesco?
21
    Α
          Yes.
22
          How many would you say?
23
          Countless discussions and meetings with him about it.
24
          Over what period of time?
25
          Several months. Then we got other veterans involved and
```

```
1
    one of the -- one of the things that we asked of them was that
 2
    they move the legal clinic to somewhere that's a better
 3
    location so that veterans can access it, and also start going
 4
    to different programs and providing outreach and letting
 5
    veterans know what services they provide.
                THE COURT: Once again, I'm sorry, tell me where the
 6
 7
    veterans clinic was located. I missed that.
 8
               MR. ROSENBAUM: Let's put up Exhibit 1 again,
 9
    please.
10
               THE WITNESS: Show it on a map or --
11
               THE COURT: Just name the building.
12
               THE WITNESS: It was Building 206, across --
13
               THE COURT: Just a moment. Building 206?
14
               THE WITNESS: Yes.
15
               THE COURT: Thank you.
16
    BY MR. ROSENBAUM:
17
          I think you answered this, so bear with me here, but over
18
    what -- how long a period of time were you having these
    discussions?
19
20
          I don't recall the exact -- it was several months. I
21
    don't recall the exact time frame.
22
          Incidentally, do you ever assist veterans with legal
23
    issues that they are experiencing?
24
          Yes.
25
          To your knowledge, were veterans surveyed as to what sort
```

```
1
    of assistance, legally, that they would like from UCLA?
 2
          Not to my knowledge.
 3
          The matters that you assist veterans with legally, do you
 4
    ever go to Court with them?
 5
          Yes. Yes.
 6
          With what sort of frequency?
 7
          When veterans have come to get into programs and they will
 8
    have you know, a warrant out or they need to appear in court, a
    lot of times I would go with them to their appearance in court.
          Do you think those veterans with the legal issues, based
10
11
    on your work with them, are related to their disabilities?
12
          Yes. And being unhoused. Yes.
13
          And what sort of courts do you appear with the veterans?
14
          Criminal, criminal court.
15
          Does the UCLA legal clinic do criminal cases?
16
          No.
               They do expungements.
17
               THE COURT: Let me restate that so I'm sure.
18
    do expungement involving criminal matters; is that correct,
19
    obviously?
20
               THE WITNESS: Yes. But no --
21
                THE COURT: Expungement usually applies to criminal
22
    matters.
23
               THE WITNESS: Understood.
24
               THE COURT: Do they do any civil work? Eviction
25
    work, anything of that type?
```

```
1
                THE WITNESS: Yes.
 2
                THE COURT: Eviction?
 3
                THE WITNESS: Yes.
 4
                THE COURT: All right. Please continue, counsel.
 5
    BY MR. ROSENBAUM:
 6
          To your knowledge, do they ever bring civil rights
 7
    litigation?
 8
          Not to my knowledge.
 9
          Do you know -- where the legal clinic was, where you told
10
    Judge Carter, how far from that -- where is that located on the
11
    campus in relationship to, say, San Vicente?
12
          Over a quarter of a mile, more about a half mile.
13
          Okay. Have you ever been on the baseball complex?
14
          Yes.
15
          Have you ever seen any signs on that baseball clinic that
    call it "Veterans Park," "Veterans Field," "Veterans Practice
16
17
    Area," anything like that?
18
          No.
19
          Do you know what Barranca Field is?
20
          It's the practice stadium that UCLA built while the
21
    veterans were sleeping on San Vicente Boulevard.
22
          Do you know who Barranca is?
23
          I'm not familiar.
24
    Q
          What?
25
          Vaguely. Not familiar.
    Α
```

1 Okay. Did you bring to the attention of any VA officials 2 the circumstances around the building of that infield? 3 Yes. Yes. Α 4 And approximately when was that? 5 In January of 2021. 6 And with whom did you bring this to their attention? 7 Director Braverman, Robert McKenrick, Matt McGahran, 8 everybody in the VA at that time. Because when we had found out about this stadium or this new practice field that was 10 going to be built, we were in the process of trying to get the 11 VA to help get veterans off of San Vicente Boulevard, and we 12 had learned that -- they were in talks with UCLA to allow them to build another baseball field. 13 Did -- staying with the field for a moment, sir, are there 14 15 other names on that field besides Barranca? 16 Steele. 17 Can you spell that? 18 S-T-E-E-L-E. 19 Q Any others? 20 Not that I recall. 21 Do you know if Mr. Barranca or Mr. Steele was a veteran? 22 I don't know. 23 Does it say anything on where it says their names, "this 24 individual was a veteran," "this individual served with the

25

military, " anything like that?

```
1
          Well, it's named out after Jackie Robinson.
    Α
 2
          But I'm talking about Steele and Barranca?
 3
          I'm not familiar.
 4
               THE COURT: Just a moment. The practice field is
 5
    Barranca Steele; is that correct?
 6
               THE WITNESS: The practice field is Barranca.
 7
               THE COURT: Okay. And the stadium at UCLA is named
    after Jackie Robinson?
 8
 9
               THE WITNESS: Yes.
10
               THE COURT: All right. Thank you.
11
    BY MR. ROSENBAUM:
12
          When you brought to the attention -- strike that.
13
            Did you know in advance of the building of that infield
14
    as Barranca Field, did you have notice of that in advance of
15
    that actually taking place?
16
          That it was going to be named Barranca Field? Is that
17
    what you are --
18
         Yes.
          I did not. I learned this through the former chief of
19
20
    communications at the West LA VA.
21
          Did you know -- were you asked how you felt about the
22
    infield -- the new infield being built on the West LA grounds?
23
          No. None of the veterans were notified about it. It was
24
    done in secret. And, in fact, Mr. McKenrick went out of his
25
    way to try to hide that from veterans.
```

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24

```
Okay. The Brentwood School, sir, have you had discussions
with VA officials about the lease with Brentwood?
Α
     Yes.
     Have you had discussions with other veterans about the
existence of these leases with UCLA, Brentwood, SafetyPark?
           I discussed this with veterans all the time that
we're furious about it.
       In fact, the Veterans Community Oversight Engagement
Board, in March of 2021, after us informing them that there
were plans to build another baseball field, they submitted a
recommendation -- I believe it was 11-05 A -- to the secretary
of the VA and asked him to terminate UCLA's second lease
amendment because it disproportionately favors UCLA over
veterans.
     And did the VA do that, to your knowledge, sir?
     The secretary rejected that request and went forward with
the construction. And it was built while the veterans were
sleeping outside the gates of the VA.
     Have you heard from veterans -- were they ever surveyed,
to your knowledge, as to how they wanted that land -- where the
baseball complexes -- how they wanted that to be used?
     No.
     To your knowledge, were veterans ever surveyed as to how
the land that is utilized by Brentwood School, how they would
like to see that land utilized?
```

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And, in fact, just last year, Brentwood School took
steps to amend the West Los Angeles Leasing Act and tried to
take authority away from the Inspector General so they could
essentially legalize their lease or keep their lease on the
West LA VA.
       At no time did they come and speak to any veterans about
what they could do to help with housing or what they could do
to assist veterans. Instead, they went behind everyone's back,
lobbied Congress, and attempted to change the West Los Angeles
Leasing Act until we discovered that.
           THE COURT: When was this? You said last year.
           THE WITNESS: 2023.
           THE COURT: 2023. Just one moment, please.
       Please continue, counsel.
           MR. ROSENBAUM: Thank you, Your Honor.
BY MR. ROSENBAUM:
     When you were on Veterans Row, were there veterans who
knew about these leases and expressed -- talked to you about
the leases?
     Yes. Especially the Vietnam veterans that had been around
a while. They really had a full understanding of this issue at
the property.
     Did you get a sense of how they felt about the existence
of those leases?
     Furious about it. I think it -- you know, it contributes
```

```
1
    -- it's a lot of mental turmoil for a lot of the veterans that
 2
    I spoke with that understand it because they are trying to get
    through all of these barriers to get into a program or housing,
 3
 4
    and then they are reading Inspector General reports that say
    the VA is involved in illegally leasing land, and seeing news
 5
 6
    reports that the VA is illegally leasing the land. And then
 7
    when you go to talk to any of the VA officials, they try to
    make excuses for it.
 8
            I had a meeting with the VA where I was trying to
10
    understand how Brentwood School principally benefits veterans
11
    and their families, like, please explain to me how this does?
12
    And the planning department put on a slideshow for us, and
13
    David Echevarria, who is here in the Court, he was with me at
14
    this meeting. And basically the whole premise of it was trying
15
    to understand how the VA justifies their leasing practice.
16
               THE COURT:
                           Just a moment. You said the planning
17
    department put on a slideshow. I have no idea what planning
18
    department.
19
               THE WITNESS: Andrew Strain and Alan Trinh.
20
    BY MR. ROSENBAUM:
21
          Who do they work for, sir?
22
          The VA.
23
          And can you tell the reporter how to spell some of these
24
    names, starting with David name?
25
          David Echevarria, I don't remember how --
```

```
1
               THE COURT: Echevarria.
                                        Okay.
 2
               MR. ROSENBAUM: You are obviously not such a good
 3
    friend.
            How about Mr. Trinh or Mr. Strain?
 4
 5
                THE WITNESS: Alan Trinh, T-R-I-N-H, I believe, or
 6
    T-H-R-I-N.
 7
               THE COURT: And, counsel, I'm missing something.
 8
    don't know who these people are yet. Is there some illusion
 9
    that they work --
10
    BY MR. ROSENBAUM:
11
          Do you know who employs them?
12
          The VA.
         Not David?
13
14
          Not David.
15
                THE COURT: Counsel, I'm sorry. I still don't
    understand, and if I don't understand, then I'm going to ask.
16
17
    I don't see the -- I don't know who David Echevarria is, or
18
    Alan Trinh, nor do I understand why they work for the VA. I
19
    don't understand this relationship.
20
               THE WITNESS: Let me explain it. David Echevarria
21
    is a veteran in attendance in the courtroom. He was with me
22
    when this meeting took place.
23
               THE COURT: Okay.
24
               THE WITNESS: This meeting was the result of my
    asking VA leadership to please explain to me how the leases on
25
```

```
1
    the property principally benefit veterans and their families.
 2
            And at that time, Alan Trinh and Andrew Strain, who work
 3
    in the VA planning department --
               THE COURT: Just a moment. So it's Alan Trinh
 4
 5
    and --
               THE WITNESS: Andrew Strain.
 6
 7
               THE COURT: -- Andrew Strain.
 8
               I would have gotten that wrong. I would have
 9
    thought Mr. Echevarria worked in the planning department. So
10
    my apologies.
11
            So Echevarria was with you. And you had a meeting with
12
    Mr. Trinh and Mr. Strain, who work in the VA planning
13
    department.
14
               THE WITNESS: Yes, Your Honor.
15
               THE COURT: Now, Counsel, ask the question so I
    understand this.
16
    BY MR. ROSENBAUM:
17
18
          After that conversation, did that mollify -- did it make
19
    you feel good about these leases?
20
          No.
               The way it was described to me is one of the
21
    questions I had was about the Brentwood School lease.
22
            I had brought up -- I said the VA's own Inspector
23
    General, every time that there is an audit, it's scathing, that
24
    this school does not principally benefit veterans and their
25
    families. And I wanted to understand how the West LA VA was
```

justifying this.

1

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20

21

22

23

And the response that I got was that I should go to Congressman Ted Lieu's office because he drafted the West Los Angeles Leasing Act. And within the West Los Angeles Leasing Act, he didn't specify how much principally means, whether that is 30, 50, or 60 percent. That is the way it was described to me that the law says that anything on the property has to principally benefit veterans and their families. However, we don't know how to accurately measure that.

- 10 Q How many years has it been, Mr. Reynolds, since you first
  11 came to Los Angeles?
- 12 A Since 2018.
- Q During that period of time, these six years, do you think the VA has done everything it could to help disabled homeless veterans?
- 16 A Not everything it could.

but there needs to be a lot more.

- Q What have you seen happen to your fellow veterans over the five years since you first came to the VA, six years, actually?
  - A A lot of veterans -- a lot of veterans died. There are veterans that get into housing. There are some that go back and forth through different programs. I don't want to say there has not been progress because there has been progress,
- Q Do you know how many units of permanent supportive housing are currently on the VA grounds in West Los Angeles?

```
A 233.
```

- 2 Q Do you still deal with homeless veterans who are unhoused?
- 3 A Yes.
- 4 Q At the beginning of your testimony yesterday, you talked
- 5 to the Court about your experience seeking help on the West LA
- 6 | VA grounds. How you showed up and ended up sleeping on the
- 7 street for days and weeks and months.
- 8 Do you work with veterans who have had similar
- 9 experiences?
- 10 A Yes, I do.
- 11 Q Currently?
- 12 A That -- I just want to make sure I understand. That are
- 13 | having trouble getting into housing?
- 14 0 Yes.
- 15 A I do work with veterans that are going through that. The
- 16 | big thing at the moment is -- there are a lot of veterans that
- 17 | want to live close to the VA hospital or at the West LA VA, but
- 18 | there is only these 233 units that are filled. And we're still
- 19 | waiting on other buildings to open or being constructed.
- 20 | Q Do veterans express to you why they want to live on those
- 21 | grounds?
- 22 A There is a multitude of reasons. You know, it can be
- 23 | their disabilities being close to -- needing to be close to the
- 24 | hospital, being in community with other veterans.
- 25 | Q If it were -- if you were asked what should the VA and HUD

```
1
    do now to better the lives of these unhoused veterans, what
 2
    would you tell them?
          Well, first and foremost, change this policy that is
 3
    counting veterans' disability compensation as income. You
 4
    know, the IRS does not count disability compensation as income,
 5
    yet HUD does count it as income. And it's not an income; it's
 6
 7
    a compensation for something that they have suffered, for the
    loss of a limb.
 8
            And there is no reason that that should deny them from
    getting into housing close to the hospital.
10
11
            I think that --
12
          Let me stop you there for a moment.
13
            You told the Court a little bit earlier today that you
    have had a disability rating of 100 percent.
14
15
          Yes.
          Do you consider the payment you get from the VA for what
16
17
    you went through in Iraq to be earned income?
18
          Well, it is compensation. It's -- even the IRS, I mean,
19
    that's -- you don't pay taxes on it. You don't have to claim
20
    it at the end of the year.
21
          You were talking to me about other things that you would
22
    recommend in order to address the question of unhoused veterans
23
    with disabilities.
24
          Yes.
25
          What else?
    0
```

A I think that, you know, HUD could also increase how much these vouchers are worth to help account for the high cost of living in Los Angeles and around the West LA VA.

I also think that what would be really important is making this process a lot more straightforward instead of having to fill out hundreds and hundreds of different

paperwork. And there definitely has to be a way to streamline this process and not make it so time consuming.

The VA -- you know, it could also go to Congress and request budget to build and construct housing themselves. But they don't do that.

- 12 Q What type of housing?
- 13 A Permanent supportive housing.
- 14 Q Any other type before all of the permanent housing is, in
- 15 fact, established?

A Temporary housing on the property so that -- that's not a 6-by-8 shed that is adequate temporary housing that veterans can stay and live at until -- in the interim until the permanent supportive housing gets completed.

And again, not like sheds. You know, when the military deploys overseas in combat zones and they will set up forward operating bases, they bring in trailers that soldiers live in. So there is no reason they can't do something like that at the West LA VA.

Q Have you seen better housing in Iraq than you have seen in

2

3

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19

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21

22

23

24

```
Los Angeles for veterans?
     When I got to visit a forward operating base and saw some
of the trailers that were set up, I would say that those --
they were bigger and had more amenities than a shed does.
     How important is it that there be temporary housing until
the permanent supportive housing is constructed?
     It's very important. One of the reasons why is just
currently there has been a new shift in policy at the West LA
VA where veterans can only be in certain programs or shelters
for a shorter period of time. They want to try to limit it to
60 to 90 days in some cases and have them work on a housing
plan to go elsewhere.
       And what is happening is we have veterans that want to
live next to the West LA VA that are essentially being told if
you don't accept this housing away from the VA, we're going to
have to ask you to leave, and we're going to send you somewhere
else. So that is currently going on as we speak.
     Do you hear from a lot of veterans I would rather be
living off the grounds -- disabled veterans, I would be rather
living off the grounds in Lancaster or East Los Angeles or Skid
Row as opposed to the VA grounds in West LA?
     No. Of course, there are some veterans that don't want to
live at the West LA VA, but there are a lot that do that I
speak with.
           MR. ROSENBAUM: Okay. Can I have one moment?
```

```
1
               THE COURT: Certainly.
 2
               MR. ROSENBAUM: Your Honor, I have nothing further
 3
    from this witness. Thank you very much, Mr. Reynolds.
 4
               THE COURT: For cross-examination, why don't we take
 5
    a lunch break and come back at 1 o'clock. Would that be
 6
    acceptable? All right. That way everybody can start fresh.
 7
            Have a good lunch. We will see you at 1 o'clock. Thank
 8
    you.
 9
                             (Lunch recess.)
               THE COURT: Have a seat. Thank you very much for
10
11
    the courteousness. We're back in session. All parties are
12
    present. The witness is on the witness stand.
13
                  Counsel, you may do your cross-examination.
14
               MS. WELLS:
                           Thank you, Your Honor.
15
                            CROSS-EXAMINATION
16
    BY MS. WELLS:
17
          Good afternoon, Mr. Reynolds.
18
          Good afternoon.
          I would like to begin by thanking you very much for your
19
20
    service.
21
          Thank you.
22
          Let me see where to begin.
23
            Mr. Reynolds, I believe you testified earlier that you
24
    spoke with the Secretary of the Veterans Administration,
25
    Mr. McDonough, in I believe it was October of 2021?
```

```
1
          Yes, I did.
    Α
 2
          And the secretary reached out to you; is that right?
 3
          Yes. I had received a phone call from his security team
 4
    that he would be coming and would like to meet with me.
 5
          And during that call, he told you -- or after you just met
 6
    with him and talked to him, he told you that he would work on
 7
    providing same-day shelters to veterans on the West LA Campus;
 8
    is that right?
          Yes.
    Α
10
          And he also talked about making PSH or permanent
11
    supportive housing available; is that right?
12
    Α
          Yes.
13
          How do you define permanent supportive housing? You
14
    talked about it a lot. I just want to make sure the record is
15
    clear what it means to you.
16
          Housing with wraparound services and case management for
17
    veterans.
18
                (Reporter clarification.)
19
                THE WITNESS: Of course. Housing -- permanent
20
    housing with wraparound services for veterans, such as case
21
    management.
22
    BY MS. WELLS:
23
          Would you include anything else within the term wraparound
2.4
    services besides case management?
25
          Mental healthcare and getting visits from their nurses or
```

```
1
    doctors at the VA.
 2
          Now, is it fair to say that you are an advocate on behalf
 3
    of unhoused veterans?
 4
          I think that would be fair to say.
          And you started your advocacy activities in 2019; is that
 5
 6
    right?
 7
          Yes.
    Α
          And part of your advocacy includes attending the VCOEB
 8
    meetings?
10
          Yes, it does.
11
          And that is the committee, the board that deals with
12
    community issues relating to the VA campus; is that fair to
13
    say?
14
          Yes. It submits recommendations directly to the secretary
15
    of the VA.
          In fact, isn't it fair to say that you have attended all
16
17
    VCOEB meetings since 2019?
18
          That is fair to say. Yes.
          And almost all, if not all of them, you have also provided
19
20
    a statement when public statements have been accepted; is that
21
    right?
22
          I have, yes.
23
          And most of these statements have been critical of the
24
    Veterans Administration, isn't that right?
```

Α

They have.

```
1
          I believe a lot of criticism relates either to -- let's
    break it down a little bit. Some of the criticism deals with
 2
    mismanagement of the property; is that fair to say?
 3
          It is.
 4
          And other criticisms relate to barriers to accessing
 5
 6
    programs for veterans who are homeless?
 7
          Yes.
          Okay. You testified yesterday, I believe, that you are
 8
    currently working as an independent contractor for the Veterans
    Administration; is that right?
10
11
          Yes.
12
          So you are actually employed by Concourse; is that
13
    correct?
14
          Yes. My contract is with them, yes.
15
          Okay. You have your own LLC, right?
16
          Yes.
17
          Okay. And is it right that you have been serving in that
18
    position for about a year, since July of 2023?
19
          It is, yes.
20
          Isn't it fair to say that your current role as a
21
    contractor grew out of your identification to VA officials of
22
    the barriers relating to engagement or getting veterans off the
23
    streets?
24
          I missed the first part of that. Could you say that one
25
    more time?
```

```
1
          Sure. I'm happy to repeat it.
 2
            I said, isn't it fair to say that your current role grew
 3
    out of your identification -- or at least in part grew out of
    your identification to VA officials of barriers relating to
 4
 5
    engagement or otherwise getting veterans off the streets?
 6
          Yes.
 7
          And is it also right to say that your position came about
 8
    because you had a relationship with the veterans that allows
    you to work with them to help them get off the streets and into
10
    housing?
11
          Yes.
12
          And also into VA programs generally?
13
    Α
          Yes.
          And you had actually brought these issues relating to
14
15
    barriers to VA programs to the attention of the West Los
    Angeles executive leadership, right?
16
17
    Α
          Yes, I always do.
18
          Okay. And that has been over the years, you have brought
    it to whoever has been in those roles?
19
20
    Α
          Yes.
21
          And those roles have changed -- the individuals have
22
    changed, but you still continue to raise your concerns?
23
          I do, yes.
24
          Now, in fact, you discussed what developed into your
25
    current position with John Kuhn; isn't that correct?
```

- 1 A I did. Yes, I did.
- 2 Q And so the record is clear, he's the current deputy
- 3 | medical center director at West Los Angeles?
- 4 A He is, yes.
- 5 | Q And is it also correct that Mr. Kuhn played a role in
- 6 defining the scope of practice that defines your duties?
- 7 A Yes.
- 8 Q And am I right in characterizing the scope of practice as
- 9 | helping veterans getting into programs, housing, case
- 10 | management, people who are now unhoused and helping them access
- 11 | those programs?
- 12 A Yes. And also bringing barriers to treatment and
- 13 different issues and programs to their attention to get them
- 14 resolved -- or attempt to.
- 15 | Q And despite your role, you have also continued to be an
- 16 | advocate for veterans with respect to developing or the land
- 17 | use issues on the West LA property, right?
- 18 A I have, yes.
- 19 Q And you have continued to voice those -- your concerns,
- 20 | your opinions about those issues?
- 21 | A I have, yes.
- 22 | Q You have also continued to identify -- I think you just
- 23 | stated this, but just to make sure that I got it right -- the
- 24 | barriers to veterans' access to -- or ability to access VA
- 25 programs. You also continue to bring those to the attention of

1 executive leadership at WLA? 2 Yes. Anything to try and get veterans into programs and make the process more straightforward. 3 4 Okay. Now, in your role -- which I believe you stated you 5 spend about 30 hours a week or so getting paid to advocate on 6 behalf of veterans? 7 Yes. Α 8 You participate in daily meetings with VA staff; is that right? 10 I do. 11 And, I guess, are the staff that you meet with within the 12 CERS, the Community Engagement and Rehabilitation Service? 13 CERS. I'm sorry. Please correct me if I get this wrong, the 14 Community Engagement and Rehabilitation Services? 15 Reintegration Services. Reintegration. I'm sorry. So let's go back. 16 17 Are the daily meetings that you participate in with the 18 VA staff, are the staff from this CERS organization? 19 Yes. 20 And do the meetings relate to complex placement 21 situations? 22 Yes, they do. 23 Can you please define what that term is? 24 Complex placement veterans are veterans that have 25 different flags or disabilities or reasons that is making it

- 1 | very challenging to get them into programs where they are not
- 2 being accepted.
- 3 Q And how do you go about identifying who fits this
- 4 | criteria?
- 5 A I have -- other VA staff and people reach out to me and
- 6 | will refer veterans to me that they are having trouble locating
- 7 | placement for or that are about to be discharged from a
- 8 | program. And that's how I identify them.
- 9 Q So it's fair to say that the Veterans Administration folks
- 10 | are looking to you to help them get these people services?
- 11 A With the complex placement call, yes.
- 12 | Q Okay. Now, these meetings include VA employees, I guess,
- 13 from the Grant and Per Diem program.
- 14 A They do. Yes.
- 15 | Q And then, also, from what you were testifying to earlier,
- 16 | the CTRS program?
- 17 | A Yes.
- 18 Q And any other programs?
- 19 A There are several other people on the call in leadership
- 20 | role within CERS. It's a daily meeting. So depending on the
- 21 | day, it will be different people involved. Outreach is there
- 22 | as well.
- 23 Q Is it fair to say that the purpose of these meetings is to
- 24 | identify vets who are having trouble accessing programs and to
- 25 | figure out solutions for them?

- 1 A That's the sole purpose of the meeting, yes.
- 2 Q And is it also fair to say that these meetings have helped
- 3 | the VA to identify veterans who fell through the cracks in the
- 4 past?
- 5 A It does, yes. It helps identify veterans at the West LA
- 6 VA. However, it doesn't -- we don't really work with veterans
- 7 | that are outside of that area. So it's just specific to
- 8 | veterans at the West LA VA for the most part, ones that are
- 9 having trouble getting access there.
- 10 | Q So when you say the West LA VA, are you talking just the
- 11 campus itself or the broader catchment area that --
- 12 A I would say just the VA itself there, you know right
- 13 around the VA. That is the sole focus of it. Veterans that
- 14 | are sleeping outside or in between the buildings or on the
- 15 | street, for various reasons.
- 16 | Q And so the purpose of these meetings is to actually get
- 17 | those people into housing; is that right?
- 18 A Yes.
- 19 Q And isn't it right that you also send a daily e-mail to
- 20 Ms. Hammitt, who is the director, I guess, of the CERS program?
- 21 A Yes. I send e-mails to update.
- 22 | Q And your updates generally include issues that have arisen
- 23 | during any -- that particular day?
- 24 | A Yes. To notify VA leadership of specific instances of
- 25 veterans that are unable to get into programs or areas that we

- 1 need help with. 2 And the information that you e-mail about has -- I guess, relates to the work that you have actually done relating to 3 4 those issues during that particular day --Yes. 5 -- right? Your daily interactions with veterans? 6 7 The complex placement of, like, getting -- if I'm running into a lot of barriers, I will go through what I have 8 done to try to get this person into a program, what barriers I have faced and where I need help trying to get through these 10 11 barriers. 12 So since you have been in your current role for the last 13 year or so, isn't it true that VA has had some constructive 14 responses to your observations and suggestions? 15 Yes. 16 For example, the Veterans Administration people have had a constructive response to your input relating to drop-in 17 18 shelters, for example? Yes. They did expand drop-in shelters. 19 20 And, also, isn't it true that VA lowered barriers for 21 immediate access to the West LA Campus? 22 There is still -- it's kind of a gray area. 23 go into more detail, but, yes, there -- some barriers have been 2.4 lowered when it comes to the drop-in shelters.
  - Q Well, for example, now if someone shows up after hours,

```
1
    they are not turned away; is that correct?
 2
          Yes. They are able to get in unless the drop-in shelters
 3
    are full, and then they are turned away.
 4
          And it's also fair to say, isn't it, that your experience
 5
    is that there is more communication and responsiveness from the
 6
    Veterans Administration to address issues when they come up now
 7
    than during the period from 2019 to 2021?
          That's true.
 8
         Mr. Reynolds, is it also fair to say that Ms. Hammitt
10
    shares your goal of getting veterans off the streets and into
11
    housing?
12
          She wants to get veterans off the street into housing,
13
    but, you know, is also restricted within her scope of practice
    of what she can do.
14
          And the same is true for Mr. Kuhn?
15
16
          Yes, from my discussions with them, yes.
               MS. WELLS: Okay. I have nothing further, Your
17
18
            Thank you.
    Honor.
19
                THE COURT: Counsel? Counsel on behalf of
20
    Bridgeland.
21
               MR. GUADIANA: Nothing, Your Honor.
22
               THE COURT: Redirect examination, please.
23
               MR. ROSENBAUM: Can I have just one moment?
24
               Thank you, Your Honor. Your Honor, I don't have any
25
    questions on redirect for Mr. Reynolds.
```

```
1
            I do want to move into evidence Exhibit 1, Exhibit 208,
 2
    Exhibit 209, Exhibit 210, Exhibit 211, Exhibit 212,
 3
    Exhibit 213, and Exhibit 214.
 4
               THE COURT: Any objections to the receipt of any of
 5
    those exhibits?
 6
               MS. WELLS: Your Honor, with respect to Exhibit 1, I
 7
    believe that has been identified in the exhibit list as the
 8
    master plan, so it's not just limited to the map. So I was
    wondering whether or not that should have been a separate
10
    standalone exhibit.
11
               MR. ROSENBAUM: Yes. Thank you. I will amend that.
12
    Exhibit 1, page 219. Is that what it was?
13
            Exhibit 1, page 219. I do think it would be helpful to
    have a standalone for all of the reasons Your Honor has said.
14
15
    It's the map.
16
               THE COURT: All right. Then I will receive --
17
               MS. WELLS: And I do have objections, Your Honor, to
18
    the other exhibits. They were originally identified as
19
    demonstratives. I have no objection to them being identified
20
    for purposes of, you know, the record. They were shown here in
21
    court. But we do object to their being admitted into evidence.
22
               THE COURT: Exhibit 1, page 219 is received.
23
             (Exhibit 1, page 219 received into evidence.)
24
               THE COURT: That may be a standalone exhibit as well
25
    as Exhibit 1, eventually.
```

```
1
            208 is the photograph of San Vicente Boulevard. That is
 2
    received, Counsel.
 3
            209 are the tents in early 2020. Received.
 4
            210 is the photo, once again, of Veterans Row taken by
 5
    the witness. Received.
 6
            211 is received. Once again, the large tents and a
 7
    smaller tent.
 8
            212 is received. It's a photo of the tiny sheds taken
 9
    in 2021.
            213 is received. It's the tiny shed photos, once again.
10
11
            And 214, the fire concerning the tiny sheds in October
12
    of 2022.
13
           (Exhibits 208 through 214 received into evidence.)
14
               THE COURT: Anything further?
15
               MR. ROSENBAUM: Nothing further.
               THE COURT: Counsel, any questions, just to make
16
    certain so we don't have to call the witnesses back?
17
18
            Now, do you want these witnesses left on call again or
19
    would you like me to excuse them?
20
               MR. DU: Excuse them, Your Honor.
21
               THE COURT: Excused?
22
               MR. DU: Yes.
23
               THE COURT: Sir, you are excused from these
24
    proceedings. Thank you very much.
25
               Now, Counsel, you mentioned that this was -- do you
```

```
1
    have other witnesses you can present today?
 2
               MR. DU: No, Your Honor.
 3
               THE COURT: All right. What time would you folks
    like to start tomorrow?
 4
 5
                If there is anything you can do, by the way, to
 6
    present a witness, that would be appreciated, just so we stay
    on a time schedule. I'm trying to keep you folks -- well, I
 7
 8
    enjoy you -- but as little as possible so --
 9
               MR. SILBERFELD: We will remain on schedule, Your
10
    Honor.
           8:30 tomorrow.
11
               THE COURT: 8:30. Okay.
12
               MR. ROSENBERG: 8:30 works for the government, Your
13
    Honor.
14
               THE COURT: Okay. 8:30. We will see you at 8:30,
15
    then. Have a good evening.
16
                 (The proceedings concluded at 1:18 p.m.)
17
18
19
20
21
22
23
2.4
25
```

```
1
                     CERTIFICATE OF OFFICIAL REPORTER
 2
 3
    COUNTY OF LOS ANGELES
                             )
    STATE OF CALIFORNIA
 4
                             )
 5
 6
                I, TERRI A. HOURIGAN, Federal Official Realtime
 7
    Court Reporter, in and for the United States District Court for
 8
    the Central District of California, do hereby certify that
    pursuant to Section 753, Title 28, United States Code that the
10
    foregoing is a true and correct transcript of the
11
    stenographically reported proceedings held in the
12
    above-entitled matter and that the transcript page format is in
13
    conformance with the regulations of the judicial conference of
14
    the United States.
15
16
    Date: 7th day of August, 2024.
17
18
19
                                    /s/ TERRI A. HOURIGAN
20
                          TERRI A. HOURIGAN, CSR NO. 3838, RPR, CRR
                                   Federal Court Reporter
21
22
23
2.4
25
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