Q Did you ever attempt to make a numerical estimate of the size of the enemy in your whole area of operation in November of 1967?

MR. MASTRO: Objection to form.

A I couldn't really say I sat down with a pencil and paper and counted heads. I was busy dodging bullets.

Q Did you ever, in 1967, have any responsibility to produce estimates of the size of the enemy within your area of operation as a whole?

MR. MASTRO: Objection to form.

A My responsibility was to report all I saw and heard.

Q But you were not an intelligence officer with your unit, were you?

A No.

Q I'm referring to formal intelligence?

A No. Our whole unit was -- I don't know if you know anything about armored cavalry. We have designations, but my designation was armored intelligence specialist and the nature of armored cavalry was -- well, within the nature of how we used
it in Vietnam as part of the element of the 199th Light
Infantry was to basically probe for the enemy.

You know, cavalry, armored cavalry, does
not rely on sleuth. I mean you've got these big track
vehicles running through the jungle, you know, knocking
down trees and bushes in its path. Everybody for 20
miles in every direction knows you are there.

We're relatively small units. We have a
lot more fire power than appears from outside, because
each tracked vehicle has a heavy 50 caliber machine
gun, two light M-60's, we have IAW'S and M-79 grenade
launchers and we have Claymores, just about everything
you can think of including M-16's for each man.

Basically, we were out there to draw
fire, you know, and check out every village in our AO,
search it thoroughly. We would surround the village
with the tracks, dismount, go through it. We'd find a
lot of interesting stuff in these villages. A lot of
people swore they weren't Viet Cong, but had all this
interesting stuff, you know, weapons, caches of rice,
ammunition conveniently buried away in the bottom of
their ovens, which they dig into the ground, or in
gravesites.

Sometimes we'd be going out on just a routine patrol and we'd be passing by a village and women and kids and teenage kids, some even younger than teenage would be out along the road waving and the old men with their toothless grins and everything would be out there waving to us and we'd be naive and throw them C-rations.

You know, we would go out on patrol and we'd be looking all day long probing here and there all day long and not find nothing. We'd come through the same village on the way back and get ambushed. We'd hit a mine and examine it later to find out it was made out of C-ration cans and a nail, very crude but very effective stuff.

We'd exchange fire and find some of the same kinds later on. Some of the bodies would be these same kids that were waving at us, these teenagers. I swear to God, some of them had to be 12 years old or 11 maybe, not even teenagers. It made you wonder.

Q You mentioned a moment ago that the armored cavalry was used to draw fire. Is it also the
case that at least on occasion, armored personnel carriers would, in the course of an operation, lead a group of infantrymen into an area?

A  Yes.

Q  It's also the case, was it not, that the infantrymen would follow in the tracks of the armored personnel carrier to avoid mines and booby-traps?

A  Right. But that was still the same type of operation because the most infantry we ever worked with at one time was a platoon or maybe a company, maybe a company. So, we were still considered probes and if the infantry guys were smart, they would know if the track didn't set off a mine, their feet wouldn't set off minds, so they would walk in our tracks.

Unfortunately, a lot of our tracks did set off mines and caused heavy casualties. These were crude mines, too. They weren't mines like we knew mines to be.

We have things called Claymore mines that are manufactured to be a mine. These things were any type of explosives that could be scrapped together and placed into a disposed ammo can.
Do you know what an ammo can looks like, like say from a machine gun?

Q Yes.

A It's an oblong metal box about maybe one foot long and maybe three inches wide and maybe about six or eight inches tall, depending upon what caliber machine gun we're dealing with. It's a solid metal can that has a metal cover that clamps down.

Well, after a fire fight and these suckers were empty we would just throw them out. After awhile, we stopped doing that because those things could be filled up with gun powder. We found remnants of exploded mines and also captured some unexploded mines that were made with just gun powder, nuts and bolts and maybe if they were lucky, some of our captured C-4 explosives packed into one of these things either hooked up with a trip wire detonator or a fuse command detonator.

Sometimes they even got lucky and were able to capture some unexploded bombs dropped by our planes. We operated mostly in the Delta and we called in an air strike and we would sit down and watch these
air strikes and these jets were dropping 500 pound
bombs and we're counting about every second or third
one that wasn't exploding and they'd send us in to look
for these guys afterwards and we couldn't find them for
nothing.

A couple of days later a convoy or one
of our tracks would hit a mine and sure enough, it was
one of those unexploded 500 pound bombs

Q Did you make an effort in 1967 to
distinguish between enemy guerrillas and enemy
self-defense personnel.

MR. MASTRO: Objection to form.

A I would say my definition of guerrillas
were the Viet Cong forces that did not have a unit
designation and were not reported to us through our
chain of command.

If there was a Viet Cong unit in our AO,
we got information about that through our chain of
command, you know, the Fifth Viet Cong Battalion has
been identified as being in this area and we're going
out to look for them.

We got these reports daily before any
mission, but other than that we may have been told just that there were a lot of villagers disappearing from such and such a village. We feel they may be operating in the jungle. You know, maybe they weren't operating their farms anymore, so maybe they formed a guerilla force and we would go out and try to look for them.

Self-defense, our distinction was the guerilla forces were operating in the jungle around their villages on a full-time basis, but the self-defense forces were still performing their daily duties, their daily civilian duties and at night time, ambushing us or leaving booty-traps for us when we entered their village.

Did you ever question any individual who identified himself as a member of a self-defense element?

Who identified? No, not that identified himself. Usually, we'd grab somebody that we have, you know, with this guy shooting at us from his village, we could identify him as being part of the self-defense. We'd do some preliminary questioning if we had an interpreter with us. If we didn't have one, we would
say "You V.C.?" and they would say "No V.C.," or then
we would, if they said "No V.C.," we would say "You
Sao?" meaning you lie, and they say "No we Sao," and
then we would ask "How come you have an M-1 carbine and
6 tons of rice under your bamboo mattress," and they
would say "No bic, no bic."

If we had a South Vietnamese
interpreter, he would smack him around and ask him
questions in Vietnamese and eventually, they would be
dusted off to the S-2.

Let's take this individual, this
hypothetical individual you've just been describing.
Did you, back in 1967, attempt to distinguish whether
this individual was a guerrilla or a self-defense cr
some other type of enemy or did you say this is a V.C.
who has an M-1?

MR. MASTRO: Objection to form.

A We were able to, under the circumstances
in which we encountered an individual, were able to
determine if they were a guerrilla. If we caught them
in the jungle as part of a larger force, we identified
them as a guerrilla.
If we captured them as a result of going through their village and finding weapons or other equipment or food or clothing that was secreted from us, an obvious attempt to hide them from us, we identified them as self-defense force.

Q So, the operative distinction was the location?

A If they were performing a civilian function on the surface, okay, if they were a farmer or performing some civilian function on the surface and we later identified them in relationship to a hostile act or activity, they were considered self-defense.

If we were not able to identify them as performing civilian functions, but encountered them in the jungle with other people, a group of people, a group of V.C., say, you know, and that they carried food with them, and that's important.

If they carried food with them, that means they weren't planning to return to the village that night and they were pretty much operating on a full-time basis, then we identified them as a guerrilla.

Q So as far as you're concerned, the
operative distinction is the location where the
individual is found?

MR. MASTRO: Objection. Objection to
form. Asked and answered.

Q Go ahead.

A Well, as I said, you know, if they're in
the jungle and they were carrying food with them and
they were with groups of others doing the same thing,
we identified them as guerrilla forces.

If we encountered them in the village
and on the surface they were performing some civilian
function and we were able to identify that they were
engaged in hostile activity, then we would identify
them as self-defense forces.
Now, you say that "we" identified them as guerrillas or self-defense. Who is the "we" that you are referring to in your answer?

A Me and my buddies.

Q Did you ever have any discussions in 1967 or 1968 with any intelligence officers in any part of the 199th Light Infantry Brigade about what types of irregular forces were in South Vietnam?

A No. You know, we had interpreters. Our interpreters were assigned to us. Sometimes they'd like to make themselves seem more important than they were. It was never really clear how important they were. But there were informal conversations with the interpreters --

MR. MASTRO: Could we clarify for the record who the "they" was in your last answer?

Q You said they would like to make themselves more important than they were.

A The ARVN interpreter. They would mean the ARVN interpreters.

MR. MASTRO: Thank you.

We've been going for about an hour and a
half. Could we have a short break?

MR. MURRY: Certainly.

(Brief recess.)

(Record read.)

BY MR. MURRY:

Q One thing I wanted to clear up. You mentioned two conversations you had with counsel for CBS.

Have you had any other conversations with any attorneys from CBS other than the two that you have already mentioned?

A No.

Q Did you read any documents in preparation for this deposition today?

A I saw -- yes, I read some documents, yes.

Q What documents did you read?

A I read a definition of terms from the Order of Battle.

Q Where did you obtain that Order of Battle?

A From counsel for CBS.

Q When did he give that to you?
Well, he never gave them to me. He showed it to me.

Q When did he show it to you?
A Last week some time, Tuesday or Wednesday. I forget which day.

Q Where were you when he showed this to you?
A A restaurant.

Q This was the third conversation that you had with counsel?
A No, this was the second one.
A That was the second one, okay.

Do you remember --
That was the second meeting. I had an additional phone conversation with him, which I initiated, which resulted in two meetings with him. The second one was last week.

Q Did counsel for CBS show you any other documents other than this definition of terms at this meeting?
A No.

Q Do you remember what month of the Order
of Battle he showed you?

A No, I don't.

Q Did the definition of terms that counsel showed you include a definition of self-defense?

A Yes.

Q Did the definition in the document, the Order of Battle that counsel for CBS showed you, was it consistent with any understanding you might have had prior to seeing the document of what the definition of self-defense was?

A Yes. The information counsel showed me did not provide me with anything I didn't already know, that I was not aware of, although I never saw a report like that or a document like that, but the terms were familiar to me and the definitions were basically consistent with what I understood them to mean.

Q Was it your understanding in November of 1967 that there were three types of irregulars, guerrillas, self-defense, and secret self-defense.

MR. MASTRO: Objection to form.

Q Or was it not?

A Well, we in the field, you know, like in
1967 I was still a Pfc. I made Spec 4 in '68. It does not really matter. I was still a ground pounder. For all intents and purposes I was an infantryman.

You've got to understand that we're out there dealing with a war that turned out to be very, very different than what we were told it was going to be like.

When I was going through basic training and advanced training and orientation for Vietnam, okay, we were given basically an official line that Vietnam was being overrun by North Vietnamese communists and Viet Cong who were South Vietnamese forces that were trained in North Vietnam and sent over to disrupt the government of South Vietnam and that the villages and people who lived in South Vietnam were trying valiently to withstand this communist aggression and that we were there to advise them. That was the official line that we were told.

Then we have these training officers, non-commissioned officers, sergeants who just returned from Vietnam.

After the training was over they would
1 turn around and tell us that's a bunch of bull, that a
2 good, large part of the South Vietnamese forces were
3 made up of part-time fighters who performed civilian
4 jobs and who would seem to you to be friendly, who you
5 would trust, who would operate in areas where you
6 didn't think there would be enemies in and you had to
7 watch your ass over there because a lot of people who
8 might seem to be civilians or who might seem to be
9 friendly could turn out to be an aggressor.
10
11 When we got to Vietnam, we found that
12 what the sergeants were telling us was a lot more
13 accurate than what the official line and training films
14 were telling us.
15
16 When you talk about distinctions and
17 definitions, we were aware of terms that were used by
18 the command, okay, but in our day-to-day experiences,
19 and you got to understand I don't talk to colonels, I
20 don't talk to generals, I don't even talk to majors if
21 I don't have to. If I have to talk to my captain, you
22 know, it's a rare occasion, okay? I talk to the guys
23 that are laying down next to me or humped over a
24 machine gun with me. Once in a while the South
Vietnamese interpreter I would talk to to try to get some gossip because he's the only one that ever leaves the fire base.

My terms that I'm using are from my experiences in the field and I am adapting them for your purposes to your definitions because these are definitions that we were aware of but we didn't always find an exact distinction. There was always an overlapping and always a question mark of, well, did this guy come in from the jungle and was he attacking us from the village or was this guy actually hanging out in the village and happened to go in the jungle for this one operation, you know; or was, you know, the booby trap left by an infiltrator who was sent on a secret mission from Ho Chi Minh or was it left by a 12-year-old kid from, you know, from the village. I mean there was certainly no proof of that.

All my answers are based on my best gut-level experiences and judgments.

Q Did you see the CBS broadcast "The Uncounted Enemy: A Vietnam Deception"?

A Yes, I did.
Q Did you see it when it was aired?
A No, I didn't.
Q When did you see it?
A I saw it last night.
Q How did you come to see it last night?
A It was shown at our regularly scheduled VVA meeting.
Q Do you know who arranged to have the broadcast played last night at your VVA meeting?
MR. MASTRO: Objection to the form.
A I believe it was a continuation of last month's meeting, which I missed when I was sick. It was supposed to be shown at last month's meeting, but there was a problem with the equipment. So it was shown at this month's meeting instead.
Q Who was it who had arranged to have the show broadcast at your meeting or played at your meeting?
A I guess it was our chapter president. It was shown by Mr. Noonan. I don't know who initiated the contact. I couldn't say.
Q Who is your chapter president? What's
his name?

A Mr. Joseph Rider.

Q R-i-d-e-r?

A R-e-i-t-e-r.

MR. MASTRO: Off the record.

(Discussion off the record.)

Q A moment ago we were talking about people who performed basically in civilian capacities, performed in civilian capacities, and on occasion did various things for the Viet Cong.

Did you ever encounter, in your tour of duty in Vietnam, situations in which Viet Cong units entered villages and commandeered persons to do things such as carry rice for the VC unit or commandeer people in the villages to help the VC units transport supplies.

Could you please read back the question? I wanted to hear the characterization of the previous testimony that Mr. Murry meant.

(Record read.)

MR. MASTRO: I have objected to the form.

A I don't believe I said "people who did various things for the Viet Cong." These people were
doing things but they were doing them, you know, basically for themselves. They were, in fact, an integral element of the Viet Cong.

Q That characterization was not anything that I was trying to get you to adopt in any way. What I really wanted to know, and I will rephrase the question without the characterization, did you ever encounter during your tour of duty in Vietnam, situations in which VC units would enter a given village in your area of operations and commandeer persons in the village to perform functions such as transporting supplies or rice for the VC unit?

MR. MASTRO: Objection to the form.

A I did not personally experience such an episode.

Q Did you ever get information that such things had occurred in your area of operations during your tour of duty in Vietnam?

MR. MASTRO: Objection to the form.

A I did not have any information to any specific incident of such a thing happening.

Q How many self-defense personnel were in
your area of operations in November, 1967?

A I have no idea.

Q Why not?

A I didn't really have time to count them. I was busy engaging them or if not engaging them, looking out for their work.

Q Were you aware in November of 1967 of a dispute between MACV and the CIA concerning Order of Battle in Vietnam?

MR. MASTRO: Objection to the form.

A I've explained to you, and I don't really know if you've been in the military or not, but I've explained to you my range and my position in previous parts of this deposition. I was not privy to any discussions between any officers higher than the rank of captain during this entire time that I was in Vietnam.

However, I would like a read back on the previous question.

Q Sure.

A I'm talking about the number of self-defense forces in the area. Could I have a read
back on that?

Q I could just repeat the question, if
you'd like?

MR. MASTRO: He wants to hear the answer
he gave.

Is that right?

THE WITNESS: I want to hear the
question and the answer.

(Record read.)

THE WITNESS: Can I respond further to
that question?

Q Yes, certainly.

A In November, 1967, early November of
1967, when I first got to Vietnam, I believe it was
around the 11th of November or something like that,
I'm really not sure of the exact date, but we went
through a period of training for about two weeks,
orientation, before we were assigned to our regular
combat unit. This was done at Long Bien.

Now, near Long Bien is a very large city
called Ben Hua. They also have an air base on it.

It's an old French town.
I had a lot of free time during this orientation and I hooked up with a soldier who was in Vietnam for his second time and we had opportunities during this free time to basically just walk off base and hitch a ride to Bien Hua and spend a good part of the day in Bien Hua drinking at bars, engaging in social relationships with members of the female gender and generally treated Ben Hua like any army town, like Louisville if you were at Fort Knox, or basically any town where you would go to spend your off-duty hours where you were able to get a good meal and drink and company and get there and back without any feelings of danger.

After the Tet Offensive you couldn't drive through Ben Hua in an armored column without receiving fire from these same people. So without any specific intelligence reports it became obvious to even a simple ground soldier like myself that these people who were hanging around and engaging in social and business activities with American forces in Ben Hua and hundreds of our towns and hamlets and villages like Ben Hua, were biding their time, gathering information, and
waiting to strike because I operated in that area for November, December, January, about three months almost before Tet, two-and-a-half or three months before Tet, and there was no large infiltration of troops, you know, coming from anywhere. When the shit hit the fan at Tet, it came from those same people who were in Ben Hua, who were socializing with us, who were doing business with us. These were the people who for the most part turned out to be your civilian defense officers.

As I described earlier, in earlier testimony, a lot of times you didn't become aware of a distinction until after an act which enabled us to identify what type of forces we were engaging.

Q Have you finished your answer?
A Yes.

Q Did you engage the enemy? Did your unit, I should say, engage the enemy in any fighting in Ben Hua at the time of the Tet Offensive?
A In the areas around Ben Hua, not in the city proper.

Q Did you receive any training before you
went to Vietnam with respect to the treatment of prisoners of war?

MR. MASTRO: Objection to the form.

Q  I mean prisoners that might be captured in Vietnam?

A  Are you talking about us capturing prisoners or us being prisoners of war?

Q  I mean American forces capturing Viet Cong or NVA.

A  We received an orientation in regard to the handling of prisoners of war.

Q  Did that orientation include any, if you can recall, any instructions with regard to classifying persons as civilian detainees on the one hand and prisoners of war on the other?

MR. MASTRO: Objection to the form.

A  We were, if I recollect correctly, we were trained to regard any person who either engaged in hostile activity or who was suspected of engaging in hostile activity as a prisoner of war in terms of searching them completely, removing any weapons and documents from them and turning them over for transport.
Q I understand that it's your testimony that you, in your position as an infantryman, wouldn't have conversations--
A An armored intelligence specialist.
Q As you wish. I thought you said a moment ago you were basically an infantryman.
A That's the function we performed and I was awarded a Combat Infantryman's Badge, but for the record my designation was 11 Delta, MOS-11 Delta.
MOS's change in functions and are molded to the situation.

MR. MASTRO: What does that stand for?
THE WITNESS: Military Occupational Specialty.
MR. MASTRO: That was just to clarify for the record.
Please proceed, Mr. Murry.
Q I take it from your prior testimony that the debate in 1967 between MACV and the CIA over the enemy Order of Battle did not affect your activities as a soldier with the 199th Light Brigade?
MR. MASTRO: Objection to the form.

A I believe I answered that question as best I can.

Q I don't think I asked you that question. I asked you first whether you were aware of the debate and you told me, in substance, and correct me if I mischaracterize, you told me in substance that on your level you wouldn't have been involved in anything like that.

MR. MASTRO: Objection.

A Being that I was not involved in that, I wouldn't really know if it affected me or not.

Q But to your knowledge it did not have any effect; is that correct?

MR. MASTRO: Objection.

A I have answered the question.

Q Do you know of any effect that it had, if any?

MR. MASTRO: Objection.

A I believe I've answered the question.

Q What was the answer?

THE WITNESS: Would you like to read it
(Record read.)

Q I'm asking you just a slightly different question. Now I'm asking you, isn't it true that you cannot point to any specific way in which this debate affected you, if any, or if at all?

MR. MASTRO: Objection.

A I don't really understand your question. What do you mean "isn't it true?" It sounded like you're playing with words. I don't know what you're trying to do here.

Q There's a distinction between the yes here and I am not trying to play with words. There are two different concepts involved here: On the one hand you said you don't know whether it affected you or not. Now I am asking you isn't it also the case that you can't point out any way in which it affected you?

MR. MASTRO: Objection.

A I'm going to say, in retrospect, absolutely. I can point out ways that affected me incredibly.

Q The Order of Battle debate that you say
you didn't know anything about?

A In retrospect, yes. You're asking me if I can sit back now, you know, and say was I aware at that time? No, I wasn't. But now, having become aware of the controversy involved and the issues involved and how this affected me, I would say that it affected me and members of my unit in an overwhelming manner.

Q What is the thing that you say affected you in an overwhelming manner?

A Well, if from what I understand the debate was about, the classification and counting of the number and strength of the enemy and that the actual strength of the enemy was being reported, you know, at a number far less than they actually were, then this affected the type of support we received, the type of supplies we got, the type of men, the number of men we had to fight this enemy, and it probably cost the U.S. lives.

If you are fighting against a force of 10,000 enemies, you know, in various categories, but they still all represent an enemy in some shape or manner, and you're superior officers are -- if my
immediate chain of command are reporting, and I'm just assuming from what I read, you know, that up to MACV the chain of command was reporting a generally accurate picture of the enemy and MACV intelligence, in turn, was chopping that report in half, then the supplies and re-enforcements and the capabilities to which to engage these enemies was based on a lesser figure and that seriously hampered our ability to defend ourselves and to defeat the enemy that we were set against.

Q Did you experience instances in November or December of 1967 in which your supplies and your ability to defend yourself were seriously hampered because MACV had done something with the reporting from the field?

MR. MASTRO: Objection to the form.

A I would not know why at that time, at that time, we had run out of ammunition and had trouble getting air support and had trouble getting dust offs, but yes, we did run into serious, serious logistical problems.

Q You don't have any knowledge at all -- let's start with '67 now: You didn't have any basis
for asserting in 1967 that this had any logistical problems that you ran into that had anything to do with MACV's intelligence reporting; did you, sir?

MR. MASTRO: Objection to form.

A I believe I clarified my position on that already.

Q And your position is that you really don't know what happened above you in the chain of command; isn't that correct?

MR. MASTRO: Objection to the form.

A Well, at that time I was not aware of the debate in the chain of command. At that time I only know what I experienced.

As a result of the information that is now available to us, it is easy to summarize -- maybe that's not the right word, but it's easy to see the whole picture now and to understand, to get an understanding of why certain things happened that did not at that time make sense.

Q Has counsel for CBS supplied you with plaintiff's brief in this case?

A The only papers that I received from
counsel were papers that I made you aware of. I don't
know what you mean by that term, "plaintiff's brief."

Q Counsel supplied you with a memorandum
of law and other documents related to CBS's motion to
dismiss the case.

 Plaintiff filed a memorandum of law
opposing CBS's motion to dismiss the case.

A I see.

Q I understand from what you produced
today that you have not been given a copy by either
side of plaintiff's brief --

A That would be correct. I made you aware
of any document I either had in my possession or have
seen.

MR. MASTRO: We have now gone over two
hours --

MR. MURRY: Randy, I don't even have
1:30 yet.

MR. MASTRO: We started the deposition
at about 20 after 11:00 and took a five-minute break.
So we've gone for two hours and five minutes.

If the court reporter wants to verify
we've gone for over two hours, I am sure that we have.

MR. MURRY: I will accept your

representation, but I have one more area, but still

reserving to continue over two hours.

Q Mr. Friedman, where were you stationed

at the time the Tet Offensive began in 1968?

A I was in a fire base just north of

Saigon.

Q Did you engage any units of the enemy at

the time of the Tet Offensive?

A Yes, I did.

Q Where did you engage them?

A Just north of Saigon.

Q Were you in a populated area or an

unpopulated area?

A We were in a populated area.

Q I don't know if I asked you this before, but were you able to identify the units who engaged you at the start of the Tet Offensive?

A We were told that some of the units that we were combating were a designated regular Viet Cong force mixed with irregular forces at certain times, and
when we were moving from one position to the other, we were ambushed from villages that we had previously known to be on the surface friendly villages.

Q Do you remember what day, the date on which these forces, these enemy forces, first engaged you around the time of the Tet Offensive?

A It was the first day of the Offensive. I believe it was late January. Everybody was engaged at the same time.

Q After the initial contact, how long did the fighting go on?

MR. MASTRO: Objection to the form. Do you want to know how long his fighting went on or how long the Tet Offensive all over the country went on?

MR. MURRY: The fighting in his unit.

A We were engaged in round-the-clock hostilities for about a week. I understand other areas had it going on longer than that.

Q Did your unit do any fighting in Saigon itself during the Tet Offensive?

A Elements of my unit did, but I was not part of that.
Q Did your unit stay north of Saigon during the duration of the Offensive?
A We moved. Actually we had moved from an area north of Saigon where we were at the initial part of the Offensive and then moved to a position south of Saigon to re-enforce another unit.
Q Was your unit full strength or half strength at the time of the Tet Offensive or some other strength?
MR. MASTRO: Objection to the form.
A I believe we were at normal strength. I'm speaking now, to clarify that, I'm speaking of only the Third Platoon of D Troop, 17th Cavalry, 199th Light Infantry. I have no knowledge as to the strength of other platoons or other elements of the 199th.
Q Did your commanding officer of the Third Platoon command that platoon during the fighting at the Tet Offensive?
A Yes. I mean it sounds like you answered your own question.
Q What I really want to know is whether
he was there or not?

A Yes, he was, to the best of my knowledge.

MR. MURRY: I see Mr. Mastro's

impatiently waiting for me to stop asking questions, as

is Mr. Friedman.

THE WITNESS: As is Mr. Friedman.

MR. MURRY: I will stop asking questions

at this point and reiterate that in our view the

deposition is not completed, but this will be resolved

at a later time.

MR. MASTRO: We consider the deposition

closed.

Thank you, Mr. Friedman.

(TIME NOTED: 1:40 p.m.)

Subscribed and sworn to before me

this___day of___________1984.

Notary Public
CERTIFICATE

I, JOHN V. STEWART, a shorthand reporter and notary public, within and for the State of New York, do hereby certify:

That DANIEL A. FRIEDMAN, the witness whose examination is hereinbefore set forth, was first duly sworn by me, and that transcript of said testimony is a true record of the testimony given by said witness.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of December, 1984.

JOHN V. STEWART, CSR
Shorthand Reporter