

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

DR. ORLY TAITZ, ESQ., )  
 )  
Plaintiff, ) Civil No. 1:14-cv-119  
 )  
v. )  
 )  
JEH JOHNSON, IN HIS CAPACITY OF )  
THE SECRETARY OF DHS, ET AL., )  
 )  
Defendant. )

**DECLARATION OF J. CHRISTOPHER IDE**

I, J. Christopher Ide, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am an Attorney in the Office of the General Counsel (OGC), Claims and Employment Law Branch (“CEL”), of the United States Department of Health and Human Services (“HHS”). Among my responsibilities is to evaluate administrative tort claims submitted pursuant to the Federal Tort Claims Act (“FTCA”), 28 U.S.C. §§ 1346(b), 2671-80, and to make recommendations to the Deputy Associate General Counsel for CEL as to the final disposition of the claims, pursuant to 28 U.S.C. §§ 2401(b), 2675(a).

2. As such, I have access to agency records relating to the filing, evaluation, and disposition of administrative tort claims presented to HHS under

the FTCA. Agency procedures require that all administrative tort claims be submitted to the HHS Claims Office in OGC for initial investigation. Once the Claims Office completes its investigation, the claims are assigned to an attorney for further investigation and to recommend a final disposition to the Deputy Associate General Counsel for CEL.

3. As a routine business practice, the Claims Office maintains a record of each such claim, and assigns to each a unique claim number. Each claim is then entered into a database maintained by OGC. The official date of the claim, for purposes of 28 U.S.C. § 2401(b), is the date that a valid tort claim is received by the Claims Office, in accordance with 28 U.S.C. § 2675(b) and 45 C.F.R. § 35.2(a).

4. I have caused an official search to be conducted of the Claims Office's database, for the filing of an administrative tort claim in relation to the above-referenced case.

5. As of the date of this declaration, no administrative tort claim has been filed with either the DHS or the HHS Claims Office relating to this matter.

6. The HHS Claims Office has not been forwarded an administrative tort claim relating to this matter that may have been inadvertently filed with another federal agency or with an HHS operating division.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 15, 2014, in Washington, D.C.

A handwritten signature in black ink, appearing to read "J. Christopher Ide", written over a horizontal line.

J. CHRISTOPHER IDE  
Claim and Employment Law Branch  
Office of the General Counsel  
United States Department of Health and Human Services