

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
GREENEVILLE

KATERI LYNEE DAHL,

Plaintiff,

v.

CHIEF KARL TURNER, and
CITY OF JOHNSON CITY, TENNESSEE,

Defendants.

No. 2:22-cv-00072-KAC-CRW

DECLARATION OF K. ERICKSON HERRIN

Comes K. Erickson Herrin and declares as follows:

1. My name is K. Erickson Herrin. I am over 18 years of age and I am competent to make this Declaration. I am a citizen and resident of Washington County, Tennessee. This Declaration is based upon my personal knowledge.

2. I am an attorney licensed to practice law in the State of Tennessee. I represent the defendants in this action.

3. Kateri Dahl was a Special Assistant United States Attorney (“SAUSA”) assigned to assist Johnson City in the prosecution of federal crimes.

4. Because she is a former SAUSA, in this litigation the parties have been required to comply with the Department of Justice’s *Touhy* regulations.

5. As such, engaging in discovery of Ms. Dahl, herself, required compliance with *Touhy* regulations. In fact, a Department of Justice attorney attended Ms. Dahl’s deposition.

6. In order to gain access to Ms. Dahl’s work emails, the parties had to submit a *Touhy*

request – which the parties limited to a certain time frame and certain search terms in hopes of getting the *Touhy* request approved.

7. The same is true for seeking telephone records and text messages from Ms. Dahl’s DOJ work phone.

8. The DOJ has been extremely cooperative with the parties during this litigation. I personally appreciate the level of cooperation that has been provided. But the fact remains that the parties, including Johnson City, had to go through DOJ in order to obtain work information related to Ms. Dahl’s employment.

Pursuant to 28 U.S.C. § 1746, I, K. Erickson Herrin, certify under penalty of perjury that the foregoing is true and correct. Executed January 16, 2024.


K. ERICKSON HERRIN