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## DECLARATION OF LARRY BAILEY

I, Larry Bailey, declare:

1. The matters set forth herein are personally known to me and I have first hand knowledge of them. If called as a witness, I could and would competently testify thereto under oath.

2. In 1990, I retired as a Captain from the United States Navy after 28 years of commissioned service, 27 of those years as an officer in the Navy SEALs.

3. Since retirement from the Navy, I have become deeply involved in exposing military phonies, particularly persons falsely claiming to have been SEALs. I have previously written two articles in SOF Magazine (November 1994 and July 1995) about more than a dozen individuals falsely claiming to be Navy SEALs. The issue of individuals falsely claiming to be military heroes and the like is important to me and others who actually honorably served in the United States armed forces because they are taking upon themselves the honor earned by others; that is, they are essentially stealing the reputations of others and using the heroism of others for their own benefit.

4. After B.G. "Jug" Burkett ("Burkett") published his book STOLEN VALOR, I prepared a review of it for publication in SOF Magazine. (This article ultimately appeared in the November 1998 issue of the magazine.) Burkett's book is a compilation of the results of his research over the past 12 years into phony claims of heroism made by certain individuals. His book profiles approximately 200 individuals who he concluded were making false claims about their military service. One of the individuals profiled in Burkett's book was Frank Dux. Burkett is an individual whom I have personally known for three (3) years; in fact, I provided him with details about several of the subjects profiled in his book and assisted him in editing the book. In my personal experience he is a thoughtful and meticulous researcher. For example, he advised Frank Dux, in writing, of his inclusion in STOLEN VALOR and invited him to respond to his (Burkett's) conclusions. To the best of my knowledge, he never received any response from Dux. Having performed research myself on individuals falsely claiming to be military heroes, I am familiar with the techniques and sources utilized in such investigations. In my opinion, the research for Burkett's book was performed properly and completely and the results are reliable.

5. The only mention of Dux in my November 1998 article was a caption under two

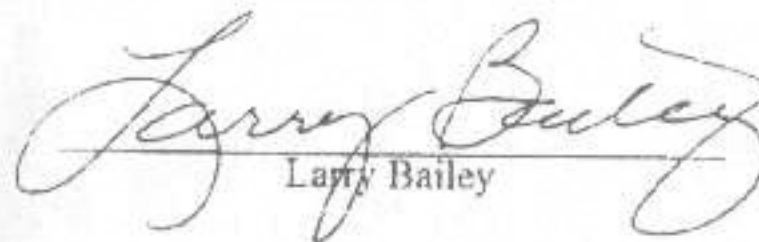
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Bailey Declaration

1 photographs of Dux. One photo showed him in the Marine Corps uniform with the medals for which he  
2 did not appear to qualify. The other photo showed him in a martial arts outfit. The caption under the  
3 pictures of Dux appearing in the November 1998 issue of SOF stated, "A perennial on the fraud circuit,  
4 Frank Dux (immortalized in Jean-Claude Van Damme's movie *Bloodsport*, and SOF's "Full Mental  
5 Jacket" review of Dux spurious autobiography *The Secret Man* in August 1996) is shown here in Marine  
6 uniform with a PX-salad of bogus medals, and (insert) with a martial arts trophy allegedly won in a  
7 "world championship" but which was made near Dux's home, in North Hollywood." Neither the  
8 photographs nor the caption appearing under them were included in the article prepared by me. To the  
9 best of my knowledge, the photographs and the caption under them was included by the editorial staff of  
10 Soldier of Fortune Magazine, and I had no knowledge of them until I saw the article in print.

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12 Executed at Alexandria, Virginia, this day of January 1999.

13 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
14 true and correct.

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17 Larry Bailey

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Bailey Declaration.