

UNITED STATES

v.

CHARLES E. HUITO  
SERGEANT E-5

)  
)  
) STIPULATION OF FACT  
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)

It is stipulated by and between trial counsel and defense counsel with the express consent of the accused that the following facts are true:

2ND Lieutenant Stephen Brooks, who was the platoon leader of the 2nd Platoon, C/1/20, on March 16, 1968, was killed in action after the assault of My Lai (4), without ever giving a written statement concerning the facts and circumstances and the conduct of his platoon, surrounding the assault mission of his unit at My Lai (4), on said date.

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FRANKLIN R. WINTERL  
Trial Counsel

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EDWARD L. MAGILL  
Individual Civilian Counsel

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WILLIAM G. ECKHARDT  
Assistant Trial Counsel

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JAMES W. LANE  
Military Defense Counsel

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CHARLES E. HUITO  
Sergeant, US Army  
Accused