

# Exhibit 2.6

**REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER**

Note. Completed forms may contain personally identifiable information and require handling as set forth in AR 340-21.  
For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

**SECTION I - APPOINTMENT**

Appointed by General Thomas D. Waldhauser, USMC, Commander, U.S. Africa Command (CDRUSAFRICOM)  
(Appointing authority)

on 20171020 (Attach enclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)  
(Date)

**SECTION II - TIMELINE**

1. The (investigation) commenced at Headquarters, U.S. Africa Command, Stuttgart, Germany at 1000  
(Place) (Time)  
on 20171020  
(Date)

2. The (investigating officer) finished gathering/hearing evidence a 1600 on 20180126 and completed  
(Time) (Date)  
findings and recommendations at 2359 on 20180131  
(Time) (Date)

**SECTION III - CHECKLIST FOR PROCEEDINGS**

A. COMPLETE IN ALL CASES		YES	NO <sup>1/</sup>	NA <sup>2/</sup>
1.	Enclosures (para 3-13, AR 15-6) Are the following enclosed and numbered consecutively with Roman numerals: (Attached in order listed)			
	a. The memorandum of appointment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. All other written communications to or from the appointing authority?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Privacy Act Statements (Certificate, if statement provided orally)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d. Explanation by the investigating officer of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e. Any other significant papers (other than evidence) relating to administrative aspects of the investigation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	f. An Executive Summary, Index of Exhibits, Chronology of the Investigation and lists of all persons interviewed and evidence gathered. (Complex, serious and/or high profile cases)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	Exhibits (para 3-14, AR 15-6)			
	a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Is an index of all exhibits offered to or considered by investigating officer attached before the first exhibit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	e. Are descriptions or diagrams included of locations visited by the investigating officer (Appendix C-3, AR 15-6)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<sup>1/</sup> Explain all negative answers on an attached sheet.

<sup>2/</sup> Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation.

**SECTION IV - FINDINGS (para 3-10, AR 15-6)**

The *(investigating officer)*, having carefully considered the evidence, finds: *[Each paragraph should be one conclusion based on the evidence gathered during the investigation. These findings should provide answers to each question posed by the appointing authority in the appointment memorandum. The evidence that supports each finding must be cited.]*

See attached memorandum.

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) recommends: (Each paragraph should be one recommendation based on the findings in Section IV. Address what actions, if any, should be taken with regard to the individuals involved, the unit leadership, and any steps that can be taken to prevent the occurrence in the future. Recommendations do not need to be adverse or punitive. For example, the investigation results can be used as a training tool.)

See attached memorandum.

SECTION VI - AUTHENTICATION (para 3-15, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE.

Major General Roger J. Cloutier, Jr., USA  
(Investigating Officer)



SECTION VII - ACTION BY APPROVING AUTHORITY (para 2-8, AR 15-6)

The findings and recommendations of the (investigating officer) are:

a) Approved.

See attached memorandum detailing my action with respect to all findings and recommendations.

b) Approved with the following modifications:

(1) The following findings of fact are added/deleted:

(2) The following findings of fact are modified as follows:

(3) The following recommendations are added/deleted:

(4) The following recommendations are modified as follows:

(5) The action recommended in recommendation \_\_\_\_\_ has been accomplished by \_\_\_\_\_

(6) Recommendation(s) \_\_\_\_\_ is not appropriate for action by this command: however, a copy of this investigation is being furnished to \_\_\_\_\_ for such action as deemed appropriate.

c) Disapproved.

d) The report is (incomplete), (ambiguous), (erroneous) and/or (specify deficiency) with respect to \_\_\_\_\_

It is, therefore, hereby returned to the IO for corrective action as follows \_\_\_\_\_



Thomas D. Waldhauser  
General, U.S. Marine Corps  
Commander, U.S. Africa Command