

**UNITED STATES DISTRICT COURT  
FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

---

**LAWYERS COMMITTEE FOR 9/11 INQUIRY, INC.  
AND RICHARD GAGE,**

**PLAINTIFFS  
V.**

**WILLIAM P. BARR, ATTORNEY GENERAL OF THE  
UNITED STATES; UNITED STATES DEPARTMENT OF  
JUSTICE; AND GEOFFREY BERMAN, UNITED STATES  
ATTORNEY FOR THE SOUTHERN DISTRICT OF NEW  
YORK**

---

Declaration of Michael J. O’Kelly

1. My name is Michael J. O’Kelly. I reside in Tappan, Rockland County, New York 10983.
2. I make this Declaration in support of my standing to participate as a plaintiff in the above captioned Plaintiff Lawyers’ Committee for 9/11 Inquiry, et al’s action brought under federal mandamus statute, 28 U.S.C. § 1361, and the other federal laws cited therein, which seeks a disclosure of certain federal grand jury records or in the alternative an order requiring the United States Attorney for the Southern District of New York to comply with his mandatory duties pursuant to 18 U.S.C. §3332(a).
3. I became a member of the New York City Fire Department (“FDNY”) in 1981.
4. I was a member of the FDNY on September 11, 2001 (“9/11” or “September 11”).
5. At that time I was a Battalion Chief assigned to the Third Division in Manhattan.
6. I was off duty the morning of September 11 when the World Trade Center (“WTC”) Towers collapsed.
7. However, I thereafter spent more than a month at the WTC debris site (“the pile” or “site”) while engaged in rescue/recovery efforts. During that time, I was exposed to the toxic air there.
8. As a result of my presence on the pile, I developed respiratory problems, including asthma. This as diagnosed by FDNY doctors. As a result, I was retired on a disability pension from the FDNY in 2019.
9. I had no respiratory problems prior to 9/11. No subsequent events caused the respiratory problems I’m now experiencing. My current condition is attributable to the events of 9/11.
10. The events of 9/11 damaged my health. The events have similarly impacted many others like

myself, both within and outside the FDNY.

11. I want to see all those responsible for the events of 9/11 identified and called to account.

That is my purpose in joining the within lawsuit.

12. I don't believe all such persons have yet been identified. I don't believe that an adequate, complete, full investigation of the events of 9/11 has yet been conducted. Specifically, among other issues, I don't believe an adequate investigation has been undertaken with respect to the possibility that pre-planted explosives and/or incendiaries (hereinafter "explosives") were used to bring down the WTC Towers and Building 7. This though there is much evidence to support that premise. I would like to see that evidence presented to a grand jury. This especially since I think the explosives created the toxic environment at the WTC site which caused my asthma.

13. In joining the within suit, I am seeking justice for myself and others similarly affected by 9/11.

14. Pursuant to 28 U.S.C. Section 1746, I, Michael J. O'Kelly, hereby swear, under penalty of perjury, that the foregoing statements are true and correct to the best of my information and belief.

Michael J. O'Kelly

Michael J. O'Kelly

3.19.20

Date