

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

NATIONAL ASSOCIATION FOR THE )  
ADVANCEMENT OF COLORED )  
PEOPLE, )  
 )  
Plaintiff, )

v. )

Civil Action No. 20-cv-2295 (EGS)

UNITED STATES POSTAL SERVICE, )  
et al., )  
 )  
Defendants. )

**SECOND DECLARATION OF EARL GRAHAM**

My name is Earl Graham, and I am over the age of 18 and fully competent to make this declaration. Under penalty of perjury, I declare the following:

1. I submitted a declaration in this case on August 28, 2020. In my August 28, 2020, declaration, I discussed delays I have been experiencing in receiving mail-order prescriptions since mid-July.

2. The delays I discussed have continued since I submitted my August 28, 2020, declaration. On August 25, 2020, I had a teleconference appointment with a doctor through the U.S. Department of Veterans Affairs (VA) concerning my tennis elbow. During that appointment, the doctor recommended and approved a prescription non-steroid topical cream. Prior to the delays I described in my August 28, 2020, declaration, my mail-order medication ordinarily arrived a few days after my doctor's approval.

3. A week later, however, the medicine approved by my doctor during my August 25, 2020, teleconference appointment still had not arrived. Without the medication, I began experiencing serious pain.

4. I have previously been informed by VA representatives that the VA will express mail medication when a veteran is in pain and has not received it through the mail, but that this option is generally only available when a veteran's pain is an eight or higher based on a scale from one to ten that the VA uses.

5. Because my pain was a nine without my medication, I contacted the VA during the week of August 31, 2020. It even hurt to pick up the phone and dial to call the VA. After I called, connected with a VA representative, and informed the representative that my pain was a nine, the VA sent my medication through express mail.

6. I received the medication that the VA sent by express mail approximately two days later. The medication originally ordered arrived approximately four days later. By the time the delayed medication arrived, it had been almost two weeks since my August 25, 2020, teleconference appointment.

7. Before August, I had never contacted the VA to make an express mail request because my mail-order medications arrived on time.

Executed this 15 day of September, 2020.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and recollection.



Earl Graham