

**MILITARY COMMISSIONS TRIAL JUDICIARY
GUANTANAMO BAY, CUBA**

UNITED STATES OF AMERICA

v.

**KHALID SHAIKH MOHAMMAD,
WALID MUHAMMAD SALIH
MUBARAK BIN ATTASH,
RAMZI BIN AL SHIBH,
ALI ABDUL AZIZ ALI,
MUSTAFA AHMED ADAM
AL HAWSAWI**

AE 302C

Amended
DOCKETING ORDER

4 June 2014

1. A hearing in this case will take place 16-17 June 2014, at the US Naval Station, Guantanamo Bay, Cuba. The hearing will begin at 0900 on 16 June 2014.
2. All Accused must be present for the session on 16 June 2014.
3. Based upon pleadings filed with the Commission in conjunction with the Emergency Defense Joint Motion to Abate Proceedings and Inquire into Existence of a Conflict of Interest Burdening Counsel's Representation of Accused (AE 292), the Commission will hear argument only on this motion with emphasis on the issues raised by AE 292T, Joint Defense Reply to Government Submission by Special Review Team in Response to Emergency Joint Defense Motion, and AE 292U, Defense Motion to Compel Discovery Regarding Details of FBI Investigations into the Defense Teams, during the session.
4. After review of the submissions by the Special Review Team,¹ the Joint Defense Reply (AE 292T) and the Motion to Compel Discovery (AR 292U), the Commission is concerned the

¹ Public Government Submission by Special Trial Counsel In Response To Emergency Joint Defense Motion, 21 April 2014 (AE292I) Notice of Classified Ex Parte Filing by Special Trial Counsel, 21 April 2014 (AE 292K); Notice of Classified Ex Parte Filing by Special Trial Counsel, 22 April 2014 (AE 292-1); and Government Submission by Special Review Team in Response to Emergency Joint Defense Motion, filed 21 May 2014 (AE 292R).

submissions of the Special Counsel have not adequately addressed a number of issues raised by the Defense as to the individuals contacted by the Federal Bureau of Investigation or the scope of any investigation concerning these cases. In addition the Commission is unsure whether other investigations, unknown to the Defense, have been conducted.

5. An R.M.C. 802 Session will be held at 1700 on Saturday, 14 June 2014, to discuss the sequence of argument. The Government should only be represented by individuals able to assist in issues encompassed in AR 292.

6. If required, a hearing under the provisions of M.C.R.E. 505 (h) will be conducted at a time to be determined.

7. The time which has transpired since arraignment until the date of the next session (16 June 2014) shall be considered excludable delay in accordance with R.M.C. 707(b) (4) (E) (i) and R.M.C. 707(c). I find that the interests of justice have been served by granting continuances for the resolution of interlocutory and other pretrial issues, and that the resolution of these issues outweighs the interests of the public and the accused in a prompt trial.

So ORDERED this 4th day of June, 2014.

//s//
JAMES L. POHL
COL, JA, USA
Military Judge