

UNCLASSIFIED//FOR PUBLIC RELEASE  
MILITARY COMMISSIONS TRIAL JUDICIARY  
GUANTANAMO BAY, CUBA

UNITED STATES OF AMERICA

v.

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

AE 306C

ORDER

Defense Motion to Compel  
Discovery of Metadata from  
Electronically Stored Raid Discovery

28 April 2016

1. In June 2014, Mr. Ali (a.k.a. al Baluchi) filed a motion<sup>1</sup> requesting the Commission compel the Government to produce discovery regarding the raids at which it gathered evidence in native file format, which preserves the intact metadata of electronically stored information. The Government's response<sup>2</sup> stated: "Prosecution is still currently seeking additional information pertaining to certain metadata associated [sic] with photographs taken at that location." The Government further stated: "the Prosecution is seeking additional information and will make an appropriate determination regarding its discoverability as expeditiously as possible. Once that determination is made, the Prosecution will properly notify defense counsel."

2. The Government will update the Commission as to their efforts and the status of discovery within AE 306 no later than **6 May 2016**.

So **ORDERED** this 28th day of April, 2016.

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

<sup>1</sup> AE 306 (AAA) Defense Motion to Compel Discovery of Metadata from Electronically Stored Raid Discovery filed 30 June 2014.

<sup>2</sup> AE 306A (GOV) Government Response to Defense Motion to Compel Discovery of Metadata from Electronically Stored Raid Discovery filed 14 July 2014.