

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

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| <p>UNITED STATES OF AMERICA</p> <p>v.</p> <p>ABD AL HADI AL-IRAQI</p> | <p>AE 023EE</p> <p><b>Notice to the Defense Of The<br/>Government's <i>Ex Parte and In Camera</i><br/>Under Seal Motion for Substitutions for<br/>Classified Information Pursuant To The<br/>Military Commission Act of 2009, 10<br/>U.S.C. § 949p-4(b), And Military<br/>Commission Rule of Evidence 505(f)</b></p> <p>28 September 2016</p> |
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1. The Government provides notice to the Defense of its filed (AE 023EE), *ex parte, in camera*, motion for substitutions for classified information pursuant to the Military Commissions Act of 2009 ("M.C.A.") specifically 10 U.S.C. § 949p-4(b), and the Military Commission Rules of Evidence ("M.C.R.E.") 505(f).

2. The Government requested that the Military Commission authorize the Government to substitute classified summaries, pursuant to the M.C.A., and to provide those summaries to cleared Defense Counsel in satisfaction of the Government's discovery obligations.

**Attachments**

A. Certificate of Service, dated 28 September 2016.

Respectfully Submitted,

//s//

CDR Douglas J. Short, JAGC, USN  
Trial Counsel  
CDR Kevin L. Flynn, JAGC, USN  
Deputy Trial Counsel

LCDR Vaughn Spencer, JAGC, USN  
LCDR David G. Lincoln, JAGC, USN  
Assistant Trial Counsel  
Office of the Chief Prosecutor  
Office of Military Commissions

# ATTACHMENT A

Filed with TJ  
28 September 2016

Appellate Exhibit 023EE (al Hadi)  
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**CERTIFICATE OF SERVICE**

I certify that on the 28th day of September, 2016, I filed **AE 023EE, Notice to the Defense Of The Government's *Ex Parte and In Camera* Under Seal Motion for Substitutions for Classified Information Pursuant To The Military Commission Act of 2009, 10 U.S.C. § 949p-4(b), And Military Commission Rule of Evidence 505(f)**, with the Office of Military Commissions Trial Judiciary and I served a copy on counsel of record.

//s//

CDR Douglas J. Short  
Trial Counsel  
Office of the Chief Prosecutor  
Office of Military Commissions

**United States v. Hadi**

**APPELLATE EXHIBIT 023EE**

**(Pages 4 - 125)**

*Ex Parte / In Camera / Under Seal*

**Government Submission**

**APPELLATE EXHIBIT 023EE is located in the  
classified annex of the original record of trial.**

**POC: Chief, Office of Court Administration  
Office of Military Commissions**

United States v. Hadi

APPELLATE EXHIBIT 023EE