

~~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 BIN AL SHIBH, ALI
ABDUL-AZIZ ALI, MUSTAFA AHMED
ADAM AL HAWSAWI

~~(U)~~ AE538KK (AAA)/AE561DD (AAA)

~~(U)~~ UNCLASSIFIED NOTICE
Defense Notice of Modified
Discovery

~~(U)~~ 11 February 2020

~~(U)~~ In accordance with the Military Commissions Trial Judiciary Rules, the defense provides this unclassified notice that it has filed a classified version of the above captioned notice. The classified version has been filed electronically on SIPR to the Trial Judiciary and to the parties.

~~(U)~~ Attachment:

~~(U)~~ A. Certificate of Service

~~(U)~~ Very respectfully,

~~(U)~~ //s//
JAMES G. CONNELL, III
Learned Counsel

~~(U)~~ //s//
STERLING R. THOMAS,
Lt Col, USAF
Defense Counsel

~~(U)~~ //s//
ALKA PRADHAN
Defense Counsel

~~(U)~~ //s//
BENJAMIN R. FARLEY
Defense Counsel

~~(U)~~ //s//
ANN MARIE BUSH
Maj, USAF
Defense Counsel

~~(U)~~ Counsel for Mr. al Baluchi



~~UNCLASSIFIED//FOR PUBLIC RELEASE~~

~~(U)~~ Attachment A

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~~CONFIDENTIAL//NOFORN~~

~~(U)~~ **CERTIFICATE OF SERVICE**

~~(U)~~ I certify that on the 11th day of February 2020, I electronically filed the foregoing document with the Clerk of the Court and served the foregoing on all counsel of record by email.

~~(U)~~ //s//

JAMES G. CONNELL, III
Learned Counsel

~~CONFIDENTIAL//NOFORN~~

~~SECRET//NOFORN~~
MILITARY COMMISSIONS TRIAL JUDICIARY
GUANTANAMO BAY, CUBA

UNITED STATES OF AMERICA

v.

~~(U)~~ AE538KK (AAA)/AE561DD (AAA)

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

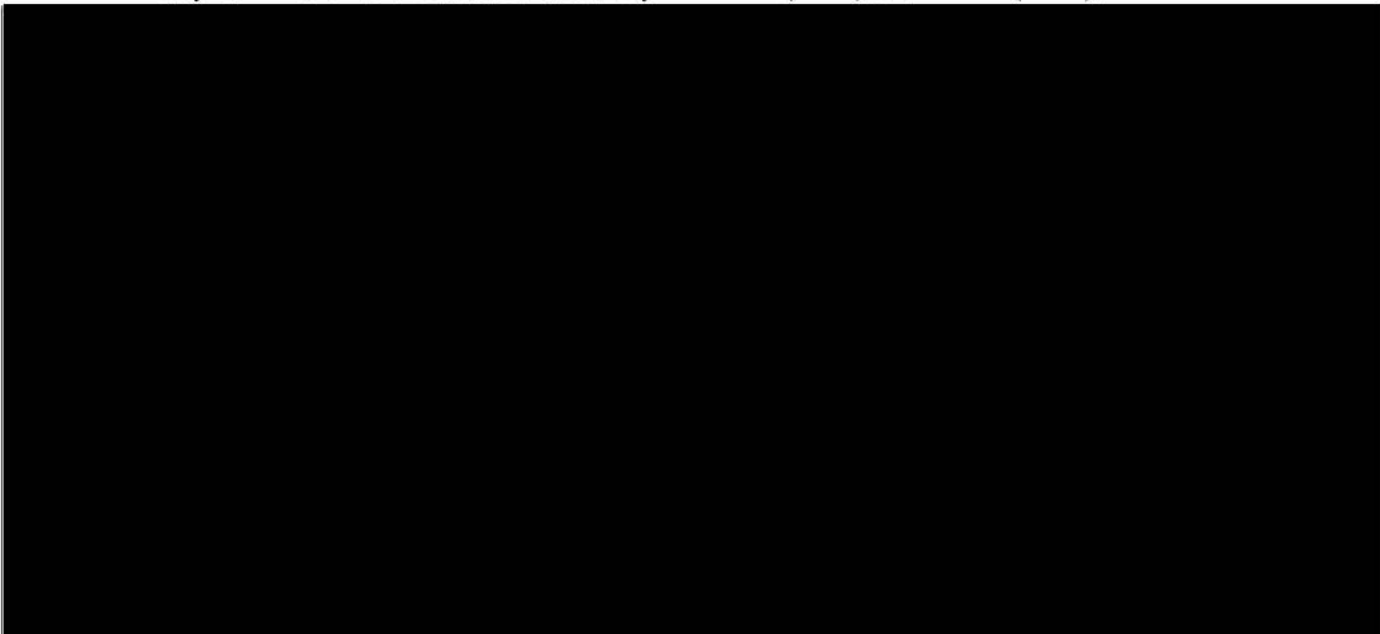
~~(U)~~ Defense Notice of Modified
Discovery

~~(U)~~ 11 February 2020

1. ~~(U)~~ **Timeliness:** This Notice is timely filed.

2. ~~(U)~~ **Notice of Modified Discovery:**

~~(U)~~ Counsel for Mr. al Baluchi file this Notice of Modified discovery informing the military commission of the status of discovery in AE538 (AAA) and AE561 (AAA).



[REDACTED]

b. ~~(U)~~ During the January 2020 hearings, counsel for Mr. al Baluchi asked the government if all the undated May 2003 requirements predated 12 May 2003, the earliest dated requirement. The following day, the government said yes.

[REDACTED]

d. ~~(U)~~ On 4 February 2020, counsel for Mr. al Baluchi confirmed that they were requesting updated documents. The government responded that they would look into the issue and requested clarification of which documents were needed.³

e. ~~(U)~~ On 6 February 2020, counsel for Mr. al Baluchi responded with the specific Bates numbers requested.⁴

[REDACTED]

² ~~(U)~~ Attachment B.

³ ~~(U)~~ *Id.*


⁴ ~~(U)~~ *Id.*

~~EXCLUDED FROM AUTOMATIC DOWNGRADING AND DECLASSIFICATION~~

~~SECRET//NOFORN~~

f. ~~(U)~~ On 6 February 2020, the government emailed counsel for Mr. al Baluchi through unclassified channels and confirmed that all of the requirements were dated 1 May 2003.⁵ The aforementioned six documents were then provided the same day over classified channels with the date typed on top of the redaction block. The original dates are not viewable. The date inserted for each document was 1 May 2003.⁶

g. ~~(U)~~ On 7 February 2020, the government emailed counsel for Mr. al Baluchi and stated that the documents provided the previous day with inserted dates are incorrect.⁷ The new corrected documents also have a date added on top of the redaction. Several of the newly amended documents are now internally inconsistent as to the date. The dates as they originally appeared are not viewable.⁸



⁵ ~~(U)~~ *Id.*

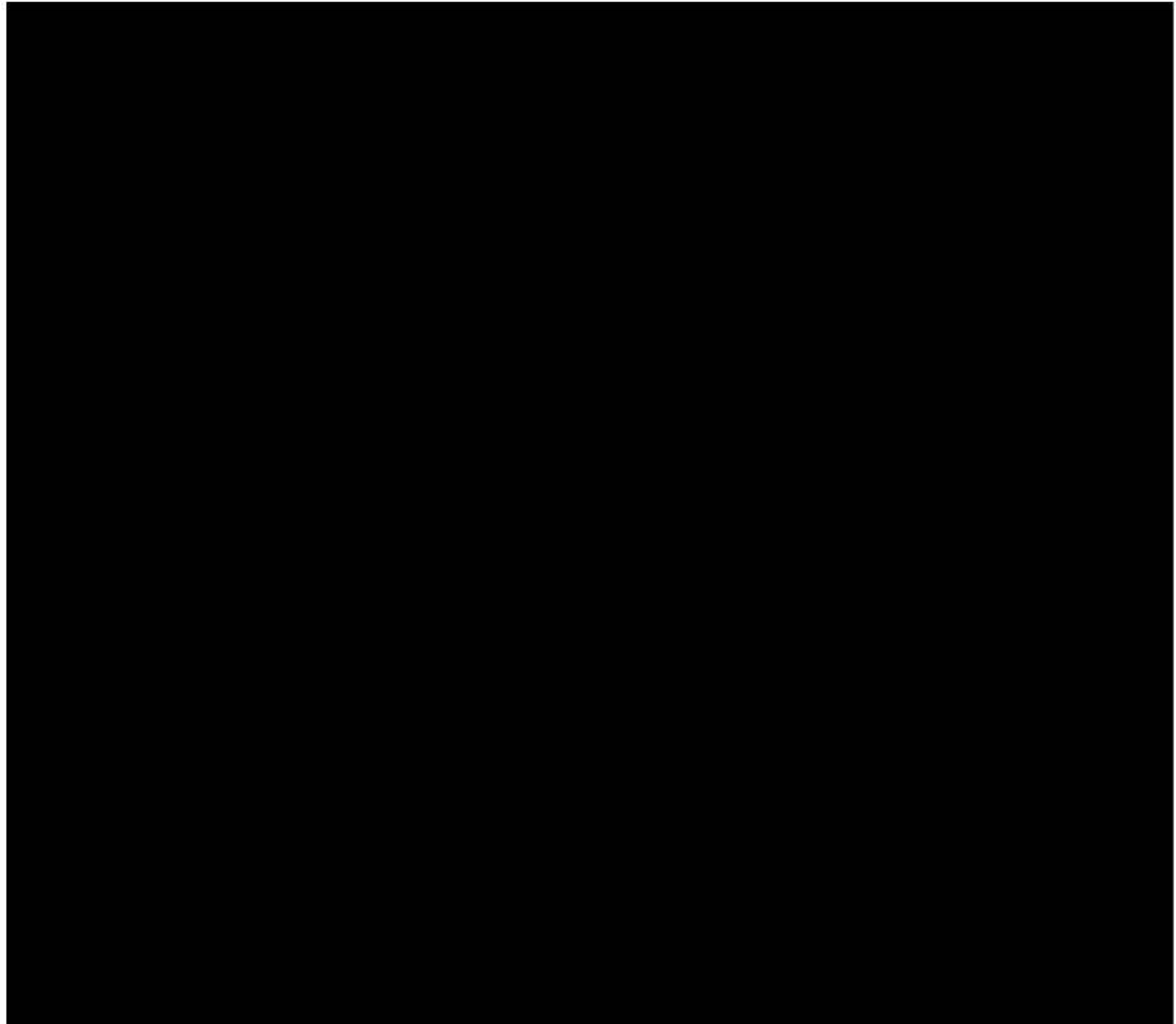
⁶ ~~(U)~~ Attachment C and D.

⁷ ~~(U)~~ Attachment C.

⁸ ~~(U)~~ Attachment E.

~~SECRET//NOFORN~~

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4. ~~(U)~~ Attachments:

A. ~~(U)~~ Certificate of service (U);

B. ~~(U)~~ Re: Possible Stipulations in Advance of Testimony from SA Pelligrino and IA Antol (U);



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~~(U)~~ Very respectfully,

~~(U)~~ //s//

JAMES G. CONNELL, III
Learned Counsel

~~(U)~~ //s//

STERLING R. THOMAS
Lt Col, USAF
Defense Counsel

~~(U)~~ //s//

ALKA PRADHAN
Defense Counsel

~~(U)~~ //s//

BENJAMIN R. FARLEY
Defense Counsel

~~(U)~~ //s//

ANN MARIE BUSH
Maj, USAF
Defense Counsel

~~(U)~~ Counsel for Mr. al Baluchi

~~CONFIDENTIAL//NOFORN~~

~~(U)~~ Attachment A

~~CONFIDENTIAL//NOFORN~~

~~CONFIDENTIAL//FOR OFFICIAL USE ONLY~~

~~(U)~~ **CERTIFICATE OF SERVICE**

~~(U)~~ I certify that on the 11th day of February 2020, I electronically filed the foregoing document with the Clerk of the Court and served the foregoing on all counsel of record by email.

~~(U)~~ //s//

JAMES G. CONNELL, III
Learned Counsel

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~~SECRET//NOFORN~~

~~(S)~~ Attachment B

~~SECRET//NOFORN~~

~~UNCLASSIFIED//FOR PUBLIC RELEASE~~**Connell, James G III CIV (USA)**

From: Connell, James G III CIV (USA)
Sent: Friday, February 7, 2020 9:49 AM
To: CLAYTOGT; Trivett, Clayton G CIV (USA); OSD NCR OMC List MCDO Team RBAS; OSD NCR OMC List MCDO Team Hawsawi; OSD NCR OMC List MCDO Team Bin Attash; OSD NCR OMC List MCDO Team Mohammad; OSD NCR OMC List MCDO Team Al Baluchi
Cc: [REDACTED] Capt USAF OSD OMC OCP (USA); Swann, Robert Lee CIV OSD OMC OCP (USA); [REDACTED] Maj USMC HQMC (USA); Dykstra, Christopher M CIV (USA); CHRISMD8; Clay Trivett (clayton.trivett@[REDACTED]); CLIFFODJ; Cox, Dale J (John) CIV OSD OMC OCP (USA); DALEJC; Dastoor, Neville F MAJ USARMY OSD OMC OCP (USA); EDWARDR; Furr, Jeffery C SSgt USMC OSD OMC OCP (USA); Gibbs, Rudolph P Jr CIV OSD OMC OCP (USA); Groharing, Jeffrey D CIV OSD OMC OCP (USA); Fulmines, Heather A CTR (USA); HEATHERF; [REDACTED] CIV OSD OMC OCP (USA); Horn, April L MSgt USAF OSD OMC OCP (USA); ANTHONJK; Jeff Groharing (jeffrey.groharing@[REDACTED]); JEFFERCF; JEFFREDG; Johnson, Clifford D Jr SSgt USMC OSD OMC OCP (USA); Kiser, Antony J SSG USARMY (USA); Martins, Mark S BG USARMY OSD OMC OCP (US); HARIDIVT; Thravalos, Haridimos V CIV DLSA (US); NEVILLFD; NICOLEAT; O'Sullivan, Michael J CIV OSD OMC OCP (USA); RACHELET; ROBERTLS; [REDACTED] LTC USARMY OSD OMC OCP (USA); RUDOLPPG; Ryan, Ed (USANCW); Ryan, Edward R CIV (USA); [REDACTED] Tate, Nicole A CIV (US); Hall, Jackson T Maj USAF OSD OMC OCP (USA); JACKSOTH; Trest, Rachel E CDR USN DLSA (USA); Zelnis, Charles R CIV OSD OMC OCP (USA)
Subject: RE: Possible Stipulations in Advance of Testimony for Special Agent Pellegrino and IA Antol
Signed By: james.g.connell7.civ@[REDACTED]

Thank you!

-----Original Message-----

From: CLAYTOGT <claytogt@[REDACTED]>
Sent: Thursday, February 6, 2020 1:27 PM
To: Connell, James G III CIV (USA) <james.g.connell7.civ@[REDACTED]> Trivett, Clayton G CIV (USA) <clayton.g.trivett.civ@[REDACTED]> OSD NCR OMC List MCDO Team RBAS <osd.ncr.OMC.list.mcdo-team-rbas@[REDACTED]> OSD NCR OMC List MCDO Team Hawsawi <osd.ncr.OMC.list.mcdo-team-hawsawi@[REDACTED]> OSD NCR OMC List MCDO Team Bin Attash <osd.ncr.OMC.list.mcdo-team-bin-attash@[REDACTED]> OSD NCR OMC List MCDO Team Mohammad <osd.ncr.OMC.list.mcdo-team-mohammad@[REDACTED]> OSD NCR OMC List MCDO Team Al Baluchi <osd.ncr.OMC.list.mcdo-team-al-baluchi@[REDACTED]>
Cc: [REDACTED] Capt USAF OSD OMC OCP (USA); Swann, Robert Lee CIV OSD OMC OCP (USA) <robert.l.swann4.civ@[REDACTED]> Maj USMC HQMC (USA) [REDACTED] Dykstra, Christopher M CIV (USA) <christopher.m.dykstra4.civ@[REDACTED]> CHRISMD8 <CHRISMD8@[REDACTED]> Clay Trivett (clayton.trivett@[REDACTED]) <clayton.trivett@[REDACTED]> CLIFFODJ <CLIFFODJ@[REDACTED]> Cox, Dale J (John) CIV OSD OMC OCP (USA) <dale.j.cox.civ@[REDACTED]> DALEJC <dalejc@[REDACTED]> Dastoor, Neville F MAJ USARMY OSD OMC OCP (USA) <neville.f.dastoor.mil@[REDACTED]> EDWARDR <edwardr@[REDACTED]> Furr, Jeffery C SSgt USMC OSD OMC OCP (USA) <jeffery.c.furr.mil@[REDACTED]> Gibbs, Rudolph P Jr CIV OSD OMC OCP (USA) <rudolph.p.gibbs.civ@[REDACTED]> Groharing, Jeffrey D CIV OSD OMC OCP (USA) <jeffrey.d.groharing.civ@[REDACTED]> Fulmines, Heather A CTR (USA) <heather.a.fulmines.ctr@[REDACTED]> HEATHERF <heatherf@[REDACTED]> CIV OSD OMC OCP (USA) [REDACTED] Horn, April L MSgt USAF OSD OMC OCP (USA) <april.l.horn.mil@[REDACTED]> ANTHONJK

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<ANTHONJK [REDACTED] Jeff Groharing (jeffrey.groharing [REDACTED] <jeffrey.groharing [REDACTED] JEFFERCF
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 <clifford.d.johnson47.mil [REDACTED] Kiser, Antony J SSG USARMY (USA) <antony.j.kiser.mil [REDACTED] Martins, Mark S
 BG USARMY OSD OMC OCP (US) <mark.s.martins.mil [REDACTED] HARIDIVT <HARIDIVT [REDACTED] Thravalos, Haridimos
 V CIV DLSA (US) <haridimos.v.thravalos.civ [REDACTED] NEVILLFD <NEVILLFD [REDACTED] NICOLEAT <nicoleat [REDACTED]
 O'Sullivan, Michael J CIV OSD OMC OCP (USA) <michael.j.osullivan14.civ [REDACTED] RACHELET <RACHELET [REDACTED]
 ROBERTLS <robertls [REDACTED] LTC USARMY OSD OMC OCP (USA) [REDACTED]
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 <JACKSOTH [REDACTED] Trest, Rachel E CDR USN DLSA (USA) <rachel.e.trest.mil [REDACTED] Zelnis, Charles R CIV OSD
 OMC OCP (USA) <charles.r.zelnis.civ [REDACTED]
 Subject: [Non-DoD Source] RE: Possible Stipulations in Advance of Testimony for Special Agent Pellegrino and IA Antol

Mr. Connell, et al,

The Prosecution will be disclosing the below-referenced dates in updated discovery. We hope to do so in the next few days. For your planning purposes, they were all dated 1 May 2003.

Regards,

Clay Trivett

-----Original Message-----

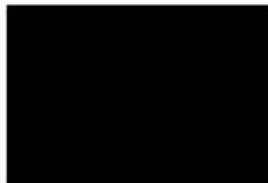
From: Connell, James G III CIV (USA) <james.g.connell7.civ [REDACTED]
 Sent: Thursday, February 06, 2020 8:24 AM
 To: CLAYTOGT <claytogt [REDACTED] Trivett, Clayton G CIV (USA) <clayton.g.trivett.civ [REDACTED] OSD NCR OMC List
 MCDO Team RBAS <osd.ncr.OMC.list.mcdo-team-rbas [REDACTED] OSD NCR OMC List MCDO Team Hawsawi
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 (clayton.trivett [REDACTED] <clayton.trivett [REDACTED] CLIFFODJ <CLIFFODJ [REDACTED] Cox, Dale J (John) CIV OSD
 OMC OCP (USA) <dale.j.cox.civ [REDACTED] DALEJC <dalejc [REDACTED] Dastoor, Neville F MAJ USARMY OSD OMC OCP
 (USA) <neville.f.dastoor.mil [REDACTED] EDWARDJR <edwardr [REDACTED] Furr, Jeffery C SSgt USMC OSD OMC OCP (USA)
 <jeffery.c.furr.mil [REDACTED] Gibbs, Rudolph P Jr CIV OSD OMC OCP (USA) <rudolph.p.gibbs.civ [REDACTED] Groharing,
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 <heather.a.fulmines.ctr [REDACTED] HEATHERF <heatherf [REDACTED] CIV OSD OMC OCP (USA)
 [REDACTED] Horn, April L MSgt USAF OSD OMC OCP (USA) <april.l.horn.mil [REDACTED] ANTHONJK
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 BG USARMY OSD OMC OCP (US) <mark.s.martins.mil [REDACTED] HARIDIVT <HARIDIVT [REDACTED] Thravalos, Haridimos
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<JACKSOTH [REDACTED] Trest, Rachel E CDR USN DLSA (USA) <rachel.e.trest.mil [REDACTED] Zelnis, Charles R CIV OSD OMC OCP (USA) <charles.r.zelnis.civ [REDACTED]
 Subject: RE: Possible Stipulations in Advance of Testimony for Special Agent Pellegrino and IA Antol

Mr. Trivett,

The requirements at issue are as follows:



Thank you for your assistance.

Best regards,

James Connell

-----Original Message-----

From: CLAYTOGT <claytogt [REDACTED]>
 Sent: Tuesday, February 4, 2020 10:37 AM
 To: Connell, James G III CIV (USA) <james.g.connell7.civ [REDACTED] Trivett, Clayton G CIV (USA) <clayton.g.trivett.civ [REDACTED] OSD NCR OMC List MCDO Team RBAS <osd.ncr.OMC.list.mcdo-team-rbas [REDACTED]
 OSD NCR OMC List MCDO Team Hawsawi <osd.ncr.OMC.list.mcdo-team-hawsawi [REDACTED] OSD NCR OMC List MCDO Team Bin Attash <osd.ncr.OMC.list.mcdo-team-bin-attash [REDACTED] OSD NCR OMC List MCDO Team Mohammad <osd.ncr.OMC.list.mcdo-team-mohammad [REDACTED] OSD NCR OMC List MCDO Team Al Baluchi <osd.ncr.OMC.list.mcdo-team-al-baluchi [REDACTED]
 Cc: [REDACTED] Capt USAF OSD OMC OCP (USA) [REDACTED] Swann, Robert Lee CIV OSD OMC OCP (USA) <robert.l.swann4.civ [REDACTED] Maj USMC HQMC (USA) [REDACTED] Dykstra, Christopher M CIV (USA) <christopher.m.dykstra4.civ [REDACTED] CHRISMD8 <CHRISMD8 [REDACTED] Clay Trivett <clayton.g.trivett [REDACTED] CLIFFODJ <CLIFFODJ [REDACTED] Cox, Dale J (John) CIV OSD OMC OCP (USA) <dale.j.cox.civ [REDACTED] DALEJC <dalejc [REDACTED] Dastoor, Neville F MAJ USARMY OSD OMC OCP (USA) <neville.f.dastoor.mil [REDACTED] EDWARDR <edwardr [REDACTED] Furr, Jeffery C SSgt USMC OSD OMC OCP (USA) <jeffery.c.furr.mil [REDACTED] Gibbs, Rudolph P Jr CIV OSD OMC OCP (USA) <rudolph.p.gibbs.civ [REDACTED] Groharing, Jeffrey D CIV OSD OMC OCP (USA) <jeffrey.d.groharing.civ [REDACTED] Fulmines, Heather A CTR (USA) <heather.a.fulmines.ctr [REDACTED]
 >; HEATHERF <heatherf [REDACTED] CIV OSD OMC OCP (USA) [REDACTED] Horn, April L MSgt USAF OSD OMC OCP (USA) <april.l.horn.mil [REDACTED] ANTHONJK <ANTHONJK [REDACTED] Jeff Groharing <jeffrey.groharing [REDACTED] JEFFERCF <JEFFERCF [REDACTED] JEFFREDG <jeffredg [REDACTED] Johnson, Clifford D Jr SSgt USMC OSD OMC OCP (USA) <clifford.d.johnson47.mil [REDACTED] Kiser, Antony J SSG USARMY (USA) <antony.j.kiser.mil [REDACTED] Martins, Mark S BG USARMY OSD OMC OCP (US) <mark.s.martins.mil [REDACTED] HARIDIVT <HARIDIVT [REDACTED] Thravalos, Haridimos V CIV DLSA (US) <haridimos.v.thravalos.civ [REDACTED] NEVILLFD <NEVILLFD [REDACTED] NICOLEAT <nicoleat [REDACTED] O'Sullivan, Michael J CIV OSD OMC OCP (USA) <michael.j.osullivan14.civ [REDACTED] RACHELET <RACHELET [REDACTED] ROBERTLS <robertls [REDACTED] LTC USARMY OSD OMC OCP (USA) [REDACTED] RUDOLPPG <rudolppg [REDACTED] Ryan, Ed (USANCW) ! <Ed.Ryan [REDACTED] Ryan, Edward R CIV (USA) <edward.r.ryan20.civ [REDACTED]
 Tate, Nicole A CIV (US) <nicole.a.tate4.civ [REDACTED] Hall, Jackson T Maj USAF OSD OMC OCP (USA)

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<jackson.t.hall.mil [REDACTED] JACKSOTH <JACKSOTH [REDACTED] Trest, Rachel E CDR USN DLSA (USA)
 <rachel.e.trest.mil [REDACTED] Zelnis, Charles R CIV OSD OMC OCP (USA) <charles.r.zelnis.civ [REDACTED]
 Subject: [Non-DoD Source] RE: Possible Stipulations in Advance of Testimony for Special Agent Pellegrino and IA Antol

Mr. Connell,

While I cannot promise lesser-redacted versions, I will look into the issue. If you could kindly re-send the Bates Stamp Ranges that will expedite the process on my end. Thank you.

Regards,

Clay Trivett

-----Original Message-----

From: Connell, James G III CIV (USA) <james.g.connell7.civ [REDACTED]
 Sent: Tuesday, February 04, 2020 8:47 AM
 To: Trivett, Clayton G CIV (USA) <clayton.g.trivett.civ [REDACTED] OSD NCR OMC List MCDO Team RBAS
 <osd.ncr.OMC.list.mcdo-team-rbas [REDACTED] OSD NCR OMC List MCDO Team Hawsawi <osd.ncr.OMC.list.mcdo-team-hawsawi [REDACTED] OSD NCR OMC List MCDO Team Bin Attash <osd.ncr.OMC.list.mcdo-team-bin-attash [REDACTED]
 OSD NCR OMC List MCDO Team Mohammad <osd.ncr.OMC.list.mcdo-team-mohammad [REDACTED] OSD NCR OMC List MCDO Team Al Baluchi <osd.ncr.OMC.list.mcdo-team-al-baluchi [REDACTED]
 Cc: [REDACTED] Capt
 USAF OSD OMC OCP (USA) [REDACTED] Swann, Robert Lee CIV OSD OMC OCP (USA)
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 Dastoor, Neville F MAJ USARMY OSD OMC OCP (USA) <neville.f.dastoor.mil [REDACTED] EDWARDR <edwardr [REDACTED]
 Furr, Jeffery C SSgt USMC OSD OMC OCP (USA) <jeffery.c.furr.mil [REDACTED] Gibbs, Rudolph P Jr CIV OSD OMC OCP
 (USA) <rudolph.p.gibbs.civ [REDACTED] Groharing, Jeffrey D CIV OSD OMC OCP (USA) <jeffrey.d.groharing.civ [REDACTED]
 Fulmines, Heather A CTR (USA) <heather.a.fulmines.ctr [REDACTED] HEATHERF <heatherf [REDACTED] CIV OSD OMC OCP (USA)
 [REDACTED] Horn, April L MSgt USAF OSD OMC OCP (USA) <april.l.horn.mil [REDACTED] ANTHONJK
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 <JACKSOTH [REDACTED] Trest, Rachel E CDR USN DLSA (USA) <rachel.e.trest.mil [REDACTED] Zelnis, Charles R CIV OSD
 OMC OCP (USA) <charles.r.zelnis.civ [REDACTED]
 Subject: RE: Possible Stipulations in Advance of Testimony for Special Agent Pellegrino and IA Antol

Mr. Trivett,

Yes please. They will be needed in the examination of SA Fitzgerald.

Best regards,

James Connell

-----Original Message-----

From: Trivett, Clayton G CIV (USA) <clayton.g.trivett.civ [REDACTED]>
 Sent: Monday, February 3, 2020 2:44 PM
 To: Connell, James G III CIV (USA) <james.g.connell7.civ [REDACTED]> OSD NCR OMC List MCDO Team RBAS
 <osd.ncr.OMC.list.mcdo-team-rbas [REDACTED]> OSD NCR OMC List MCDO Team Hawsawi <osd.ncr.OMC.list.mcdo-team-hawsawi [REDACTED]> OSD NCR OMC List MCDO Team Bin Attash <osd.ncr.OMC.list.mcdo-team-bin-attash [REDACTED]>
 OSD NCR OMC List MCDO Team Mohammad <osd.ncr.OMC.list.mcdo-team-mohammad [REDACTED]> OSD NCR OMC List MCDO Team Al Baluchi <osd.ncr.OMC.list.mcdo-team-al-baluchi [REDACTED]>
 Cc: [REDACTED] April L TSgt USAF OSD OMC OCP Horn - OSD (aprilh3 [REDACTED]) <aprilh3 [REDACTED]> Capt USAF OSD OMC OCP (USA) [REDACTED] Swann, Robert Lee CIV OSD OMC OCP (USA) <robert.l.swann4.civ [REDACTED]>
 [REDACTED] Maj USMC HQMC (USA) [REDACTED] Dykstra, Christopher M CIV (USA) <christopher.m.dykstra4.civ [REDACTED]> Christopher M. Dykstra (CHRISMD8 [REDACTED]) <CHRISMD8 [REDACTED]> Clay Trivett (clayton.trivett [REDACTED]) <clayton.trivett [REDACTED]> claytogt [REDACTED] CLIFFODJ [REDACTED] Cox, Dale J (John) CIV OSD OMC OCP (USA) <dale.j.cox.civ [REDACTED]> Dale Cox (dalej [REDACTED]) <dalej [REDACTED]> Dastoor, Neville F MAJ USARMY OSD OMC OCP (USA) <neville.f.dastoor.mil [REDACTED]> Edwardr [REDACTED] Furr, Jeffery C SSgt USMC OSD OMC OCP (USA) <jeffery.c.furr.mil [REDACTED]> Gibbs, Rudolph P Jr CIV OSD OMC OCP (USA) <rudolph.p.gibbs.civ [REDACTED]> >; Groharing, Jeffrey D CIV OSD OMC OCP (USA) <jeffrey.d.groharing.civ [REDACTED]> Fulmines, Heather A CTR (USA) <heather.a.fulmines.ctr [REDACTED]> Heather A CTR Fulmines (US) (heatherf [REDACTED]) <heatherf [REDACTED]>
 CIV OSD OMC OCP (USA) [REDACTED] Horn, April L MSgt USAF OSD OMC OCP (USA) <april.l.horn.mil [REDACTED]> Jack Kiser - USA (anthonjk [REDACTED]) <anthonjk [REDACTED]> Jeff Groharing (jeffrey.groharing [REDACTED]) <jeffrey.groharing [REDACTED]> JEFFERCF (JEFFERCF [REDACTED]) <JEFFERCF [REDACTED]> jeffredg [REDACTED] Johnson, Clifford D Jr SSgt USMC OSD OMC OCP (USA) <clifford.d.johnson47.mil [REDACTED]> Kiser, Antony J SSG USARMY (USA) <antony.j.kiser.mil [REDACTED]> Martins, Mark S BG USARMY OSD OMC OCP (US) <mark.s.martins.mil [REDACTED]> Mos Alt Site <HARIDIVT [REDACTED]> Thravalos, Haridimos V CIV DLSA (US) <haridimos.v.thravalos.civ [REDACTED]> Neville Dastoor (nevillefd [REDACTED]) <nevillefd [REDACTED]> Nicole Tate (nicoleat [REDACTED]) <nicoleat [REDACTED]>
 O'Sullivan, Michael J CIV OSD OMC OCP (USA) <michael.j.osullivan14.civ [REDACTED]> Rachel E CDR USN DLSA Trest (USA) (Rachelet [REDACTED]) <Rachelet [REDACTED]> robertls [REDACTED] LTC USARMY OSD OMC OCP (USA) [REDACTED] Rudy Gibbs (rudolppg [REDACTED]) <rudolppg [REDACTED]> Ryan, Ed (USANCW) <Ed.Ryan [REDACTED]> Ryan, Edward R CIV (USA) <edward.r.ryan20.civ [REDACTED]>
 Tate, Nicole A CIV (US) <nicole.a.tate4.civ [REDACTED]> Hall, Jackson T Maj USAF OSD OMC OCP (USA) <jackson.t.hall.mil [REDACTED]> Tavo Hall Alt Site <JACKSOTH [REDACTED]> Trest, Rachel E CDR USN DLSA (USA) <rachel.e.trest.mil [REDACTED]> Zelnis, Charles R CIV OSD OMC OCP (USA) <charles.r.zelnis.civ [REDACTED]>
 Subject: RE: Possible Stipulations in Advance of Testimony for Special Agent Pellegrino and IA Antol

Mr. Connell,

As I recall you had asked for the Prosecution to confirm if certain requirements were dated before or after 12 May 03. We confirmed that all of the requirements were from a date before 12 May 03. We did not intend to produce a lesser redacted version. Are you now specifically requesting lesser-redaction versions of those particular requirements?

Regards,

Clay

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-----Original Message-----

From: Connell, James G III CIV (USA) <james.g.connell7.civ [REDACTED]>
 Sent: Monday, February 3, 2020 2:10 PM
 To: Trivett, Clayton G CIV (USA) <clayton.g.trivett.civ [REDACTED]> OSD NCR OMC List MCDO Team RBAS
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 Cc: [REDACTED] April L TSgt USAF OSD OMC OCP Horn - OSD (aprilh3 [REDACTED]) <aprilh3 [REDACTED]> Capt
 USAF OSD OMC OCP (USA) [REDACTED] Swann, Robert Lee CIV OSD OMC OCP (USA) <robert.l.swann4.civ [REDACTED]>
 [REDACTED] Maj USMC HQMC (USA) [REDACTED] Dykstra, Christopher M CIV (USA) <christopher.m.dykstra4.civ [REDACTED]>
 Christopher M. Dykstra (CHRISMD8 [REDACTED]) <CHRISMD8 [REDACTED]> Clay
 Trivett (clayton.trivett [REDACTED]) <clayton.trivett [REDACTED]> claytogt [REDACTED] CLIFFODJ [REDACTED] Cox, Dale J (John)
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 USARMY OSD OMC OCP (USA) <neville.f.dastoor.mil [REDACTED]> Edwardr [REDACTED] Furr, Jeffery C SSgt USMC OSD OMC
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 <heather.a.fulmines.ctr [REDACTED]> Heather A CTR Fulmines (US) (heatherf [REDACTED]) <heatherf [REDACTED]>
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 <april.l.horn.mil [REDACTED]> Jack Kiser - USA (anthonjk [REDACTED]) <anthonjk [REDACTED]> Jeff Groharing
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 <jackson.t.hall.mil [REDACTED]> Tavo Hall Alt Site <JACKSOTH [REDACTED]> Trest, Rachel E CDR USN DLSA (USA)
 <rachel.e.trest.mil [REDACTED]> Zelnis, Charles R CIV OSD OMC OCP (USA) <charles.r.zelnis.civ [REDACTED]>
 Subject: RE: Possible Stipulations in Advance of Testimony for Special Agent Pellegrino and IA Antol

Dear Mr. Trivett & Mr. Ryan,

Looking at this issue with respect to SA Fitzsimmons, we discussed at the last hearing the May 2003 FBI requirements for al Baluchi with redacted dates. You confirmed that all of the May 2003 al Baluchi requirements have dates prior to 12 May 2003. Do you intend to produce a less redacted version of those requirements?

Best regards,

James Connell

-----Original Message-----

From: Trivett, Clayton G CIV (USA) <clayton.g.trivett.civ [REDACTED]>
 Sent: Saturday, January 25, 2020 8:23 AM
 To: OSD NCR OMC List MCDO Team RBAS <osd.ncr.OMC.list.mcdo-team-rbas [REDACTED]> OSD NCR OMC List MCDO
 Team Hawsawi <osd.ncr.OMC.list.mcdo-team-hawsawi [REDACTED]> OSD NCR OMC List MCDO Team Bin Attash
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 USAF OSD OMC OCP (USA) [REDACTED] Swann, Robert Lee CIV OSD OMC OCP (USA) <robert.l.swann4.civ [REDACTED]
 [REDACTED] Maj USMC HQMC (USA) [REDACTED] Dykstra, Christopher M CIV (USA)
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 Trivett (clayton.trivett [REDACTED] <clayton.trivett [REDACTED] claytogt [REDACTED] CLIFFODJ [REDACTED] Cox, Dale J (John)
 CIV OSD OMC OCP (USA) <dale.j.cox.civ [REDACTED] Dale Cox (dalejc [REDACTED] <dalejc [REDACTED] Dastoor, Neville F MAJ
 USARMY OSD OMC OCP (USA) <neville.f.dastoor.mil [REDACTED] edwardr [REDACTED] Furr, Jeffery C SSgt USMC OSD OMC
 OCP (USA) <jeffery.c.furr.mil [REDACTED] Gibbs, Rudolph P Jr CIV OSD OMC OCP (USA) <rudolph.p.gibbs.civ [REDACTED]
 >; Groharing, Jeffrey D CIV OSD OMC OCP (USA) <jeffery.d.groharing.civ [REDACTED] Fulmines, Heather A CTR (USA)
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 jeffredg [REDACTED] Johnson, Clifford D Jr SSgt USMC OSD OMC OCP (USA) <clifford.d.johnson47.mil [REDACTED] Kiser,
 Antony J SSG USARMY (USA) <antony.j.kiser.mil [REDACTED] Martins, Mark S BG USARMY OSD OMC OCP (US)
 <mark.s.martins.mil [REDACTED] Mos Alt Site <HARIDIVT [REDACTED] Thravalos, Haridimos V CIV DLSA (US)
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 O'Sullivan, Michael J CIV OSD OMC OCP (USA) <michael.j.osullivan14.civ [REDACTED] Rachel E CDR USN DLSA Trest
 (USA) (Rachelet [REDACTED] <Rachelet [REDACTED] robertls [REDACTED] LTC USARMY OSD OMC OCP
 (USA) [REDACTED] Rudy Gibbs (rudolppg [REDACTED] <rudolppg [REDACTED] Ryan, Ed (USANCW)
 <Ed.Ryan [REDACTED] Ryan, Edward R CIV (USA) <edward.r.ryan20.civ [REDACTED]
 Tate, Nicole A CIV (US) <nicole.a.tate4.civ [REDACTED] Hall, Jackson T Maj USAF OSD OMC OCP (USA)
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 <rachel.e.trest.mil [REDACTED] Trivett, Clayton G CIV (USA) <clayton.g.trivett.civ [REDACTED] Zelnis, Charles R CIV OSD
 OMC OCP (US) <charles.r.zelnis.civ [REDACTED]
 Subject: Possible Stipulations in Advance of Testimony for Special Agent Pellegrino and IA Antol

Defense Counsel,

In the past we have discussed the possibility of stipulating to certain facts surrounding "Requirements Cables" sent by
 FBI personnel to representatives of the CIA during the time the Accused were in CIA custody. In the near future, SA
 Frank Pellegrino and IA Brian Antol will be testifying in relation to existing motions to suppress. If you believe it
 worthwhile, please consider and propose any stipulation that you feel would help your examination of these witnesses.
 We expect to meet with both witnesses before their testimony and would take up any proposed stipulation with them
 at that time.

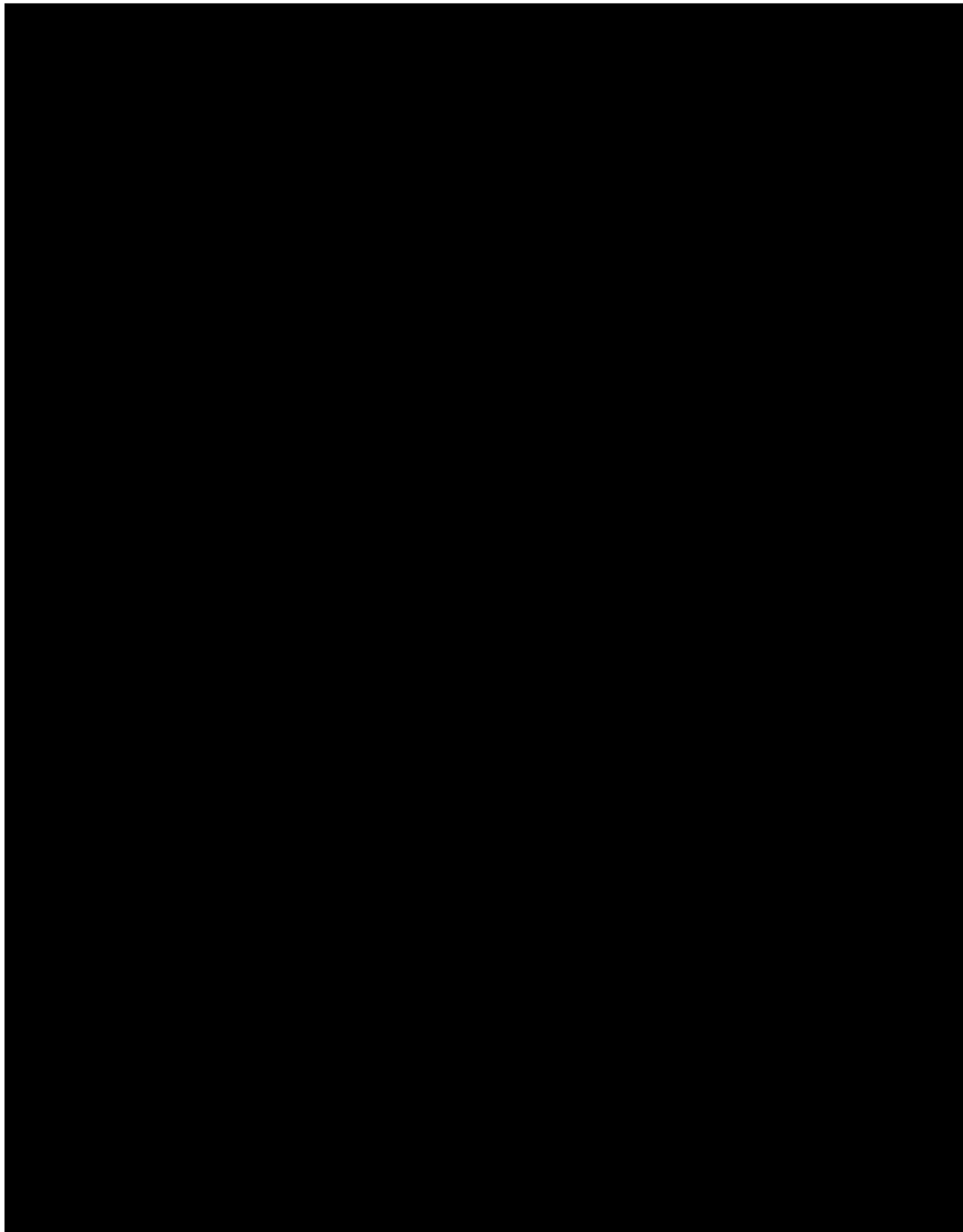
Regards,

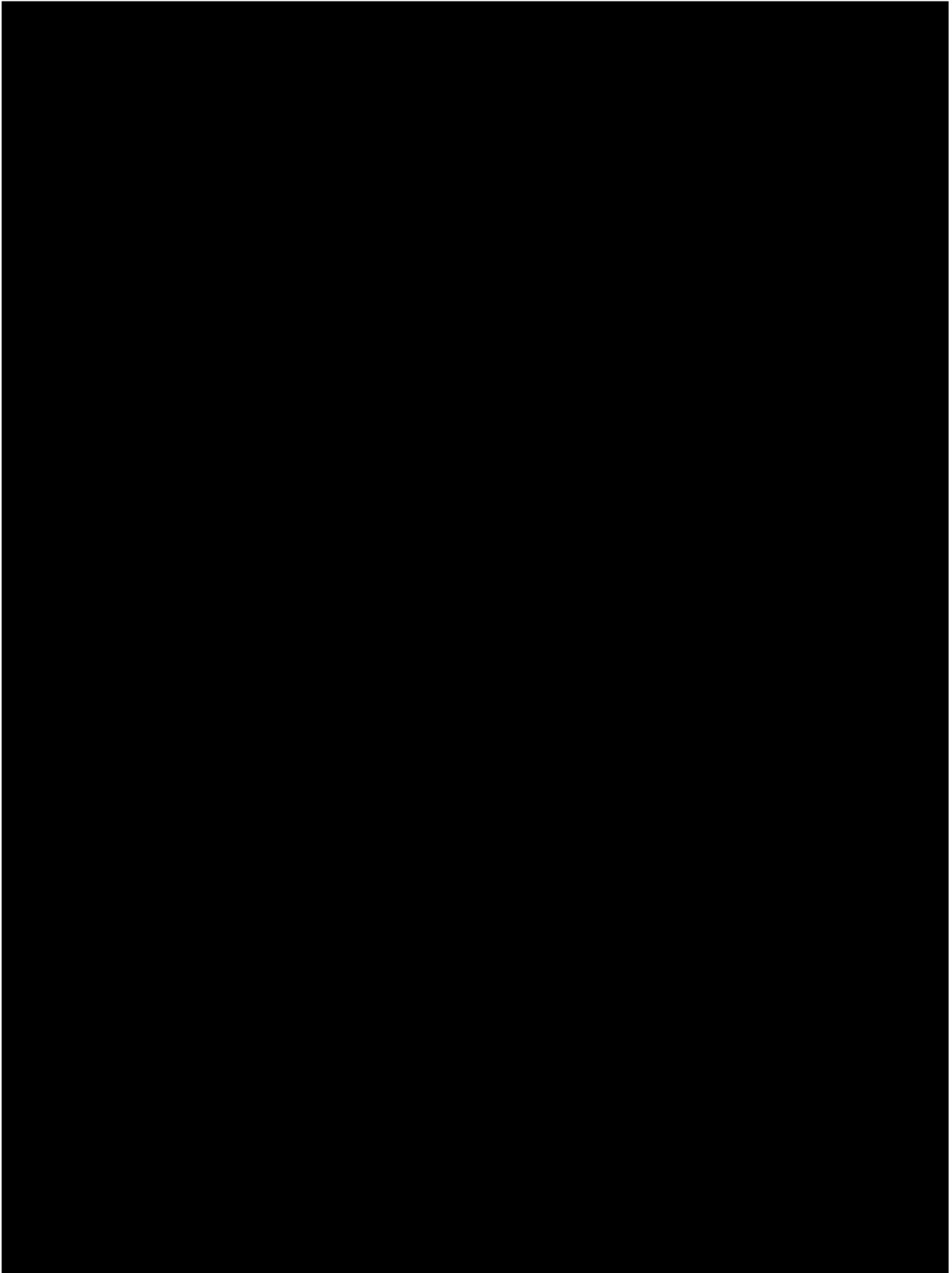
Clay Trivett

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~~(U)~~ Attachment C

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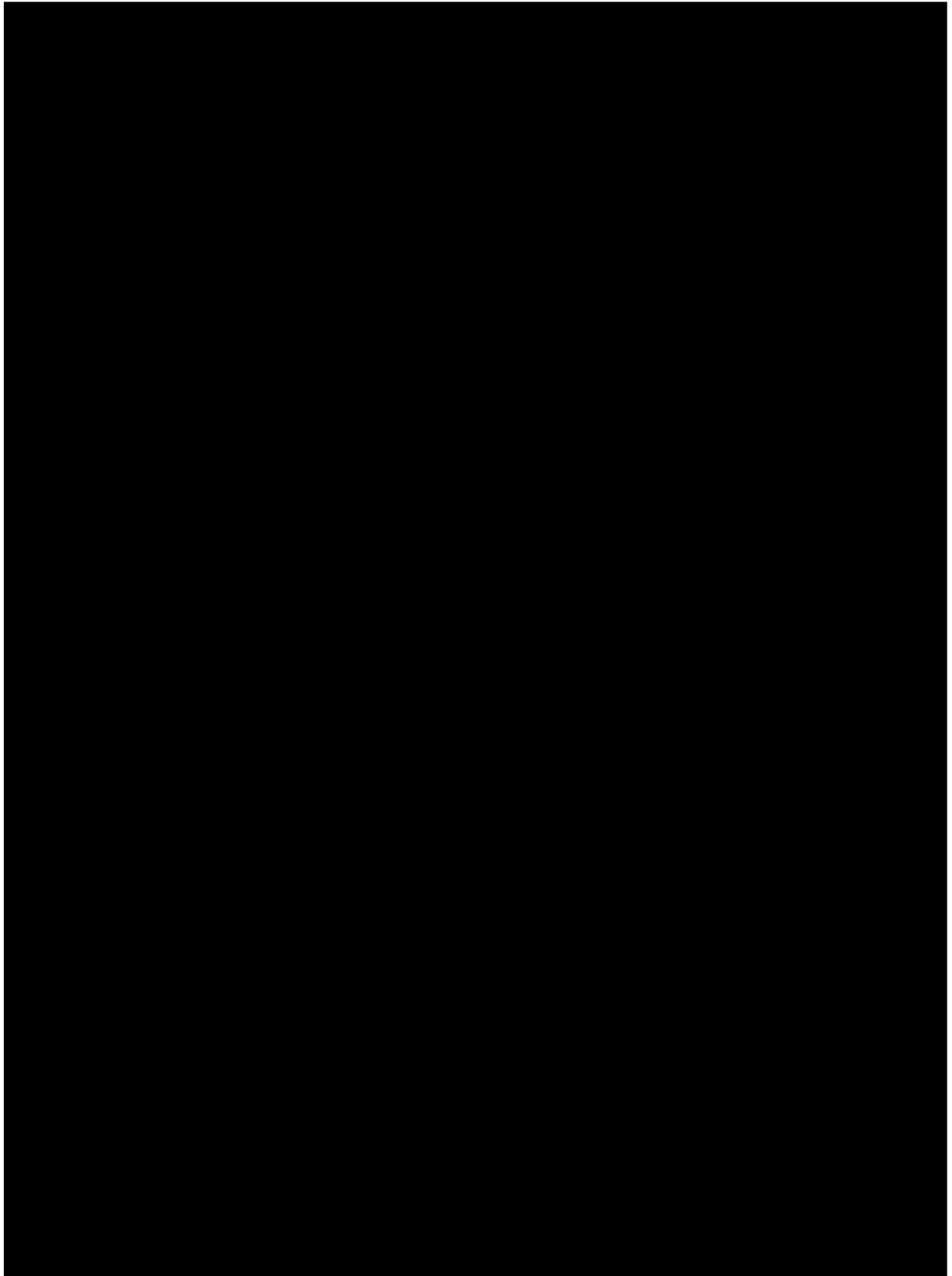


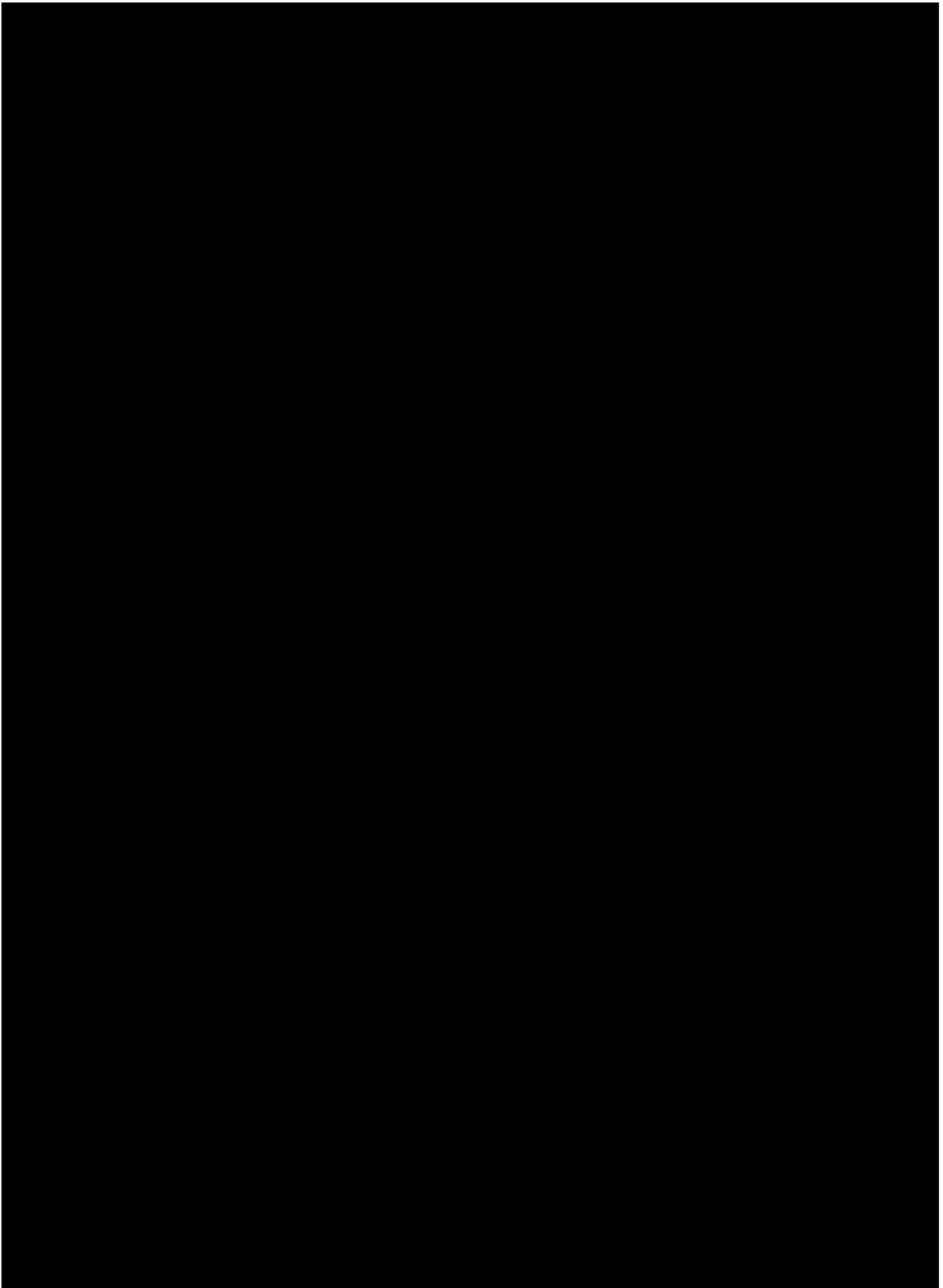


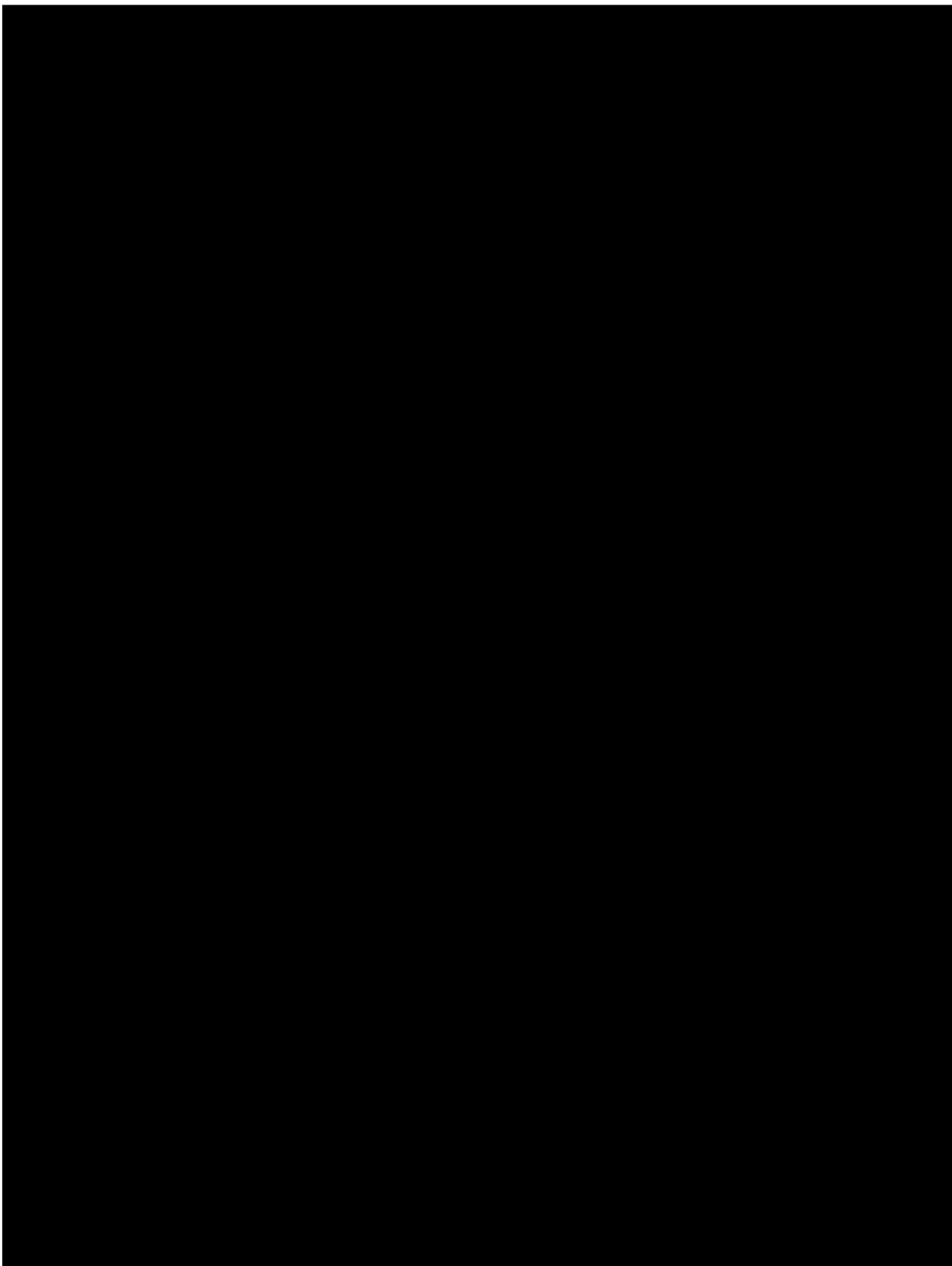
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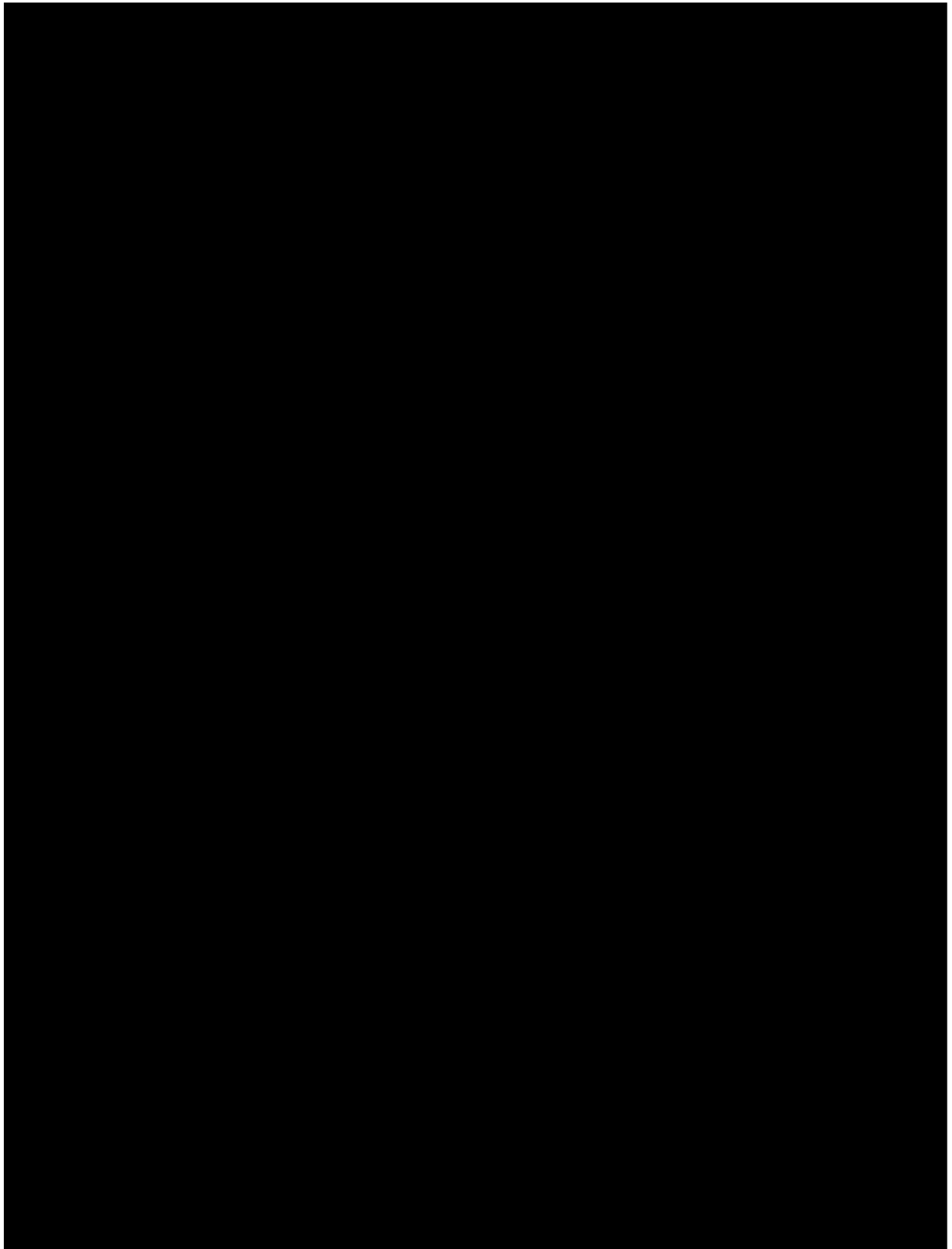
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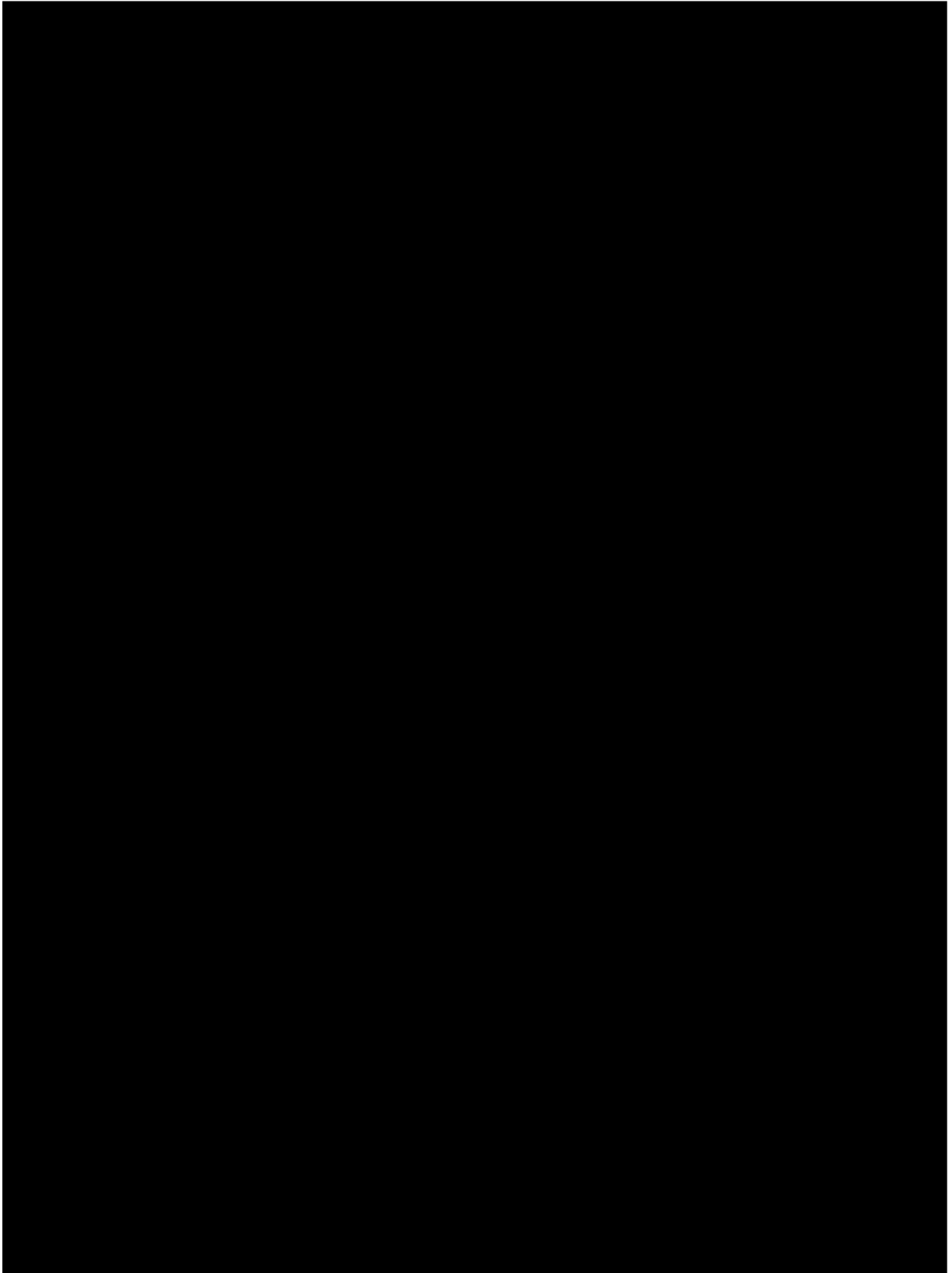
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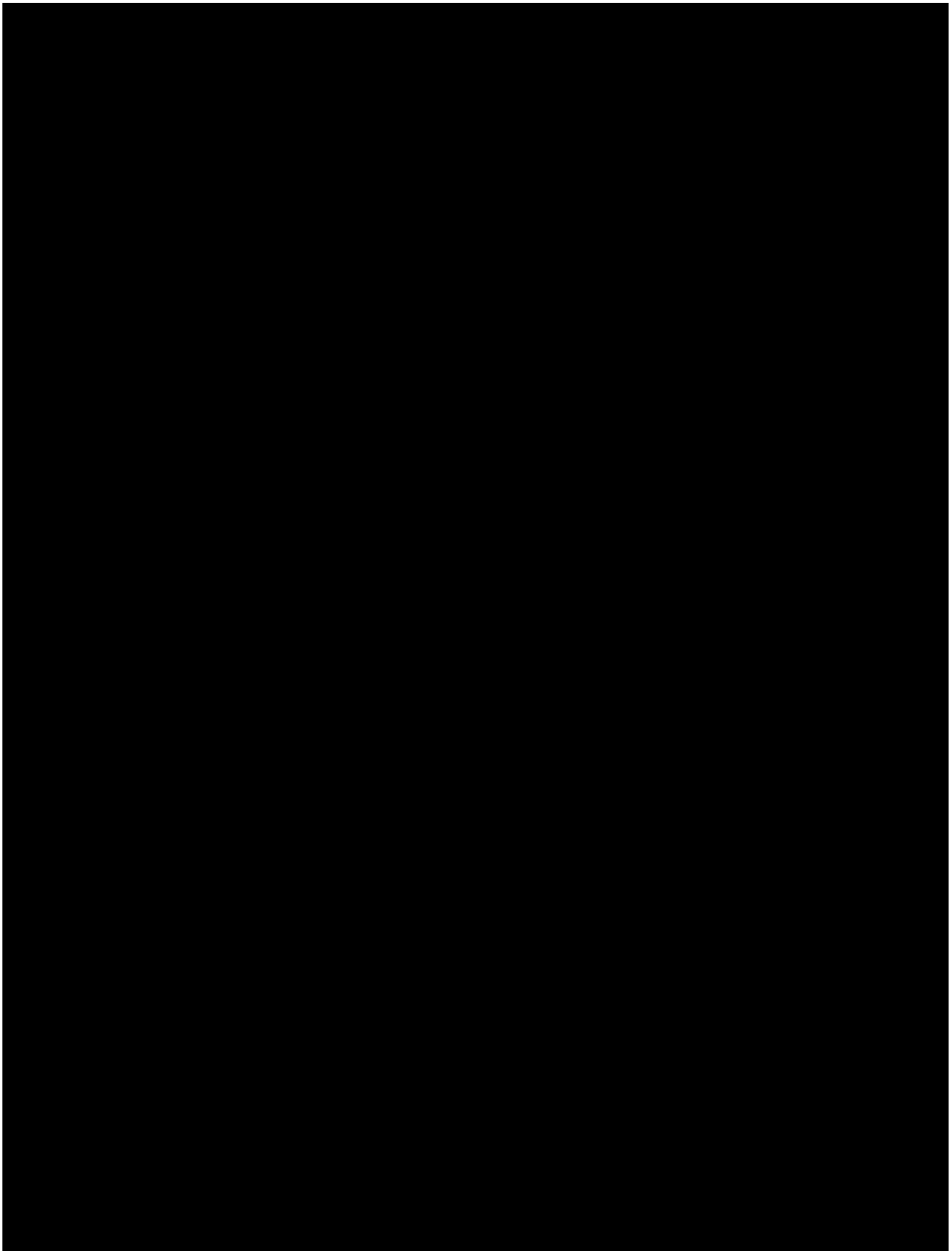


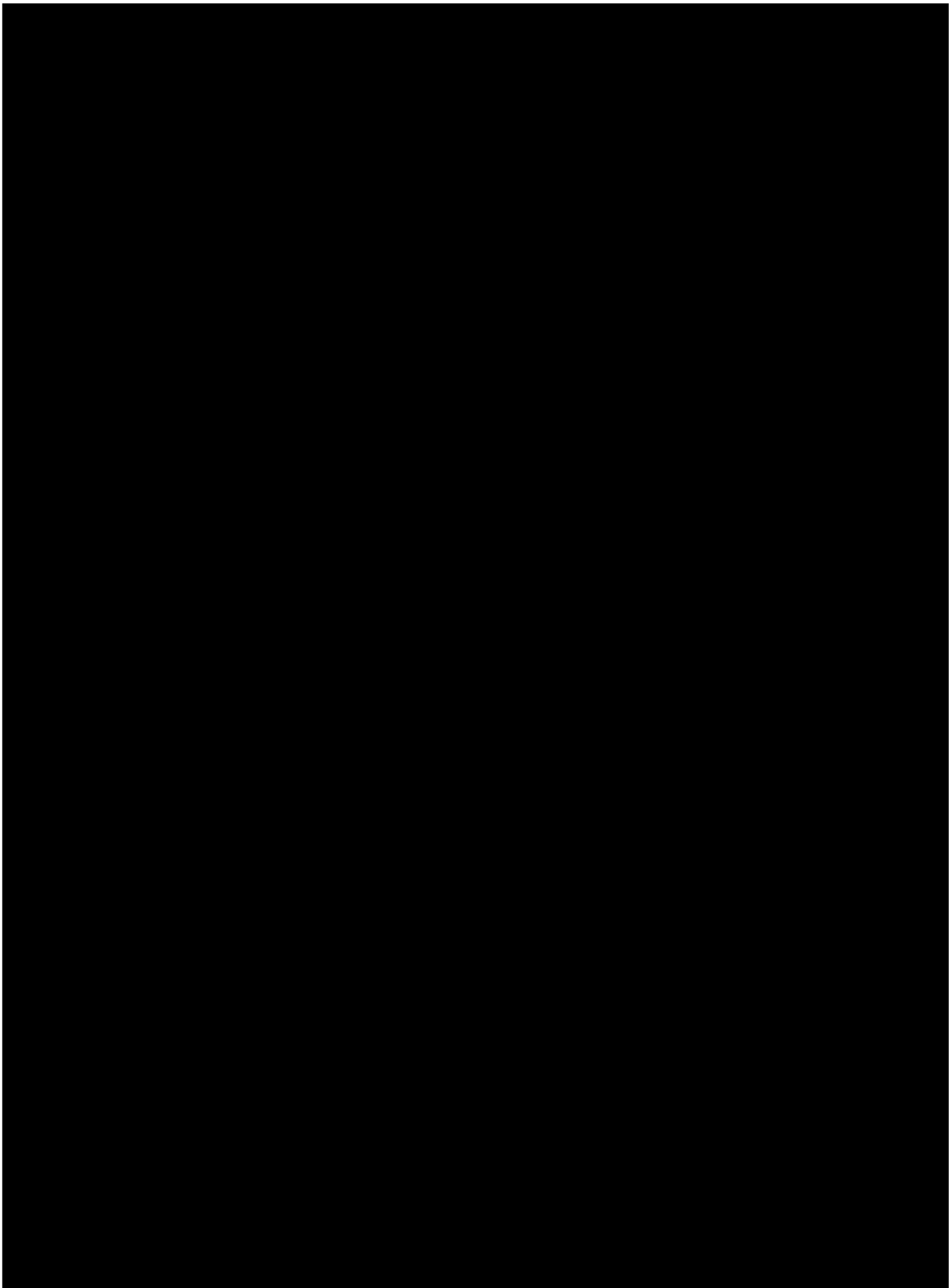


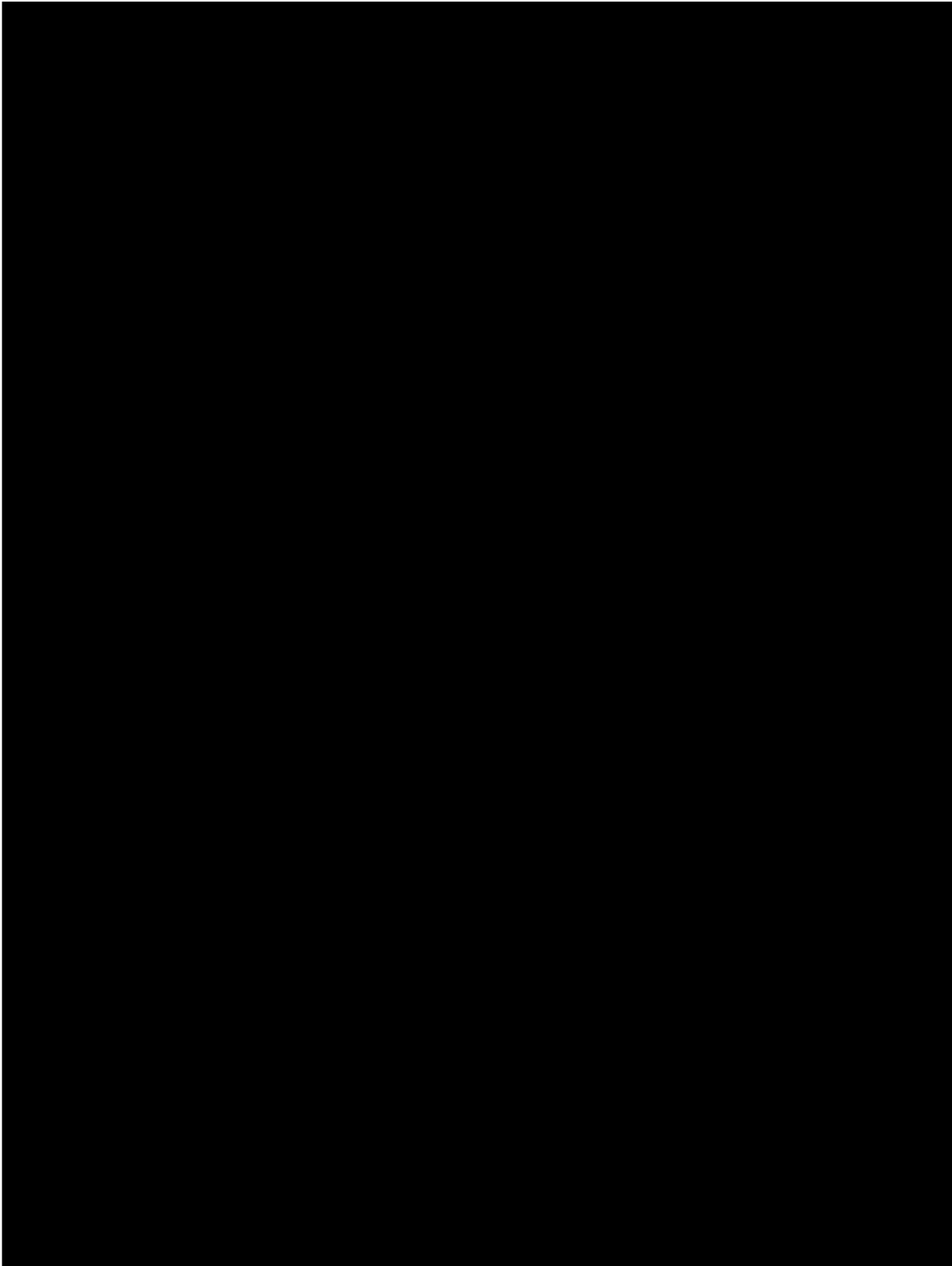


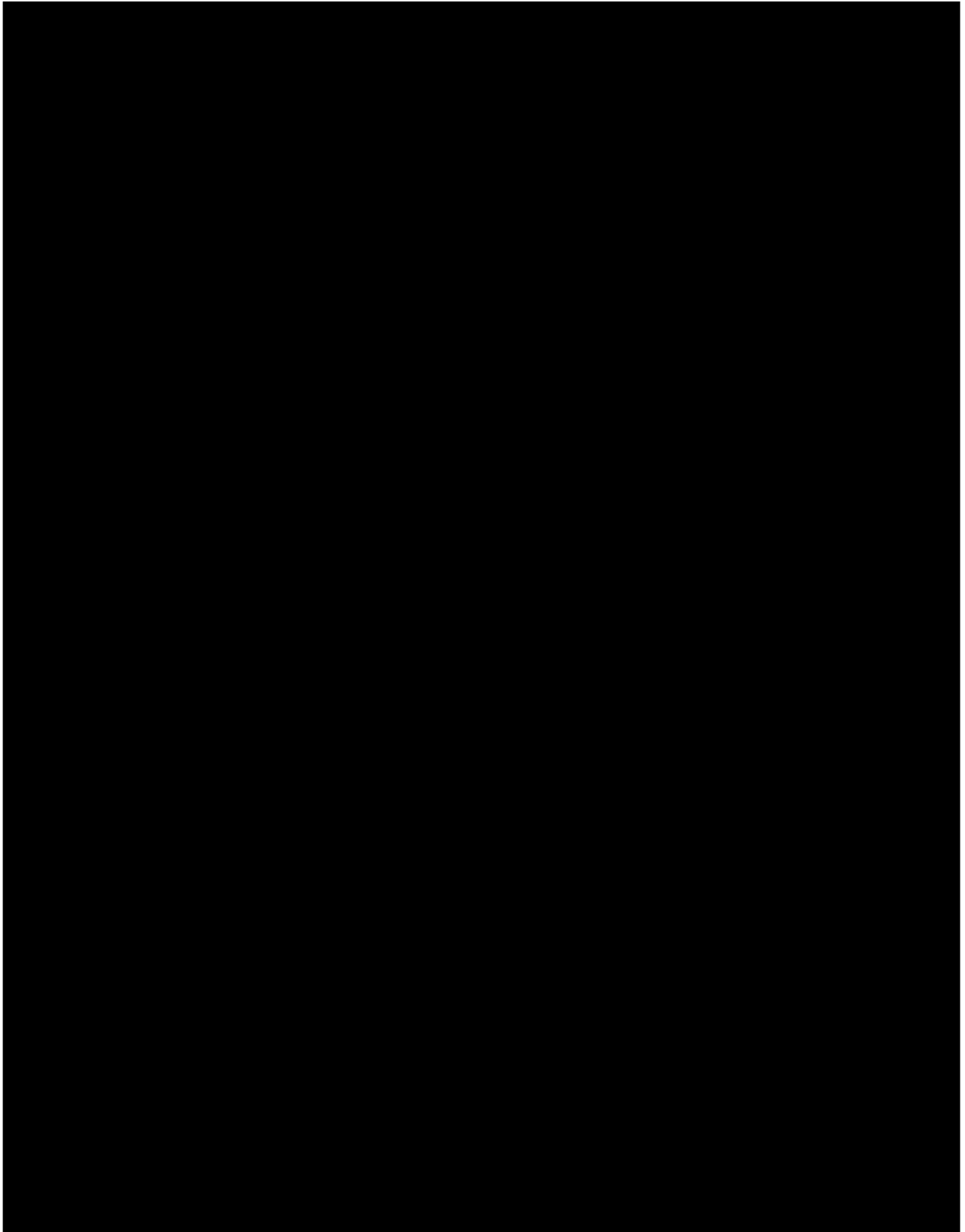


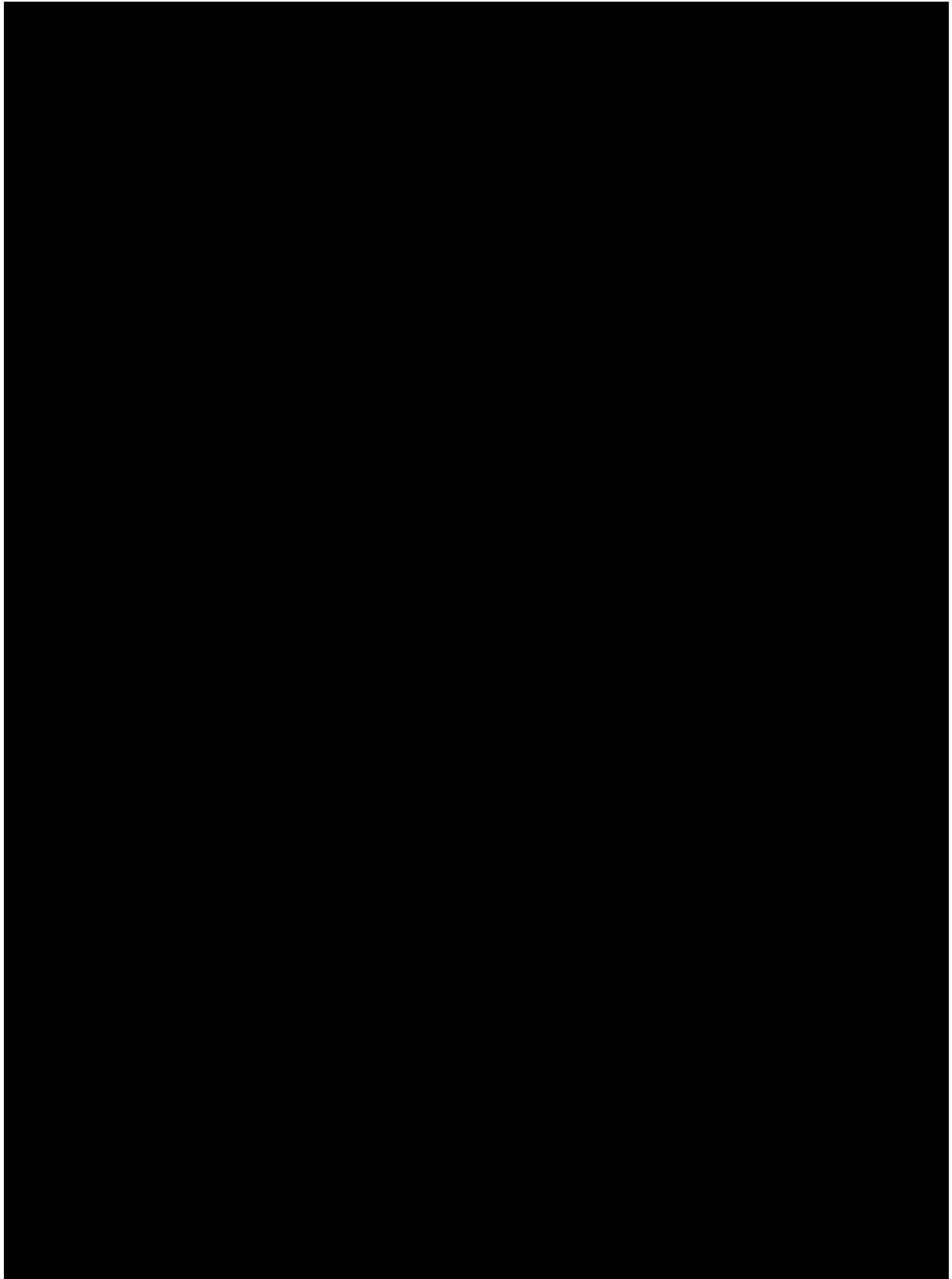


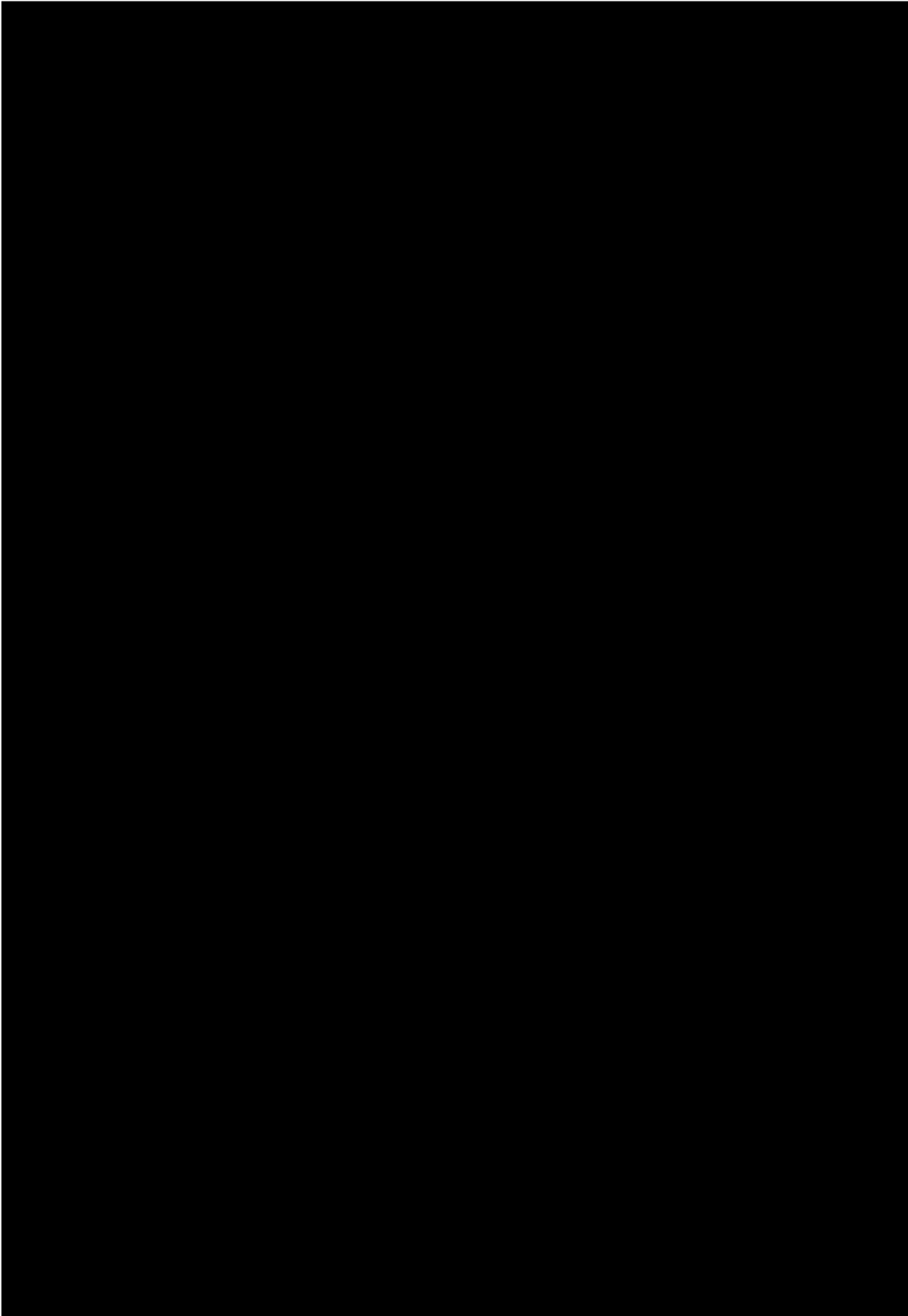


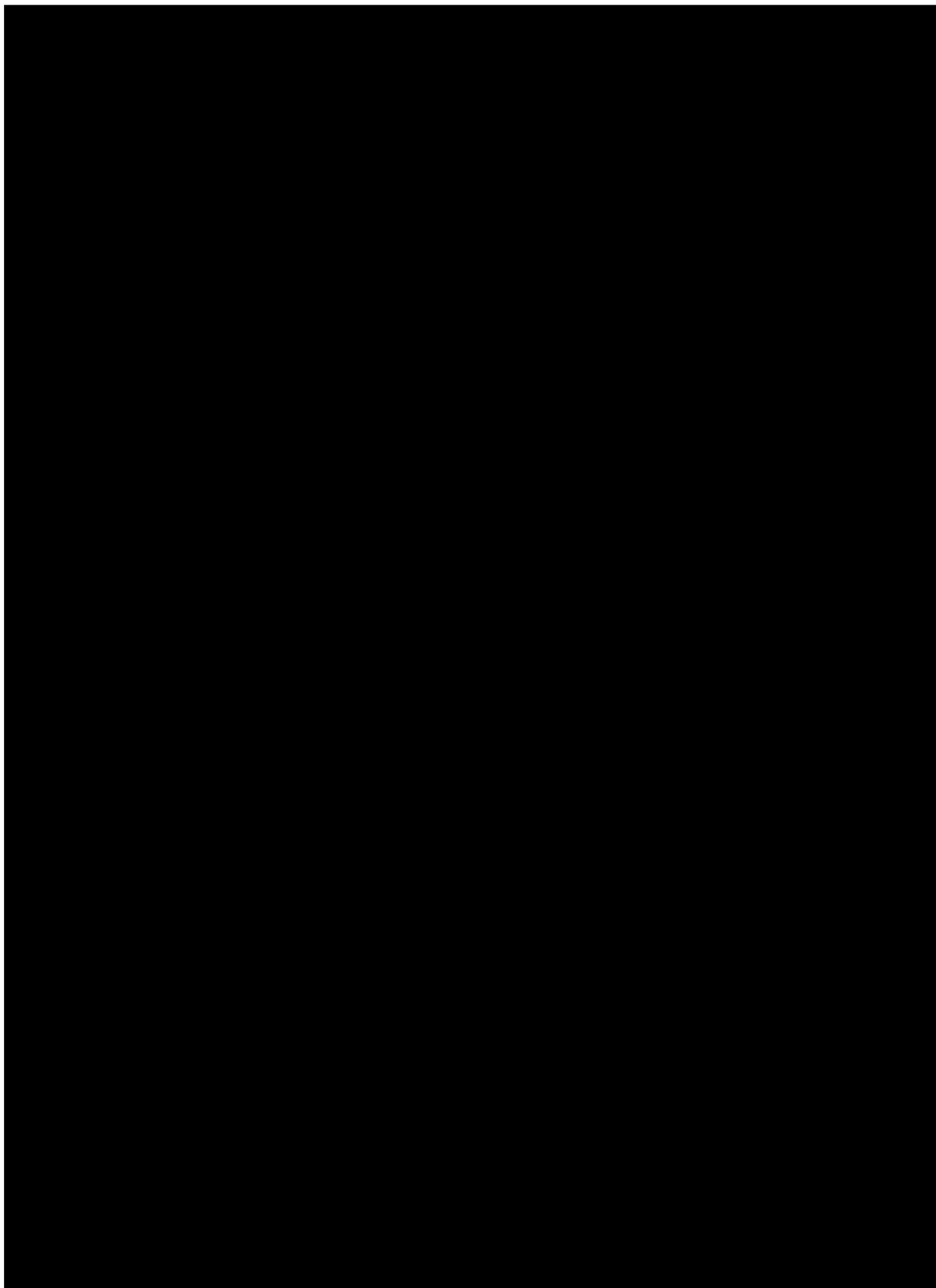


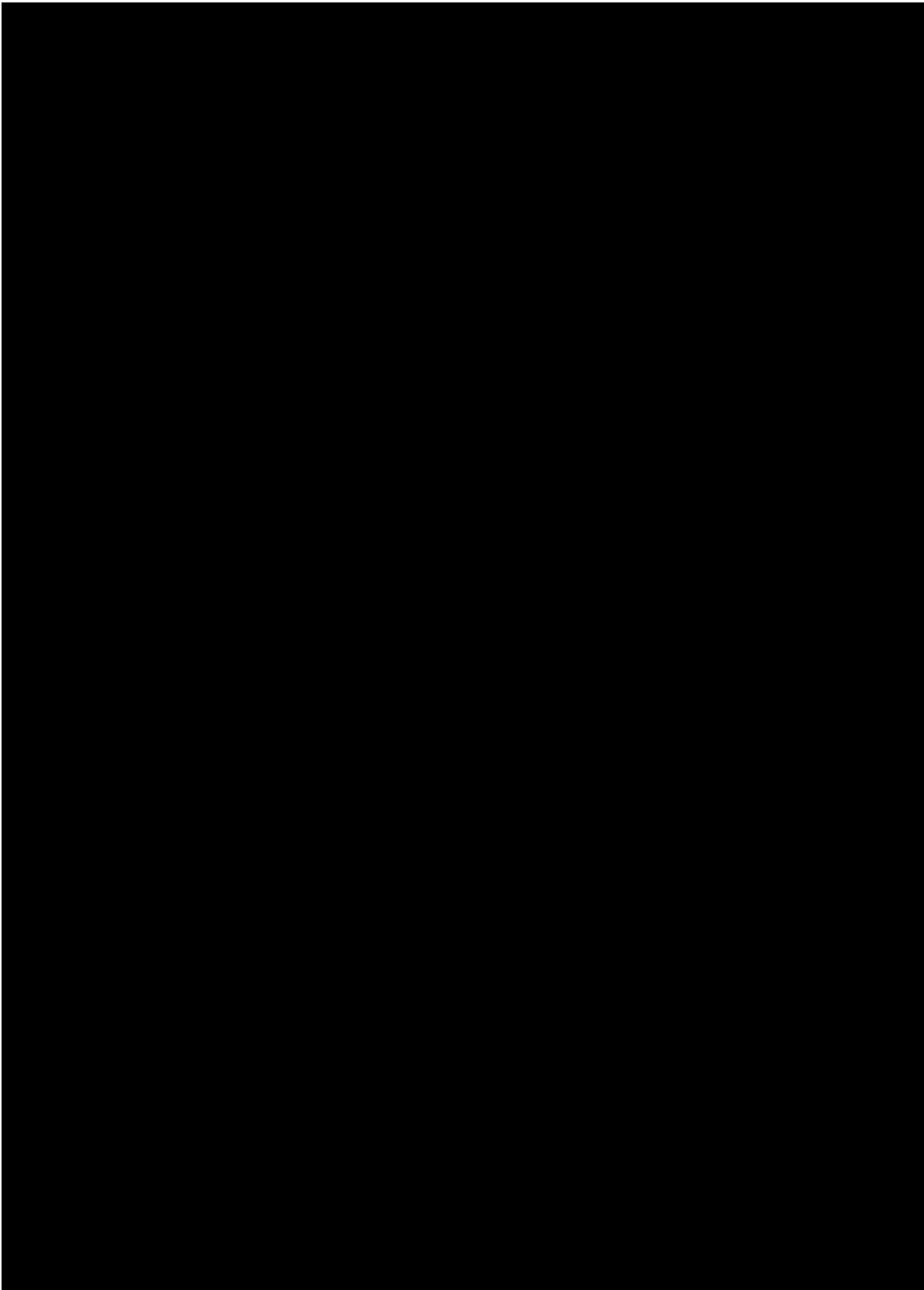


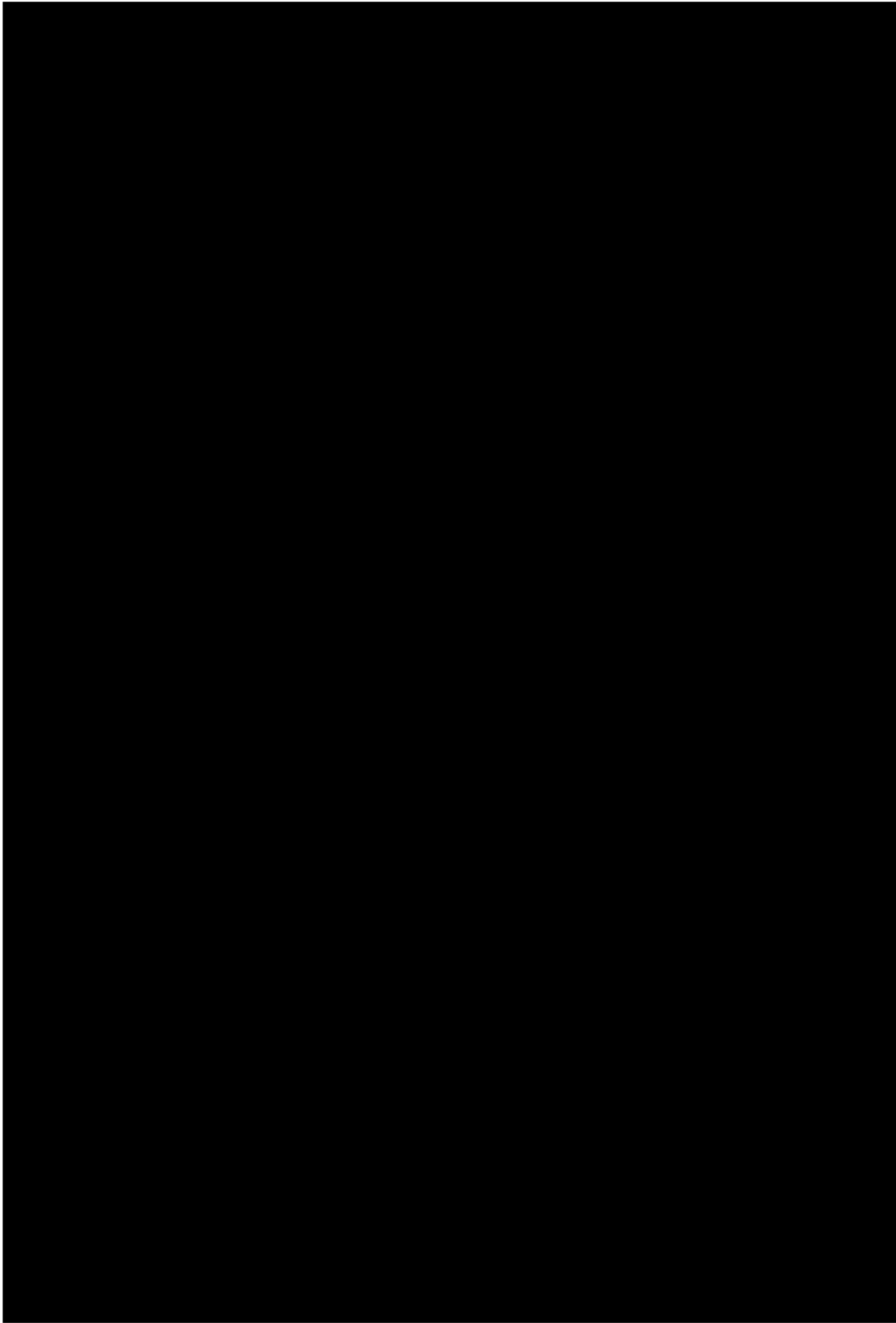


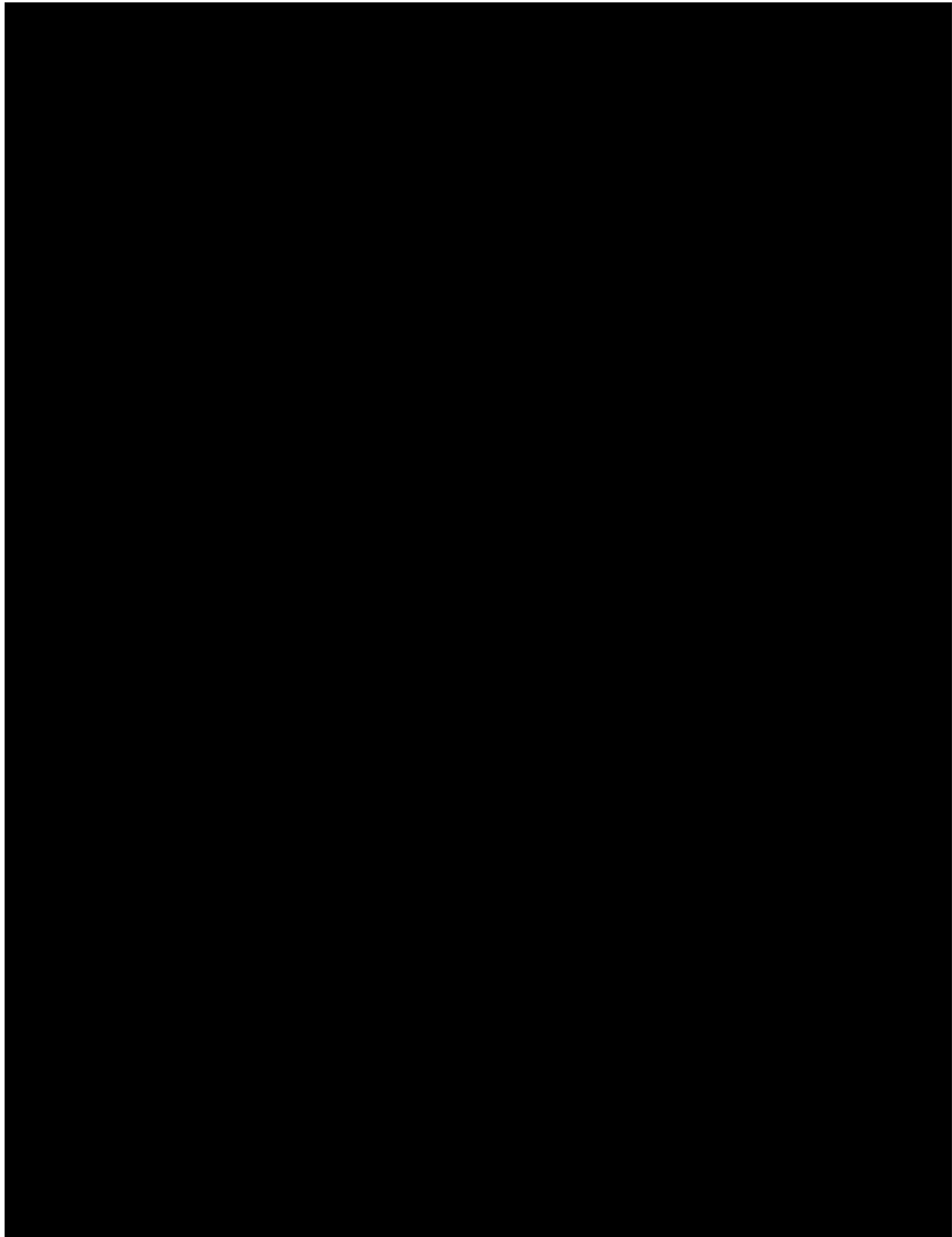


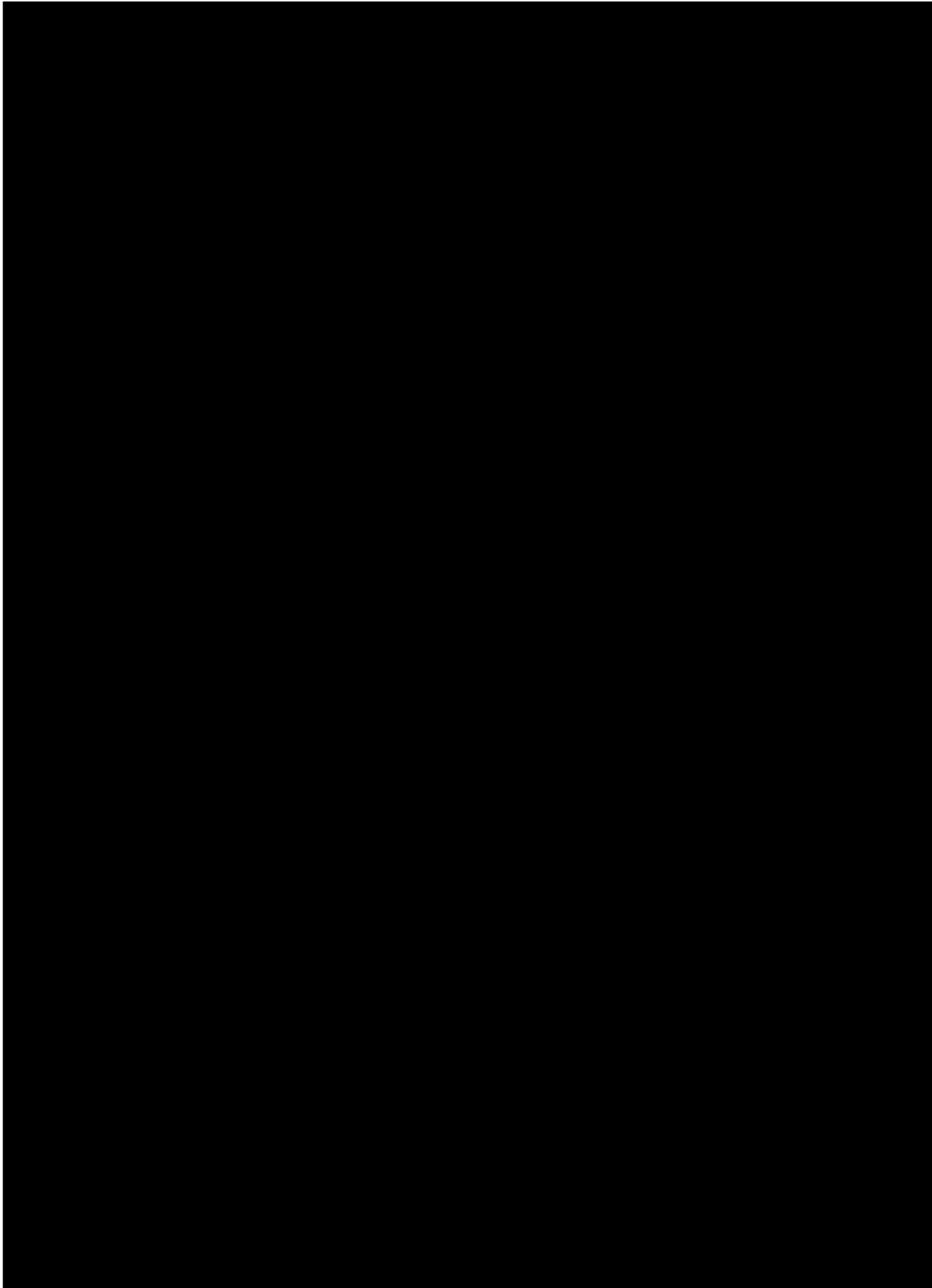


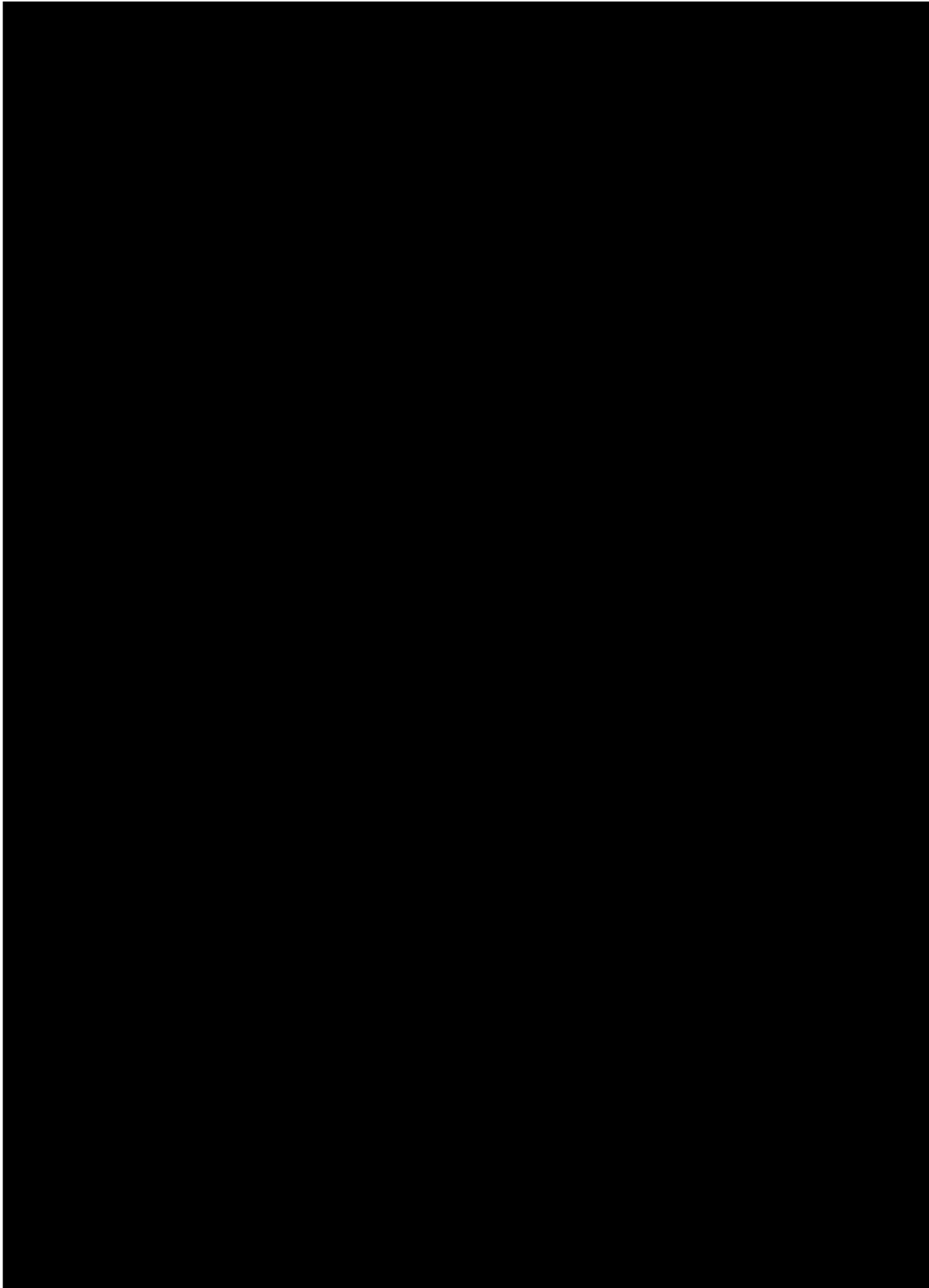












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~~(U)~~ Attachment E

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