

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

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| <p><b>UNITED STATES OF AMERICA</b></p> <p style="text-align: center;"><b>v.</b></p> <p><b>ABD AL HADI AL-IRAQI</b></p> | <p><b>AE 110C</b></p> <p><b>AMENDED LITIGATION SCHEDULE</b></p> <p><b>1 August 2018</b></p> |
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This amended litigation schedule is issued pursuant to the Defense request in AE 110A to continue certain litigation deadlines.<sup>1</sup> The following deadlines are hereby ordered:<sup>2</sup>

a. Law motions, including legal pretrial issues, jurisdictional, and systemic challenges, are due to the Commission and opposing counsel no later than **24 August 2018**. Responses and replies are due in accordance with Military Commissions Trial Judiciary Rules of Court, (RC) 3.7, 1 September 2016. Law motions will be litigated during the 24 – 28 September 2018 session.

b. Requests for expert assistance are due to the Convening Authority no later than **24 August 2018**. The Convening Authority shall provide a response on the merits of the request in accordance with AE 086C within 30 days of Defense requests; after 30 days, the Commission will consider any unanswered requests as constructive denials.

c. Motions to compel discovery and motions to compel expert assistance are due no later than **5 October 2018**. Responses and replies are due in accordance with RC 3.7. Motions to compel discovery and motions to compel expert assistance will be litigated during the 6 – 9 November 2018 session.

<sup>1</sup> The parties must seek additional relief for any future requests to continue litigation deadlines.

<sup>2</sup> The parties are encouraged to anticipate their requirements, and file appropriate motions as necessary to allow for follow-on actions to be litigated and completed before filing deadlines (*e.g.*, if a party anticipates expert assistance is needed to draft a motion to suppress, the party shall request the expert in a timely manner to meet deadlines).

d. Motions to compel witnesses, evidence, or other precursory motions necessary for the litigation of anticipated evidentiary motions are due to the Commission and opposing counsel no later than **26 November 2018**. Responses and replies are due in accordance with RC 3.7. These motions will be litigated during the 7 – 18 January 2019 session. The parties will also provide notice to the Commission and opposing counsel of the evidentiary motions they intend to file no later than **26 November 2018**.

e. Not later than **21 December 2018**, the Government will provide its list of trial witnesses for their case in chief, including fact and expert witnesses, and exhibits to the defense.

f. All evidentiary motions, including motions *in limine*, are due to the Commission and opposing counsel no later than **8 February 2019**. Responses and replies are due in accordance with RC 3.7. These motions will be litigated during the 4 – 15 March 2019 session.

g. Not later than **18 January 2019**, the Defense shall provide its list of trial witnesses for findings, including fact and expert witnesses, and exhibits to the Government, including all requests for assistance in obtaining witnesses. In addition, the Defense will provide notice of any affirmative defenses by this date. Government responses to Defense witness requests are due no later than **22 February 2019**.

h. Defense motions to compel witnesses for trial are due no later than **15 March 2019**. Responses and replies are due in accordance with RC 3.7. Motions to compel witnesses for trial will be litigated during the 29 April – 3 May 2019 session.

i. Not later than **20 May 2019**, the Defense shall provide notice pursuant to Military Commission Rule of Evidence (M.C.R.E.) 505(g) of any classified information they reasonably expect to disclose, or cause disclosure of, at trial. No later than **20 May 2019**, the Government shall provide notice of intent to use in its case-in-chief: any classified information; any summarized, substituted, or redacted material; or any evidence for which it intends to use a

substituted evidentiary foundation. Any responses to notices or requests for M.C.R.E. 505(h) hearings by either party are due no later than **14 June 2019**. Any issues concerning the disclosure of classified information during trial will be litigated during the 8 – 12 July 2019 session.

j. The Government will publish an amended Convening Order, no later than **1 August 2019**.

So **ORDERED** this 1st day of August, 2018.

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M. D. LIBRETTO  
Lt Col, USMC  
Military Judge