

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

**UNOFFICIAL
ANNOTATED DOCKET
AE250**

26 November 2013

1. A hearing under the provisions of M.C.R.E. 505(h) will be conducted on 16 December 2013 at the US Naval Station , Guantanamo Bay, Cuba. The hearing will begin at 0900. Pursuant to M.C.R.E. 505(h)(1)(C), **the hearing will be *in camera* and closed to the public.** No accused will be present. Motions addressed are:
 - a. AE 008P (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - b. AE 008Q (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - c. AE 008R (KSM): Mr. Mohammad's Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - d. AE 032E (MAH): Motion to Compel Discovery re AE032
 - e. AE 052G (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - f. AE 052H (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - g. AE 052I (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - h. AE 052I (KSM): Mr. Mohammad's Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - i. AE 052L (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - j. AE 070 (MAH): Mr. al Hawsawi's Notice Pursuant to M.C.R.E. 505(g)(1)(A) of Intent to Disclose Classified Information
 - k. AE 079B (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - l. AE 079C (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - m. AE 079B (KSM): Mr. Mohammad's Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - n. AE 080B (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - o. AE 080C (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - p. AE 080C (KSM): Mr. Mohammad's Notice Pursuant to M.C.R.E. 505(g)(1)(A) of Intent to Disclose Classified and Purported Presumptively Classified Information
 - q. AE 080C (RBS): Mr. Bin al Shibh's Notice Pursuant to M.C.R.E. 505(g)(1)(A) of Intent to Disclose "Presumptively Classified" Information
 - r. AE 080C (WBA): Mr. bin 'Attash's Notice Pursuant to M.C.R.E. 505(g)(1)(A) of Intent to Disclose "Presumptively Classified" Information
 - s. AE 080D : Government's Notice Pursuant to M.C.R.E. 505(h)(2)(A)
 - t. AE 080E (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - u. AE 080F (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - v. AE 080F (KSM): Mr. Mohammad's Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - w. AE 088 (WBA): Mr. bin 'Attash's Notice Pursuant to M.C.R.E. 505(g)(1)(A) to AE 008, Defense Motion to Dismiss for Defective Referral
 - x. AE 112B (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - y. AE 222D (WBA): Notice Pursuant to M.C.R.E. 505(g)(1)(A) of Intent to Disclose "Presumptively Classified" Information
 - z. AE 114B (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - aa. AE 114D (WBA): Mr. bin 'Attash's Notice Pursuant to M.C.R.E. 505(g)(1)(A) of Intent to Disclose "Presumptively Classified" Information
 - bb. AE 114I (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - cc. AE 114 (KSM): Mr. Mohammad's Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - dd. AE 113G (WBA): Mr. bin 'Attash's Notice Pursuant to M.C.R.E. 505(g)(1)(A) of Intent to

- Disclose “Presumptively Classified” Information
- ee. AE 133J (WBA): Mr. bin ‘Attash’s Notice Pursuant to M.C.R.E. 505(g)(1)(A) of Intent to Disclose “Presumptively Classified” Information
 - ff. AE 133K: Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A) of Intent to Disclose Classified and Purported Presumptively Classified Information
 - gg. AE 133AA (WBA): Mr. bin ‘Attash’s Notice Pursuant to M.C.R.E. 505(g)(1)(A) of Intent to Disclose “Presumptively Classified” Information
 - hh. AE 133DD (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - ii. AE 133DD (KSM): Mr. Mohammad’s Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - jj. AE 152E (RBS): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - kk. AE 161A (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - ll. AE 161A (KSM): Mr. Mohammad’s Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - mm. AE 190A (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - nn. AE 191A (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - oo. AE 195A (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - pp. AE 198 (WBA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)
 - qq. AE 233C (AAA): Defense Notice Pursuant to M.C.R.E. 505(g)(1)(A)

2. An open hearing in this case will begin on 17-20 December 2013 at the U.S. Naval Station, Guantanamo Bay, Cuba. The hearing will begin at 0900 on 17 December 2013 in Courtroom #2 (ELC).
3. All accused must be present for the session on 17 December 2013.
4. The Commission will hear argument on the following motions during the session:
 - a. **AE008**: Defense Motion to Dismiss For Defective Referral

[2012-04-19 AE008\(MAH\) Def Motion to Dismiss \(public\)](#)
[2012-04-20 AE008\(AAA\) Def Supplement \(public\)](#)
[2012-04-20 AE008\(RBS\) Def Supplement \(public\)](#)
[2012-04-20 AE008\(WBA\) Def Supplement \(public\)](#)
[2012-05-03 AE008A Govt Response to Def Motion \(public\)](#)
[2012-05-10 AE008B\(AAA\) Def Reply to AE008A \(public\)](#)
[2012-05-11 AE008\(KSM Sup\) Def Motion to Dismiss for Def Referral \(public\)](#)
[2012-05-25 AE008C Govt Response to KSMs 2nd Supplement to AE008 \(public\)](#)
[2012-08-03 AE008\(MAH Sup\) Def Sup to Motion to Dismiss \(public\)](#)
[2012-08-16 AE008 \(MAH 2nd Supp\) Authorities in MTD \(public\)](#)
[2012-08-21 AE008D \(MAH\) Supp to Def Exhibits in Support of Motion to Dismiss for Defective Referral \(public\)](#)
[2012-08-22 AE008E Gov’t Exhibit and Supp Auth Filing, MTD for Def Ref \(Public\)](#)
[2012-10-12 AE008F Govt Exhibit \(Public\)](#)
[2013-01-31 AE008G \(AAA\) Defense Notice of Filing of Exhibit](#)
[2013-02-07 AE008H \(WBA\) MTC Production of Witnesses \(Public\)](#)
[2013-02-07 AE008I\(WBA\) 505\(g\)\(1\)\(A\) Notice \(Public\)](#)
[2013-02-10 AE008J-AE018H-AE031C-AE133P - Govt Notice of Witness Availability \(Public\)](#)
[2013-02-13 AE008K-AE018I-AE031D-AE133Q Witness Availability \(Public\)](#)
[2013-02-14 AE008L\(AAA\) Defense Notice of Exhibits \(Public\)](#)
[2013-04-02 AE008M\(MAH\)-AE 031G\(MAH\) MTC Discovery \(Public\)](#)
[2013-04-03 AE008D\(MAH 2nd Sup\) Defense Exhibits in Support of MTD due to](#)

Defective Referral (Public)

2013-04-05 AE008N(WBA) Mr bin Attash Supplement of Exhibit in Support of Motion to Dismiss (Public)

2013-04-16 AE008O-AE031I Govt Resp to Def MTC Discovery (Public)

2013-04-29 AE008P(AAA) MCRE 505(g)(1)(A) Notice (Public)

2013-05-10 AE008Q(AAA) Defense MCRE 505(g)(1)(A) Notice (Public)

2013-05-16 AE008R(KSM) MCRE 505 Notice (Public)

2013-06-07 AE008S(AAA) Notice of Exhibits (Public)

2013-06-18 AE008T(MAH) Sup to Def Exhibits (Public)

2013-07-26 AE008BB(AAA) MTC Breslin (Public)

AE008AA(KSM et al) Necessity for Baseline Review (Public)

AE008U(MAH) Leave to File Out of Time (Public)

AE008V(WBA) Email Request for Interview (Public)

AE008W(WBA) Letter to Mr. MacDonald (Public)

AE008Y(AAA) Unofficial Unauthenticated Transcript (Public)

AE008Z(AAA) Memo For CA Necessity for a PO for Military Commission (Public)

2013-08-16 AE008DD Govt Resp to Def MTC Production of Witness (Public)

2013-09-06 AE008HH (Rul) MJ Ruling (Public)

2013-09-06 AE008II (Rul) MJ Ruling (Public)

2013-09-10 AE008LL(MAH) MTC Discovery (Public)

2013-09-11 AE008JJ(MAH) MTC Discovery Req of June 6 2013 (Public)

2013-09-12 AE008KK(MAH) MTC Discovery June 21 2013 Req (Public)

2013-09-18 AE008QQ Stipulation of Expected Testimony of CDR Strazza (Public)

2013-09-19 AE008NN Govt Resp to Def MTC Discovery (Public)

2013-09-19 AE008OO Govt Resp to Def MTC Discovery (Public)

2013-09-20 AE008PP Govt Response To Defense MTC Discovery (Public)

b. **AE029C**: Motion for Reconsideration of AE 029

2013-08-02 AE029C(WBA) Defense Motion for Reconsideration of AE029 (Public)

2013-08-16 AE029E Govt Resp to Def Motion for Reconsideration of AE029 (Public)

c. **AE031**: Joint Defense Motion to Dismiss for Unlawful Influence (*witness testimony*)

2012-05-11 AE031(MAH,AAA,RBS) Joint Defense Motion to Dismiss for Unlawful Influence (public)

2012-05-25 AE031A Govt Resp to Motion to Dismiss (Public 1)

2012-05-25 AE031A Govt Resp to Motion to Dismiss (Public 2)

2012-05-25 AE031A Govt Resp to Motion to Dismiss (Public 3)

2012-05-25 AE031A Govt Resp to Motion to Dismiss (Public 4)

2012-05-25 AE031A Govt Resp to Motion to Dismiss (Public 5)

2012-05-25 AE031A Govt Resp to Motion to Dismiss (Public 6)

2012-05-25 AE031A Govt Resp to Motion to Dismiss (Public 7)

2012-05-25 AE031A Govt Resp to Motion to Dismiss (Public 8)

2012-05-25 AE031A Govt Resp to Motion to Dismiss (Public 9)

2012-06-01 AE031B(MAH,AAA,RBS) Def Reply to Gov Response to AE031 (Public)

2012-06-05 AE031(MAH) Supplemental Witness Request- MTD for UI

2012-08-03 AE031(MAH Sup) Def Sup to AE031 (Public)

2012-08-20 AE031 (MAH) Exhibits in Support of Joint MTD for UI

2013-01-24 AE031A(Gov Sup) Govt Exhibit in Sup of Opposition to Def MTD for UI

[2013-02-07 AE031\(MAH 2nd Sup\) Supplement to MTC witnesses \(Public\)](#)
[2013-02-10 AE008J-AE018H-AE031C-AE133P - Govt Notice of Witness Availability \(Public\)](#)
[2013-04-02 AE008M\(MAH\)-AE 031G\(MAH\) MTC Discovery\(Public\)](#)
[2013-04-02 AE031F\(MAH\)-AE032H\(MAH\)-AE133EE\(MAH\) MTC Discovery \(Public\)](#)
[2013-04-03 AE008M\(MAH\)-AE 031G\(MAH\) MTC Discovery\(Public\)](#)
[2013-04-03 AE031\(MAH 3rd Sup\) Defense Motion to Dismiss for Unlawful Influence \(Public\)](#)
[2013-04-05 AE031\(WBA Sup\) Joint Defense Motion to Dismiss \(Public\)](#)
[2013-04-11 AE031\(MAH 4th Sup\) Defense Supplement Joint Motion to Dismiss \(Public\)](#)
[2013-04-16 AE008O-AE031I Govt Resp to Def MTC Discovery \(Public\)](#)
[2013-04-29 AE031J\(AAA\) MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)
[2013-05-09 AE031K\(AAA\) Defense Motion for Protective Order \(Public\)](#)
[2013-05-23 AE031L\(MAH\) Mr. al Hawsawi's Response to Mr. al Baluchi's Motion for Protective Order \(Public\)](#)
[2013-05-30 AE031\(MAH 5th Sup\) Notice of EX PARTE Supplement \(Public\)](#)
[2013-06-07 AE031M\(MAH\) MTC Witnesses for AE031\(MAH 3rd Sup\) \(Public\)](#)
[2013-06-07 AE031N\(MAH\) MTC Witnesses for AE031\(MAH 4th Sup\) \(Public\)](#)
[2013-06-17 AE031C\(MAH\) Exhibits in Support of Joint MTD for Unlawful Influence \(Public\)](#)
[2013-06-18 AE031O\(MAH\) Sup to Def Exhibits \(Public\)](#)
[2013-06-18 AE31\(MAH 6th Sup\) Sup to AE031 \(Public\)](#)
[2013-06-21 AE031R Govt Resp to Def MTC Production of Witness in re AE 018C \(MAH Sup\) \(Public\)](#)
[2013-06-21 AE031S Govt Resp to Def MTC Production of Witness in AE 031\(MAH 4th Sup\) \(Public\)](#)
[2013-07-03 AE031T\(MAH\) Withdrawal \(Public\)](#)
[2013-07-23 AE031\(MAH 7th Sup\) Def Sup to Joint Def MTD for UI \(Public\)](#)
[2013-07-26 AE031U\(AAA\) MTC Breslin \(Public\)](#)
[2013-07-30 AE031V\(MAH\) MTCLCDR Massucco \(Public\)](#)
[2013-08-16 AE031Y Govt Resp to Def MTC Production of Witness \(Public\)](#)
[2013-08-20 AE031Z Gov Resp to Def MTC LCDR George A Massucco USN as a witness for Def Motions AE031 AE032 and AE144H \(MAH\) \(Public\)](#)
[2013-09-09 AE031FF MJ Order \(Public\)](#)
[2013-09-11 AE 031GG\(MAH\) MTC Discovery Req \(Public\)](#)
[2013-09-13 AE031HH \(MAH\) MTC Discovery \(Public\)](#)
[2013-09-18 AE031JJ MJ Order \(Public\)](#)
[2013-09-19 AE031II Govt Resp to Def MTC Discovery \(Public\)](#)
[2013-09-19 AE031KK Govt Resp to Def MTC Discovery \(Public\)](#)

- d. **AE046C:** Defense Motion for Reconsideration of AE 046.

[2013-08-03 AE046C\(WBA\) Defense Motion for Reconsideration of AE046 \(Public\)](#)
[2013-08-16 AE046E Govt Resp to Def Motion for Reconsideration of AE046 \(Public\)](#)

- e. **AE052:** Government's Consolidated Notice Regarding *ex parte*, *in camera* Filing and Motion for Finding

[2012-08-10 AE052 Unclass Notice of Government's Consolidated Notice re Ex Parte](#)

Filing (Public)

[2012-09-12 AE052-3\(MAH\) Def Mot to Continue Filing Deadline \(Public\)](#)

[2012-09-13 AE052A\(KSM,WBA,RBS,AAA\) Unclassified Notice of Defense Response \(Public\)](#)

[2012-09-27 AE052-7 Gov't Response to Appr Relief to Cont \(Public\)](#)

[2012-10-01 AE052-8 MJ Ruling on Extension req \(Public\)](#)

[2012-10-11 AE052A\(KSM,WBA,RBS,AAA Sup\) Unclassified Notice of Defense Response \(Public\)](#)

[2012-10-11 AE052A\(MAH\) Response to Govt Consolidated Notice \(Public\)](#)

[2012-10-11 AE052B\(MAH\) Response to Govt Consolidated Notice \(Public\)](#)

[2012-10-18 AE052C Govt Cons Notice of Ex Parte Re to Def Resp \(Public\)](#)

[2012-11-08 AE052D\(KSM et al\) MTC unclassified summary of AE052 \(Public\)](#)

[2012-11-21 AE052E Govt Response \(Public\)](#)

[2013-01-26 AE052F Notice of Ex Parte Filing \(Public\)](#)

[2013-03-11 AE052G\(AAA\) MCRE 505 \(g\)\(1\)\(A\) \(Public\)](#)

[2013-04-01 AE052A\(AAA Sup\) Supplement \(Public\)](#)

[2013-04-10 AE052H\(AAA\) Defense Notice Pursuant MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)

[2013-05-06 AE052I\(AAA\) MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)

[2013-05-16 AE052I\(KSM\) MCRE 505 Notice \(Public\)](#)

[2013-07-31 AE052L\(AAA\) MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)

[2013-08-02 AE052-11\(MFL\)\(MAH\) MFL to Join AE 052K\(AAA\) \(2\) \(Public\)](#)

[2013-08-16 AE052O Govt Resp to Def MTC Discovery of Declassification Info Re AE052 \(Public\)](#)

[2013-08-21 AE052R\(KSM et al\) Order \(Public\)](#)

[2013-08-23 AE052Q\(RBS,AAA,MAH\) Reply to Gov Response to MTC Discovery \(Public\)](#)

- f. **AE073:** Government Motion and Memorandum for a Protective Order Pursuant to M.C.A. § 949p-4 and M.C.R.E. 505

[2012-08-29 AE073A \(KSM, RBS, AAA\) Response to Govt Motion for Protective Order \(Public\)](#)

[2012-09-06 AE073B Gov't Reply to Def Resp to Gov't Ex Parte In Camera Motion and Memo for a Protective Order \(Public\)](#)

[2013-05-07 AE073\(Sup\) Notice of Gov't Sup to Ex Parte, In Camera Motion and Memo for a Protective Order \(Public\)](#)

[2013-05-08 AE073C MJ Order \(Public\)](#)

[2013-05-14 AE073D\(WBA\) Defense Motion for Clarification of Order AE073C \(Public\)](#)

[2013-05-21 AE073E\(KSM,WBA,AAA,MAH\) Motion to Reconsider AE073C \(Public\)](#)

[2013-06-04 AE073G Gov Response to Def Motion for Clarification of Order in AE073C \(Public\)](#)

[2013-06-06 AE073H Govt Response to Defense Motion to Reconsider AE073C \(Public\)](#)

[2013-06-13 AE073I\(KSM,WBA,AAA\) Defense Reply AE073C \(Public\)](#)

- g. **AE080:** Joint Defense Motion to Preserve Evidence of any Existing Detention Facility.

[2012-09-13 AE080 Motion to Preserve Evidence of Any Existing Detention Facility \(Public\)](#)

[2012-09-27 AE080A Government Response \(Public\)](#)

[2013-01-24 AE080B\(AAA\) Defense Notice Pursuant to MCRE 505\(g\)\(1\)\(A\) \(Public\)](#)

[2013-01-27 AE080C\(WBA\) Notice Pursuant to MCRE 505\(g\)\(1\)\(A\) \(Public\)](#)
[2013-01-27 AE080D Gov't Notice 505\(h\)\(2\) \(Public\)](#)
[2013-01-28 AE080C\(KSM\) Mr. Mohammad's 505 Notice \(Public\)](#)
[2013-01-29 AE080C\(RBS\) Def 505 Notice \(Public\)](#)
[2013-03-11 AE080C\(AAA\) MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)
[2013-04-10 AE080E \(AAA\) Defense Notice Pursuant to MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)
[2013-05-06 AE080F\(AAA\) MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)
[2013-05-16 AE080F\(KSM\) MCRE 505 Notice \(Public\)](#)

- h. **AE112:** Motion to Compel Discovery Related to White House and DOJ Consideration of the CIA Rendition, Detention and Interrogation Program.

[2012-12-27 AE112\(WBA, RBS, AAA, MAH\) Motion to compel White House and DOJ RDI information \(Public\)](#)
[2013-01-10 AE112A Govt Resp to MTC Disco Related to White House and DOJ re CIA Rendition Detention and Interrogation \(Public\)](#)
[2013-01-17 AE112B\(AAA\) Defense Notice Pursuant to MCRE 505\(g\)\(1\)\(A\) \(Public\)](#)
[2013-01-22 AE112C Reply to Motion to compel White House and DOJ RDI information \(Public\)](#)
[2013-01-27 AE112D\(WBA\) Notice Pursuant to MCRE 505\(g\)\(1\)\(A\) \(Public\)](#)
[2013-01-27 AE112E\(AAA\) Defense Notice of Filing of Exhibits \(Public\)](#)
[2013-07-31 AE112F\(AAA\) Defense Notice of Exhibits \(Public\)](#)
[2013-08-06 AE112G\(AAA\) Defense Notice Pursuant to MCRE 505\(g\)\(1\)\(A\) \(Public\)](#)

- i. **AE114:** Defense Motion to Compel Discovery of Information Related to Buildings in Which the Accused or a Potential Witness Has Been Confined

[2013-01-04 AE114\(WBA,RBS,AAA,MAH\) Motion to Compel Discovery of Information Related to Buildings \(Public\)](#)
[2013-01-18 AE114A Govt Resp to MTC Discovery Related to Buildings in Which the Accused has Been Confined \(Public\)](#)
[2013-01-18 AE114B MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)
[2013-01-25 AE114C Defense Reply to Response to MTC Discovery of Information Related to Buildings \(Public\)](#)
[2013-01-27 AE114D\(WBA\) Notice Pursuant to MCRE 505\(g\)\(1\)\(A\) \(Public\)](#)
[2013-01-27 AE114E \(KSM et al\) Joint Defense Notice of Filing of Exhibits \(Public\)](#)
[2013-04-18 AE114G Notice of Govt's Resp to Def MTC \(Public\)](#)
[2013-05-06 AE114I\(AAA\) MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)
[2013-05-16 AE114I\(KSM\) MCRE 505 Notice \(Public\)](#)

- j. **AE119:** Defense Motion to Dismiss and to Compel a Status Determination pursuant to Article 5 of the Geneva Conventions.

2013-01-10 AE119(MAH) MTD and Compel a Status Determination pursuant to Art 5 of GC
2013-01-25 AE119A Gov Response to Defense MTD and Compel Art 5 Hearing
2013-01-29 AE119B In Camera Under Seal Emergency Motion
2013-01-30 AE119(KSM Sup) Factual Supplement to Notice of Joinder
2013-02-08 AE119C Gov Response to Defense Emerg Motion to Prevent Release of

Unfairly Prej Info in AE119A

2013-02-28 AE119D(MAH, AAA) Reply to Pros Response to Def Mot

2013-02-28 AE119E(MAH,AAA) Reply to Gov Response to AE119C

- k. **AE120:** Government Motion to Make Minor Conforming Changes to the Charge Sheet.

[2013-01-16 AE120 Govt Motion to Make Changes to the Charge Sheet \(Public\) Part 1](#)

[2013-01-16 AE120 Govt Motion to Make Changes to the Charge Sheet \(Public\) Part 2](#)

[2013-01-16 AE120 Govt Motion to Make Changes to the Charge Sheet \(Public\) Part 3](#)

[2013-01-23 AE120-1\(Ext\) Motion for Extension of Time to file Response \(Public\)](#)

[2013-02-28 AE120A\(AAA\) Response To Govt Motion To Amend the Charge Sheet \(Public\)](#)

[2013-02-28 AE120A\(MAH\) Reply to Gov Motion to Amend the Charge Sheet \(Public\)](#)

[2013-03-07 AE120B Govt Consolidated Reply to Def Resp to Govt Motion \(Public\)](#)

[2013-10-18 AE120B Gov't Supp Filing To AE 120 - Gov't Mot To Make Minor Conforming Changes To The Chg Sht \(Public\)](#)

[2013-10-22 AE120-8\(Rul\)\(KSM et al \) Ruling \(Public\)](#)

[2013-11-01 AE120C\(MAH\) Defense Response to Prosecution Supplement to Prosecution Motion to Amend the Charge Sheet \(Public\)](#)

[2013-11-04 AE120C\(AAA\) Supplement to Response To Govt Motion To Amend the Charge Sheet \(Public\)](#)

[2013-11-05 AE120C\(WBA\) Defense Rsp to Gov't Sup to AE120 \(Public\)](#)

[2013-11-12 AE120D Govt Reply to Def Resp to Gov Supp Filing to AE120 \(Public\)](#)

- l. **AE133:** Defense Motion to Remove Sustained Barrier to Attorney-Client Communications and Prohibit Any Electronic Monitoring and Recording of Attorney-Client Communication in Any Location, Including Commission Proceedings, Holding Cells, and Meeting Facilities and to Abate Proceedings.

[2013-01-31 AE133 \(KSM\) Notice of Classified Filing \(Public\)](#)

[2013-02-03 AE133B Notice of Ex Parte Filing Declaration \(Public\)](#)

[2013-02-05 AE133C Def MTC Info Re Govt Ability to Monitor \(Public\)](#)

[2013-02-05 AE133D Emergency Def Motion to Preserve Evidence of Existing Audiovisual](#)

[Configuration \(Part 1\) \(Public\)](#)

[2013-02-05 AE133D Emergency Def Mot to Preserve Evidence of Existing Audiovisual Configuration \(Part 2\) \(Public\)](#)

[2013-02-05 AE133D Emergency Def Mot to Preserve Evidence of Existing Audiovisual Configuration \(Part 3\) \(Public\)](#)

[2013-02-05 AE133D Emergency Def Mot to Preserve Evidence of Existing Audiovisual Configuration \(Part 4\) \(Public\)](#)

[2013-02-06 AE133 \(WBA Sup\) Sup to Emergency Def Motion \(Public\)](#)

[2013-02-06 AE133E Joint Defense Motion to Review Court Reporter Audio Recordings \(Public Part 1\)](#)

[2013-02-06 AE133E Joint Defense Motion to Review Court Reporter Audio Recordings \(Public Part 2\)](#)

[2013-02-06 AE133F \(AAA\) US v KSM et al Defense Notice Pursuant to MCRE 505\(g\)\(1\)\(A\) \(Public\)](#)

[2013-02-06 AE133G \(WBA\) Notice pursuant to 505\(g\)\(1\)\(A\) \(Public\)](#)

[2013-02-06 AE133H AV Preservation Order \(Public\)](#)

[2013-02-07 AE133A Gov Response to Emergency Defense Motion \(Public\)](#)

[2013-02-08 AE133C\(Sup\) Joint Sup to Def MTC Info \(Public\)](#)
[2013-02-08 AE133L Unclass Notice of Gov't's Ex Parte In Camera Motion and Memo for Relief \(Public\)](#)
[2013-02-11 AE133C\(KSM et al 2nd Sup\) Second Joint Supplement to Defense Motion to Compel \(Public\)](#)
[2013-02-11 AE133N\(AAA\) \(corrected\) Motion to Compel Audio System Information \(Public\)](#)
[2013-02-11 AE133U\(KSM\) Welsh E-Mails \(Public\)](#)
[2013-02-12 AE133Q Reply to Gov Response Notice of Filing Monitoring Motion \(Public\)](#)
[2013-02-12 AE133S Notice of Filing of Declaration of CDR Longo \(Public\)](#)
[2013-02-12 AE133T\(AAA\) Schematic \(Public\)](#)
[2013-02-12 AE133V\(KSM\) Photo of Listening \(Public\)](#)
[2013-02-12 AE133W Order Governing Logistics of DC Access to Client \(Public\)](#)
[2013-02-12 AE133X JTF Website Docs \(Public\)](#)
[2013-02-13 AE133AA\(WBA\) 505\(g\)\(1\)\(A\) Notice \(Public\)](#)
[2013-02-13 AE133BB\(MAH\) Visitation Log from E2 \(Public\)](#)
[2013-02-13 AE133Z Notice of Filing of Electronics \(Public\)](#)
[2013-02-22 AE133CC Gov't Resp To Joint Sup Def MTC Info \(Public\)](#)
[2013-03-07 AE133DD\(AAA\) MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)
[2013-04-02 AE031F\(MAH\)-AE032H\(MAH\)-AE133EE\(MAH\) MTC Discovery\(Public\)](#)
[2013-04-16 AE031H-AE032I-AE133FF Govt Resp to Def MTC Discovery \(Public\)](#)
[2013-05-16 AE133DD\(KSM\) MCRE 505 Notice \(Public\)](#)
[2013-05-20 AE133GG Govt Notice to Correct the Record \(Public\)](#)

- m. **AE156:** Government's *Ex Parte, In Camera* Motion and Memorandum for a Second Protective Order Pursuant to M.C.A., 10 U.S.C. §949p-4, and MCRE 505

[2013-04-23 AE156 Gov Ex Parte, In Camera Motion and Memo for a 2nd PO \(Public\)](#)
[2013-05-01 AE156A\(AAA\) Response to Govt Ex Parte Mtn \(Public\)](#)
[2013-05-01 AE156\(Sup\) Gov Ex Parte In Camera Motion and Memo for 2nd PO](#)
[2013-05-02 AE156\(Sup2\) Gov't Sup to Ex Parte, In Camera Motion and Memo for a 2nd Protective Order](#)
[2013-05-03 AE156B Gov't Reply to Def Resp to Gov't Ex Parte, In Camera Motion and Memo for Protective Order \(Public\)](#)
[2013-05-22 AE156-1\(WBA Sup\) Defense Supplement to Mr bin'Attash's Notice of Joinder To AE156-1 \(Public\)](#)
[2013-05-22 AE156F\(AAA\) Ex Parte Under Seal Notice \(Public\)](#)
[2013-06-13 AE156I\(KSM,WBA,AAA\) Defense Reply AE156C \(Public\)](#)

- n. **AE161:** Defense Motion to Require the Government to Comply with MCRE 506 Regarding Redaction of Unclassified Discovery.

[2013-05-09 AE161\(AAA\) Defense Motion for MCRE 506 Compliance \(Public\)](#)
[2013-05-10 AE161A\(AAA\) Defense MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)
[2013-05-16 AE161A\(KSM\) MCRE 505 Notice \(Public\)](#)
[2013-05-30 AE161B Govt Resp to Def Motion Re MCRE 506 \(Public\)](#)
[2013-06-06 AE161C\(AAA\) Reply to Response to Motion for MCRE 506 Compliance \(Public\)](#)

- o. **AE164:** Defense Motion to Stay all Review Under 10 U.S.C. § 949p-4 and to Declare 10 U.S.C. §

949p-4(c) and M.C.R.E. 505(f)(3) Unconstitutional and In Violation of UCMJ and Geneva Conventions.

[2013-05-15 AE164\(WBA\) Defense Motion to Stay all Review Under 10 U S C § 949p-4 and to Declare 10 U S C § 949p-4\(c\) and M C R E 505\(f\)\(3\) Un \(Public\)](#)

[2013-06-05 AE164A Govt Response to Motion to Declare Reconsideration Unconstitutional \(Public\)](#)

[2013-06-12 AE164B\(WBA\) Defense Reply to Govt Resonse to Defense Mot \(Public\)](#)

- p. **AE167:** Defense Motion ot Compel Discovery.

[2013-06-03 AE167\(MAH\) Defense Motion to Compel Discovery \(Public\)](#)

[2013-06-17 AE167A Govt Response to Defense Motion to Compel Discovery \(Public\)](#)

- q. **AE177:** Defense Motion to Compel Production of Discovery of Information Related to Government Intrusion Into Electronic or Physical Spaces Containing Defense-Related and/or Defense-Produced Materials.

[2013-06-19 AE177\(WBA\) Defense Motion to Compel Production of Discovery \(Public\)](#)

[2013-07-09 AE177A Govt Resp to Def MTC Production of Discovery \(Public\)](#)

- r. **AE182:** Defense Motion to Possess and Resume Use of a Microsoft-Enabled Laptop Computer.

[2013-06-25 AE182\(KSM et al\) Defense Motion to Possess and Resume Use of a Microsoft Enabled Laptop Computer \(Public\)](#)

- s. **AE183:** Joint Defense Motion for Telephonic Access for Effective Assistance of Counsel.

[2013-06-25 AE183\(KSM et al\) Defense Motion for Telephonic Access for Effective Assistance of Counsel \(Public\)](#)

[2013-07-09 AE183A Govt Resp To Joint Def Motion for Telephonic Access \(Public\)](#)

[2013-07-16 AE183B\(KSM WBA MAH AAA RBS\) Joint Defense Reply \(Public\)](#)

- t. **AE190:** Defense Motion to Compel Production of Information Relating to Statements Made by Mr. al Baluchi or Potential Witness at a Detention Facility.

[2013-07-26 AE0190\(WBA\) Joinder to AE190 \(AAA\) Defense MTC Production of Info Relating to Stmnts Made by Mr al Baluchi or Potential Witness at a Detention Fac \(Public\)](#)

[2013-07-31 AE190A\(AAA\) MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)

[2013-08-08 AE190\(MAH\) Notice of Joinder to AE 190\(AAA\) - MTC Information or Witness at a Detention Facility \(Public\)](#)

[2013-08-16 AE190D Govt Resp to Def MTC of Info Relating to Statements at Detention Facility \(Public\)](#)

- u. **AE191:** Joint Defense Motion to Compel Production of Information.

[2013-07-19 AE191\(AAA\) UNCLASSIFIED NOTICE Defense Motion to Compel Production of Information \(Public\)](#)

[2013-07-26 AE0191\(WBA\) Joinder to AE191 \(AAA\) Defense Motion to Compel](#)

[Production of Information \(Public\)](#)

[2013-07-31 AE191A\(AAA\) MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)

[2013-08-07 AE191\(MAH\) Notice of Joinder to AE 191 \(AAA\) Defense Motion to Compel Production of Information \(Public\)](#)

- v. **AE192:** Motion to Disqualify the Legal Advisor Due to Unlawful Interference with the Professional Judgment of the Chief Defense Counsel and Detailed Military Defense Counsel.

[2013-07-23 AE 192\(MAH\) Def Motion to Disqualify CA's LA Due to UI with Prof Jdgmt of CDC and LDC \(Public\)](#)

[2013-08-01 AE192\(WBA\) Joinder to AE192 \(MAH\) Def Motion to Disqualify CA's LA Due to UI with Prof Jdgmt of CDC and LDC \(Public\)](#)

[2013-08-13 AE192B Govt Resp to Def Motion to Disqualify \(Public\)](#)

[2013-08-20 AE192C\(MAH\) Defense Reply to Government Response to Defense Motion \(Public\)](#)

[2013-08-21 AE192\(WBA Sup\) to Supplement AE192\(WBA\) \(Public\)](#)

[2013-08-22 AE192D Order \(Public\)](#)

[2013-11-06 AE192F\(KSM et al \) ORDER \(Public\)](#)

- w. **AE194:** Defense Motion to Compel Discovery of Mr. al Baluchi's Statements.

[2013-07-24 AE194\(AAA\) Defense Motion to Compel Discovery of Mr al Baluchi's Statements \(Public\)](#)

[2013-08-06 AE194A\(AAA\) Unclassified Notice of Defense Notice Pursuant to MCRE 505\(g\)\(1\)\(A\) \(Public\)](#)

[2013-08-21 AE194C Govt Resp to Def MTC Ali's Statements \(Public\)](#)

[2013-08-29 AE194D\(AAA\) Defense Reply to Gov Response AE194C \(Public\)](#)

- x. **AE195:** Joint Notice of Defense Motion to Compel Production of Communications Between Government and Filmmakers of Zero Dark Thirty.

[2013-07-31 AE195\(AAA\) Notice of Defense Motion to Compel Production \(Part 1 of 6\) \(Public\)](#)

[2013-07-31 AE195\(AAA\) Notice of Defense Motion to Compel Production \(Part 2 of 6\) \(Public\)](#)

[2013-07-31 AE195\(AAA\) Notice of Defense Motion to Compel Production \(Part 3 of 6\) \(Public\)](#)

[2013-07-31 AE195\(AAA\) Notice of Defense Motion to Compel Production \(Part 4 of 6\) \(Public\)](#)

[2013-07-31 AE195\(AAA\) Notice of Defense Motion to Compel Production \(Part 5 of 6\) \(Public\)](#)

[2013-07-31 AE195\(AAA\) Notice of Defense Motion to Compel Production \(Part 6 of 6\) \(Public\)](#)

[2013-08-06 AE195A\(AAA\) Defense Notice Pursuant to MCRE 505\(g\)\(1\)\(A\) \(Public\)](#)

[2013-08-21 AE195C Govt Resp To Def MTC Production \(Public\)](#)

[2013-09-13 AE195E\(AAA\) Defense Notice Pursuant to MCRE 505\(g\)\(1\)\(A\) \(Public\)](#)

- y. **AE196:** Motion to Disqualify the Chief of Operations, Office of Military Commissions, Due to Unlawful Interference with the Professional Judgment of the Chief Defense Counsel and Detailed

Learned Military Counsel.

[2013-07-30 AE196\(MAH\) Motion to Disqualify the Chief of Operations OMC Due to Unlawful Interference with the Prof Judgment of the CDC and DLM \(Public\)](#)

[2013-08-13 AE196A Govt Resp to Def Motion to Disqualify the Chief of Operations Office of Military Commissions \(Public\)](#)

[2013-08-20 AE196B\(MAH\) Defense Reply To Government Response To Defense Motion \(Public\)](#)

[2013-11-06 AE196E\(KSM et al\) ORDER \(Public\)](#)

- z. **AE200:** Defense Motion to Dismiss Because Amended Protective Order #1 Violates the Convention Against Torture.

[2012-05-18 AE013G\(AAA\) Unclassified Notice of Filing \(Public\) \(O&E only\)](#)

[2013-08-12 AE200\(MAH RBS WBA\) MTD Due to Violations of CAT \(Public\)](#)

[2013-09-10 AE200A\(MAH\) MTC Discovery Req of May 29 2013 \(Saudi e-mails\) \(Public\)](#)

[2013-09-13 AE200B\(MAH\) Notice of Intent to Disclose Classified Information \(Public\)](#)

[2013-09-17 AE200\(MAH Sup\) Def Supplemental Exhibit \(Public\)](#)

[2013-09-19 AE200C\(AAA\) MCRE 505\(g\)\(1\)\(A\) Notice \(Public\)](#)

[2013-09-25 AE200E Govt Resp to Defense MTC Discovery \(Public\)](#)

[2013-10-03 AE200F Govt Resp to Defense MTD Because Amended PO1 Violates CAT \(Public\)](#)

[2013-10-04 AE200G\(KSM, AAA\) MTC to Call Dr. Nowak as a Witness \(Public\)](#)

[2013-10-10 AE200H\(AAA\) Reply to Response to MTD for Violation of CAT \(Public\)](#)

[2013-10-17 AE200K \(Mohammad\) Defense Response to AE200F Gov't Resp To Def Mot to Dismiss Because Amended Protective Order \(Public\)](#)

[2013-10-18 AE200L Govt Resp to Def MTC the Pros to Allow the Def to Call Dr. Manfred Nowak as a Witness \(Public\)](#)

[2013-10-18 AE200M\(KSM\) MTC the Production of Witnesses \(Public\)](#)

[2013-10-25 AE200S\(KSM, AAA\) Defense Reply to Govt Resp to MTC Dr Nowak \(Public\)](#)

[2013-11-01 AE200U Govt Resp to Def MTC Production of Witness re Medical Evidence \(Public\)](#)

[2013-11-03 AE200Y\(AAA\) Def Reply to Gov Response to Def MTC Production of Med Witnesses \(Public\)](#)

[2013-11-04 AE200W Govt Response To Defense MTC the Production of Medical Witnesses \(Public\)](#)

[2013-11-07 AE200Z \(Rul\) \(KSM et al \) Ruling \(Public\)](#)

[2013-11-08 AE200AA\(KSM\) KSM Reply to Government Response to Defense Motion to Compel the Production of Witnesses to Testify Regarding the Med \(Public\)](#)

[2013-11-25 AE200CC\(KSM et al\) ORDER \(Public\)](#)

[2013-11-25 AE200DD \(KSM et al\) ORDER \(Public\)](#)

- aa. **AE206:** Mr. Mohammed's Motion to Cease Daily Intrusive Searches of Living Quarters and

Person.

[2013-08-16 AE206\(KSM\) Motion to Cease Daily Intrusive Searches of Living Quarters \(Public\)](#)

[2013-09-25 AE206D Govt Resp To Def Motion to Cease Daily Searches of Living Quarters and Person \(Public\)](#)

[2013-10-02 AE206E\(Mohammad\) Defense Reply to Government's Response to Defense Motion to Cease Daily Searches of Living Quarters and Per \(Public\)](#)

- bb. **AE209:** Defense Motion for Appropriate Relief to Permit Attorney-Client Communications Following R.M.C. 802 Conferences.

[2013-08-21 AE209\(WBA\) Motion For Appropriate Relief To Permit Attorney-Client Communications Following R M C 802 Conferences \(Public\)](#)

[2013-09-24 AE209C Gov Response to Mot For Appropriate Relief To Permit AC Comms Following 802 Conf \(Public\)](#)

[2013-10-01 AE209D\(WBA\) Defense Reply to Govt Response to Def Mot \(Public\)](#)

- cc. **AE214 (MAH):** Defense Motion to Compel Mr. Hawsawi's Access to the Government of Saudi Arabia in Compliance with United States Law

[2013-08-28 AE214\(MAH\) Def MTC Def Access to the Gov of SA in Compliance with US Law \(Public\)](#)

[2013-09-10 AE214A\(MAH\) MTC Discovery Req of May 29 2013 \(Saudi e-mails\) \(Public\)](#)

[2013-09-25 AE214C Govt Resp to Defense MTC Discovery \(Public\)](#)

[2013-09-27 AE214D\(MAH\) Defense Reply to Government Response to Compel Mr Hawsawi's Access to the Government of Saudi Arabia in Compliance wi \(Public\)](#)

- dd. **AE227 (MAH):** Defense Motion to Compel filed Under Seal

[2013-10-10 AE227A Govt Resp to Def MTC Sharing Unclass Discovery \(Public\)](#)

[2013-10-17 AE227B\(MAH\) Defense Reply to Govt Response to Defense MTC \(Public\)](#)

- ee. **AE231 (AAA):** Defense Motion to Require Government to Declare Whether Mr. al Baluchi May Be Meaningfully Acquitted

[2013-10-03 AE231\(AAA\) Motion to Require Govt to Declare Meaningful Acquittal \(Public\)](#)

[2013-10-18 AE231A Govt Resp to Defense Mot to Require Govt to Declare Meaningful Acquittal \(Public\)](#)

- ff. **AE232 (AAA):** Mr. al Baluchi's Motion to Authorize Counsel to Provide Classified Information to Appropriately Cleared Members of the Legislative Branch

[2013-10-04 AE232\(AAA\) Motion to Authorize Counsel to Provide Classified Info to Congress \(Public\)](#)

[2013-10-18 AE232A Govt Resp to Defense Motion for Authorization to Provide Classified Information \(Public\)](#)

[2013-11-01 AE232B\(AAA\) Reply to Gov Response to Def Motion for Authorization \(Public\)](#)

gg. **AE246 (AAA)**: Motion to Compel Discovery Related to Abdul Samad Din Mohammed

[2013-11-12 AE246\(AAA\) MTC Info re Abdul Samad Din Mohammed \(Public\)](#)

5. An R.M.C. 802 Session will be held at **1600** on Saturday, 14 December 2013, to discuss the sequence of argument and changes to the Docketing Order.

6. If either side believes other issues should be addressed, either at the M.C.R.E. 505(h) hearing or the session of the Commission, they may request the Commission to amend this order.

7. The time which has transpired since arraignment until the date of the next session (17 December 2013) 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.