

REPLY EXHIBIT A

Wells Dixon

From: Barish, Daniel (CIV) <Daniel.Barish@usdoj.gov>
Sent: Wednesday, April 30, 2014 12:52 PM
To: Wells Dixon; Warden, Andrew (CIV)
Cc: Shane Kadidal
Subject: RE: Ameziane -- Request for Discovery

Wells -

We cannot agree to your discovery requests set forth below. As explained in our opposition to your motion for return of personal property, Petitioner's claim for return of personal property is not cognizable in habeas and the Court lacks jurisdiction over this non-habeas claim. See 28 U.S.C. sec. 2241(e)(2). Therefore, your discovery requests are irrelevant. Additionally, these discovery requests do not meet the requirements of section I.E.2 of the Amended Case Management Order. In any event, the policy concerning return of detainee property, while not the subject of a formal DoD issuance (see <http://www.dtic.mil/whs/directives/corres/ins1.html> <<http://www.dtic.mil/whs/directives/corres/ins1.html>>) or similar formal document, is explained in Mr. Liotta's declaration.

Please let us know if you will be seeking an extension and how long of an extension you will be seeking. Thank you.

Dan

From: Wells Dixon [<mailto:WDixon@ccrjustice.org>]
Sent: Friday, April 25, 2014 4:31 PM
To: Barish, Daniel (CIV); Warden, Andrew (CIV)
Cc: Shane Kadidal
Subject: Ameziane -- Request for Discovery

Dan, Andrew --

I am writing further to Mr. Ameziane's motion to compel the return of his personal property. In its opposition brief and supporting declaration by Jay Alan Liotta, the government cites a DOD policy to retain money held by Guantanamo detainees at the time of their capture regardless of the facts and circumstances of their individual cases, including whether they have prevailed in habeas. I request that you produce to us a copy of the policy and all related documents, including without limitation the basis for the government's claim that the policy is "analogous" to the statutory requirements of the 2014 NDAA (which, as you know, do not apply to detainees who have prevailed in habeas). I also request that you make Mr. Liotta available for a deposition so that we may question him about the DOD policy and determine whether or to what extent that policy should be afforded any deference by the Court.

I would appreciate if you would please let me know as soon as possible whether the government will agree to these requests, so that we can determine whether it may be necessary to seek further relief from the Court.

Thanks --

Wells

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