

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN CIVIL LIBERTIES UNION, CENTER FOR
CONSTITUTIONAL RIGHTS, PHYSICIANS FOR HUMAN
RIGHTS, VETERANS FOR COMMON SENSE, AND
VETERANS FOR PEACE,

Plaintiffs,

v.

DEPARTMENT OF DEFENSE, AND ITS COMPONENTS
DEPARTMENT OF ARMY, DEPARTMENT OF NAVY,
DEPARTMENT OF AIR FORCE, DEFENSE INTELLIGENCE
AGENCY; DEPARTMENT OF HOMELAND SECURITY;
DEPARTMENT OF JUSTICE, AND ITS COMPONENTS
CIVIL RIGHTS DIVISION, CRIMINAL DIVISION, OFFICE
OF INFORMATION AND PRIVACY, OFFICE OF
INTELLIGENCE POLICY AND REVIEW, FEDERAL
BUREAU OF INVESTIGATION; DEPARTMENT OF STATE;
AND CENTRAL INTELLIGENCE AGENCY,

Defendants.

DOCKET NO.: 04-CV-4151 (AKH)

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DECLARATION OF ALICIA L. BANNON

Alicia L. Bannon, pursuant to penalty of perjury under 28 U.S.C. § 1746, does hereby state the following:

1. I am an attorney with the law firm Gibbons P.C. and counsel to Plaintiffs in the above-captioned matter. I submit this declaration in support of Plaintiffs' Supplemental Memorandum of Law in Support of Plaintiffs' Motion for Contempt and Sanctions.

2. Attached to this declaration is a true and correct copy of the following exhibits:

- Exhibit 1 Inventory and Review of Interrogation Videotapes (Undated)
- Exhibit 2 Office of the Inspector General, Central Intelligence Agency, *Special Review: Counterterrorism Detention and Interrogation Activities* (May 7, 2004)
- Exhibit 3 List of Contemporaneous and Derivative Records (May 18, 2009)

- Exhibit 4 Office of the Inspector General, Department of Justice, A Review of the FBI's Involvement in and Observations of Detainee Interrogations in Guantanamo Bay, Afghanistan, and Iraq (May 2008) (excerpted)
- Exhibit 5 Scott Shane, *Divisions Arose on Rough Tactics for Qaeda Figure*, N.Y. Times, Apr. 18, 2009
- Exhibit 6 Mark Mazzetti, *C.I.A. Document Details Destruction of Tapes*, N.Y. Times, Apr. 16, 2010
- Exhibit 7 ICRC Report on the Treatment of Fourteen "High Value Detainees" in CIA Custody (Feb. 2007)
- Exhibit 8 Dana Priest, *CIA Avoids Scrutiny of Detainee Treatment*, Wash. Post, Mar. 3, 2005; Adam Goldman & Kathy Gannon, *Death Shed Light on CIA 'Salt Pit' Near Kabul*, Associated Press, Mar. 28, 2010
- Exhibit 9 Scott Shane & Mark Mazzetti, *Tapes by C.I.A. Lived and Died to Save Image*, N.Y. Times, Dec. 30, 2007
- Exhibit 10 Final Report of Postmortem Investigation (Dec. 6-8, 2002)
- Exhibit 11 Vaughn Index, Nov. 20, 2009, No. 20 (Cable, April 17, 2002)
- Exhibit 12 Email (Apr. 27, 2002)
- Exhibit 13 Email (Jan. 13, 2003)
- Exhibit 14 Vaughn Index, Nov. 20, 2009, No. 55 (Email, Sept. 6, 2002)
- Exhibit 15 Cable (Oct. 25, 2002)
- Exhibit 16 Vaughn Index, Nov. 20, 2009, No. 50 (Email, Nov. 15, 2002)
- Exhibit 17 Memorandum, Review of Interrogation Videotapes (Jan. 9, 2003)
- Exhibit 18 Memorandum (Undated)
- Exhibit 19 Vaughn Index, Nov. 20, 2009, No. 34 (Email, Jan. 12, 2003)
- Exhibit 20 Vaughn Index, Nov. 20, 2009, No. 36 (Email, Jan. 12, 2003)
- Exhibit 21 Letter from Rep. Jane Harman to CIA General Counsel Scott Muller, Feb. 10, 2003
- Exhibit 22 Vaughn Index, Nov. 20, 2009, No. 28 (Email, Feb. 22, 2003)
- Exhibit 23 Letter from CIA General Counsel Scott Muller to Rep. Jane Harman, Feb. 23, 2003

- Exhibit 24 Vaughn Index, Nov. 20, 2009, No. 31 (Email, Apr. 12, 2004)
- Exhibit 25 Michael Isikoff, *CIA Faces Second Probe Over Tape Destruction*, MSNBC, Nov. 10, 2010
- Exhibit 26 Apr. 18, 2005 Order Granting CIA's Motion for Partial Relief (Doc. No. 86)
- Exhibit 27 Letter from John L. McPherson to Jennifer Ching, Apr. 15, 2005
- Exhibit 28 Letter from Jennifer G. Loy to Megan Lewis, July 15, 2005
- Exhibit 29 Vaughn Index, Nov. 20, 2009, No. 26 (Email, Nov. 10, 2004)
- Exhibit 30 Vaughn Index, Nov. 20, 2009, No. 27 (Email, July 28, 2005)
- Exhibit 31 Timeline Regarding Destruction of Abu Zubaydah Videotapes (Undated)
- Exhibit 32 Mark Mazzetti & Scott Shane, *Bush Lawyers Discussed Fate of C.I.A. Tapes*, N.Y. Times, Dec. 19, 2007
- Exhibit 33 Rebecca Leung, *Abuse of Iraqi POWs by GIs Probed*, CBS News, Apr. 28, 2004
- Exhibit 34 Dana Priest, *Justice Dept. Memo Says Torture 'May Be Justified'*, Wash. Post, June 13, 2004
- Exhibit 35 Adam Goldman and Matt Apuzzo, *Guantanamo Prisoners Moved Early [sic] than Disclosed*, Wash. Post., Aug. 7, 2010
- Exhibit 36 Seth Hettena, *Reports Detail Abu Ghraib Prison Death; Was It Torture?*, Associated Press, Feb. 17, 2005
- Exhibit 37 Statement of Senator Jay Rockefeller, Dec. 7, 2007
- Exhibit 38 Dana Priest, *CIA Holds Terror Suspects in Secret Prisons*, Wash. Post, Nov. 2, 2005
- Exhibit 39 CIA Destroyed Terrorism Suspect Videotapes, MSNBC, Dec. 7, 2007
- Exhibit 40 Letter from U.S. Attorney Chuck Rosenberg to the Hon. Leonie M. Brinkema (Oct. 25, 2007)
- Exhibit 41 Cable (Nov. 8, 2005)
- Exhibit 42 Cable (Nov. 8, 2005)
- Exhibit 43 Douglas Jehl, *Report Warned C.I.A. on Tactics in Interrogation*, N.Y. Times, Nov. 9, 2005
- Exhibit 44 Cable (Nov. 9, 2005)

- Exhibit 45 Email to Dusty Foggo (Nov. 10, 2005)
- Exhibit 46 Email to Dusty Foggo (Nov. 10, 2005)
- Exhibit 47 Statement by Director of the Central Intelligence Agency, General Mike Hayden (Dec. 6, 2007)
- Exhibit 48 Mark Mazzetti, *C.I.A. Destroyed 2 Tapes Showing Interrogations*, N.Y. Times, Dec. 7, 2007
- Exhibit 49 Mark Mazzetti and David Johnston, *Justice Dept. Sets Criminal Inquiry on C.I.A. Tapes*, N.Y. Times, Jan. 3, 2008
- Exhibit 50 Mark Mazzetti and Charlie Savage, *No Criminal Charges Sought over C.I.A. Tapes*, N.Y. Times, Nov. 9, 2010
- Exhibit 51 Jan. 14, 2011 Transcript
- Exhibit 52 Mark Mazzetti and Scott Shane, *Jose Rodriguez, Center of Tapes Inquiry, Was Protective of His CIA Subordinates*, N.Y. Times, Feb. 20, 2008

Dated: February 15, 2011
Newark, NJ

/ALB/
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