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17 *Attorneys for Plaintiffs*

18 UNITED STATES DISTRICT COURT
19 FOR THE EASTERN DISTRICT OF WASHINGTON

20 SULEIMAN ABDULLAH SALIM,
21 MOHAMED AHMED BEN SOUD,
22 OBAIDULLAH (AS PERSONAL
23 REPRESENTATIVE OF GUL RAHMAN),

24 Plaintiffs,

25 v.

26 JAMES ELMER MITCHELL and JOHN
"BRUCE" JESSEN

Defendants.

2:15-CV-286-JLQ

**PLAINTIFFS'
EXHIBIT LIST**

Trial Date: September 5, 2017

1 In accordance with the Court's May 30, 2017 Order re: Pretrial Filings
 2 and Extending Deadlines (ECF No. 187), Plaintiffs hereby designate the below
 3 list of exhibits for trial. Plaintiffs reserve the right to supplement or amend their
 4 exhibit list based upon any future alteration or amendment to Defendants'
 5 exhibit list, or any rulings or other court decisions that may affect the scope of
 6 evidence in this trial.
 7

8 These disclosures are not an admission that each exhibit will be
 9 introduced at trial. By including documents as exhibits on this list, Plaintiffs do
 10 not agree they are admissible. Plaintiffs preserve any and all objections to
 11 admissibility, including but not limited to authenticity, foundation, relevance,
 12 undue prejudice. Plaintiffs also preserve the right to argue that an exhibit is
 13 admissible only for limited purposes.
 14

No.	Date	Document Description	Bates Range
Cables* [1-75]			
1	November 2002	Subject: Eyes Only - For CTC/UBL - Mental Status Examination and Recommended Interrogation Plan for Gul Rahman	001056-001058
2	November 2002	Subject: Eyes Only - Course of Action for Future Handling of Gul Rahman	001066-001067
3	November 2002	Subject: Eyes Only - Non Compliance of Gul Rahman COBALT	001072-001074
4	November 2002	Subject: Eyes Only - Gul Rahman Admits His Identity	001075-001077
5	December 2002	[Redacted] Interview of [CIA Staff Officer] December 2002	001081-001098

No.	Date	Document Description	Bates Range
6	June 16, 2003	Subject: SMD/RDG Tasking for IC Psychologists Jessen and Mitchell	001102-001108
7	July 2002	Subject: Eyes Only - Post-Isolation Phase of the Abu Zubaydah Interrogations	001158-001161
8	July 2002	RE: Formal Authorization to Proceed with Portions of Next Phase of Abu Zubaydah Interrogation	001162-001166
9	January 31, 2003	Subject: Eyes Only - DCI Guidelines for the Conduct of Interrogations	001170-001174
10	May 7, 2004	CIA Inspector General Special Review (TS//[Redacted]) Counterterrorism Detention and Interrogation Activities (September 2001 - October 2003)	001335-001493
11	2008	Subject: Confirmation that USMIL Has Reclassified Tanzanian Detainee Abdullah Suleiman as NLEC, Scheduled for Transfer in Near Future	001528-001529
12		Chronology of Significant Events	001547-001549
13		Bios [Redacted]	001551-001587
14	May 28, 2003	Subject: Availability of [Redacted] Psychologist Jim Mitchell/Role of Mitchell and Jessen	001588
15	May 2002	Route Subject: Eyes Only -- Contract Extension for IC SERE Psychologist	001589-001590
16	January 17, 2003	Subject: Eyes only - per your request	001591-001593
17		Chronology of CIA High-Value Detainee Interrogation Technique	001595-001609

No.	Date	Document Description	Bates Range
18		Subject: Eyes Only - Lessons for the Future	001610-001615
19	February 1, 2003	Subject: Qualifications to provide special mission interrogation consultation; From: James E. Mitchell, Ph.D.	001616-001618
20		CIA's Use of Contract Interrogators/Debriefers	001624-001625
21		(TS/[Redacted]/NF) Role of Mitchell, Jessen, and Associates in CTC/[Redacted]/RDG program	001629-001630
22	June 2002	Subject: Eyes Only - The Next Phase of the Abu Zubaydah Interrogations	001641-001647
23	October 23, 2006	Subject: Eyes Only - [Redacted] On Abu Zubaydah as of 1900 Hours (local time) 26 July 2002	001651-001652
24	August 2, 2002	Subject: Eyes Only - [Redacted] On Abu Zubaydah as of 1900 Hours (local time) 2 August 2002	001653-001662
25	July 2002	Subject: Eyes Only - Increased Pressure in the Next Phase of the Abu Zubaydah Interrogations	001656-001662
26	June 2002	Subject: Eyes Only - [Redacted] on Abu Zubaydah as of 2300 Hours (Local Time) 18 June 2002	001667-001671
27	August 4, 2002	Subject: Eyes Only - Details re Initial Cycle of Interrogations Of Abu Zubaydah	001755-001759
28	August 3, 2002	Subject: Eyes Only - Formal Approval For the Next Phase	001760-001765
29	May 2002	Subject: Eyes Only - Parameters on Confinement Box Usage	001766-001769
30	July 2002	Subject: Eyes Only - Comments on Proposed Enhanced Interrogation	001770-001772

No.	Date	Document Description	Bates Range
31	April 2002	Subject: Eyes only - COS: Support Plan for Interrogation of Abu Zubaydah	001779-001787
32	September 22, 2002	Subject: Re: Setting up for interrogations	001788-001792
33	August 2002	Subject: Eyes Only - Details re 05 August 02 Cycle of Interrogations of Abu Zubaydah	001799-001802
34	August 2002	Subject: Eyes Only - Details re 06 August 02 Cycle of Interrogation of Abu Zubaydah	001803-001806
35	August 2002	Subject: Eyes Only - [Redacted] on Abu Zubaydah as of 2000 Hours (Local Time) 18 Aug. 2002	001807-001808
36	July 2002	Subject: Eyes only - [Redacted] on Abu Zubaydah as of 1900 Hours (Local Time) 18 July 2002	001809-001810
37	June 2002	Subject: Eyes only - [Redacted] on [Redacted] as of 2300 Hours (Local Time) 19 June 2002	001811-001812
38	April 2002	Subject: Eyes Only - Approval for Request to Use [Redacted] Box for Psychological and Behavioral [Redacted] Process	001823-001824
39	April 2002	Subject: Eyes only - Interrogation Plan [Redacted]	001825-001828
40	July 2002	Subject: Eyes only - Next Phase of Abu Zubaydah Interrogations	001839-001840
41	July 2002	Subject: Eyes Only - Additional Operational and Security Considerations for the Next Phase of Abu Zubaydah Interrogation	001841-001845
42	July 2002	Subject: Eyes Only - Outline of Abu Zubaydah Interrogation Team Discussion [Redacted] Re Next Phase of the Operation	001846-001847

No.	Date	Document Description	Bates Range
43		Subject: Re: MENTAL STATUS EXAMINATION AND RECOMMENDED INTERROGATION PLAN FOR GUL RAHMAN	001865-001870
44	July 2002	Subject: Eyes Only - HQs Feedback on Issues Pending for Interrogations of Abu Zubaydah	001871-001874
45		Subject: Re: Eyes Only - Interrogation Support	001891-001892
46		1. How much has the CIA paid Mitchell and Jessen since 2002?	001906-001907
47		MJA (Mitchell, Jessen & Associates)	001908-001910
48	July 2002	Subject: Eyes Only - HQs Feedback on Status of Enhanced Interrogation Approval	001913-001914
49	April 2002	Subject: Eyes Only - [Redacted] Interrogation Strategy for Abu Zubaydah	001923-001925
50	July 2003	Subject: Eyes Only - Interrogation/Psychological Assessment of Abu Zubaydah	001928-001930
51	May 2002	Subject: Eyes Only - Adjustment to the Abu Zubaydah Interrogation Strategy	001931-001934
52	August 2002	Subject: Eyes Only - Details Re 07 August 2002 Cycle of Interrogations of Abu Zubaydah	001942-001944
53	August 2002	Subject: Eyes Only - Details of 8 August 202 Cycle of Interrogations of Abu Zubaydah	001945-001948
54	August 2002	Subject: Eyes Only - Details of 9 August 2002 Cycle of Interrogations of Abu Zubaydah	001949-001954

No.	Date	Document Description	Bates Range
55	August 2002	Subject: Eyes Only - [Redacted] on Abu Zubaydah as of 2300 Hours (Local Time) 10 August 2002	001955-001956
56	August 2002	Subject: Eyes Only - Details of 11 August 2002 Cycle of Interrogations of Abu Zubaydah	001957-001960
57	August 2002	Subject: Eyes Only - Details of 12 August 2002 Cycle of Interrogations of Abu Zubaydah	001961-001965
58	August 2002	Subject: Eyes Only - Details of 15 August 2002 Cycle of Interrogations of Abu Zubaydah	001966-001974
59	April 7, 2002	Subject: Eyes Only - Behavioral Interrogation Team Sit Report	001999-002000
60	April 2002	Subject: Eyes Only - Abu Zubaydah: Establishing the Information Collection Priorities	002001-002005
61	April 1, 2002	Subject: Eyes Only - Countermeasures to Al-Qa'ida Resistance To Interrogation Techniques	002006-002014
62	May 2002	Subject: Eyes Only - Plans to Increase Pressure on Abu Zubaydah	002015-002018
63	August 2002	Subject: Eyes Only - Status of Interrogation Phase	002019-002023
64	December 2002	Subject: Eyes Only - Legal Background on the Use of Enhanced Interrogation Techniques	002027-002030
65	April 2002	Subject: Eyes Only - Updated Interrogation Plan for Abu Zubaydah	002144-002147
66	May 2002	Subject: Eyes Only - Summary of Abu Zubaydah Interrogation Status [Redacted}	002166-002168

No.	Date	Document Description	Bates Range
67	August 10, 2002	Subject: Eyes Only - [Redacted] Team Assessment of Current Status of the Aggressive Interrogation Strategy of Abu Zubaydah	002340-002342
68	August 11, 2002	Subject: Eyes Only - Comments on Progress with Abu Zubaydah Interrogation: Let's Stay the Course	002345-002347
69	August 13, 2002	Subject: Eyes Only - Follow-Up on the 13 August VTC	002356-002358
70	August 14, 2002	Subject: Eyes Only - SITREP on Abu Zubaydah as of [Redacted] 14 August 2002	002363-002365
71	August 16, 2002	Subject: Eyes Only - SITREP on Abu Zubaydah as of [Redacted] 16 August 2002	002366-002368
72	August 18, 2002	Subject: Eyes Only - Details of 17 August Interrogation of Abu Zubaydah: [Redacted]	002372-002378
73	August 19, 2002	Subject: Eyes Only - SITREP on Abu Zubaydah as of [Redacted] 19 August 2002	002379-002381
74	August 23, 2002	Subject: Eyes Only - Status of the Aggressive Interrogation Phase; Transition into Maintenance and Long Term Debriefing	002382-002384
75	August 28, 2002	Subject: Eyes Only - Status of the Interrogations	002388-002390

*For these documents, and the documents listed in the 300 series below, Plaintiffs intend on using the re-processed version where applicable.

Publications (Government Reports/Books/Articles) [100-128]**

100	July 2, 2015	Sidley Austin Report to the Special Committee of the Board of Directors of the American Psychological Association,	<i>Available at</i> https://www.apa.org/independent-review/APA-
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		<i>Independent Review Relating to the APA Ethics Guidelines, National Security Interr.& Torture</i>	FINAL-Report-7.2.15.pdf
No.	Date	Document Description	Bates Range
101	August 11, 2009	Scott Shane, <i>2 U.S. Architects of Harsh Tactics in 9/11 Wake</i>	Available at http://www.nytimes.com/2009/08/12/us/12psychs.html
102	November 20, 2008	Report of the Committee on Armed Services, United States Senate, 110th Cong., 2d Sess., <i>Inquiry Into the Treatment of Detainees in U.S. Custody</i>	Available at https://www.armed-services.senate.gov/imo/media/doc/Detainee-Report-Final_April-22-2009.pdf
103	December 3, 2014 (declassification revisions)	Senate Select Committee on Intelligence: <i>Committee Study of the Central Intelligence Agency's Detention and Interrogation Program</i>	Available at https://fas.org/irp/congress/2014_rpt/ssci-rdi.pdf
104	September 5, 2006	Aljazeera, <i>The Dark Prisoners: Inside the CIA's Torture Programme</i>	Available at http://www.aljazeera.com/indepth/features/2016/03/dark-prisoners-cia-torture-programme-160326051331796.html
105	December 12, 2014	The Daily Beast, <i>The Luxury Homes That Torture and Your Tax Dollars Built</i>	Available at http://www.thedailybeast.com/the-luxury-homes-that-torture-and-your-tax-dollars-built

No.	Date	Document Description	Bates Range
106	July 24, 2016	Mohamed Al-Shoreiya Ben Soud, <i>Memoirs of a Prisoner in the Land of the Free</i>	Plaintiffs' production
107		John Rizzo, <i>Company Man</i>	
108		Jose Rodriguez, <i>Hard Measures</i>	
109	October 9, 2016	NYT, <i>How U.S. Torture Left a Legacy of Damaged Minds</i>	Available at https://www.nytimes.com/2016/10/09/world/cia-torture-guantanamo-bay.html?_r=0
110	November 14, 2016	The Daily Beast, <i>Trump Backer Pushes for New CIA "Enhanced Interrogation"</i>	Available at http://www.thedailybeast.com/trump-backer-pushes-for-new-cia-enhanced-interrogation
111	September 28, 1992	Department of the Army Field Manual, FM 34-52 "Intelligence Interrogation"	Available at https://fas.org/irp/doddir/army/fm34-52.pdf
112	October 20, 2011	Remarks by the President on the Death of Muammar Qaddafi	ECF 183-7
113	February 2005	Interrogation and Coercive Physical Pressures: <i>A Quick Overview</i> ; James E. Mitchell, Ph.D. & John B. Jessen, Ph.D.	002285-002291
114	May 7, 2004	CIA Inspector General Special Review (TS//[Redacted]) Counterterrorism Detention and Interrogation Activities (September 2001 - October 2003)	001335-001493
115	April 27, 2005	CIA Inspector General REPORT OF INVESTIGATION; DEATH OF A DETAINEE IN [Redacted]	001267-001334

No.	Date	Document Description	Bates Range
116		Summary and Reflections of Chief of Medical Services on OMS Participation in the RDI Program	001178-001266
117	July 29, 2009	DOJ Office of Professional Responsibility Report Investigation into the Office of Legal Counsel's Memoranda Concerning Issues Relating to the Central Intelligence Agency's Use of "Enhanced Interrogation Techniques" on Suspected Terrorists	000602-000868
118	February 22, 2008	APA Reaffirmation of the American Psychological Association Position Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment and its Application to Individuals Defined in the United States Code as "Enemy Combatants"	<i>Available at</i> http://www.apa.org/about/policy/torture.aspx
119		Jane Mayer, <i>The Dark Side</i>	
120		<i>Torture and its Consequences: Current Treatment Approaches</i> , edited by Metin Basoglu, Cambridge University Press, 1992	
121		Department of Defense, <i>Pre-Academic Laboratory (PREAL) Operating Instructions</i>	<i>Available at</i> https://info.publicintelligence.net/DoD-PREAL.pdf
122		Interrogating the Enemy: The Story of the CIA's Interrogation of Top al Qa'ida Terrorists; By: James E. Mitchell, Ph.D.; Architect of the CIA Interrogation Program (Non-confidential manuscript)	MJ00022577- MJ00022942

No.	Date	Document Description	Bates Range
123		SERE Psychology Handbook	
124	Video/ Transcript	60 Minutes, <i>Hard Measures</i> (Parts 1 & 2)	Available at https://www.youtube.com/watch?v=MC9PP94f4OQ
125	Video	CBS This Morning, <i>Inside Interrogation</i>	Available at https://www.youtube.com/watch?v=J7bk6oejLhw
126	May 1, 2012	Sean Hannity Interview of Jose Rodriguez	Available at https://www.youtube.com/watch?v=XIO1OLOrQ1A
127		Vice Interview of James E. Mitchell	Available at https://news.vice.com/video/the-architect-vice-news-interviews-james-mitchell
128	January 3, 2017	James E. Mitchell on The Adam Carolla Show	Available at https://www.youtube.com/watch?v=KgSJqXjepbw
**Plaintiffs reserve their right to use certain documents marked in this category for cross-examination			
Case Documents (200-207)			
200	October 13, 2015	Complaint	ECF No. 1
201	September 28, 2016	Defendants' Amended Answer & Affirmative Defenses	ECF No. 77
202	November 21, 2016	Expert Report of Dr. Brock Chisholm Expert Report	
203	November 21, 2016	Expert Report of Charles A. Morgan, III, M.D., M.A.	

No.	Date	Document Description	Bates Range
204	November 21, 2016	Expert Report of Kevin Jon Heller	
205	December 28, 2016	Expert Rebuttal Report of Kevin Jon Heller	
206	November 21, 2016	Expert Report of Matthew Friedman, M.D., Ph.D	
207	November 21, 2016	Expert Report of Sondra Crosby, M.D.	
Miscellaneous (300-354)			
300	August 8, 2001	Email from James Mitchell to Sidley Austin	Plaintiffs' 2/17/17 Production
301	August 8, 2001	James Mitchell Contract No. 2001*1*597300*000	000025-000085
302	July 22, 2002	John B. Jessen Independent Contractor (IC) Contract	000086-000127
303		Mitchell and Jessen & MJA Additional Contracts	001558-001746
304	February 2, 2008	Independent Contractor (IC) Contract for James E. Mitchell, Ph.D.	001566-001573
305	March 18, 2005	Letter Contract for Project	001575-001582
306	June 15, 2005	Statement of Work; DCI's Counterterrorist Center (CTC) Elicitation and Training for CTC; "ETC [Redacted]; Project [Redacted]	001583-001594
307	October 20, 2005	Statement of Work; DCI's Counterterrorist Center (CTC) Elicitation and Training for CTC; "ETC [Redacted]; Project [Redacted]	001595-001609
308	March 2, 2005	Amendment of Solicitation/Modification of Contract	001657-001661

No.	Date	Document Description	Bates Range
309		Mitchell's CV	001884-001890
310		Bruce Jessen LLC (Resume)	001901-001905
311	May 27, 2004	Letter from Jack Goldsmith, OLC, to Scott Muller, CIA, re: CIA OIG Special Review	000196-000197
312		From: Chief, Counterintelligence Evaluation Branch, Counterespionage Group, Counterintelligence Center; Subject: Rahman Death Investigation - Interview of John B. Jessen	001047-001053
313	April 11, 2007	(TS/[Redacted]/NF) Incipiency of CTC/RDG Enhanced Interrogation Techniques and Program	001099-001100
314	April 3, 2002	Handwritten note from James Mitchell Re: Modification to Contract #2002*1*837600*000 to Provide Psychological Consultation to CTC in Debriefing and Interrogation Operations for Quick Response Tasking	001101
315	July 9, 2002	From: [Redacted]; To: [Redacted]; Subject: Description of Physical Pressures	001109-001111
316	January 28, 2003	For: Deputy Director for Operations; Subject: Death Investigation - Gul Rahman	001112-001147
317		Recognizing and Developing Countermeasures to AI Qaeda Resistance to Interrogation Techniques: A Resistance Training Perspective; By: James E. Mitchell, Ph.D. and John B. Jessen, Esq.	001148-001157
318	June 22, 2007	Subject: EIT Briefing for SECSTATE	001175-001177

No.	Date	Document Description	Bates Range
319	November 27, 2007	Subject: (TS/ [Redacted]/ NF) CIA's Use of Contract Interrogators	001626-001628
320	2002	Subject: re: HOLD EYES ONLY - Request IC Psychologist Remain at [Redacted]	001650
321	2002	Executive Summary coordinated with CTC/RG, CTC/UBL, CTC/Legal, OMS, the Office of Security and DST/Legal	001915-001922
322	April 30, 2002	Subject: Re: IMMEDIATE: Turning Up the Heat in the AZ Interrogations	002024
323	2002	Subject: Re: Study by VIP Med	002117
324		Al Qa'ida Resistance Slides	002173-002217
325	February 2005	Interrogation and Coercive Physical Pressures: A Quick Overview; James E. Mitchell, Ph.D. & John B. Jessen, Ph.D.	002285-002291
326	October 18, 1997	Subject: Request for Support	002370
327		Counter Measures Draft Plan	002391-002397
328		Exploitation	002398-002470
329		Al-Qa'ida Resistance	002471-002517
330		Al Qa'ida Resistance	002518-002559
331	March 13, 2002	Prisoner Handling Recommendations (w/ attachment)	002560-002561
332	April 17, 2002	Subject: Re: Draft Exploitation Plan	002562-002569
333	February 20, 2002	Subject: Re: [Redacted] Support	002571-002572
334	March 18, 2002	Subject: [Redacted] presentation	002573
335		Metadata for Al Qaida Resistance Slides (Bates #2173-2217)	002574

No.	Date	Document Description	Bates Range
336		Metadata for Countermeasures Draft Plan	002575
337		Metadata for Exploitation Draft Plan (Bates #2218-2224)	002576
338		Metadata for Prisoner Handling Recommendations (Bates #2284)	002577
339		Subject: Re: Jim and Bruce	002581-002582
340	March 16, 2002	Initial Draft Plan	002709-002711
341		To: [Redacted]; Subject: Eyes Only - Draft; From the Desk of [Redacted] Associate General Counsel [Redacted] CTC/Legal Group; (Draft Declination of Prosecution Letter)	C06541505
342	January 28, 2003	Guidelines on Interrogations Conducted Pursuant to the Presidential Memorandum of Notification of 17 September 2001	C06541522
343	December 30, 2004	Fax to Dan Levin, DOJ Command Center re: Background Paper on CIA's Combined Use of Interrogation Techniques (Mitchell Deposition Exh. No 20)	DOJ OLC 001126-DOJ OLC 001144; ECF No. 177-29; Deposition Exhibit 20
344	October 20, 2011	Remarks by the President on the Death of Muammar Qaddafi	ECF 183-7
345	August 17, 2008	Department of Defense Memorandum for Record re Certificate for Release of ((Suleiman Abdullah)), S/O FNU ((ABDULLAH))	ECF No. 183-5
346	September 28, 1992	Department of the Army Field Manual, FM 34-52 "Intelligence Interrogation"	ECF No. 195-21

No.	Date	Document Description	Bates Range
347	December 6, 2006	Disposition Memorandum; Subject: Alleged Use of Unauthorized Interrogation Techniques	MJ00008342- MJ00008355
348	November 29, 2003	From: J. Mitchell Re: Qualifications to provide special mission interrogation consultation	MJ00022961- MJ00022964
349		Mitchell & Jessen Invoices (redacted)	MJ00023539- MJ00023563
350	December 11, 2014	Subject: CIA Prepublication Review Obligation and Process	MJ- GOVTREVIEW- 00046-00137
351	May 13, 2009	Ali Soufan Congressional Testimony	
352	June 27, 2013	For: The Hon. Dianne Feinstein & The Hon. Saxby Chambliss; Subject: CIA Comments on the Senate Select Committee on Intelligence Report on the Rendition, Detention, and Interrogation Program	Plaintiffs' Deposition Exhibit 21
353	September 1, 2004	To: ISAF Chief LNO; Subject: Petition for Release of Information on Detained Person	Produced by Plfs on 1/30/17
354	January 17, 2006	Letter from Obaidullah's family to head of Afghanistan Peace Consul	Produced by Plfs on 1/30/17

Demonstratives* (400-403)**

400	Reconstruction of Confinement Box
401	Timeline of Key Events
402	Chart of Methods Used on Plaintiffs and Methods Used by Defendants on Abu Zubaydah
403	Chart of Defendants' Methods and Methods Used on Plaintiffs

***Plaintiffs respectfully reserve the right to add demonstrative exhibits, as warranted by the presentation of evidence or otherwise in the interests of justice, with the permission of the Court.

1
2 Dated: August 1, 2017
3 Newark, New Jersey

4 By: s/ Lawrence S. Lustberg
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CERTIFICATE OF SERVICE

I hereby certify that on the 1st of August, 2017, I caused to be electronically filed and served the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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