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Mitchell and Jessen

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON  
AT SPOKANE**

JAMES ELMER MITCHELL and  
JOHN "BRUCE" JESSEN,

Petitioners,

vs.

UNITED STATES OF AMERICA,

Respondent.

NO. 16-MC-0036-JLQ

**DECLARATION OF BRIAN S.  
PASZAMANT IN SUPPORT OF  
PETITIONERS' MOTION TO  
EXPEDITE CONSIDERATION OF  
PENDING MOTION**

DECLARATION OF BRIAN S.  
PASZAMANT IN SUPPORT OF  
PETITIONERS' MOTION TO EXPEDITE  
NO. 16-MC-0036-JLQ

Betts  
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**Related Case:**

SULEIMAN ABDULLAH SALIM, et al.,

NO. CV-15-0286-JLQ

Plaintiffs,

vs.

JAMES E. MITCHELL and JOHN JESSEN,

Defendants.

I, Brian S. Paszamant, hereby certify under penalty of perjury, that the following is true and correct and within my personal knowledge:

1. I am over the age of 18, have personal knowledge of all facts contained in this declaration, and am competent to testify as a witness to those facts.

2. I am one of the attorneys representing Petitioners/Defendants, James Elmer Mitchell and John “Bruce” Jessen (collectively, “Petitioners”) in this action.

3. Petitioners and the Government could not reach an agreement on the redaction and privilege assertion issues, issues over which Petitioners have raised concerns for months. In fact, prior to the production of the Government’s privilege log on December 20, 2016 (the last day afforded the Government by the Court), Petitioners had no knowledge as to specifically why the Government felt that it was entitled to redact the information that it was redacting.

DECLARATION OF BRIAN S. PASZAMANT IN SUPPORT OF PETITIONERS’ MOTION TO EXPEDITE NO. 16-MC-0036-JLQ

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 20<sup>th</sup> day of January, 2017, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

<p>Emily Chiang  <a href="mailto:echiang@aclu-wa.org">echiang@aclu-wa.org</a>          ACLU of Washington Foundation          901 Fifth Ave, Suite 630          Seattle, WA 98164</p>	<p>Kate E. Janukowicz, admitted <i>pro hac vice</i>  <a href="mailto:kjanukowicz@gibbonslaw.com">kjanukowicz@gibbonslaw.com</a>          Lawrence S. Lustberg, admitted <i>pro hac vice</i>  <a href="mailto:llustberg@gibbonslaw.com">llustberg@gibbonslaw.com</a>          Gibbons PC          One Gateway Center          Newark, NJ 07102</p>
<p>Andrew L. Warden  <a href="mailto:andrew.warden@usdoj.gov">andrew.warden@usdoj.gov</a>          Timothy A. Johnson  <a href="mailto:timothy.johnson4@usdoj.gov">timothy.johnson4@usdoj.gov</a>          Senior Trial Counsel          United States Department of Justice          Civil Division, Federal Programs Branch          20 Massachusetts Ave NW          Washington, DC 20530</p>	<p>Steven M. Watt, admitted <i>pro hac vice</i>  <a href="mailto:swatt@aclu.org">swatt@aclu.org</a>          Dror Ladin, admitted <i>pro hac vice</i>  <a href="mailto:dladin@aclu.org">dladin@aclu.org</a>          Hina Shamsi, admitted <i>pro hac vice</i>  <a href="mailto:hshamsi@aclu.org">hshamsi@aclu.org</a>          ACLU Foundation          125 Broad Street, 18th Floor          New York, NY 10007</p>

By           s/ Shane Kangas            
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