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14 Attorneys for Plaintiffs

15 UNITED STATES DISTRICT COURT
16 FOR THE EASTERN DISTRICT OF WASHINGTON

17 SULEIMAN ABDULLAH SALIM,
18 MOHAMED AHMED BEN SOUD, OBAID
19 ULLAH (AS PERSONAL
20 REPRESENTATIVE OF GUL RAHMAN),

21 Plaintiffs,

22 v.

23 JAMES ELMER MITCHELL and JOHN
24 "BRUCE" JESSEN

25 Defendants.
26

15-CV-286-JLQ

DECLARATION OF
LAWRENCE S.
LUSTBERG IN SUPPORT
OF PLAINTIFFS'
RESPONSE TO
DEFENDANTS' MOTION
FOR PROTECTIVE
ORDER

DECLARATION OF
LAWRENCE S. LUSTBERG

AMERICAN CIVIL LIBERTIES
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FOUNDATION
901 Fifth Ave, Suite 630
Seattle, WA 98164
(206) 624-2184

1 I, Lawrence S. Lustberg, a member of the Bar of the States of New Jersey
2 and New York and admitted *pro hac vice* to the Bar of this Court, declare under
3 penalty of perjury as follows:
4

5 1. I am a Director at the law firm of Gibbons P.C., co-counsel for Plaintiffs
6 Suleiman Abdullah Salim, Mohamed Ahmed Ben Soud, and Obaid Ullah (as
7 personal representative of Gul Rahman) (collectively, "Plaintiffs") in the above-
8 captioned action. I submit this declaration in support of Plaintiffs' Response to
9 Defendants' Motion for a Protective Order.
10

11 2. Annexed hereto as Exhibit A is a true and correct copy of the Discovery
12 Confidentiality Agreement, which I executed on behalf of Plaintiffs on
13 September 26, 2016.
14

15 3. On July 1, 2016, the U.S. Department of Justice produced copies of
16 contracts governing Defendants' work on the Central Intelligence Agency's
17 former detention and interrogation program. In the email producing these
18 documents, Andrew Warden, counsel for the Government, stated that the
19 documents are "unclassified and approved for public release" and that "[t]here
20 are no restrictions on their distribution." The two documents were stamped "For
21 Public Release." Annexed hereto as Exhibit B is a true and correct copy of the
22 email from Andrew Warden dated July 1, 2016, as well as the first page of each
23
24
25
26

1 of the two attached documents.

2 ***

3
4 I declare under penalty of perjury that the foregoing is true and correct.

5
6 
7 _____
8 Lawrence S. Lustberg

9
10
11
12 DATED: October 13, 2016

CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Andrew I. Warden
andrew.warden@usdoj.gov

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