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

SULEIMAN ABDULLAH SALIM,
MOHAMED AHMED BEN SOUD,
OBAID ULLAH (as personal
representative of GUL RAHMAN),

Plaintiffs,

vs.

JAMES ELMER MITCHELL and
JOHN "BRUCE" JESSEN,

Defendants.

NO. 2:15-CV-286-JLQ

**DECLARATION OF ANN E.
QUERNS IN SUPPORT OF
DEFENDANTS' MOTION FOR A
PROTECTIVE ORDER RE:
MANUSCRIPT AND
MANUSCRIPT DRAFTS**

DECLARATION OF ANN E. QUERNS IN
SUPPORT OF DEFENDANTS' REPLY
NO. 2:15-CV-286-JLQ

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One Convention Place
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1 I, Ann E. Querns, hereby certify under penalty of perjury, that the following
2 is true and correct and within my personal knowledge:

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

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

8 3. I have facilitated and been involved in the collection, review, and
9 production of documents in connection with this action.

10 4. On September 26, 2016, Defendants produced documents to Plaintiff
11 bearing the bates labels MJ00000001-MJ00021579. These documents are not
12 subject to the Confidentiality Agreement that the parties entered on September 26,
13 2016.

14 5. On September 28, 2016, Defendants produced documents to Plaintiff
15 bearing the bates labels MJ00021580 - MJ00022535. These documents are subject
16 to the Confidentiality Agreement that the parties entered on September 26, 2016.

17 6. On September 26 and 28, 2016, at the request of Andrew Warden,
18 counsel for the Government in this matter, Defendants produced documents related
19 to the CIA’s pre-publication review of Dr. Mitchell’s manuscript to the Government
20 for its review. The documents produced to the Government bear the bates labels
21 MJ-GOVTREVIEW-00001- MJ-GOVTREVIEW-00175.

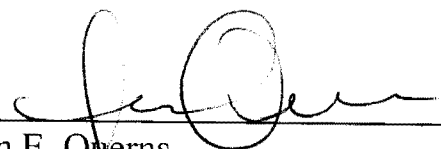
22 7. On October 3, 2016, Mr. Warden indicated by email that pursuant to
the discovery stipulation previously entered into between the parties and filed with
the Court, the Government needed to review all drafts of Dr. Mitchell’s Manuscript.

1 8. October 4, 2016, in response to Mr. Warden's October 3, 2016 email,
2 Defendants produced drafts of Dr. Mitchell's Manuscript and related
3 communications to the Government for its review. The documents produced bear
4 the bates labels MJ-GOVTREVIEW-00176- MJ-GOVTREVIEW-00726.

5 9. On October 11, 2016, in response to Mr. Warden's October 3, 2016
6 email, Defendants produced additional drafts of portions of Dr. Mitchell's
7 Manuscript and related communications to the Government for its review. The
8 documents produced bear the bates labels MJ-GOVTREVIEW-00727- MJ-
GOVTREVIEW-00745.

9 10. Defendants made additional productions to Plaintiffs on October 5,
10 October 11, October 13, and October 17, 2016. The documents produced to
11 Plaintiffs bear the bates labels MJ00022536 - MJ00022576.

12 11. On October 12 and 13, 2016, agents from the CIA visited Dr. Jessen's
13 and Dr. Mitchell's home, respectively, and collected electronic and hard-copy
14 documents that likely contain classified information. Contemporaneous with the
15 collection, the agents created inventories of the documents collected. Copies of the
inventories were produced to Plaintiffs on October 13 and October 17, 2016.

16
17 
Ann E. Querns

18 Executed this 18th day of October, 2016
19 at Philadelphia, PA.

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of October, 2016, 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:

Emily Chiang echiang@aclu-wa.org ACLU of Washington Foundation 901 Fifth Ave, Suite 630 Seattle, WA 98164	Paul Hoffman hoffpaul@aol.com Schonbrun Seplow Harris & Hoffman, LLP 723 Ocean Front Walk, Suite 100 Venice, CA 90291
Andrew L. Warden Andrew.Warden@usdoj.gov Senior Trial Counsel United States Department of Justice Civil Division, Federal Programs Branch 20 Massachusetts Ave NW Washington, DC 20530	Steven M. Watt, admitted <i>pro hac vice</i> swatt@aclu.org Dror Ladin, admitted <i>pro hac vice</i> dladin@aclu.org Hina Shamsi, admitted <i>pro hac vice</i> hshamsi@aclu.org ACLU Foundation 125 Broad Street, 18th Floor New York, NY 10007
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By s/ Shane Kangas
 Shane Kangas
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