

# EXHIBIT A

**Neff, Brian J.**

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**From:** Neff, Brian J.  
**Sent:** Friday, November 14, 2008 6:07 PM  
**To:** 'Johnson, Timothy (CIV)'  
**Cc:** Henry, Terry (CIV)  
**Subject:** RE: Meet & Confer wrt 08-0442 Motion for Clarification and Reconsideration

Dear Mr. Johnson:

We represent Petitioners in Al-Zarnouqi v. Bush (06-1767).

Without more information regarding the arguments you will make in your motion and the specific relief you will seek, it is impossible for us to formulate a position on your motion. We do not believe your inquiry constitutes a good faith attempt to confer with opposing counsel as required by Local Rule 7(m) and the October 2, 2008, and October 28, 2008, Orders issued by Judge Hogan.

Regards,

Brian Neff

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**From:** Johnson, Timothy (CIV) [mailto:Timothy.Johnson4@usdoj.gov]  
**Sent:** Friday, November 14, 2008 1:26 PM  
**To:** Johnson, Timothy (CIV)  
**Cc:** Henry, Terry (CIV)  
**Subject:** Meet & Confer wrt 08-0442 Motion for Clarification and Reconsideration

Counsel:

In each of your cases in which the parties have not agreed to a stay, the government intends to file a motion for clarification and reconsideration of the Court's November 6, 2008 case management order (and supplemental amended orders, where applicable), or in the alternative, a motion for certification for appeal and to stay certain obligations pending appeal. The basis for this motion is that the November 6, 2008 procedural order is legally inappropriate and unworkable. Please advise if you oppose the motion by noon, ET, on Monday, November 17, 2008. When you respond, please indicate the case number and petitioner to which your response applies. Thank you.

Timothy A. Johnson  
Trial Attorney  
U.S. Department of Justice  
Civil Division, Federal Programs Branch

11/26/2008

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