

EXHIBIT A

Insalaco, Michele M

From: Lalmalani, Sapna G.
Sent: Sunday, November 16, 2008 11:02 AM
To: Johnson, Timothy (CIV)
Cc: Henry, Terry (CIV); Bronte, Patricia A; Schwab, Eric
Subject: RE: Meet & Confer wrt 08-0442 Motion for Clarification and Reconsideration

Dear Mr. Johnson,

We represent Saad Al Qahtani (ISN 200, No. 05-2384) and Musa'ab Omar Al Madhwani (ISN 839, No. 04-1194).

In response to your email, we direct your attention to Local Rule 7(m), which requires counsel to meet and confer with opposing counsel "either in person or by telephone" to attempt to narrow any areas of disagreement before asking the court to intervene.

Even putting aside this requirement, we do not consider the email notification of your intent to file a motion on Monday to be a good faith effort to "meet and confer." Neither your description of the relief you seek ("clarification and reconsideration") nor of the grounds for that relief (that Judge Hogan's CMO is "legally inappropriate and unworkable") provides us any indication of the substance or basis of your motion.

If the government provides us with a draft of the motion or a more specific statement about which provisions of Judge Hogan's CMO it plans to object to, the relief being requested, and the grounds for that relief, we would be prepared to have a discussion with you to attempt to narrow our areas of disagreement.

Without additional information, however, we are unable to respond as to whether or not we oppose your motion.

Sincerely,
Sapna Lalmalani

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From: Johnson, Timothy (CIV) [Timothy.Johnson4@usdoj.gov]
Sent: Friday, November 14, 2008 12:25 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.

11/26/2008

Timothy A. Johnson
Trial Attorney
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