

THE LAW OFFICES OF
SCOTT L. FENSTERMAKER, P.C.

300 PARK AVENUE, 17TH FLOOR
NEW YORK, NEW YORK 10022

TELEPHONE (212) 302-0201
CELL (917) 817-9001
FACSIMILE (212) 302-0327
EMAIL scott@fenstermakerlaw.com
www.fenstermakerlaw.com

WESTCHESTER OFFICE

BY APPOINTMENT ONLY
50 MAIN STREET
WHITE PLAINS, NEW YORK 10606
TELEPHONE (914) 725-0955

OF COUNSEL
IN RE: GUANTANAMO BAY DETAINEE LITIGATION
LINDA F. FENSTERMAKER, ESQ.

Doc. 1507 Att. 16

December 27, 2008

VIA FIRST CLASS MAIL

L.M. Apostol
Deputy Clerk of Court
Office of Military Commissions
1600 Defense Pentagon
Washington, DC 20301-1600

Re: Your July 14, 2008 and October 9, 2008 Letters

Dear Mr. or Ms. Apostol:

I write to follow up your July 14, 2008 and October 9, 2008 letter to me informing me that (1) the transcript of the June 5, 2008 military commissions proceeding was unauthenticated, (2) that Colonel Kohlmann had not authorized the release of the unauthenticated transcript, (3) that your office is taking the position that I do not represent Mustafa Bin-Ahmad Al-Hawsawi, and (4) that I cannot therefore have copies of the transcripts of the June 5, 2008 and September 2008 military commissions proceedings. I also write to request the transcript of Ammar Al-Baluchi's military commissions' appearance on or about July 9, 2008.


In both your July 14, 2008 and October 9, 2008 letters, you claimed that the reason that you could not release copies of the transcripts of the June 5, 2008 and September 2008 military commissions' proceedings is that Colonel Kohlmann had not authorized release of the transcripts. Has either Colonel Kohlmann or his replacement authorized release of these transcripts? If not, why not? If not, when do you expect such authorization to occur? Whom may I contact regarding the authorization process? What is that person's or persons' contact information? Your prompt response is appreciated.

In addition, I ask that you provide me with the transcript of Ammar Al-Baluchi's appearance before the military commissions on or about July 9, 2008. If you again refuse to provide the transcript of this proceeding, I ask that you again provide your reason for so refusing.

Please contact me if you have any questions.

Very truly yours,

The Law Offices of Scott L. Fenstermaker, Esq.

By: 
Scott L. Fenstermaker, Esq.

cc: Office of the Trial Judiciary
Colonel Lawrence Morris, USA