

# Exhibit C

**Rick Wilson**

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**From:** Warden, Andrew (CIV) [Andrew.Warden@usdoj.gov]  
**Sent:** Thursday, July 10, 2008 7:35 PM  
**To:** Rick Wilson  
**Subject:** RE: Identity of ISN 89

Rick:

You are correct. We now consider Abd El Zaher to be ISN 89. We've informed the privilege team that counsel access is now authorized under the habeas PO. Please sign and file an MOU and you'll be good to go.

Best,

Andrew

Andrew I. Warden  
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Civil Division, Federal Programs Branch  
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Washington, DC 20530  
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**From:** Rick Wilson [mailto:rwilson@wcl.american.edu]  
**Sent:** Thursday, July 10, 2008 6:53 PM  
**To:** Warden, Andrew (CIV)  
**Subject:** Identity of ISN 89

Andrew,

I hope you're well. I received the attached chart from Shane Kadidal at CCR today, along with a copy of an email from you indicating that you had made the hand-written markings on the chart of Mohammon petitioners. In it, you marked Abd El Zaher as ISN # 89 and delete the reference to contested identity. As you may recall, the identity of that petitioner, and our access to him, had been the subject of pending, fully briefed but undecided motions with Judge Walton through the spring months of this year.

We had argued that Abd El Zaher is the same person as Polad Sirajov, the only Azeri detainee at Guantanamo. It appears that the government is now willing to concede the identity question. Can you confirm that is the case as to ISN #89?

If such is the case, as it appears, I would appreciate your advice as to how to proceed so as to assure that I can communicate with this person through the Privilege Team, which appeared to be the initial problem, and subject to which Protective Order, which is a second issue. I'm happy to sign the MOU attached to Judge Green's PO and post it to Pacer, as I did not sign an MOU at the time I entered my appearance. I would appreciate your assurance that I will now be able to communicate in writing with him as attorney to client, subject to that PO. I would also be willing to use whichever name you prefer in my correspondence, at least until I am able to visit with him face to face to determine which name is most appropriate. At this point, communication with my client, both in writing and in person, is my highest priority.

9/29/2008

If you have other concerns as regards this petitioner, I would appreciate your sharing them with me.  
Thanks.

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