

EXHIBIT A

Travis LeBlanc

From: Travis LeBlanc
Sent: Wednesday, October 29, 2008 1:36 PM
To: 'scott.marconda@usdoj.gov'
Cc: Ashok Ramani
Subject: RE: Attash v. Bush, Case No. 05-CV-1592

Mr. Marconda -

We have not received a response to our correspondence of October 27, 2008. We continue to remain concerned about the government's Motion to Dismiss Improper Respondents. In the spirit of narrowing the issues that are in dispute between the parties, we would be willing to consent to the dismissal of the respondents other than the Secretary of Defense if the government will make the following stipulations to the Court so as to ensure that Mr. Attash could ultimately obtain the relief sought in his habeas petition:

1. The Secretary of Defense is a proper respondent;
2. The Secretary of Defense is subject to the jurisdiction of the Court;
3. The Secretary of Defense has the power and authority to implement any Court orders granting the relief requested in Mr. Attash's petition including, but not limited to, Mr. Attash's release and production of documents or any other evidence in the possession, custody, or control of the United States government;
4. The United States government, not limited to the Department of Defense, has an obligation to preserve documents or any other evidence relevant to this litigation; and
5. The United States government will not transfer Mr. Attash to the custody of another governmental agency and should it do so, the United States government agrees to reinstate the President as the Respondent in this litigation prior to Mr. Attash's transfer.

We believe that these stipulations fairly account for the concerns expressed by the government in the Motion to Dismiss Improper Respondents as well as our concerns that Mr. Attash receive all the relief requested in his petition. We look forward to receiving the government's response to our correspondence and the requested stipulations.

Regards,
Travis LeBlanc

From: Travis LeBlanc
Sent: Monday, October 27, 2008 3:28 PM
To: 'scott.marconda@usdoj.gov'
Cc: Ashok Ramani
Subject: Attash v. Bush, Case No. 05-CV-1592

Mr. Marconda -

Ashok Ramani and I represent habeas petitioner Hassan bin Attash. We are writing in regards to the Motion to Dismiss Improper Respondents that the government filed in *Attash v. Bush* on October 14, 2008. Our primary concern with dismissing the named respondents other than the Secretary of Defense is that if the Department of Defense transfers Mr. Attash to the custody of another governmental agency, then the Court's jurisdiction to adjudicate Mr. Attash's habeas petition could be subverted. We believe that this concern could be alleviated by the government's representation to the Court that while Mr. Attash's petition is pending, the government will not transfer him to the custody of any agency outside of the Department of Defense. We would appreciate if you

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would let us know the government's position on this matter. Thank you.

Sincerely,
Travis LeBlanc

Travis LeBlanc

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