

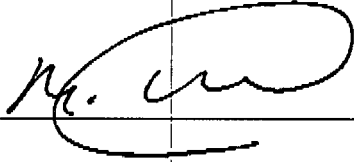
DECLARATION MICHAEL J. THOMAS

I, Michael Thomas, do hereby solemnly swear or affirm under penalty of perjury the following is true to the best of my knowledge and belief.

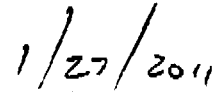
1. I did not take any photographs of the Queen Alia Hospital but I did request that they be taken. When I received electronic copies of the photographs from the State Department, I furnished copies to prosecutor Richard Convertino.
2. At no time did I withhold photographs or any other evidence from AUSA Convertino or plaintiff's defense counsel in his criminal case.
3. I provided any and all information pertinent to the case to prosecutor Richard Convertino. At no time did I withhold any emails concerning sketches of the Queen Alia Hospital from prosecutor Richard Convertino or plaintiff's defense counsel in his criminal case.
4. I did not withhold from prosecutor Richard Convertino that Nassar Ahmed told me his mentally unstable brother might have been doodling in the day planner that was seized in the course of the investigation preceding plaintiff's criminal trial. Nassar Ahmed never told me that the sketches in his day planner were because his brother had been doodling in his day planner or that his brother had drawn the sketches.
5. I did not withhold from prosecutor Richard Convertino or plaintiff's defense counsel in his criminal case that Air Force OSI SA Goodnight stated that the alleged sketch of the Incirlik Air Base was not accurate. To my knowledge, SA Goodnight made no such statement.
6. I did not withhold from prosecutor Richard Convertino or plaintiff's defense counsel in his criminal case the names of any witnesses who could testify that the alleged sketch of the Incirlik Air Base was not accurate. AUSA Convertino and I visited Incirlik Air Force Base together and both of us thought that the sketch, which was very rough accurately what we saw there.
7. I did not record by way of a 302 the contents of interviews with Yousef Hnimssa because Mr. Convertino was conducting the interviews. I was subsequently instructed by FBI management that I was not supposed to make such notes as interviews by the prosecutor are considered trial preparation, and that was the prosecutor's decision.
8. I did not withhold from prosecutor Richard Convertino a 9/11/2007 email wherein I stated that there was difficulty transcribing the audio portions of the videotape due to the Tuniusei or Algeria dialect speech. AUSA Convertino was aware of this problem.
9. I did not withhold from prosecutor Richard Convertino that Yousef Hmimssa may have given differing accounts or had expounded on information he provided in the course of my interviews with him. Convertino was aware of any discrepancies or additional information provided, as a result of additional questioning, because Convertino was

present for the interviews. Moreover, Convertino determined the scope and content Hmimissa's trial testimony and to my knowledge did not allow Hmimissa to testify about anything that was not corroborated by other evidence.

10. I had no reason to believe that I did anything or failed to do anything in the criminal investigation of plaintiff that denied him a fair trial or violated any constitutional rights of plaintiff.



Michael Thomas



Date