

From: [REDACTED] LTC, DoD OGC
Sent: Monday, October 27, 2008 10:22 AM
To: [REDACTED] Lt Col, DoD OGC; [REDACTED] Maj, DoD OGC; [REDACTED]
CAPT, DoD GOC
Cc: Beal, Raymond E. LtCol; [REDACTED]

[REDACTED]

Subject: FW: United States v. Mohammed Hashim - Initial Session (Scheduled for 6 November)

Importance: High

Attachments: MCTJ Rules of Court--CHANGE 2--2 NOV 07.pdf

LtCol Beal has directed that the below email along with the attachment (Military Commissions Rules of Court) be forwarded to counsel in US v Hashim and to other interested persons. A bio of LtCol Beal will be provided in the next few days.

Please note time and date suspensions for numerous events. The initial session will begin at 0900. A trial guide will be provided prior to the session.

Please inform me of any other persons that need to be added to the distribution list above.

As required by the Rules of Court, please note the case name and nature of the correspondence in the subject line in each email submitted in this case.

V/r,

LTC [REDACTED] USAR
Senior Attorney Advisor
Military Commissions Trial Judiciary
Department of Defense

From: Beal, Raymond E. LtCol [REDACTED]
Sent: Friday, October 24, 2008 3:58 PM
To: [REDACTED] LTC, DoD OGC; [REDACTED] GTMO

Cc: Kohlmann, Ralph H

Subject: United States v. Mohammed Hashim - Initial Session (Scheduled for 6 November)

LTC [REDACTED] please forward the below email to counsel in UNITED STATES V HASHIM and to other interested persons.

All,

1. I have been detailed by the Chief Judge of the Military Commissions Trial Judiciary as the Military Judge in U.S. v. Mohammed Hashim.
2. The addressees on this email have been identified to the Military Commissions Trial Judiciary (MCTJ) Staff as counsel on this case. The Chief Prosecutor and Chief Defense Counsel should confirm that all counsel on the case are addressees.
3. All detailed counsel shall provide a signed copy of their detailing memorandum via email to the MCTJ Staff NLT 1200 hours, 29 Oct 2008. Counsel should understand that all filings or notices shall be due to the party or Court as appropriate no later than 1200 on the date directed. All times are Eastern time then in effect.
4. Civilian counsel who intend to be Civilian Defense Counsel (CDC) on this case shall provide a signed and completed copy of Form 4-1, the CDC Notice of Appearance and Agreement (See Rules of Court) via email to the MCTJ Staff NLT 1200 hours, 30 Oct 2008.
5. All email traffic with the Military Judge will be "Cc" only and will also be addressed to:
 - a. The MCTJ Staff: LTC [REDACTED] LCDR [REDACTED] Mr. [REDACTED] [REDACTED] SMSgt [REDACTED] SSG [REDACTED] and Ms. [REDACTED]. (Their email addresses are contained in the header of the email forwarding this communication.);
 - b. All counsel, civilian and military, on the case; and
 - c. The Chief Prosecutor and Chief Defense Counsel, along with the Chief Legal NCOs for the Prosecution and the Defense, and the paralegals assisting the counsel.
6. I have selected Thursday, 6 November, 2008 as the date for the arraignment in this case. All counsel shall make the necessary arrangements to be present in the Guantanamo Bay, Cuba, courtroom for this session. If any party believes that the party can not comply with the scheduled arraignment date, the lead counsel - on behalf of all counsel for that party - will immediately request a continuance setting forth a requested date and stating the specific reasons why such a continuance is necessary. This request shall be contained in the body of an email and must be filed not later than 1200 hours EDT, 30 October 2008.
7. As authorized by RMC 108, the Chief Judge has issued the attached Rules of Court for Military Commissions. The MCTJ Staff will also provide a trial guide

for use at the initial session.

8. Should any party wish to conduct voir dire of the Military Judge, you must submit your written questions to me by email in a Word format attachment, via the MCTJ Staff, not later than 1200 EDT on 4 November 2008. A brief biography will be provided in the next few days. Voir dire questions must be relevant to an RMC 902 determination.

9. At the 6 November 2008 session, I will establish a full schedule for the litigation of this case. Prior to the session, counsel should discuss scheduling and endeavor to agree upon a schedule that works as well as possible for all parties. Counsel must take into account, inter alia, the time constraints set forth in RMC 707 and appropriate phasing of motions (e.g.: discovery; witness production; law motions; evidentiary motions).

/s/

R. E. Beal II
LtCol, U.S. Marine Corps
Military Judge