

answering.

shall set forth the matter deemed ambiguous and the construction used in
constructing a question, instruction, or definition, the responding party's answer
interrogatories, the responding party encounters any ambiguities when
must be signed by the person making them. If, in answering these
and fully in writing under oath, unless a valid objection is made. The answers
days after they are served. Each interrogatory must be answered separately
1. The responding party must answer these interrogatories within 30

INSTRUCTIONS

as President of the United States.
following interrogatories to Respondent George W. Bush, in his official capacity
pursuant to Rule 33 of the Federal Rules of Civil Procedure, propounds the
Petitioner Adel Fattouh Aly Ahmed Alqazzar, by his attorneys and

**INTERROGATORIES TO RESPONDENT BUSH
ON REPATRIATION ISSUES RELATING TO PETITIONER ALGAZZAR**

CASE NO. 1:05-CV-00270 (JR))	v.)
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

2. Where an interrogatory is objected to, the responding party must fully state, with specificity, the grounds for the objection. Any ground for objection not stated in the responding party's answer is deemed waived. No part of an interrogatory should be left unanswered merely because an objection is interposed to another part of the interrogatory. If a partial or incomplete answer is provided, the responding party shall state that the answer is partial or incomplete.

3. Where a claim of privilege is asserted in objecting to any interrogatory or part thereof, and information is not provided on the basis of such assertion:

A. In asserting the privilege, the responding party shall, in the objection to the interrogatory, or part thereof, identify with specificity the nature of the privilege (including work product) that is being claimed;

B. The following information should be provided in the objection:

(1) For oral communications: (a) the name of the person making the communication and the names of persons present while the communication was made, and, where not apparent, the relationship of the persons present to the person making the communication; (b) the date and place of the communication; and (c) the general subject matter of the communication.

(2) For documents: (a) the type of document; (b) the general subject matter of the document; (c) the date of the document; and (d) such other information as is sufficient to identify the document, including, where

appropriate, the author, addressee, custodian, and any other recipient of the document, and where not apparent, the relationship of the author, addressee, custodian, and any other recipient to each other.

4. All information and documents are to be divulged which are in the responding party's possession or control, or in the possession or control of its attorneys, investigators, agents, employees, or other representatives of the responding party, or its attorneys.

5. If the responding party cannot answer these interrogatories in full after exercising due diligence to secure the requested information, the responding party must so state and answer to the extent possible, specifying its inability to answer the remainder, and providing whatever information, documents, and/or knowledge the responding party has concerning the unanswered portions, including the identity of any person or entity that may have the requested information.

6. If the responding party elects to specify and produce business records in answer to any interrogatory, the specification shall be in sufficient detail to permit the interrogating party to locate and identify, as readily as the responding party can, the business records from which the answer may be ascertained.

7. These interrogatories are continuing in character, to the full extent permitted by the Federal Rules of Civil Procedure, and require the responding party to file supplemental answers if further, other, or different information is obtained before trial.

above-captioned case on October 17, 2005.

Declaration of Matthew C. Waxman dated October 14, 2005 and filed in the

6. As used herein, the "Waxman Declaration" refers to the

Guantánamo Bay, Cuba.

detention facilities maintained by the United States Government at

5. As used herein, "Guantánamo Bay Facilities" refers to the

attorneys.

Egypt, and their officials, agencies, agents, employees, representatives, and

also specifically includes any regional or local government entities within

attorneys. This term is not limited to the Egyptian national government, but

Egypt and any of its officials, agencies, agents, employees, representatives, and

4. As used herein, "Government of Egypt" refers to the Government of

employees, representatives, and attorneys.

Government of the United States and any of its officials, agencies, agents,

3. As used herein, "United States Government" refers to the

representatives.

Respondent in this action, and their agents, attorneys, employees, and

2. As used herein, "Respondents" refers to each and every

Ahmed Alqazzar, and to his agents, attorneys, employees, and representatives.

1. As used herein, "Alqazzar" refers to Petitioner Adel Fattouh Aly

DEFINITIONS

person's full name, (2) the nature of its organization and state of

b. With reference to a person not a natural person: (1) the

which the person may be contacted; and

name, (2) job title, (3) employer, (4) address and telephone number at

a. With reference to a natural person: (1) full

the following identifying information:

11. As used herein, "identify" or "an identification" means to provide

or oral, formal or informal.

10. As used herein, "statement" refers to any communication, written

written communications.

9. As used herein, the term "communication" includes both oral and

all drafts of any "original" or "duplicate."

found on the "original." The term "document" or "documents" further includes

Fed. R. Evid. 1001(3) and (4), respectively, bearing notations or marks not

Civil Procedure, and includes the "original" and all "duplicates," as defined in

information can be obtained," as defined in Rule 33(a) of the Federal Rules of

photographs, phonorecords, and other data compilations from which

the Federal Rules of Evidence and all "writings, drawings, graphs, charts,

"writings," "recordings" and "photographs" as defined in Rule 1001(1) and (2) of

8. As used herein, the term "document" or "documents" includes all

federations, government agencies, or any other kind of entity.

persons, corporations, partnerships, sole proprietorships, unions, associations,

7. As used herein, "person" or "persons" means and includes natural

organization, (3) the address of its principal place of business and any other identifying addresses, and (4) its principal line of business.

c. With reference to an oral communication: (1) the nature of the communication (i.e., telephone communication, interview, conversation, meeting, etc.); (2) the date or dates of the communication; (3) the substance of the communication; (4) the location of the communication; and (5) the identity of each person participating in or witnessing any part of the communication.

d. With reference to a document (including a written communication): (1) a description of the document, including the name and address of the person or persons to whom the document is addressed, the name and address of the person or persons to whom copies of the document were sent, and the name and address of the person or persons who prepared the document; (2) a statement that you are in possession of the original or a copy of the document, or, if not, the name and address of the custodian of the original or a copy of the document; (3) if the document was once in your possession but no longer is, state when the document was recently in your possession, what disposition you made of the document, and what person, to your knowledge, currently has custody of the document; and (4) if the document has been destroyed, state where and when the document was destroyed, identify the person who destroyed it, and the person or persons who directed the destruction.

Algazzar.

such person, including any role that person played in the decision to transfer Guantánamo Bay Facilities, and describe the knowledge possessed by each transfer, contemplated transfer, or potential transfer of Algazzar from the 1. Identify the three persons with the most knowledge relating to any

INTERROGATORIES

either end of the range are included within the range.

14. Whenever a range of dates is used herein, the dates providing association, a professional association, or any other form of entity.

“person” includes a natural person, partnership, and unincorporated pronoun includes any individual regardless of gender. Any reference to a means “including but not limited to;” the word “he” or any other masculine means “any and all;” the word “any” means “any and all;” the word “including” specify the broader category of documents or other information; the word “all” and “or” shall be either conjunctive or disjunctive in such a manner as to 13. The singular includes the plural and vice versa; the words “and”

preparation of any document called for by each interrogatory. supporting, now or previously attached or appended to, or used in the to documents, these phrases are also meant to include documents underlying, the fact, occurrence or contention, whether directly or indirectly. With respect “referring” or “relating” includes containing, showing, relating to or referring to 12. As used herein with reference to a fact, occurrence, or contention,

6. Identify and describe any consideration of or any decision as to whether any transfer of Alqazzar from the Guantanamo Bay Facilities to any destination would be consistent with the United States' obligations under any domestic or international law (including the Convention Against Torture, as referenced in paragraph 6 of the Waxman Declaration). Include in your answer

5. Identify and set forth with specificity any "assurances" (as that term is used in paragraph 4 of the Waxman Declaration) requested by or provided to the United States Government that relate to, refer to, or would apply to any transfer, potential transfer, or contemplated transfer of Alqazzar from the Guantanamo Bay Facilities.

4. Identify and describe any "dialog" (as that term is used in paragraph 5 of the Waxman Declaration) between the United States Government and any other entity that refers or relates to Alqazzar.

3. Identify and describe all communications or correspondence (specifically including any oral communications) between or among the United States Government (or any agent employee or representative) and that Government of Egypt (or any agent, employee or representative) and that addresses or discusses Alqazzar.

2. Identify and describe all communications or correspondence (specifically including any oral communications) between or among the United States Government (or any agent employee or representative) and any person or entity that addresses or discusses the transfer, potential transfer, or contemplated transfer of Alqazzar from the Guantanamo Bay Facilities.

the identity of all individuals who participated in any such consideration or decision.

7. Identify and describe any circumstance in which the United States declined to or decided not to transfer any individual to the custody of the Government of Egypt, where such a decision was based in whole or in part upon concerns related to possible torture or other mistreatment of the individual. This interrogatory specifically includes any of the "circumstances" referred to in paragraph 7 of the Waxman Declaration, to the extent that any such "circumstances" involved or related to the country of Egypt.

8. Identify and describe any instance or instances of torture, inhumane, or degrading treatment of a prisoner in the custody of the Government of Egypt.

9. Identify and describe the weight you have accorded to the Department of State's annual Country Reports on the Government of Egypt in your decision to transfer Alqazzar to the custody of the Government of Egypt.

10. If you contend that Alqazzar currently presents any danger or threat to the security of the United States of America, set forth in detail all facts upon which you rely in making that contention, or that otherwise relate to it.

Counsel for Petitioners

Michael W. Robinson
D.C. Bar No. 437979
8010 Towers Crescent Drive
Suite 300
Vienna, VA 22182
Tel: (703) 760-1600
Fax: (703) 821-8949
mvrobinson@venable.com

/s/

Mitchell Y. Mirviss, D.C. Bar No. 476648
Randolph S. Sergent, D.C. Bar No. 486063
Two Hopkins Plaza, Suite 1800
Baltimore, MD 21201
Tel: (410) 244-7400
Fax: (410) 244-7742
mymirviss@venable.com
rssergent@venable.com

/s/

Carol Elder Bruce, D.C. Bar No. 202200
David G. Dickman, D.C. Bar No. 465010
575 7th Street, NW
Washington, DC 20004
Tel: (202) 344-4000
Fax: (202) 344-8300
cebruce@venable.com
dgdickman@venable.com

/s/

VENABLE LLP

Respectfully submitted,

Dated: November 3, 2005