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FILED WITH THE
COURT SECURITY OFFICER

CSO: C. Madam
DATE: 3/6/09

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DJAMEL AMEZIANE,

Petitioner,

v.

BARACK H. OBAMA *et al.*

Defendants.

Civil Action No. 05-392 (ESH)

ORDER

Upon consideration of the matters discussed during a classified proceeding held on March 5, 2009, it is hereby

ORDERED that the Court's December 2, 2008 Order (dckt no. 125) is amended. The phrase "or any evidence within its actual knowledge" is deleted from section 3 of the Court's order. It is further

ORDERED that respondents search the Department of Justice, Department of Defense, [REDACTED] databases to identify all statements, in whatever form, whether cumulative or not, made or adopted by the petitioner that the government relies on to justify detention. Respondents shall inform the Court, in writing, by March 12, 2009, whether respondents possess any of the following materials with regard to the "statements" of petitioner that they have produced:

1. Audio recordings of statements made by petitioner;
2. Video recordings of statements made by petitioner;
3. Transcripts of statements made by petitioner;
4. Contemporaneous notes taken during any interrogation of petitioner; or

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5. Records or reports of petitioner's statements made by persons other than the persons who prepared the summaries of petitioner's statements already produced.

And, it is further

ORDERED that respondents shall file an updated certification attesting to the fact that an exculpatory evidence search has been conducted and that all exculpatory evidence has been disclosed. As defined by this Court's December 2, 2008 Order, and as further explained by the Court on March 5, 2009, exculpatory evidence includes all reasonably available evidence in the government's possession that tends to materially undermine the evidence that the government intends to rely on in its case-in-chief, including any evidence or information that undercuts the reliability and/or credibility of the government's evidence (*i.e.*, such as evidence that casts doubt on a speaker's credibility, evidence that undermines the reliability of a witness's identification of the petitioner, or evidence that indicates a statement is unreliable because it is the product of abuse, torture, or mental or physical incapacity).

A conference call will be held on March 13, 2009, at 2:45 P.M.

SO ORDERED.

/s/
ELLEN SEGAL HUVELLE
United States District Judge

DATE: March 6, 2009