

# **EXHIBIT B**

**Paszamant, Brian**

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**From:** Warden, Andrew (CIV) <Andrew.Warden@usdoj.gov>  
**Sent:** Monday, February 13, 2017 3:39 PM  
**To:** Paszamant, Brian  
**Cc:** Smith, James; Chris Tompkins; Schuelke III, Henry F.  
**Subject:** RE: Salim/Mitchell (Defendants' Touhy Request Seeking Depositions)

Brian:

The CIA has considered your Touhy request and has decided that it will not authorize the deposition testimony of "Gina Doe" and "John/Jane Doe."

Best regards,  
Andrew

Andrew I. Warden  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
Tel: (202) 616-5084

-----Original Message-----

From: Paszamant, Brian [mailto:Paszamant@BlankRome.com]  
Sent: Thursday, February 09, 2017 8:00 AM  
To: Warden, Andrew (CIV) <AWarden@CIV.USDOJ.GOV>  
Cc: Smith, James <Smith-jt@BlankRome.com>; Chris Tompkins <ctompkins@bpmlaw.com>; Schuelke III, Henry F. <HSchuelke@BlankRome.com>  
Subject: Re: Salim/Mitchell (Defendants' Touhy Request Seeking Depositions)

Andrew,

Yes.

Bp

Brian S. Paszamant, Esquire  
Blank Rome LLP  
One Logan Square  
18th and Cherry Streets  
Philadelphia, Pennsylvania 19103  
(215) 569-5791  
Paszamant@blankrome.com

> On Feb 8, 2017, at 10:56 PM, Warden, Andrew (CIV) <Andrew.Warden@usdoj.gov> wrote:  
>  
> Brian:  
>

> I'll check in with CIA and get back to you. I assume by your email that you still intend to pursue these depositions notwithstanding the declaration from Mr. Rodriguez and his upcoming deposition. Is that correct? I recall our initial conversation that these depositions were a fallback when it appeared you might not receive any information from Mr. Rodriguez.

>  
> Thanks,  
> Andrew

> ----- Original message -----

> From: "Paszamant, Brian" <Paszamant@BlankRome.com>  
> Date: 02/08/2017 4:11 PM (GMT-05:00)  
> To: "Warden, Andrew (CIV)" <AWarden@CIV.USDOJ.GOV>  
> Cc: "Smith, James" <Smith-jt@BlankRome.com>, 'Chris Tompkins' <ctompkins@bpmlaw.com>, "Schuelke III, Henry F." <HSchuelke@BlankRome.com>  
> Subject: RE: Salim/Mitchell (Defendants' Touhy Request Seeking Depositions)

> Andrew,

> I am following up on the below. As you can see, it has been quite some time since service of the Touhy requests. Of course, we would like to avoid unnecessary motion practice if possible. Please advise.

> BP

> Brian S. Paszamant | Blank Rome LLP

> One Logan Square 130 North 18th Street | Philadelphia, PA 19103-6998

> Phone: 215.569.5791 | Fax: 215.832.5791 | Email:

Paszamant@BlankRome.com<mailto:Paszamant@BlankRome.com>

> From: Paszamant, Brian

> Sent: Monday, January 2, 2017 2:11 PM

> To: Warden, Andrew (CIV) <Andrew.Warden@usdoj.gov>

> Cc: Smith, James <Smith-jt@BlankRome.com>; 'Chris Tompkins' <ctompkins@bpmlaw.com>; Schuelke III, Henry F. <HSchuelke@BlankRome.com>

> Subject: RE: Salim/Mitchell (Defendants' Touhy Request Seeking Depositions)

> Andrew,

> Any movement on this?

> BP

> Brian S. Paszamant | Blank Rome LLP

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Paszamant@BlankRome.com<mailto:Paszamant@BlankRome.com>

> From: Warden, Andrew (CIV) [mailto:Andrew.Warden@usdoj.gov]

> Sent: Wednesday, December 14, 2016 12:46 PM

> To: Paszamant, Brian <Paszamant@BlankRome.com<mailto:Paszamant@BlankRome.com>>

> Cc: echiang@aclu-wa.org<mailto:echiang@aclu-wa.org>; Steven Watt  
<swatt@aclu.org<mailto:swatt@aclu.org>>; Hina Shamsi  
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<ctompkins@bpmlaw.com<mailto:ctompkins@bpmlaw.com>>; Schuelke III, Henry F.  
<HSchuelke@BlankRome.com<mailto:HSchuelke@BlankRome.com>>  
> Subject: RE: Salim/Mitchell (Defendants' Touhy Request Seeking Depositions)

> Brian:

> I am in receipt of your Touhy request and attendant subpoenas for depositions of Gina Doe and John/Jane Doe. In accordance with paragraph 6 of the discovery stipulation, I accept service of the Touhy request on behalf of the CIA and I have passed the request on to the appropriate officials at CIA for a decision. I am not authorized to accept service of the subpoena on behalf of the two Doe witnesses at this time and will not be authorized to do so, at a minimum, while the Touhy request remains under consideration with the CIA. I will advise you once the CIA has made a decision on your Touhy request.

> Best,  
> Andrew

> Andrew I. Warden  
> U.S. Department of Justice  
> Civil Division, Federal Programs Branch  
> Tel: (202) 616-5084

> From: Paszamant, Brian [mailto:Paszamant@BlankRome.com]  
> Sent: Thursday, December 01, 2016 11:05 AM  
> To: Warden, Andrew (CIV) <AWarden@CIV.USDOJ.GOV<mailto:AWarden@CIV.USDOJ.GOV>>  
> Cc: echiang@aclu-wa.org<mailto:echiang@aclu-wa.org>; Steven Watt  
<swatt@aclu.org<mailto:swatt@aclu.org>>; Hina Shamsi  
<hshamsi@aclu.org<mailto:hshamsi@aclu.org>>; hoffpaul@aol.com<mailto:hoffpaul@aol.com>;  
Dror Ladin <dladin@aclu.org<mailto:dladin@aclu.org>>; McGrady, Daniel, J.  
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<ctompkins@bpmlaw.com<mailto:ctompkins@bpmlaw.com>>; Schuelke III, Henry F.  
<HSchuelke@BlankRome.com<mailto:HSchuelke@BlankRome.com>>  
> Subject: Salim/Mitchell (Defendants' Touhy Request Seeking Depositions)

> Andrew,

> Pursuant to paragraph 6 of the Stipulation re: Discovery filed in the above-referenced action, attached is Defendants' Touhy request and attendant subpoenas for two depositions as delineated within the subpoenas. A copy will follow by regular mail.

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> BP

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> Brian S. Paszamant | Blank Rome LLP

> One Logan Square 130 North 18th Street | Philadelphia, PA 19103-6998

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