

NOV. 28. 2005 12:22PM

NO. 562 P. 22

Approved by DoB for Public Filing
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December 6, 2005

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ELHAM BATTAYAV,

Petitioner/Plaintiff,

v.

Civil Action No.1:05-cv-714 (RBW)

GEORGE W. BUSH,
President of the United States
et al.,

Respondents/Defendants.

**DECLARATION OF CODY M. WESTON IN SUPPORT OF MOTION FOR
RECONSIDERATION**

I, Cody M. Weston, declare that the following statements are true to the best of my knowledge, information, and belief:

1. I am an associate attorney at Perkins Coie LLP, counsel for Petitioner in the above-captioned action.

2. On November 22, 2005, I visited the Secured Facility in Crystal City, Virginia and reviewed classified materials relating to Petitioner. The exhibit described below was reviewed during this visit.



3. Attached as Exhibit A is a true and correct copy of a February 23, 2004 memorandum

[REDACTED]

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4. I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct.

Executed this 22nd day of November, 2005 in Washington, D.C.

/s/ Cody M. Weston
Cody M. Weston (OSB # 98429)

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Attorneys for Petitioner

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EXHIBIT A

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Classified by: Multiple Sources
DECL: X1

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Exhibit R11

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Redacted-
S/NF

5. (U) [REDACTED] believes that further investigation is may produce new information relevant to this case. Agency checks remain outstanding. However, in the absence of further information, I recommend the transfer of Batayev to the custody of another government for continued detention and monitoring.

[REDACTED]

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