

MOTLEY | ATTORNEYS
RICE | AT LAW
LLC

RONALD L. MOTLEY (SC)
JOSEPH F. RICE (SC)
ANN K. RITTER (SC, TN)
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(RI, MA, SC, DC)
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(GENERAL COUNSEL)
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J. TERRY POOLE (SC)
LAURIE J. LOVELAND (1958-2002)
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V. BRIAN BEVON (SC)
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E. CLAIRE XIDIS (SC, NY, DC)
WILLIAM E. APPLGATE, IV (SC)
JUSTIN B. KAPLAN (TN)
ADAM L. MARCHUK (IL)

DIRECT DIAL: 843.216.9184
E-MAIL: RHAFFELE@motleyrice.com

June 23, 2004

VIA FACSIMILE - 202-354-3292

Hon. Reggie Walton, U.S.D.J.
United States District Court for the District of Columbia
E. Barrett Prettyman United States Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001

**Re: Burnett, et al v. Al Baraka Investm. & Dev. Corp., et al
Subpoena for Deposition of Sibel Edmonds
Case Number 1:04-mc-203**

Dear Judge Walton:

Motley Rice represents thousand of families in the September 11th litigation wherein our clients allege the defendants are responsible for financing the terrorist activities on September 11, 2001. As part of our ongoing investigation in the lawsuit filed in the United States District Court for the District of Columbia and transferred to the Southern District of New York, we served a subpoena upon former FBI translator Sibel Edmonds. As Your Honor is aware, the Department of Justice has objected to our subpoena and brought the matter before Your Honor.

This Monday, we received notice of your order directing us, on behalf of our client, to produce to you by today, Wednesday, June 23, 2004, a list of questions we propose to ask Ms. Edmonds in her deposition. Inasmuch as we are not on the court's ECF system (we have inquired into how to join that system, but have not received the information yet), we called Your Honor's chambers yesterday to determine how to provide the requested information and were asked to send them to you via facsimile. Accordingly, we are doing so. In addition, because the total package is voluminous, we are following up with a hardcopy via Federal Express.

In addition to sending the questions, we are sending with our hardcopy, via Federal Express, the documents referenced in the questions, so that you may see what documents we anticipate quoting from and showing to the witness during the deposition. Though these documents are only a small universe of the documents that quote Ms. Edmonds and report on her story, we suspect they may also provide some insight into the extent that Ms. Edmonds' statements have been spread.

Finally, we understand that an Inspector General report regarding an investigation into Ms. Edmonds' allegations may be forthcoming as soon as within the next four weeks. Depending on the findings of that report, we may recommend adding further questions to Ms. Edmonds' deposition and would reserve that opportunity.

www.motleyrice.com

MT. PLEASANT
28 BRIDGESIDE BLVD.
P.O. BOX 1792
MT. PLEASANT, SC 29465
843-216-9000
843-216-9450 FAX

BARNWELL
1750 JACKSON ST.
P.O. BOX 365
BARNWELL, SC 29812
803-224-8800
803-259-7048 FAX

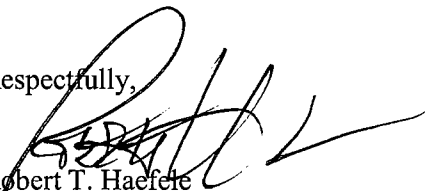
PROVIDENCE
321 SOUTH MAIN ST.
P.O. BOX 6067
PROVIDENCE, RI 02940
401-457-7700
401-457-7708 FAX

NEW ORLEANS
1555 POYDRAS ST.
SUITE 1700
NEW ORLEANS, LA 70112
504-636-3480
504-636-3499 FAX



If Your Honor has any questions regarding these proposed questions, we would make ourselves available at your request.

Respectfully,



Robert T. Haefele
Attorney
Motley Rice, LLC

Enclosures

cc: Mark S. Zaid, Esq.
Krieger & Zaid, PLLC
1747 Pennsylvania Avenue, N.W.
Suite 300
Washington, D.C. 20006
Facsimile: (202) 454-2805 fax

Vesper Mei, Esq.
United States Department of Justice
Civil Division, Federal Programs Branch
Post Office Box 883
Washington, D.C. 20044
Facsimile: (202) 616-8470

Proposed Questions for Sibel Edmonds Deposition

1. Please state your name?
2. When and where were you born?
3. When did you come to the United States?
4. Are you a resident of the United States?
5. Where did you go to school?
6. What is the level of your education?
7. What did you focus your studies on in school?
8. What languages do you speak?
9. What is your fluency or proficiency in each of these languages?
10. After your schooling, what was your first, etc., employment?
11. Have you ever been employed by the United States government?
12. During what time period were you employed by the United States government?
13. In what capacity have you been employed by the United States government?
14. Do you still work for the United States government?
15. Are you employed now? If so, what is your employment now?
16. Have you met Senate staff members in any unclassified conferences?
 - a. When did that/those meeting(s) occur?
 - b. Where did that/those meeting(s) occur?
 - c. Who attended that/those meeting(s)?
 - d. What statements, if any, have you disclosed in any unclassified conferences between you and Senate staff members?
17. Are you familiar with a June 19, 2002 Letter sent from Sen. Patrick J. Leahy and Sen. Charles E. Grassley to Inspector General Glenn A. Fine?
 - a. In that letter, the senators state, "Ms. Edmonds has alleged, and the FBI has confirmed, that the FBI assigned a contract language 'monitor' to Guantanamo Bay, Cuba, contrary to clear FBI policy that only more qualified 'linguists' be assigned to Guantanamo Bay."
 - i. Did the senators accurately report what you alleged?
 - ii. Were you telling the truth when you made those allegations?
 - iii. Why did you make those allegations?

- b. In that letter, the senators state, "Ms. Edmonds has alleged, and the FBI has confirmed, that another contract linguist in the FBI unit to which Ms. Edmonds was assigned failed to translate at least two communications reflecting a foreign official's handling of intelligence matters. The FBI has confirmed that the contract linguist had 'unreported contacts' with that foreign official."
 - i. Did the senators accurately report what you alleged?
 - ii. Were you telling the truth when you made those allegations?
 - iii. Why did you make those allegations?
 - c. In that letter, the senators also ask, "What guidance is provided to FBI contract linguists as to the steps they should take if they are concerned about a possible foreign attempt to penetrate or influence FBI operations? "
 - i. Where you ever provided any guidance as to the steps you should take if you became concerned about a possible foreign attempt to penetrate or influence FBI operations?
 - ii. If so, when were you given that guidance?
- 18. Are you familiar with an August 13, 2002 Letter sent from Sen. Patrick J. Leahy and Sen. Charles E. Grassley to Attorney General John Ashcroft?
 - a. In that letter, the senators state, "Ms. Edmonds has made a number of serious allegations, some of which the FBI verified were not unfounded during an unclassified briefing for Judiciary Committee staff on June 17."
 - i. Did you attend an unclassified briefing for Judiciary Committee staff on June 17, 2002?
 - ii. Is that the same meeting(s) discussed previously?
 - iii. If not, where did that/those meeting(s) occur?
 - iv. Who attended that/those meeting(s)?
 - v. What statements, if any, have you disclosed in any unclassified conferences between you and Senate staff members?
 - b. In that letter, the senators state, "Edmonds has alleged that a contract monitor in her unit ... chose not to translate important, intelligence-related information, instead limiting her translation to unimportant and innocuous information."
 - i. Did the senators accurately report what you alleged?
 - ii. Were you telling the truth when you made those allegations?
 - iii. Why did you make those allegations?
 - c. In that letter, the Senators also state, "Ms. Edmonds alleged that the same contract monitor once worked for an organization associated with a counter-intelligence investigation and that the monitor had contacts with a foreign national who was a member of the target institution."
 - i. Did the senators accurately report what you alleged?
 - ii. Were you telling the truth when you made those allegations?
 - iii. Why did you make those allegations?

- d. In that letter, the senators also state, "Additionally, Ms. Edmonds states that some of the mistranslated recordings on which the monitor actually worked contained conversations by this same person with whom the monitor had such contacts and concerned matters pertinent to the investigation."
 - i. Did the senators accurately report what you alleged?
 - ii. Were you telling the truth when you made those allegations?
 - iii. Why did you make those allegations?
19. Have you disclosed any statements in any unclassified conferences between you and Commissioners or staff members of the National Commission on Terrorist Attacks Upon the United States ("the 9/11 Commission").
- a. When did that meeting occur?
 - b. Where did that meeting occur?
 - c. Who attended that meeting?
 - d. What statements, if any, have you disclosed in any unclassified conferences between you and Commissioners or staff members of the National Commission on Terrorist Attacks Upon the United States ("the 9/11 Commission")?
20. Statements have been attributed to you on various news websites, including the Washingtonpost.com website, posted on April 8, 2004, are you aware that these statements have been attributed to you?
- a. One statement attributed to you and reported on the Washingtonpost.com website on April 8, 2004, states that you read intelligence reports from the Summer of 2001 that reported that al-Qaeda operatives planned to fly hijacked airplanes into United States skyscrapers.
 - i. Did the Washingtonpost.com website accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
 - b. Another statement attributed to you and reported on the Washingtonpost.com website on April 8, 2004, quotes you as saying that "There was general information about the time-frame, about methods to be used but not specifically about how they would be used and about people being in place and who was ordering these sorts of terror attacks."
 - i. Did the Washingtonpost.com website accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
 - c. Another statement attributed to you and reported on the Washingtonpost.com website on April 8, 2004, quotes you as saying that you provided the 9/11 Commission's staff with "[s]pecific dates, specific target information, and specific managers in charge of the investigations".
 - i. Did the Washingtonpost.com website accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?

- iii. Why did you make that statement?
21. In addition to the April 8, 2004 Washingtonpost.com website, are you aware that the Salon.com website has attributed statements to you in a posting dated March 27, 2004?
- a. In statements attributed to you and reported similarly on the Washingtonpost.com website on April 8, 2004 and on the Salon.com website on March 27, 2004, did you respond to an Op-Ed piece authored by national security advisor Condoleezza Rice's Op-Ed wherein Dr. Rice stated that the United States had no intelligence warnings of al Qaeda's tactics?
 - i. Did the reports on the two websites, Washingtonpost.com and Salon.com, accurately report what you stated when they quote you as stating, "That is impossible" and "That's an outrageous lie. And documents can prove it's a lie."
 - ii. Were you telling the truth when you made those statements?
 - iii. Why did you make those statements?
 - b. Another statement attributed to you, as reported on the Salon.com website on March 27, 2004, states that the FBI had detailed information well before September 11, 2001, including information that a terrorist attack involving airplanes was being plotted.
 - i. Did the Salon.com website accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
 - c. That statement attributed to you, as reported on the Salon.com website on March 27, 2004, also states that the FBI had detailed information well before September 11, 2001, including information that terrorists were likely to attack the United States with airplanes.
 - i. Did the Salon.com website accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
 - d. Another statement attributed to you, as reported on the Salon.com website on March 27, 2004, quotes you as stating that the United States "should have had orange or red-type of alert in June or July of 2001. There was that much information available."
 - i. Did the Salon.com website accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
 - e. Another statement attributed to you, as reported on the Salon.com website on March 27, 2004, quotes you as stating that information you were translating, "often connected to terrorism, money laundering or other criminal activity, provide evidence that should have made apparent that an al-Qaida plot was in the works."

- i. Did the Salon.com website accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
 - f. Another statement attributed to you, as reported on the Salon.com website on March 27, 2004, quotes you as stating that the FBI had "specific information about use of airplanes, that an attack was on the way two or three months beforehand and that several people were already in the country by May of 2001."
 - i. Did the Salon.com website accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
 - g. Another statement attributed to you, as reported on the Salon.com website on March 27, 2004, states that the FBI had information made available through an FBI informant, who had been a reliable informant for ten years, regarding specific terrorist plans and specific al-Qaeda cells active within the United States.
 - i. Did the Salon.com website accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
- 22. Are you aware that, in a posting dated August 11, 2003, Worldnet Daily has also attributed to your statements that WorldNet Daily claims you made to CBS?
 - a. One statement attributed to you and reported on WorldNet Daily states that another FBI translator named Melek Can ("Jan") Dickerson reviewed translations and omitted information crucial to the investigation of the events that occurred on September 11, 2001, such as discussions of methods to obtain U.S. military and intelligence secrets, and that Dickerson marked them as "not important to be translated."
 - i. Did the WorldNet Daily accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
- 23. Are you aware that, on January 26, 2004, the New York Observer, attributed to you statements about alleged FBI "security lapses in hiring and monitoring translators, about investigations compromised by incorrect or misleading translations sent to field agents, and about thousands of pages of translations alleged to be falsely labeled 'not pertinent' by Middle Eastern linguists who were either not qualified in a target language or English or who were protecting targets of investigations."
 - a. Did the New York Observer accurately report what you stated?
 - b. Were you telling the truth when you made that statement?
 - c. Why did you make that statement?
 - d. In that article the New York Observer also reported, "The Translation Department is treated by the F.B.I. as highly sensitive. Yet [Ms. Edmonds'] badge allowed her and other translators to enter and exit the building without passing through security, and within the sanctum itself they could pass freely

from floor to floor and to any agent's office. Ms. Edmonds saw several different individuals leave the building with documents or audio tapes in their gym bags. When she called security to report it, nothing was done.

- i. Did the New York Observer accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
24. Are you aware that, on May 23, 2004, Newsday attributed to you statements that you told the 9/11 commission that you had seen documents saying that terrorists wanted to use planes to attack U.S. skyscrapers.
 - a. Did the Newsday accurately report what you stated?
 - b. Were you telling the truth when you made that statement?
 - c. Why did you make that statement?
25. Are you aware that, on April 12, 2004, Newsweek attributed to you the following quote: "President Bush said they had no specific information about September 11 and that is accurate, but only because he said September 11?"
 - a. Did Newsweek accurately report what you stated?
 - b. Were you telling the truth when you made that statement?
 - c. Why did you make that statement?
 - d. That April 12, 2004, Newsweek article also attributed to you the statement that U.S. senior officials didn't know the exact date terrorists would strike, but they knew of Al Qaeda's plans to attack with aircraft.
 - i. Did Newsweek accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
26. Are you aware that, on April 14, 2004, The Independent -- London, stated that you wrote a letter to a senior senator, suggesting that the commissioners of the 9/11 commission should ask FBI Director Mueller certain questions during the 9/11 commission hearings?
 - a. Did you write such a letter?
 - b. To whom did you address that letter?
 - c. Did you send that letter?
 - d. Has it been acknowledged as having been received? In what form of acknowledgement?
 - e. In that letter, did you suggest that the commissioners ask Director Mueller, "is it true that certain translated information pre-and post-9/11 contained specific information regarding terrorists and their direct and indirect 'support networks' activities in the United States?"
 - i. Why did you suggest that question?
 - ii. Is it true that certain translated information pre-and post-9/11 contained specific information regarding terrorists and their direct and indirect 'support networks' activities in the United States?

- f. Did you suggest that the commissioners ask Director Mueller, "Is it true that some of this information was available as early as April and May 2001?"
 - i. Why did you suggest that question?
 - ii. Is it true that some of this information was available as early as April and May 2001?
 - g. Did you suggest that the commissioners ask Director Mueller, "Is it true that some of these investigations were not forwarded to counter-terrorism, even after 9/11?"
 - i. Why did you suggest that question?
 - ii. Is it true that some of these investigations were not forwarded to counter-terrorism, even after 9/11?
27. Are you aware that on April 5, 2004, The Toronto Star, attributed statements to you?
- a. One statement attributed to you and reported in The Toronto Star states that you told the 9/11 commission that you have seen and handled intelligence documents and cables that show National Security Adviser Rice was wrong when she said there was no advance warning of air attacks on U.S. soil.
 - i. Did The Toronto Star accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
 - b. Another statement attributed to you and reported in The Toronto Star states that you saw intelligence documents that pointed to the use of aircraft against skyscrapers in major U.S. cities.
 - i. Did The Toronto Star accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
 - c. The Toronto Star quotes you as saying: "In terms of specific cities? Yes. It was not only New York and Washington, D.C. There were four or five cities specifically named."
 - i. Did The Toronto Star accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?
 - d. The Toronto Star also quotes you as saying: "There were specific activities known. Domestic institutions were being targeted and airplanes were going to be used. That was known."
 - i. Did The Toronto Star accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?
 - iii. Why did you make that statement?

- e. The Toronto Star article also states that the documents you referenced were mostly dates April and May, 2001.
 - i. Did The Toronto Star accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?

- 28. On April 4, 2004, while interviewing 9/11 Commissioners Former Governor Tom Kean and Former Representative Lee Hamilton on the television program Meet the Press, interviewer Tim Russert stated that you said you had spent more than three hours testifying to the 9/11 commission.
 - a. Was Mr. Russert's comment that you testified to the 9/11 commission for more than three hours a correct statement?

 - b. Mr. Russert also stated that you stated that you had given the 9/11 commission information that was circulating within the FBI in the spring and summer of 2001 suggesting an attack using aircraft was months away and that that terrorists were in place.
 - i. Did Mr. Russert accurately report what you stated?
 - ii. Were you telling the truth when you made that statement?

- 29. Did you write a letter dated February 16, 2004, to Senator Charles Grassley?
 - a. Is this the letter?
 - b. Did that letter include statements alleging that severe problems have existed within the FBI's translation department since before September 11, 2001?
 - i. Were you telling the truth when you made those statements?
 - ii. Why did you make those statements?

 - c. Did that letter include statements alleging that within the FBI translation department, translations were being blocked, mistranslated, and delayed?
 - i. Were you telling the truth when you made those statements?
 - ii. Why did you make those statements?

 - d. Did that letter include statements alleging that, because translations within the FBI translation department that were being blocked, mistranslated, and delayed included items related to the terrorist attacks that happened on September 11, 2001, the security of our country and our ability to discover and prevent another planned terrorist attack continued to be seriously compromised?
 - i. Were you telling the truth when you made those statements?
 - ii. Why did you make those statements?

 - e. Did that letter include statements alleging that sympathizers within the FBI's language department and agents of foreign organizations within the FBI's language department could block or mistranslate information and thereby prevent information from being properly translated?

- i. Were you telling the truth when you made those statements?
- ii. Why did you make those statements?

30. On Sunday, October 27, 2002, the television news program "60 Minutes" aired an interview wherein Ed Bradley asked you questions, correct?

- a. The transcript of that program indicates a series of questions and answers wherein the exchange is as follows, and I represent that this is an accurate representation of the exchange from the Federal Document Clearing House copyrighted version of this interview:

BRADLEY (voice-over): Edmonds says that the supervisor, in an effort to slow her down, went so far as to erase completed translations from her FBI computer after she'd left work for the day.

EDMONDS: The next day, I would come to work, turn on my computer and the work would be gone. The translation would be gone. Then, I had to start all over again and retranslate the same document.

And I went to my supervisor and he said, "Consider it a lesson and don't talk about it to anybody else and don't mention it."

- i. Is that an accurate representation of your exchange?
- ii. Were you telling the truth when you made those statements?
- iii. Why did you make those statements?

31. Are you aware that United States Attorney General Ashcroft has asserted States Secret Privilege concerning much information that you possess?

- a. Has General Ashcroft or anyone from the Department of Justice, or any other governmental entity, explained to you why General Ashcroft has asserted that privilege over what you know? If so, please tell us the answer?
- b. Has General Ashcroft or anyone from the Department of Justice, or any other governmental entity, explained to what that privilege entails? If so, please tell us the explanation?
- c. Has General Ashcroft or anyone from the Department of Justice, or any other governmental entity, explained to you what you may or may not speak about? If so, please tell us what they have explained?
- d. Has General Ashcroft or anyone from the Department of Justice, or any other governmental entity, advised you after any of your public comments that you should not have made the statements that you have made? If so, please tell us what they have told you?