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   Attorneys for Plaintiffs Al-Haramain Islamic Foundation, Inc., Wendell Belew and Asim
18 **Ghafoor**

19   **IN THE UNITED STATES DISTRICT COURT**
20   **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

21 **IN RE NATIONAL SECURITY**   ) MDL Docket No. 06-1791 VRW
   AGENCY TELECOMMUNICATIONS   )
22 **RECORDS LITIGATION**   )
) **DECLARATION OF SHAYANA KADIDAL**
23 This Document Relates Solely To:) **IN SUPPORT OF MOTION PURSUANT**
) **TO 50 U.S.C. § 1806(f) TO DISCOVER**
24   ) **OR OBTAIN MATERIAL RELATING**
   Al-Haramain Islamic Foundation, Inc., et) **TO ELECTRONIC SURVEILLANCE**
25 *al. v. Bush, et al.* (C07-CV-0109-VRW)   )
)
26   ) Date: Tuesday, December 2, 2008
   AL-HARAMAIN ISLAMIC   ) Time: 10:00 a.m.
27 **FOUNDATION, INC., et al.,**   ) Court: Courtroom 6, 17th Floor
) Honorable Vaughn R. Walker
28

Page 1- DECL OF S. KADIDAL IN SUPPORT OF MOTION PURSUANT TO 50 USC §1806(f) TO DISCOVER OR
        OBTAIN MATERIAL RELATING TO ELECTRONIC SURVEILLANCE
        MDL DOCKET NO. 06-1791 VRW

1   Plaintiffs,   )

2   vs.   )
)

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

4   )

5   Defendants.   )
_____)

6

7   I, Shayana Kadidal, declare as follows:

8   1.   I am an attorney with the Center for Constitutional Rights ("CCR") in New York, and

9 am senior managing attorney of CCR's Guantanamo Global Justice Initiative. I am also plaintiffs'

10 counsel in *Center for Constitutional Rights v. Bush,* No. 07-1115, which is one of the many cases

11 coordinated in the above-captioned multidistrict litigation, *In re National Security Agency*

12 *Telecommunications Records Litigation*, MDL Docket No. 06-1791 VRW. Like *Al-Haramain Islamic*

13 *Foundation, Inc., et al. v. Bush, et al.*, *CCR v. Bush* challenges President Bush's warrantless

14 surveillance program.

15   2.   As managing attorney of the Guantanamo Global Justice Initiative, I litigate cases

16 against the United States Government on behalf of individuals detained at Guantanamo Bay, Cuba.

17   3.   In connection with our Guantanamo litigation, I currently hold a Top Secret/Sensitive

18 Compartmented Information (TS//SCI) clearance. My clearance investigation was run by the FBI and

19 adjudicated by the Court Security Office. My understanding is that the FBI began its investigation

20 around the week of December 10, 2007 (although the formal application was submitted a few weeks

21 earlier), and I was briefed and read into the compartment around January 29, 2008, although I was

22 informed that the investigatory process was complete a week before the latter date. Based on those

23 dates, it appears to have taken the government approximately six weeks to process my application from

24 the time the clearance investigation began until it was complete, notwithstanding the intervening

25 holidays.

26   4.   Two other attorneys and one paralegal at CCR also have security clearances at this

27 level.

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     Page 2- DECL OF S. KADIDAL IN SUPPORT OF MOTION PURSUANT TO 50 USC §1806(f) TO DISCOVER OR
             OBTAIN MATERIAL RELATING TO ELECTRONIC SURVEILLANCE
             MDL DOCKET NO. 06-1791 VRW

1   Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and

2   correct to the best of my knowledge, information and belief.

3

4   Executed this 26th day of September, 2008.

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6   _____
           Shayana Kadidal

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Page 3- DECL OF S. KADIDAL IN SUPPORT OF MOTION PURSUANT TO 50 USC §1806(f) TO DISCOVER OR
         OBTAIN MATERIAL RELATING TO ELECTRONIC SURVEILLANCE
         MDL DOCKET NO. 06-1791 VRW