

List of Reference Materials begins on [page 16, below](#)

## Schedule & Speaker Biographies

---

Friday, February 29, 2008

Time	Event/Topic and Speaker(s)
8:45 – 9:00 AM	<p><b>Welcome:</b> <b>Dean Kellye Testy</b>, Seattle University School of Law <b>S. James Rosenfeld</b>, Director of Continuing Legal Education, Seattle University School of Law</p>
9:00-10:00 AM	<p><b><u>Session 1:</u></b> <b>How We Got Here: What the Courts Have Told Us to Date</b> A summary of how and why the existing current system for detention, interrogation and processing of persons believe to be “terrorists” was established and evolved, including highlights of major legislation and court decisions.</p> <p><i>Moderator:</i> <b>Robert C. Boruchowitz</b>, Visiting Clinical Professor of Law, Seattle University School of Law</p> <p><i>Speakers:</i> <b>Professor Michael Greenberger</b>, University of Maryland Law School <b>Charles W. Swift</b>, Emory University School of Law</p>
10:00-11:00 AM	<p><b><u>Session 2:</u></b> <b>Who Are We Talking About: Soldiers, Criminals or Something Else – And Why Does It Make A Difference?</b> A description of the possible ways of characterizing persons captured as alleged terrorists, how they affect the rights of the detainees and the impact on relations with countries of origin and allies.</p> <p><i>Moderator:</i> <b>Norman Printer</b>, Legal Writing Professor, Seattle University School of Law, <i>formerly</i> Associate Deputy General Counsel, Department of Defense</p> <p><i>Speakers:</i> <b>Major General John D. Altenburg, Jr.</b> (USA ret.), former head of the military commissions <b>David R. East</b>, McNaul Ebel Nawrot &amp; Helbren PLLC</p>

**Kyndra Rotunda**, Major, JAG, U.S. Army Reserves

**11:00-11:15 AM Break**

**11:15-12:15 PM Session 3:**

**What Are the Applicable Legal Frameworks: International Law, U.S. Constitutional Law; Others?**

An overview of the origin, evolution and application of existing frameworks and practices, summary of the system currently being used by U.S. and its rationale, and identification of the international law.

*Moderator:*

**Gwynne Skinner**, Visiting Clinical Professor, International Human Rights Law Clinic, Seattle University School of Law

*Speakers:*

**J. Wells Dixon**, Center for Constitutional Rights

**Sandra Hodgkinson**, Deputy Assistant Secretary of Defense for Detainee Affairs, DASD/DA

**Joe McMillan**, Perkins Coie

**12:15 -1:30 PM Buffet Lunch (2<sup>nd</sup> Floor Gallery, Sullivan Hall)**

**1:30-2:30 PM Session 4:**

**What Do We Do With the “Bad Guys”?**

A candid discussion of the national security concerns and individual liberty interests in the prosecution and defense of persons suspected of being terrorists, focusing on the “practical” problems – known and unacknowledged (*e.g.*, when countries of origin prefer not to take back nationals)

*Moderator:*

**Ron Slye**, Associate Professor, Seattle University School of Law

*Speakers:*

**Major General John D. Altenburg, Jr.** (USA ret.), former head of the military commissions

**J. Wells Dixon**, Center for Constitutional Rights

**Charles W. Swift**, Emory University School of Law

**Jon R. Zulauf**, Zulauf and Chambliss

**2:30-4:00 PM**

**Session 5:**

---

**Is It Possible to Develop a Consensus Model?**

Are there system characteristics that observers from across the spectrum can agree upon? If not, why not?

*Moderator:*

**John McKay**, Professor from Practice, Seattle University School of Law;  
*formerly* U.S. Attorney, Western District of Washington

*Speakers:*

**Hon. John C. Coughenour**, Federal District Judge, Western District of Washington

**J. Wells Dixon**, Center for Constitutional Rights

**Professor Michael Greenberger**, University of Maryland Law School

**Sandra Hodgkinson**, Deputy Assistant Secretary of Defense for Detainee Affairs, DASD/DA

**Hon. Robert S. Lasnik**, Chief Judge, Western District of Washington

**Kyndra Rotunda**, Major, JAG, U.S. Army Reserves

**Harry S. Schneider**, Perkins Coie

## Program Faculty

---

**General John D. Altenburg, Jr.**

Major General, U.S. Army, Retired

Greenbert Traurig

2101 L Street, N.W., Suite 1000

Washington, DC 20037

(202) 331-3136

[altenburgj@gtlaw.com](mailto:altenburgj@gtlaw.com)

John D. Altenburg is a principal with the Washington D.C. office of Greenberg Traurig, an international, corporate law firm with 1750 lawyers in 28 cities in the United States, Europe, and Asia. His practice includes contract litigation, corporate governance, investigations, and international law. Before joining Greenberg Traurig in 2002 he was a consultant on governance and ethics issues to the President, World Bank Group.

General Altenburg subsequently took a 32 month leave of absence from Greenberg Traurig when the Secretary of Defense appointed him to be Appointing Authority for Military Commissions. As Appointing Authority, he was responsible for reviewing charges and evidence against individuals detained in Afghanistan by the United States. He had discretion to approve or disapprove charges for alleged law of war violations and to refer appropriate cases to trial by Military Commission. As Appointing Authority he was a singular force for modifying the original 2001 Presidential Military Order and Commission procedures to comply with contemporary military jurisprudential standards and international standards. He returned to Greenberg Traurig in November 2006.

General Altenburg earlier had served 28 years as an Army lawyer. His Military Justice and Operations Law experience included service or legal oversight in Vietnam (1969-1970, 9<sup>th</sup> Infantry Division), Special Operations (1974-1978, 5<sup>th</sup> Special Forces Group), Operation Desert Storm-Kuwait/Iraq (1990-1991, 1<sup>st</sup> Armored Division), Operation Restore Hope-Somalia (1992-1993, XVIII Airborne Corps), Operation Uphold Democracy-Haiti (1994, Joint Task Force 180), Operations Joint Endeavor/Guard-Bosnia and Joint Guardian-Kosovo (1995-2001, Army Staff). From 1997 through 2001, as Deputy Judge Advocate General of the Army, he advised senior military and civilian leaders on critical legal and policy issues and directed the day to day operations of the 1,800 civilian and uniformed attorneys and 3,000 National Guard and Army Reserve attorneys providing legal services to commanders, soldiers, and civilians worldwide.

He has lectured frequently in Europe, Asia, Latin America, and numerous U.S. law schools on topics as diverse as leadership and mentoring, trial advocacy, legal aspects of peacekeeping and combat operations, and other national security issues. He was the U.S. Representative on the Experts Panel at the International Institute of Humanitarian Law in San Remo, Italy. He authored "Rhetoric or Reality? Winning the Battle of Ideas," in the Barry Law Review, Volume 7, pp 149-167, Fall 2006. He co-authored "Terrorism, State Responsibility, and the Uses of Military Force" in the Chicago Journal of International Law, Spring 2003.

General Altenburg earned a BA in English and International Studies from Wayne State University, a JD from the University of Cincinnati College of Law, and an MMAS in History from the U.S. Army Command and General Staff College (CGSC). A graduate of the National War College, his decorations include the Distinguished Service Medal, Legion of Merit (2), Bronze Star Medal (2), Master Parachutist Badge, Combat Diver's Badge, and Special Forces Tab.

---

**Robert C. Boruchowitz**

Visiting Clinical Professor of Law  
Seattle University School of Law  
PO Box 222000  
Seattle, WA 98122-1090  
[boruchor@seattleu.edu](mailto:boruchor@seattleu.edu)  
206-398-4130

Robert C. Boruchowitz is a Visiting Clinical Professor at Seattle University School of Law. He teaches in the Youth Advocacy Clinic and he developed a seminar he taught in the fall semester on Law and the Holocaust. He worked at The Defender Association in Seattle for 33 years, 28 as Director. He has argued cases at every level of the state and Federal courts, including a challenge to the Washington "sexually violent predator law" in the United States Supreme Court. He was president of the Washington Defender Association for 20 years and has served on the boards of the American Civil Liberties Union of Washington and the National Legal Aid and Defender Association.

In 2003 Professor Boruchowitz was a Soros Senior Fellow working on access to counsel in misdemeanor and juvenile cases. He has received the Gideon Award from WDA, the Champion of Indigent Defense Award from the National Association of Criminal Defense Lawyers, the Professionalism Award from the Washington State Bar Association, and the Friend of the Profession Award from the King County Bar Association. He currently serves on the state Bar Committee on Public Defense and the Seattle Mayor's Police Accountability Review Panel.

---

**Hon. John C. Coughenour**

Federal District Judge  
Western District of Washington  
U.S. Courthouse  
700 Stewart St.  
Seattle, WA 98101-9906  
(206) 370-8800

John C. Coughenour was born in Pittsburg, Kansas, and graduated from Kansas State College of Pittsburg in 1963. He received his Juris Doctor degree from the University of Iowa in 1966, where he was Order of the Coif and a member of the Board of Editors of the Iowa Law Review. He taught trial and appellate practice at the University of Washington School of Law from 1970 to 1973. Judge Coughenour was a partner at the Seattle law firm of Bogle and Gates when he was appointed to the United States District Court in 1981.

Judge Coughenour has served as Chair of the Ninth Circuit Jury Instructions and the Intracircuit Assignment Committees, and as Chair of the Ninth Circuit Gender Bias Task Force. He is Past President of the Ninth Circuit District Judges Association.

---

**J. Wells Dixon**

Staff Attorney  
Center for Constitutional Rights  
666 Broadway, 7th Floor  
New York, New York 10012  
(212) 614-6423  
[wdixon@ccr-ny.org](mailto:wdixon@ccr-ny.org)

J. Wells Dixon is an attorney at the Center for Constitutional Rights in New York City. He works on the Guantánamo Global Justice Initiative, challenging the detention of prisoners at Guantánamo Bay. His clients include four Uighur prisoners cleared for release as long ago as 2003, and a United Nations mandate refugee from Somalia. Wells also represents former Baltimore-area resident Majid Khan, who was imprisoned and tortured in secret CIA “black sites” for more than three years before he was transferred to Guantánamo Bay in September 2006. He is part of the legal team currently challenging the constitutionality of the Military Commissions Act of 2006 in the United States Supreme Court.

Mr. Dixon previously worked at Kramer Levin Naftalis & Frankel LLP, where he specialized in white collar criminal defense and securities litigation. He is a graduate of Johns Hopkins University and the University of Colorado School of Law, where he was editor of the *Law Review*. He is a former law clerk to the Honorable Christopher F. Droney of the United States District Court for the District of Connecticut.

---

**David R. East**

McNaul Ebel Nawrot & Helbren PLLC  
600 University St., Ste. 2700  
Seattle, WA 98101-3143  
(206) 389-9367  
[deast@mcnaul.com](mailto:deast@mcnaul.com)

David East is a litigation attorney at McNaul Ebel. His practice includes representing plaintiffs and defendants in commercial litigation, product liability, professional malpractice, insurance, business and real estate disputes. Mr. East also has represented clients in criminal matters, and he is presently a member of the Criminal Justice Act Panel for the Western District of Washington. He has represented clients in trials and arbitrations.

Mr. East received his B.A. in History from the University of Washington in 1997. After college, he served on the staff of the Judiciary Committee for the United States Senate before attending law school at Georgetown University Law Center. During law school, Mr. East clerked for the

Department of Justice (Civil Rights Division, Criminal Section) and represented clients in Georgetown's Criminal Justice Clinic. After receiving his J.D. from Georgetown in 2001, Mr. East joined Perkins Coie as an associate in its general litigation department, where he worked on a wide variety of complex civil law matters. Mr. East joined McNaul Ebel as an associate in September 2005.

Mr. East has taken on several significant pro bono matters, including habeas corpus, death penalty, immigration and family law cases. Recently, he was part of the team of attorneys that successfully argued the case of *Hamdan v. Rumsfeld*—which halted the president's military tribunal system in Guantanamo Bay, Cuba—before the United States Supreme Court. From 2002 through 2006, Mr. East chaired the Pro Bono/Public Service Committee of the Washington State Bar Association Young Lawyers Division. Additionally, Mr. East has guest lectured at Seattle University School of Law on various topics, including civil procedure, constitutional law, and the law of terrorism.

In 2007, Mr. East was selected by the King County Bar Association as co-recipient of its Outstanding Lawyer Award for his work on the *Hamdan* case. In 2006, the Washington State Bar Association selected Mr. East as the recipient of the Thomas Neville Award, which is presented to the outstanding young pro bono attorney in the State of Washington. He also received an Award of Distinction from Seattle University School of Law's Access to Justice Institute for his pro bono and public service work, and was selected as a "Rising Star" by Washington Law and Politics.

---

**Professor Michael Greenberger**

Director, Center for Health and Homeland Security  
University of Maryland School of Law  
500 W. Baltimore Street  
Baltimore, MD 21201-1786  
(410) 706-1014  
[mgreenberger@law.umaryland.edu](mailto:mgreenberger@law.umaryland.edu)

Michael Greenberger is the Director of the Center for Health and Homeland Security (CHHS) at the University of Maryland and a professor at the School of Law. CHHS and the seven constituent professional schools which form its core (the University of Maryland Schools of Medicine, Law, Dentistry, Pharmacy, Nursing, Social Work and Public Health) work on legal, policy and scientific issues pertaining to natural and man-made disasters. CHHS has a staff of over 40 professionals, many of whom are recent graduates of the School of Law. CHHS works on a broad range of homeland security and emergency response issues for federal, state and local governmental agencies, as well as medical researchers. More information about CHHS can be found at: [www.umaryland.edu/healthsecurity](http://www.umaryland.edu/healthsecurity).

Professor Greenberger designed and teaches two courses focused on counterterrorism and emergency response: "Homeland Security and The Law of Counterterrorism," which was taught in the Law School for the eighth time this last semester; and "Homeland Security: Emergency Response to Natural and Man Made Disasters," bringing students and faculty from the various

university professional schools together to study effective governmental policies pertaining to catastrophic public health emergencies. Professor Greenberger also teaches Constitutional Law and a seminar on Futures, Options and Derivatives at the Law School.

In 1999, Professor Greenberger began service as Counselor to the United States Attorney General, and then became the Justice Department's Principal Deputy Associate Attorney General. In the latter capacity, Professor Greenberger assisted the United States Attorney General and Associate Attorney General in supervising the work of the Justice Department's Civil, Civil Rights, Environmental, Antitrust, and Tax Divisions. Also within his portfolio of responsibilities were several counterterrorism projects concerning both law enforcement and public health policy, including organizing a nationwide counterterrorism war game ("TOPOFF I").

Prior to entering government service, Professor Greenberger was a partner for over 20 years in the Washington, D.C. law firm of Shea & Gardner, where he served as lead litigation counsel before courts of law nationwide, including the United States Supreme Court.

Professor Greenberger is a Phi Beta Kappa graduate of Lafayette College and the University of Pennsylvania Law School, where he served as editor-in-chief of the Law Review. He is a Life Member of the American Law Institute and he has served on the Board of Governors of the D.C. Bar and as a board member of three nonprofit public interest organizations. Professor Greenberger has also served on the D.C. Circuit Advisory Committee on Procedures and as a mediator for the United States Courts for the District of Columbia.

---

### **Sandra Hodgkinson**

Deputy Assistant Secretary of Defense for Detainee Affairs

Sandra L. Hodgkinson is currently serving as Deputy Assistant Secretary of Defense for Detainee Affairs. She recently departed her position as Deputy to the Ambassador-at-Large for War Crimes at U.S. State Department, where she provided support to international justice mechanisms around the globe and coordinated engagement with foreign governments on repatriation of their nationals captured in the war on terror from Guantanamo Bay. She also served as Director for International Justice at the National Security Council, White House, from May 2004- December 2005. In that capacity, she prepared policy papers for the President and the National Security Advisor, and coordinated interagency efforts, on international tribunals, detention, trafficking in persons, international treaty reports, refugees, migration, and rule of law. Prior to this assignment, she was a Foreign Affairs Officer at the U.S. State Department's Bureau of Democracy, Human Rights and Labor, first specializing in democracy and human rights promotion for the Middle East, and later in global rule of law issues.

From February 2003-February 2004, Ms. Hodgkinson was detailed to the Department of Defense's Office of Reconstruction and Humanitarian Assistance (ORHA), and later Coalition Provisional Authority (CPA), where she worked in Kuwait and Iraq as the senior human rights official. She served as Senior Advisor to the newly established Ministry of Human Rights, and as Director for the CPA's Office of Human Rights and Transitional Justice (OHRTJ) which

addressed mass graves and supported the Iraqi-efforts to create the Iraqi High Tribunal (IHT) which tried Saddam Hussein.

Prior to the State Department, Ms. Hodgkinson spent six years on active duty in the U.S. Navy's Judge Advocate General's (JAG) Corps, including assignments as an Appellate Clerk to the Navy and Marine Corps' Court of Criminal Appeals, as a Prosecutor and Foreign Criminal Jurisdiction Officer in Europe and Southwest Asia, and as an instructor at the Defense Institute of International Legal Studies (DIILS) where she led training teams to 25 countries on Rule of Law, Human Rights, Military Justice, and Law of War. She was recently selected for Commander in the Navy Reserve JAG Corps, and is entitled to wear the Defense Meritorious Service Medal.

Ms. Hodgkinson earned her B.A. at Tulane University in International Relations and French in 1992. She completed her M.A. at the University of Denver, Graduate School of International Studies, in International Affairs (Economics) and Spanish in 1995, and her J.D. at the University of Denver, College of Law in 1995. She has studied political science at the l'Institut d'Etudes Politiques in Paris, France, and international law at the Hague Academy of International Law. She speaks French, Spanish and Italian to varying degrees, and has published 7 law review or journal articles on international and preventive law. She is licensed to practice law in Washington, DC, and Colorado.

---

**Honorable Robert S. Lasnik**

Chief United States District Judge  
Western District of Washington  
United States Courthouse  
700 Stewart Street  
Seattle, WA 98101  
206-370-8810

Robert S. Lasnik became Chief Judge of the Western District of Washington on September 1, 2004. He was appointed to the United States District Court by President Clinton in 1998. Prior to that he served as a King County Superior Court Judge for nine years. He formerly was Chief of Staff in the King County Prosecutor's Office. Judge Lasnik graduated from Brandeis University with a degree in psychology and sociology and later obtained two master's degrees from Northwestern University in journalism and in counseling. He is a graduate of the University of Washington School of Law and was an instructor there in Interviewing and Counseling for Lawyers.

Judge Lasnik serves on the Ninth Circuit Judicial Council, the board of 11 judges that is the circuit's governing body. He also is a member of the Judicial Conference U.S. Budget Committee where he chairs the Congressional Outreach Subcommittee. Judge Lasnik chaired the Ninth Circuit's Public Information and Community Outreach Committee for four years, served as Program Chair for the 2006 Ninth Circuit Judicial Conference and Conference Chair in 2007. From 2002-2005 Judge Lasnik chaired the Washington State Committee of Selection for the Rhodes Scholarships.

---

**John McKay**

Professor from Practice  
Seattle University School of Law  
PO Box 222000  
Seattle, WA 98122-1090  
206-398-4079

John McKay joined the faculty of Seattle University School of Law as Professor from Practice in January, 2007. He teaches Constitutional Law of Terrorism and National Security Law, among other courses.

President Bush nominated Mr. McKay to serve as the United States Attorney on September 19, 2001, and the United States Senate confirmed his nomination on October 24, 2001. Mr. McKay began his tenure as United States Attorney for Western Washington on October 30, 2001, and resigned along with seven other U.S. Attorneys in January, 2007.

Mr. McKay attended the University of Washington, where he received a Bachelor of Arts degree in political science in 1978. After working as an aide to Congressman Joel Pritchard (R-WA) in 1978 -79, Mr. McKay earned his law degree at Creighton University in Omaha, Nebraska in 1982. He was admitted to the Washington State Bar and joined the Seattle law firm Lane Powell in 1982, eventually becoming a litigation partner with that firm. During this time, he was admitted to practice before the U.S. District Court, the Ninth Circuit Court of Appeals, and the United States Supreme Court.

From 1989 to 1990, Mr. McKay served as a White House Fellow, where he worked as a Special Assistant to the Director of the Federal Bureau of Investigation in Washington, D.C. Mr. McKay then returned to Seattle and joined the law firm of Cairncross & Hempelmann, later becoming the firm's managing partner.

Between 1997 and 2001, Mr. McKay served as the President of the Legal Services Corporation (LSC) in Washington, D.C. Congress established the LSC in 1974 as a private, non-profit corporation to ensure equal access to justice under the law for all low-income Americans. Mr. McKay's tenure at LSC was characterized by a bipartisan approach to working with Congress, driven by a deeply held commitment to the principle of equal justice.

During his legal career, Mr. McKay has taken on leadership responsibilities with the American Bar Association (ABA) and the Washington State Bar Association. He has been a member of both the ABA Board of Governors and House of Delegates, and has served on the Washington State Bar Association's task forces on Opportunities for Minorities in the Legal Profession and on Governance. From 1988 to 1989, he was President of the Washington State Bar Association's Young Lawyers Division. From 1995 to 1996, Mr. McKay served as the Washington State Chairman of the Equal Justice Coalition. In 1995, the Washington State Bar Association named Mr. McKay *Pro Bono Lawyer of the Year*; in 2001 he received the Association's *Award of Merit*, its highest honor, and following his dismissal as U.S. Attorney, the *Courageous Award* in 2007.

Mr. McKay is a Seattle native who grew up on Capitol Hill and attended St. Joseph's Grade School and Seattle Prep High School. He is the fifth of the twelve children of the late Dr. John and Katie McKay. He is single and greatly enjoys his 26 nieces and nephews.

---

**Joseph M. McMillan**

Perkins Coie

1201 Third Avenue Suite 4800

Seattle, Washington 98101-3099

206.359.6354

[JMcMillan@perkinscoie.com](mailto:JMcMillan@perkinscoie.com)

Joseph M. McMillan is a partner at Perkins Coie, in the Litigation Practice Group and focuses on complex commercial litigation and intellectual property litigation; before joining Perkins Coie, he was an attorney at Bogle & Gates P.L.L.C. from 1996 – 1999. From 1988-1996, Mr. McMillan was an Assistant Professor of History and Chairman, History and Political Science Department at St. Charles Community College, where he came from the University of Iowa, Department of History where he served as a Teaching and Research Fellow from 1983 – 1987. Prior to his teaching career, Mr. McMillan served on a variety of international development projects including for the Canadian International Development Agency, Upper Region, Ghana, West Africa, Site Development Coordinator, Water Utilization Project in 1982-83, and as a U.S. Peace Corps Volunteer in Ghana and West Africa, 1981 – 1983.

---

**Norman Printer**

Legal Writing Professor

Seattle University School of Law

*former* Associate Deputy General Counsel, Department of Defense

PO Box 222000

Seattle, WA 98122-1090

206-398-4134

[printern@seattleu.edu](mailto:printern@seattleu.edu)

Norman Printer held positions in government, academia, and private practice, before joining the Seattle University faculty. Most recently, he served at the Pentagon in the Department of Defense (DoD), holding both military and civilian positions. As a military attorney serving as a Judge Advocate General (JAG) in the U.S Air Force, Professor Printer deployed to Guantanamo Bay, Cuba, to advise military and Federal Bureau of Investigation agents on detainee operations and counter-terrorism investigations in the Global War on Terrorism. As a civilian in the Department of Defense Office of the General Counsel, he advised senior government officials on the novel international humanitarian law and policy issues facing the global community after September 11th, in addition to representing the United States at the United Nations and in other international fora. Prior to working at the Pentagon, Professor Printer served on active duty as an Air Force JAG from 1997-2001, including an overseas assignment to South Korea. He currently holds a commission as a JAG in the Air Force reserve.

In addition to government service, Professor Printer previously held faculty positions at the University of Alabama School of Law and Tulane University Law School. He was also a litigation associate in private practice, immediately following law school.

Professor Printer continues to pursue research and scholarship in public international law, focusing on the rapidly changing character of human rights and humanitarian law. He is a member of the State Bar of Indiana; American Society of International Law; American Bar Association Standing Committee on Law and National Security; and International Society for Military Law and the Law of War. He also serves as a Corresponding Editor to the International Legal Materials for the American Society of International Law.

---

**Kyndra Rotunda**, Major, JAG, U.S. Army Reserves; author:  
1600 North Oak Street, Suite 1810  
Arlington, VA 22209  
Phone: 703-554-4662  
[Kyndrak@yahoo.com](mailto:Kyndrak@yahoo.com)

Kyndra Rotunda is the author of forthcoming [Honor Bound: Inside the Guantanamo Trials](#) (Carolina Academic Press; Spring 2008), which will be available on Amazon. She is a lawyer and former Director of the Clinic for Legal Assistance to Service members at George Mason School of Law.

Major Rotunda began her career in the US Army JAG Corps, and she remains in the Army Reserves. Ms. Rotunda has served in several missions related to the Global War on Terror. She served in Guantanamo Bay; was the legal advisor to a team of investigators pursuing leads in the war on terror; served as a prosecutor at the Office of Military Commissions; and represented wounded troops at Walter Reed Army Medical Center. Rotunda has written op-eds for the *Christian Science Monitor* “[Denying Self-Defense to GIs in Iraq](#)” (March 2, 2007) and the *Wall Street Journal* entitled “[Hollywood Interrogates Al Qaeda](#)” (April 18, 2007).

---

**Harry S. Schneider**  
Perkins Coie  
1201 Third Avenue Suite 4800  
Seattle, Washington 98101-3099  
206.359.8508  
[hschneider@perkinscoie.com](mailto:hschneider@perkinscoie.com)

Harry Schneider is a partner at Perkins Coie, where he practices litigation, trial practice and arbitration before state and federal courts and administrative bodies, with an emphasis on litigation involving professional liability, intellectual property, complex financial and commercial disputes, and fiduciary or estate and trust matters.

Mr. Schneider was inducted into the International Society of Barristers. Other professional honors include being a fellow of the American College of Trial Lawyers, and listings in

“[America’s Leading Litigation Lawyers](#)”; The Client's Guide, 2004; Washington Law & Politics, “Washington’s Super Lawyers”; and The Best Lawyers in America. He was appointed to the the “blue-ribbon” committee of the American Bar Association, Litigation Section by the ABA President ; and has served on the Washington State Bar Association Board of Advisors, Lawyers Liability Review. He has served on the National Union, Panel Counsel for Director & Officer Liability Litigation; and is currently the Lawyer Representative to the Ninth Circuit Judicial Conference, 2008 - 2010

---

**Gwynne L. Skinner**

Visiting Clinical Professor of Law  
Seattle University School of Law  
Ronald A. Peterson Law Clinic  
1112 E. Columbia  
Seattle, WA 98122  
[skinnerg@seattleu.edu](mailto:skinnerg@seattleu.edu)

Gwynne Skinner has been teaching the International Human Rights Law Clinic at Seattle University since January 2005. She also currently teaches a course on the human rights responsibilities of corporations. Ms. Skinner has been lead counsel on cases under the Alien Tort Statute, as well as *Bivens*’ actions. She was lead counsel in a recent case involving conditions of detention at the local detention center. She continues to work on the issue of detention of immigrants and refugees. Ms. Skinner holds an M.St. (LL.M. equivalent) in International Human Rights Law from Oxford, and a J.D., with High Distinction, and M.A. from the University of Iowa. She is also the founder of the Public Interest Law Group PLLC here in Seattle, a firm that handles civil rights and human rights cases. She has published an article on war crimes litigation in the United States, and most recently, on the Nuremberg military tribunal trials’ influence on human rights litigation in the U.S. She has been named a Superlawyer by Seattle Law and Politics two years in a row, and was been named one of Seattle’s leading civil rights lawyers by Seattle Magazine in 2005.

---

**Ronald Slye**

Associate Professor of Law  
Seattle University School of Law  
PO Box 222000  
Seattle, WA 98122-1090  
[slye@seattleu.edu](mailto:slye@seattleu.edu)  
(206) 398-4045

Ronald Slye is an Associate Professor and Director of International and Comparative Law Programs at the Seattle University School of Law. He teaches, writes, and consults in the areas of public international law and international human rights law. Professor Slye has authored and co-authored books and articles on international law, human rights, environmental law, housing law, and poverty law. From 1991-93, Professor Slye was an assistant professor and Robert Cover Fellow in the clinical program at Yale Law School, where he taught an interdisciplinary transactional clinical course focusing on homelessness and housing, as well as immigration law

and poverty law. He practiced law in New York City from 1991-93 with the law firm of Berle, Kass & Case. From 1993-96, he was associate director of the Orville H. Schell, Jr., Center for International Human Rights at Yale Law School and co-taught Yale's international human rights law clinic. Professor Slye was a visiting professor at the Community Law Centre at the University of the Western Cape in South Africa from 1996-97 and, while there, served as legal consultant to the Truth and Reconciliation Commission. He is currently writing a book on the South African Truth and Reconciliation Commission and its amnesty process.

---

**Charles D. Swift**

Visiting Associate Professor and Acting Director  
International Humanitarian Law Clinic  
Emory Law School  
1301 Clifton Rd.  
Atlanta, GA 30322  
(404) 727-6816  
[charlesswift@hotmail.com](mailto:charlesswift@hotmail.com)

Charles D. Swift joined Emory Law as a Visiting Associate Professor and Acting Director of Emory Law's newly-established International Humanitarian Law Clinic. As Acting Director of the newly-established International Humanitarian Law Clinic, Swift gives students the opportunity to gain firsthand experience in the practice of humanitarian law by assisting organizations, law firms and military tribunals in prosecuting or defending individuals.

Prior to joining Emory Law, Swift served as a Lieutenant Commander in the U.S. Navy, Judge Advocate General's Corps, assigned to the Department of Defense Office of Military Commissions. Swift has more than twelve years of litigation experience with the U.S. military, including serving as defense counsel for the well-publicized Hamdan v. Rumsfeld case, which took him to the U.S. Supreme Court.

Known for his dedication to preserving the rule of law during wartime, Swift has been honored by the American Civil Liberties Union with a Medal of Liberty and named by the National Law Journal as one of the most influential lawyers in America. He received his B.S. from United States Naval Academy in 1984; and his J.D. from Seattle University School of Law in 1994; subsequently he earned an LL.M. from Temple Law School in 2006.

---

**Jon R. Zulauf**

Zulauf and Chambliss  
1809 7<sup>th</sup> Avenue – Suite 1301  
Seattle, WA 98101  
(206) 682-1114  
[jonzulauf@zulaufandchambliss.com](mailto:jonzulauf@zulaufandchambliss.com)

Mr. Zulauf is a past president of the Washington Association of Criminal Defense Lawyers. His practice is limited to criminal defense in State and Federal Courts. His clients have ranged from corporations charged with environmental crimes, lawyers charged with racketeering, doctors charged with soliciting prostitutes, businessmen charged with fraud, to rock stars charged with assault. He handles everything from complex white-collar criminal cases in Federal Court, to

domestic violence cases in Seattle Municipal Court. He is the past chairman of the WACDL Federal Bar Committee and an invited speaker at the State Judicial Conference. He has been listed in the book “Best Lawyers in America” every year for the past 12 years.

---

### **Program Organizer**

#### **S. James Rosenfeld**

Director for CLE and Distance Education

Adjunct Professor

Seattle University School of Law

(206) 398-4092

[rosenfeld@seattleu.edu](mailto:rosenfeld@seattleu.edu)

With 25 years experience in special education law, Professor Rosenfeld conducts a seminar on special education law and policy and is the founder and director of the School of Law's National Academy for IDEA Administrative Law Judges and Hearing Officers. Prior to assuming the position of CLE Director, he was employed in the Law Clinic, where he supervised students in their representation of parents of children with disabilities. For eight years, he wrote a monthly newsletter analyzing developments in special education law and authored two books: *Transporting Students with Disabilities* and *Education Records: A Manual*. Professor Rosenfeld is the founder of The Council of Parent Attorneys and Advocates and is a frequent presenter at national and regional conferences on this area of the law. In 2004, he testified before the President's Commission on Excellence in Special Education, and in 1984 testified before Congress on the special education due-process hearing system.

---

## Reference Materials

---

<u>Number</u>	<u>Date</u>	<u>Treaties and Conventions</u> (number of printed pages)
1	1949	Third Geneva Convention on the Treatment of Prisoners of War (67 pp)
2	1951	The Refugee Convention and Protocol (56 pp)
3	1976	The International Convention on Civil and Political Rights (ICCPR) (19 pp)
4	1994	The Convention against Torture (13 pp)
		<b>Judicial</b> (number of printed pages)
5	June 28, 2004	<i>Rasul v. Bush</i> , 542 U.S. 466 (2004) (22pp.)
6	June 28, 2004	<i>Hamdi v. Rumsfeld</i> , 542 U.S. 507 (2004) (39pp.)
7	Dec. 21, 2005	<i>Padilla v. Hanft</i> , No. 05-6396 (4 <sup>th</sup> Cir., 2005) [14 pp]
8	June 28, 2006	<i>Hamdan v. Rumsfeld</i> , 126 S.Ct. 2749 (2006) (80pp.)
9	April 2, 2007	<i>Boumediene v. Bush</i> , 127 S.Ct. 1478 (2007) [denial of cert.] (3pp.)
10	June 11, 2007	<i>Al Marri v. Wright</i> (4 <sup>th</sup> Cir.) [86 pp.]
11	July 20, 2007	<i>Bismullah v. Gates</i> , No. 06-1197 (D.C. Cir., 2007) [29 pp]
12	October 3, 2007	<i>Bismullah v. Gates</i> (Oct. 2007) (D.C. D.C., ) [12 pp.]
13	Dec. 5, 2007	Transcript of Oral Argument, <i>Boumediene v. Bush</i> , No. 06-1195 (Sup.Ct., 2007) [92 pp]
14	December 17, 2007	Opinion in <i>United States v. Hamdan</i> , Office of Military Commissions [4 pp.]
		<b>Other Documents</b> (number of printed pages)
15	November 13, 2001	Presidential Order: Detention, Treatment, and Trial of Certain Non-Citizens in the War Against Terrorism (3 pp.)
16	December 28, 2001	DoJ/Office of Legal Counsel Memo: Possible Habeas Jurisdiction over Aliens Held in Guantanamo Bay, Cuba (9 pp)
17	January 9, 2002	DoJ/Office of Legal Counsel Memo: Application of Treaties and Laws to al Qaeda and Taliban Detainees (42 pp.)
18	August 1, 2002	Bybee memo for Gonzalez on Standards of Conduct for Interrogation Under 18 USC 2340 (50 pp.)
19	November 27, 2002	Haynes Memorandum to Donald Rumsfeld on “Counter-Resistance Techniques” authorizing torture of CCR client Mohammed Al Qahtani [14 pp.]
20	2003	Printer, Norman, <i>The Use of Force Against Non-State Actors Under International Law: An Analysis of the U.S. Predator Strike in Yemen</i> , 8 UCLA J. Int'l L. & For. Aff. 331 (2003) [43 pp.]

21	July 7, 2004	Memorandum by former Navy General Counsel Alberto Mora discussing abuses at Guantanamo [22 pp.]
22	December 30, 2004	Levin memo for Comey on Legal Standards Applicable under 18 USC 2340 (17 pp)
23	September 29, 2005	McCain Amendment: Uniform Standards for the Interrogation of Persons Under the Detention of the Department of Defense (3 pp)
24	February 27, 2006	“The Memo” – Jane Mayer, <u>The New Yorker</u> on unlawful interrogations [6 pp.]
25	July 7, 2006	Pentagon Memo on Application of Common Article 3 (2 pp)
26	Fall, 2006	Koh, Can President be Torturer in Chief, 81 Ind. L.J. 1145 (Fall. 2006) (24 pp)
27	Fall 2006	Pearlstein, Finding Effective Constraints on Executive Power: Interrogation, Detention and Torture, 81 Ind. L.J. 1255 (Fall. 2006) (42 pp)
28	September 6, 2006	Ch. 8, Approach Techniques and Termination Strategies, Army Field Manual (FM2-22.3) (24 pp)
29	October 4, 2006	<i>NPR interview</i> : Yoo Defends Detainee Measures as “Rules of War” (4 pp)
30	October 3, 2006	Lawyers for Detainees Challenge Bush Plan (Washington Post, p. A-6) (1 pp)
31	October 15, 2006	Editorial: “Guilty Until Confirmed Guilty” (New York Times) (3 pp)
32	October 17, 2006	Military Commissions Act of 2006 (29 pp)
33	October 17, 2006	Dept. of Justice letter re Military Commissions Act of 2006 to U.S. Court of Appeals (2 pp)
34	October 18, 2006	Dept. of Justice notice of Military Commissions Act of 2006 to U.S. District Court (11 pp)
35	Feb. 8, 2006	Denbeaux & Denbeaux, <u>Report on Guantánamo Detainees (1)</u> [28 pp]
36	Mar. 20, 2006	Denbeaux & Denbeaux, <u>Report on Guantánamo Detainees (2)</u> [12 pp]
37	July 10, 2006	“Torture Report” – CCR report on abuses at Guantanamo [58 pp.]
38	July 11, 2006	“The Experiment” – Jane Mayer, <u>The New Yorker</u> on unlawful interrogations at Guantanamo [11 pp.]
39	July 30, 2006	Margulies, Joseph, Guantánamo and the Abuse of Presidential Power (Introduction OR Ch. 1)
40	2007	Halliday and White, “The Suspension Clause: English Text, Imperial Contexts, and American Implications,” Univ. of Va. Law Sch. Public Law and Legal Theory Working Paper Series (Paper 72; pp. 111-122) [12 pp]
41	May 31, 2007	Declaration of Admiral McGarrah (concerning Combatant Status Review Tribunals) [12 pp.]
42	June 4, 2007	“Off the Record” – CCR report on enforced disappearances ) [24 pp.]
43	June 15, 2007	Declaration of Stephen Abraham (concerning Combatant Status Review Tribunals) [7 pp.]
44	July 11, 2007	Goldsmith and Katyal, “The Terrorists’ Court,” Op-Ed <u>New York Times</u>

45	July 19, 2007	Cole, "The Grand Inquisitors," <i>The New York Review of Books</i> (Vol. 54, No. 12; July 19, 2007) [11 pp]
46	July 29, 2007	Power, "Our War on Terror," Book Review <u>New York Times</u> [8 pp]
47	August 14, 2007	"Faces of Guantanamo" – CCR report on who is actually detained at Guantanamo [11 pp.]
48	August 13, 2007	"The Black Sites" Jane Mayer, <u>The New Yorker</u> on CIA secret prisons [10 pp.]
49	August 22, 2007	"Guantanamo's Refugees" – CCR report on prisoners who cannot be repatriated [17 pp.]
50	September 4, 2007	Declaration of William Teesdale (concerning Combatant Status Review Tribunals) [10 pp.]
51	Sept. 27, 2007	The Military Commissions Act of 2006: Analysis and Comparison, CRS Report for Congress) (excerpts = 37 pp)
52	Oct. 28, 2007	Waxman, "The Smart Way to Shut Gitmo Down," <u>Washington Post</u> , p. B04 [3 pp]
53	Nov. 1, 2007	Coughenour, "How to Try a Terrorist," <u>The New York Times</u> , Op-Ed [2 pp]
54	Nov. 18, 2007	Cole and Lobel, "Are we safer?," <u>Los Angeles Times</u> , Op-Ed [1 pp]
55	Dec. 3, 2007	Greenhouse, "For Justices, Another Day on Detainees at Guantánamo Bay," <u>The New York Times</u> , p. A1, A39 [3 pp] GRAPHIC of cases on detainees
56	Feb. 1, 2008	Bismullah v. Gates (DC Cir. 2008) [37 pp.]
57	July 25, 2007	<a href="#">CTC Report on 516 CSRT Unclassified Summaries (7-25-07)</a> [39 pp]
58	July 25, 2007	<a href="#">CTC Response to Seton Hall Study (7-25-07)</a> [9 pp]
59	2007	Greenberger, You Ain't Seen Nothin' Yet: The Inevitable Post-Hamdan Conflict between the Supreme Court and the Political Branches, 66 MD. L. REV. 805 (2007) [30 pp]
60	Dec. 1, 2006	Greenberger, Did The Founding Fathers Do 'A Heckuva Job'? (12-1-06), UMLegStudResNo2006-43 [38pp]
61	2005	Greenberger, Material Witness Detention Without Probable Cause (2005) [49 pp]
62	Aug. 2, 2004	Greenberger, "A Third Magna Carta," <u>National Law Journal</u> (8-2-04) [6 pp]
63	Feb. 2008	GTMO Today (2-08) [6 pp]
64	Aug. 4, 2007	Guantanamo the Day After ( <u>National Journal</u> ) [11 pp]
65	Feb. 6, 2008	Greenhouse: 2 <sup>nd</sup> Case on Detainees Complicates ( <u>NYTimes</u> ) [2 pp] { see Doc. 56 }