

information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of these Plaintiffs by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 1.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“JURISDICTION AND VENUE”**

2. CACI PT denies that this Court has subject-matter jurisdiction over Plaintiffs’ claims.

3. If this Court has subject-matter jurisdiction, CACI PT admits that venue lies in this Court pursuant to 28 U.S.C. § 1391(a)(3). CACI PT denies the remaining allegations in Paragraph 3.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“PARTIES”**

4. With respect to the first sentence of Paragraph 4, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations and therefore denies them. Paragraph 4 alleges that Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiffs suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of these Plaintiffs by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 4.

5. Plaintiff Rashid has been dismissed from this case. Accordingly, CACI PT is not required to respond to allegations solely relating to claims by former plaintiff Rashid.

6. With respect to the first sentence of Paragraph 6, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations and therefore denies them. Paragraph 6 alleges that Plaintiff Al-Zuba'e suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiffs suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of these Plaintiffs by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 6.

7. With respect to the first sentence of Paragraph 7, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations and therefore denies them. Paragraph 7 alleges that Plaintiff Al-Ejaili suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiffs suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of these Plaintiffs by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 7.

8. CACI PT admits that its former Chief Executive Officer wrote a book called *Our Good Name*. To the extent the allegations in Paragraph 8 purport to characterize the contents of this publicly-available book, CACI PT states that the contents of the book speak for themselves. To the extent a response is required, CACI PT admits that CACI PT is a wholly-owned

subsidiary of CACI International Inc, and is located at 1100 North Glebe Road, Arlington, Virginia 22201. CACI PT denies the remaining allegations in Paragraph 8.

9. CACI PT admits that its former Chief Executive Officer wrote a book called *Our Good Name*. To the extent the allegations in Paragraph 9 purport to characterize the contents of this publicly-available book, CACI PT states that the contents of the book speak for themselves. To the extent a response is required, CACI PT admits that CACI International Inc, acquired Premier Technology Group (“PTG”). CACI PT admits that this acquisition augmented CACI International Inc’s ability to provide on-the-ground tactical intelligence support, including interrogation support.

10. CACI PT admits that, over the course of its history, it has provided substantial services to the United States Army, and that one aspect of those services provided was the provision of civilian interrogators in support of the Army’s mission in Iraq.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“OVERVIEW OF THE CONSPIRACY BETWEEN CACI PT
EMPLOYEES AND MILITARY PERSONNEL TO TORTURE
AND OTHERWISE SERIOUSLY MISTREAT DETAINEES”**

11. With respect to the first two sentences of Paragraph 11, CACI PT admits that in March 2003, the United States and certain of its allies invaded Iraq, and a multi-national occupation of Iraq began shortly thereafter once the regime of Saddam Hussein had lost effective control of Iraq. CACI PT further admits that during the occupation of Iraq by the United States military, an insurgency conducted attacks on United States and other coalition forces. With respect to the remaining allegations in Paragraph 11, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them.

12. CACI PT admits the first sentence of Paragraph 12 and that Abu Ghraib prison was a “sprawling site.” With respect to where the alleged acts of mistreatment that purportedly

gave rise to this action purportedly occurred, Paragraph 12 refers to allegations that the Plaintiffs suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether the Plaintiffs suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of Plaintiffs by others, CACI PT explicitly denies such allegations. With respect to the existence and floor plan of the “Hard Site,” CACI PT admits that the Hard Site had four tiers and that Tier 1 was under the control of the U.S. military and contained cells and interrogation rooms. CACI PT further admits that the U.S. military housed detainees viewed by the U.S. military as having intelligence value in the Hard Site. CACI PT denies the remaining allegations in Paragraph 12.

13. Admitted.

14. With respect to the first sentence of Paragraph 14, whether CACI PT was the only private contractor whose employees served as interrogators at Abu Ghraib Hard Site from fall 2003 to spring 2004, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. CACI PT admits the remaining allegations in Paragraph 14.

15. Admitted.

16. CACI PT admits that the initial Statement of Work required a minimum of six screeners and ten interrogators “to support the interrogation operations of the Theater Interrogation Facility.” CACI PT further admits that the initial Statement of Work required a minimum of six screeners and four interrogators “to support the interrogation operations of the Division Interrogation Facility.” CACI PT further admits that the Joint Interrogation and

Debriefing Center (“JIDC”) Organization chart for January 23, 2004, indicates that CACI PT provided 32 of the 149 personnel assigned to the JIDC. CACI PT denies the remaining allegations in Paragraph 16.

17. With respect to the first two sentences of Paragraph 17, CACI PT admits that detainees were guarded by military police (“MPs”) and that MPs did not conduct interrogations. CACI PT further admits that some interrogations were conducted by CACI PT employees under the supervision of the U.S. military chain of command, while other interrogations were conducted by Military Intelligence, but CACI PT further states that some interrogations were also conducted by employees of the United States or civilian contractor personnel working for Other Government Agencies. CACI PT admits that military and civilian interrogators were responsible for particular detainees that were assigned to them by the U.S. military chain of command.

18. CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations regarding Ivan Frederick’s convictions and sentence in Paragraph 18, and therefore denies them. With respect to whether there was a command vacuum within the 372nd Military Police Company at Abu Ghraib, CACI PT denies that allegation, as the U.S. military had a chain of command in place that controlled and supervised interrogation operations. As to whether CACI PT interrogators supervised MPs or assumed *de facto* positions of authority, CACI PT explicitly denies such allegations. As to whether CACI PT created or set in place the detainees’ conditions of confinement at Abu Ghraib prison, CACI PT explicitly denies such allegations. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of these Plaintiffs by others, CACI PT explicitly denies such allegations. CACI PT admits that instructions regarding the treatment of particular

detainees were given to MPs by both military and civilian interrogators, and in some cases by interrogators working for Other Government Agencies, and that such instructions were always specific to a detainee assigned to that interrogator. CACI PT denies the remaining allegations in Paragraph 18.

19. CACI PT admits that Plaintiffs hired Dr. Philip Zimbardo and assert that he is an expert. CACI PT admits that Dr. Zimbardo has offered an opinion in this case. CACI PT denies the remaining allegations in Paragraph 19.

20. CACI PT admits that Plaintiffs hired Geoffrey S. Corn and assert that he is an expert. CACI PT admits that Mr. Corn has offered an opinion in this case. As to whether CACI PT failed to take due care hiring and supervising its employees, CACI PT explicitly denies such allegations. As to whether CACI PT exercised oversight of its employees conduct while performing their duties at Abu Ghraib prison, CACI PT denies that it was required or expected to provide operational supervision of the employees CACI PT made available to the U.S. military chain of command for use in conducting the Army's interrogation mission in Iraq, as operational supervision and control was vested at all times in the United States Army leadership at Abu Ghraib prison. CACI PT denies the remaining allegations in Paragraph 20.

21. Denied.

22. Paragraph 22 states a legal conclusion to which no response is required. To the extent a response is required, CACI PT denies the allegations in Paragraph 22.

23. The allegations in Paragraph 23 purport to characterize and quote from a government report, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“THE TORTURE AND OTHER SERIOUS MISTREATMENT OF
SUHAIL NAJIM ABDULLAH AL SHIMARI”**

24. As to Plaintiff Al Shimari’s imprisonment and detention at Abu Ghraib prison, CACI PT admits, based on its review of records produced in this case, that he was detained but lacks knowledge or information sufficient to form a belief as to the alleged length of his detention, and therefore denies that allegation. As to what Plaintiff Al Shimari experienced while at Abu Ghraib prison, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 24.

25. Paragraph 25 alleges that the Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Shimari suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 25.

26. Paragraph 26 alleges that the Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Shimari suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations

and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 26.

27. Paragraph 27 alleges that the Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Shimari suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 27.

28. Paragraph 28 alleges that the Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Shimari suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 28.

29. Paragraph 29 alleges that the Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Shimari suffered any abuse or mistreatment whatsoever while in United States custody, CACI

PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 29.

30. Paragraph 30 alleges that the Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Shimari suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 30.

31. Paragraph 31 alleges that the Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Shimari suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 31.

32. Paragraph 32 alleges that the Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al

Shimari suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 32.

33. Paragraph 33 alleges that the Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Shimari suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 33.

34. Paragraph 34 alleges that the Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Shimari suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 34.

35. Paragraph 35 alleges that the Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Shimari suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 35.

36. Paragraph 36 alleges that the Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Shimari suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 36.

37. Paragraph 37 alleges that the Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Shimari suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Shimari, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Shimari by others, CACI

PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 37.

38. CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 38, and therefore denies them.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“THE TORTURE AND OTHER SERIOUS MISTREATMENT OF
TAHA YASEEN ARRAQ RASHID”**

39-58. Plaintiff Rashid has been dismissed from this case. Accordingly, CACI PT is not required to respond to allegations solely relating to claims by former plaintiff Rashid.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“THE TORTURE AND OTHER SERIOUS MISTREATMENT OF
ASA’AD HAMZA HANFOOSH AL ZUBA’E”**

59. As to Plaintiff Al Zuba’e’s imprisonment and detention at Abu Ghraib prison, CACI PT admits, based on its review of records produced in this case, that he was detained but lacks knowledge or information sufficient to form a belief as to the alleged length of his detention, and therefore denies that allegation. As to what Plaintiff Al Zuba’e experienced while at Abu Ghraib prison, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Zuba’e, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Zuba’e by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 59.

60. Paragraph 60 alleges that the Plaintiff Al Zuba’e suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Zuba’e suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and

therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Zuba'e, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Zuba'e by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 60.

61. Paragraph 61 alleges that the Plaintiff Al Zuba'e suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Zuba'e suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Zuba'e, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Zuba'e by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 61.

62. Paragraph 62 alleges that the Plaintiff Al Zuba'e suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Zuba'e suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Zuba'e, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Zuba'e by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 62.

63. Paragraph 63 alleges that the Plaintiff Al Zuba'e suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Zuba'e suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT

lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Zuba'e, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Zuba'e by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 63.

64. Paragraph 64 alleges that the Plaintiff Al Zuba'e suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Zuba'e suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Zuba'e, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Zuba'e by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 64.

65. Paragraph 65 alleges that the Plaintiff Al Zuba'e suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al Zuba'e suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Zuba'e, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Zuba'e by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 65.

66. Paragraph 66 alleges that the Plaintiff Al Zuba'e suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al

Zuba'e suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al Zuba'e, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al Zuba'e by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 66.

67. CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 67, and therefore denies them.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“THE TORTURE AND OTHER SERIOUS MISTREATMENT OF
SALAH HASAN NSAIF JASIM AL-EJAILI”**

68. As to Plaintiff Al-Ejaili's imprisonment and detention at Abu Ghraib prison, CACI PT admits, based on its review of records produced in this case, that he was detained but lacks knowledge or information sufficient to form a belief as to the alleged length of his detention, and therefore denies that allegation. As to what Plaintiff Al-Ejaili experienced while at Abu Ghraib prison, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al-Ejaili, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al-Ejaili by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 68.

69. Paragraph 69 alleges that the Plaintiff Al-Ejaili suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al-Ejaili suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and

therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al-Ejaili, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al-Ejaili by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 69.

70. Paragraph 70 alleges that the Plaintiff Al-Ejaili suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al-Ejaili suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al-Ejaili, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al-Ejaili by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 70.

71. Paragraph 71 alleges that the Plaintiff Al-Ejaili suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al-Ejaili suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al-Ejaili, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al-Ejaili by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 71.

72. Paragraph 72 alleges that the Plaintiff Al-Ejaili suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al-Ejaili suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al-Ejaili, or

participated or acquiesced in any mistreatment or abuse of Plaintiff Al-Ejaili by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 72.

73. Paragraph 73 alleges that the Plaintiff Al-Ejaili suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al-Ejaili suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations, and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al-Ejaili, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al-Ejaili by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 73.

74. Paragraph 74 alleges that the Plaintiff Al-Ejaili suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al-Ejaili suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations, and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al-Ejaili, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al-Ejaili by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 74.

75. Paragraph 75 alleges that the Plaintiff Al-Ejaili suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al-Ejaili suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations, and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al-Ejaili, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al-Ejaili by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 75.

76. Paragraph 76 alleges that the Plaintiff Al-Ejaili suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff Al-Ejaili suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff Al-Ejaili, or participated or acquiesced in any mistreatment or abuse of Plaintiff Al-Ejaili by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 76.

77. CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 77, and therefore denies them.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“THE IMPLEMENTATION OF THE CONSPIRACY BETWEEN
CACI PT EMPLOYEES AND MILITARY PERSONNEL TO TORTURE
AND OTHERWISE SERIOUSLY MISTREAT DETAINEES”**

78. Paragraph 78 alleges that the Plaintiffs suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether the Plaintiffs suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated the Plaintiffs, or participated or acquiesced in any mistreatment or abuse of the Plaintiffs by others, CACI PT explicitly denies such allegations. Paragraph 78 further alleges misconduct by persons involved in an alleged conspiracy to torture Plaintiffs. CACI PT explicitly denies that it or its employees were part of any such alleged conspiracy. As to the conduct at Abu Ghraib prison of non-CACI PT employees, CACI PT lacks knowledge or information sufficient to form a belief of the truth of the allegations and therefore denies them. The allegations in Paragraph 78 purport to characterize and quote from a government report, the contents of which speak for themselves.

To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations regarding the Taguba report in Paragraph 78, and therefore denies them. CACI PT denies the remaining allegations in Paragraph 78.

79. Paragraph 79 alleges the existence of a conspiracy to torture Plaintiffs. CACI PT explicitly denies that it was part of any such alleged conspiracy. As to the conduct at Abu Ghraib prison of non-CACI PT employees, CACI PT lacks knowledge or information sufficient to form a belief of the truth of the allegations and therefore denies them. As to whether others may have engaged in attempts to conceal misconduct, CACI PT lacks knowledge or information sufficient to form a belief of the truth of the allegations, and therefore denies them. CACI PT denies the remaining allegations in Paragraph 79.

80. Denied.

81. The allegations in Paragraph 81 purport to characterize and quote from a government report, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 81, and therefore denies them.

82. The allegations in Paragraph 82 purport to characterize and quote from a government report, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 82, and therefore denies them.

83. The allegations in Paragraph 83 purport to characterize and quote from a government report, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 83, and therefore denies them.

84. The allegations in Paragraph 84 purport to characterize and quote from a government report, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 84, and therefore denies them.

85. The allegations in Paragraph 85 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 85.

86. The allegations in Paragraph 86 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 86, and therefore denies them.

87. The allegations in Paragraph 87 purport to characterize and quote from a government report, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 87.

88. The allegations in Paragraph 88 purport to characterize and quote from a government report, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 88.

89. As operational supervision and control of the employees CACI PT made available to the Army chain of command for use in conducting the Army's interrogation mission in Iraq was vested at all times in the United States Army leadership, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations regarding the supervision or lack thereof of CACI PT interrogators' access to detainees' cells in Paragraph 89, and therefore denies them. CACI PT admits that the U.S. Army chain of command that controlled

operations at Abu Ghraib prison treated military and civilian interrogators identically. The allegation in Paragraph 89 regarding Frederick's testimony purports to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 89, and therefore denies them.

90. CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 90, and therefore denies them.

91. The allegations in Paragraph 91 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 91, and therefore denies them.

92. The allegations in Paragraph 92 purport to characterize and quote from a statement provided to the U.S. Army Criminal Investigation Division, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 92, and therefore denies them.

93. The allegations in Paragraph 93 purport to characterize and quote from a statement provided to the U.S. Army Criminal Investigation Division, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 93, and therefore denies them.

94. The allegations in Paragraph 94 purport to characterize and quote from testimony given at the courts-martial of Private Michael Smith, the contents of which speak for themselves.

To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 94, and therefore denies them.

95. CACI PT admits that MPs sometimes placed hoods on detainees when they were outside of their cells. Paragraph 95 alleges the existence of a conspiracy to torture Plaintiffs. CACI PT explicitly denies that it was part of any such conspiracy if it even existed. CACI PT denies the remaining allegations in Paragraph 95.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“CACI PT EMPLOYEES’ POSITIONS OF AUTHORITY AT THE HARD SITE”**

96. Denied.

97. The allegations in Paragraph 97 purport to characterize and quote from a government report, the contents of which speak for themselves. To the extent a response is required, as to whether CACI PT interrogators supervised MPs, CACI PT explicitly denies such allegations. CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 97, and therefore denies them.

98. The allegations in Paragraph 98 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 98.

99. The allegations in Paragraph 99 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 99.

100. CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations regarding Charles Graner, Jr.’s convictions and sentence in Paragraph 100, and therefore denies them. The remaining allegations in Paragraph 100 purport to characterize and quote from a statement provided to the U.S. Army Criminal Investigation Division, the contents

of which speak for themselves. To the extent a response is required, CACI PT denies the remaining allegations in Paragraph 100.

101. Denied.

102. Denied.

103. The allegations in Paragraph 103 purport to characterize and quote from a statement provided to the U.S. Army Criminal Investigation Division, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 103.

104. The allegations in Paragraph 104 purport to characterize and quote from a testimony at the courts-martial of Frederick, the contents of which speak for themselves. To the extent a response is required, CACI PT admits that interrogators gave instructions relating to conditions of detention for specific detainees assigned to them, guided by the conditions of detention and interrogation techniques established by the U.S. military chain of command, and denies the remaining allegations in Paragraph 104.

105. The allegations in Paragraph 105 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, CACI PT denies that it or its employees were required or expected to provide operational supervision of the employees CACI PT made available to the U.S. military chain of command for use in conducting the Army's interrogation mission in Iraq, as operational supervision and control was vested at all times in the U.S. military leadership. As to the remaining allegations in Paragraph 105, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations, and therefore denies them.

106. The allegations in Paragraph 106 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 106.

107. The allegations in Paragraph 107 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 107, and therefore denies them.

108. The allegations in Paragraph 108 purport to characterize and quote from a statement provided to the U.S. Army Criminal Investigation Division, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 108, and therefore denies them.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“THE PLAN, AGREEMENT OR UNDERSTANDING
TO TORTURE AND ABUSE DETAINEES”**

109. The allegations in Paragraph 109 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, Paragraph 109 alleges that the Plaintiffs suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiffs suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of Plaintiffs by others, CACI PT explicitly denies such allegations.

CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 109, and therefore denies them.

110. The allegations in Paragraph 110 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, Paragraph 110 alleges that the Plaintiffs Al-Ejaili, Al Shimari, and Al-Zuba'e suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiffs suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of Plaintiffs by others, CACI PT explicitly denies such allegations. CACI PT admits that interrogators gave specific instructions regarding specific detainees. CACI PT denies the remaining allegations in Paragraph 110.

111. The allegations in Paragraph 111 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 111.

112. CACI PT denies that CACI PT employees encouraged abuse of detainees. CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 112, and therefore denies them.

113. The allegations in Paragraph 113 purport to characterize and quote from testimony given at the courts-martial of Graner, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 113, and therefore denies them.

114. Denied.

115. The allegations in Paragraph 115 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, CACI PT admits that intelligence personnel instructed MPs regarding the conditions for specific detainees to whom they were assigned as interrogators, guided by the conditions of detention and interrogation rules of engagement established by the U.S. military chain of command. CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 115, and therefore denies them.

116. Paragraph 116 alleges that Plaintiffs suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiffs suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of Plaintiffs by others, CACI PT explicitly denies such allegations. The remaining allegations in Paragraph 116 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the remaining allegations in Paragraph 116.

117. CACI PT denies the first sentence of Paragraph 117. The remaining allegations in Paragraph 117 purport to characterize and quote from various testimony, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the remaining allegations in Paragraph 117.

118. Paragraph 118 states a legal conclusion to which no response is required. To the extent a response is required, CACI PT denies the allegations in Paragraph 118.

119. Paragraph 119 alleges that Plaintiffs suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiffs suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations, and therefore denies them. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of Plaintiffs by others, CACI PT explicitly denies such allegations. The remaining allegations in Paragraph 119 purport to characterize and quote from a deposition, the contents of which speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 119, and therefore denies them.

120. CACI PT denies the first sentence of Paragraph 120. The remaining allegations in Paragraph 120 purport to characterize and quote from deposition testimony, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 120.

121. Paragraph 121 alleges that Plaintiffs suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiffs suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations, and therefore denies them. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of Plaintiffs by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 121.

122. Paragraph 122 alleges that Plaintiff Al-Zuba'e suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiff suffered any abuse

or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations, and therefore denies them. As to whether CACI PT abused or mistreated Plaintiff, or participated or acquiesced in any mistreatment or abuse of Plaintiff by others, CACI PT explicitly denies such allegations. The remaining allegations in Paragraph 122 purport to characterize and quote from deposition testimony, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 122.

123. The allegations in Paragraph 123 purport to characterize and quote from deposition testimony, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 123.

124. Paragraph 124 alleges that Plaintiffs suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiffs suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations, and therefore denies them. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of Plaintiffs by others, CACI PT explicitly denies such allegations. CACI PT admits that Sergeant James Lee Joseph Beachner made the statement quoted in Paragraph 124, but states that Plaintiffs take this quote out of context by omitting two words from the quote that completely change its meaning. In particular, CACI PT denies that anything improper occurred in connection with the interrogation referenced in Paragraph 124, and Beachner's deposition testimony confirms as much. As to the remaining allegations in Paragraph 124, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of these allegations, and therefore denies them.

125. Paragraph 125 alleges that Plaintiffs suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether Plaintiffs suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations, and therefore denies them. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of Plaintiffs by others, CACI PT explicitly denies such allegations. As to the remaining allegations in Paragraph 125, CACI PT denies them.

126. The allegations in Paragraph 126 purport to characterize and quote from a sworn statement provided to the U.S. Army Criminal Investigation Division, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 126.

127. The allegations in Paragraph 127 purport to characterize and quote from deposition testimony, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 127.

128. CACI PT admits that Plaintiffs submitted a report draft for purposes of litigation by Darius Rejali, Ph.D. The allegations in Paragraph 128 purport to characterize and quote from a report, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 128.

129. Plaintiffs have advised that allegations regarding “ghost detainees” are no longer part of this case. Responding further, Rashid is no longer a party to this case, and CACI PT is not required to respond to allegations relating solely to the claims asserted by former plaintiff Rashid. To the extent a response is required, CACI PT admits, on information and belief, that Other Government Agencies had detainees that were referred to as “ghost detainees,” but CACI

PT denies any involvement with any “ghost detainees.” CACI PT denies any remaining allegations in Paragraph 129.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“TORTURE AND OTHER CRUEL TREATMENT SUFFERED
BY PLAINTIFFS ATTRIBUTABLE TO THE CONSPIRACY
AND AIDING AND ABETTING”**

130. Denied.

131. Paragraph 131 alleges that Plaintiff Al-Ejaili suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether the Plaintiff suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated the Plaintiff, or participated or acquiesced in any mistreatment or abuse of the Plaintiff by others, CACI PT explicitly denies such allegations. As to the remaining allegations in Paragraph 131, CACI PT denies them.

132. Paragraph 132 alleges that Plaintiff Al Shimari suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether the Plaintiff suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated the Plaintiff, or participated or acquiesced in any mistreatment or abuse of the Plaintiff by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 132.

133. CACI PT admits that an interrogation report contained in Plaintiff Al Shimari’s detainee file states “Agency/Organization: CACI” under a redaction. CACI PT denies the remaining allegations in Paragraph 133.

134. Paragraph 134 alleges that Plaintiff Al-Zuba'e suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether the Plaintiff suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated the Plaintiff, or participated or acquiesced in any mistreatment or abuse of the Plaintiff by others, CACI PT explicitly denies such allegations. CACI PT denies the remaining allegations in Paragraph 134.

135. Plaintiff Rashid has been dismissed from this case. Accordingly, CACI PT is not required to respond to allegations solely relating to claims by former plaintiff Rashid. To the extent a response is required, CACI PT denies the allegations in Paragraph 135.

136. Plaintiff Rashid has been dismissed from this case. Accordingly, CACI PT is not required to respond to allegations solely relating to claims by former plaintiff Rashid. To the extent a response is required, CACI PT denies the allegations in Paragraph 136.

137. The allegations in Paragraph 137 purport to characterize a photograph, the contents of which speak for themselves. Paragraph 137 further alleges misconduct by persons involved in an alleged conspiracy to torture Plaintiffs. CACI PT explicitly denies that it was part of any such conspiracy if it even existed. As to whether others may have engaged in such misconduct, CACI PT lacks knowledge or information sufficient to form a belief of the truth of the allegations and therefore denies them. CACI PT denies the remaining allegations in Paragraph 137.

138. The allegations in Paragraph 138 purport to characterize and quote from deposition testimony, the contents of which speak for themselves. To the extent a response is required, as to whether CACI PT interrogators supervised MPs or assumed *de facto* positions of

authority, CACI PT explicitly denies such allegations. As to whether CACI PT created or set in place the detainees' conditions of confinement at Abu Ghraib prison, CACI PT explicitly denies such allegations. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of these Plaintiffs by others, CACI PT explicitly denies such allegations. CACI PT admits that instructions regarding treatment of particular detainees were given to MPs by both military and civilian interrogators, guided by the conditions of detention and interrogation rules of engagement established by the U.S. military chain of command, and that such instructions were always specific to a detainee assigned to that interrogator.

139. The allegations in Paragraph 139 purport to characterize and quote from deposition testimony, the contents of which speak for themselves. To the extent a response is required, as to whether CACI PT interrogators supervised MPs or assumed *de facto* positions of authority, CACI PT explicitly denies such allegations. As to whether CACI PT created or set in place the detainees' conditions of confinement at Abu Ghraib prison, CACI PT explicitly denies such allegations. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of these Plaintiffs by others, CACI PT explicitly denies such allegations. CACI PT admits that instructions regarding treatment of particular detainees were given to MPs by both military and civilian interrogators, guided by the conditions of detention and interrogation rules of engagement established by the U.S. military chain of command, and that such instructions were always specific to a detainee assigned to that interrogator.

140. The allegations in Paragraph 140 purport to characterize and quote from deposition testimony, the contents of which speak for themselves. To the extent a response is

required, as to whether CACI PT interrogators supervised MPs or assumed *de facto* positions of authority, CACI PT explicitly denies such allegations. As to whether CACI PT created or set in place the detainees' conditions of confinement at Abu Ghraib prison, CACI PT explicitly denies such allegations. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of these Plaintiffs by others, CACI PT explicitly denies such allegations. CACI PT admits that instructions regarding treatment of particular detainees were given to MPs by both military and civilian interrogators, guided by the conditions of detention and interrogation rules of engagement established by the U.S. military chain of command, and that such instructions were always specific to a detainee assigned to that interrogator.

141. The allegations in Paragraph 141 purport to characterize and quote from deposition testimony, the contents of which speak for themselves. To the extent a response is required, as to whether CACI PT interrogators supervised MPs or assumed *de facto* positions of authority, CACI PT explicitly denies such allegations. As to whether CACI PT created or set in place the detainees' conditions of confinement at Abu Ghraib prison, CACI PT explicitly denies such allegations. Paragraph 141 alleges that Plaintiff Al-Ejaili suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether the Plaintiff suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether CACI PT abused or mistreated the Plaintiff, or participated or acquiesced in any mistreatment or abuse of the Plaintiff by others, CACI PT explicitly denies such allegations. CACI PT admits that instructions regarding treatment of particular detainees were given to MPs by both military and civilian interrogators, guided by the conditions of

detention and interrogation rules of engagement established by the U.S. military chain of command, and that such instructions were always specific to a detainee assigned to that interrogator. CACI PT denies the remaining allegations in Paragraph 141.

142. The allegations in Paragraph 142 purport to characterize and quote from deposition testimony, the contents of which speak for themselves. To the extent a response is required, as to whether CACI PT interrogators supervised MPs or assumed *de facto* positions of authority, CACI PT explicitly denies such allegations. As to whether CACI PT created or set in place the detainees' conditions of confinement at Abu Ghraib prison, CACI PT explicitly denies such allegations. As to whether CACI PT abused or mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of these Plaintiffs by others, CACI PT explicitly denies such allegations. CACI PT admits that instructions regarding treatment of particular detainees were given to MPs by both military and civilian interrogators, guided by the conditions of detention and interrogation rules of engagement established by the U.S. military chain of command, and that such instructions were always specific to a detainee assigned to that interrogator.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“THE DIRECT AND VICARIOUS LIABILITY
OF THE CORPORATION”**

143. Denied.

144. CACI PT admits that Plaintiffs hired Professor Corn and assert that he is an expert. CACI PT admits that Professor Corn has offered a report expressing his opinion in this case. The allegations in Paragraph 144 purport to characterize and quote from a report, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 144.

145. CACI PT admits that Plaintiffs hired Dr. Philip Zimbardo and assert that he is an expert. CACI PT admits that Dr. Zimbardo has offered a report expressing his opinion in this case. The allegations in Paragraph 145 purport to characterize and quote from a report, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 145.

146. CACI PT admits that Steven Stefanowicz was promoted from screener to interrogator and, with the U.S. Army's approval, also served as site manager for CACI PT employees at Abu Ghraib prison for a short period of time. CACI PT denies the remaining allegations in Paragraph 146.

147. The allegations in Paragraph 147 purport to characterize and quote from deposition testimony, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 147.

148. Denied.

149. Denied.

150. Denied.

151. The allegations in Paragraph 151 purport to characterize and quote from deposition testimony, the contents of which speak for themselves. To the extent a response is required, CACI PT denies the allegations in Paragraph 151.

152. Denied.

153. Denied.

154. CACI PT admits that its extensive and detailed internal investigation revealed that Mr. Stefanowicz engaged in no wrongdoing and that Mr. Stefanowicz was promoted. CACI PT denies the remaining allegations in Paragraph 154.

155. CACI PT is aware of a picture from Abu Ghraib prison depicting Mr. Johnson, who was then a CACI PT employee, but CACI PT denies that the picture depicts torture or abuse. Moreover, CACI PT denies that there is even a prisoner in the photograph. CACI PT denies that U.S. Army officials requested that Mr. Johnson be removed from the CACI PT contract for “detainee abuse.” Rather, U.S. Army officials for several months after the Abu Ghraib scandal became public requested that Mr. Johnson remain on the contract. Later, the U.S. military requested that Mr. Johnson be removed from the contract because of a photograph allegedly taken of Mr. Johnson interrogating an Iraqi police officer implicated in smuggling a handgun to a detainee, who in turn used the handgun to shoot a U.S. Army soldier, and in which Mr. Johnson had allegedly directed the Iraqi police officer to squat in a plastic chair while being questioned. CACI PT admits that it submitted a letter asking the U.S. Army contracting officer not to request Mr. Johnson’s removal from the contract, and that CACI PT complied with the U.S. Army’s ultimate request that Mr. Johnson be removed from the contract.

156. Denied.

157. Denied.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“SUMMARY OF REASONS FOR BELIEVING THE CONSPIRACY WAS PLAUSIBLE”**

158. Denied (including all subparts).

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“CACI PT COULD HAVE PREVENTED AND STOPPED
ITS EMPLOYEES FROM TORTURING PLAINTIFFS”**

159. The allegations of Paragraph 159 of the Amended Complaint are so lacking in context as to be unintelligible. To the extent a response is required, CACI PT denies the allegations in Paragraph 159.

160. CACI PT admits that it does not, and would not, permit its employees to engage in torture. Any such misconduct would be unauthorized and outside the employees' scope of their employment. CACI PT denies the remaining allegations in Paragraph 160.

161. Denied.

162. CACI PT denies that it was required or expected to provide operational supervision of the employees CACI PT made available to the Army chain of command for use in conducting the Army's interrogation mission in Iraq, as operational supervision and control was vested at all times in the United States Army leadership. CACI PT denies the remaining allegations in Paragraph 162.

163. CACI PT admits that Daniel Porvaznik was CACI's administrative manager at Abu Ghraib. As site manager, Porvaznik handled administrative matters. He tracked all CACI PT and client-related in-country issues in daily reports sent to CACI management. Mr. Porvaznik had no role in supervising operational matters, as that was the exclusive province of the U.S. military chain of command into which CACI PT interrogators were integrated. CACI PT denies the remaining allegations in Paragraph 163.

164. CACI PT admits that Daniel Porvaznik was CACI's administrative manager at Abu Ghraib. As site manager, Porvaznik handled administrative matters. He tracked all CACI PT and client-related in-country administrative issues in daily reports sent to CACI management. Mr. Porvaznik had no role in supervising operational matters, as that was the exclusive province of the U.S. military chain of command into which CACI PT interrogators were integrated. CACI PT denies the remaining allegations in Paragraph 164.

165. Admitted, though Mr. Northrop's consultation with military officials did not involve discussion of operational matters, as oversight of operational matters was the exclusive province of the U.S. military chain of command.

166. CACI PT admits that Chuck Mudd was the Division Vice President and country manager for all CACI PT interrogator work in Iraq. Mudd travelled to Iraq regularly and met with military leadership at Abu Ghraib prison to ensure CACI PT employees provided satisfactory service. After the Army announced it was investigating possible abuse, Mudd asked military leadership if CACI PT employees were implicated in any alleged abuse. Military leadership indicated they were not. CACI PT denies the remaining allegations in Paragraph 166.

167. Paragraph 167 purports to characterize the contents of a publicly-available book, and CACI PT states that the contents of the book speak for themselves. To the extent a response is required, CACI PT admits that CACI's executive team regularly reviewed reports from Porvaznik, Northrop, and Mudd, but states that these reports were administrative in nature. CACI PT personnel in Iraq did not report to CACI's executive team regarding operational matters, as these were the exclusive province of the U.S. military chain of command.

168. Denied.

169. CACI PT admits that it does not, and would not, permit its employees to engage in torture. Any such misconduct would be unauthorized and outside the employees' scope of their employment. CACI PT denies the remaining allegations in Paragraph 169. CACI PT denies the remaining allegations in Paragraph 169.

170. Paragraph 170 states a legal conclusion to which no response is required. To the extent a response is required, CACI PT states that the United States Army exercised all operational control over CACI PT employees in Iraq. Responding further, to the extent a

response is required, CACI PT denies that it would have vicarious liability for any conduct that is outside the scope of its employees' employment. CACI PT denies the remaining allegations in Paragraph 170.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“CACI PT AND ITS CO-CONSPIRATORS TOOK STEPS TO
COVER UP THE SCOPE AND EXTENT OF TORTURE”**

171. Denied (including all subparts).

172. Denied.

173. Denied.

174. Denied.

175. Denied.

176. Denied.

177. Denied for the reasons set forth in response to Paragraph 155.

178. CACI PT admits that the U.S. Army requested that Mr. Dugan be removed from the contract, but states that this request had nothing to do with detainee treatment. CACI PT further states that General Fay's report alleges that one witness implicated Mr. Dugan in one act of mistreatment toward one detainee who is not a party to this case. CACI PT denies the remaining allegations in Paragraph 178.

179. Denied.

180. Denied.

181. Denied.

182. Denied.

183. Denied.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“CACI PT KNEW THAT ITS EMPLOYEES’ TORTURE OF DETAINEES
VIOLATED THE LAWS OF THE UNITED STATES”**

184. Denied.

185. Denied.

186. Denied.

187. Denied.

188. CACI PT has never supported the treatment of detainees in Iraq in a manner other than that which is required by controlling law. CACI PT denies that the “Army Field Manual” has the force of law. CACI PT denies the remaining allegations in Paragraph 188.

189. CACI PT has never supported the treatment of detainees in Iraq in a manner other than that which is required by controlling law. CACI PT denies the remaining allegations in Paragraph 189.

190. Paragraph 190 purports to characterize the contents of a publicly-available report, and CACI PT states that the contents of the report speak for themselves. To the extent a response is required, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 190 and therefore denies them.

191. CACI PT has never supported the treatment of detainees in Iraq in a manner other than that which is required by controlling law. CACI PT denies the remaining allegations in Paragraph 191.

192. The allegations in Paragraph 192 concern the intentions of the “United States,” by which Plaintiffs presumably mean the United States government. While determining the “intent” of a government comprised of many thousands of personnel is not a foolproof exercise, CACI PT states that it expected its employees to comply with applicable law at all times in supporting the

United States' mission in Iraq, and presumes that United States authorities had the same expectation. CACI PT denies the remaining allegations in Paragraph 192.

193. The allegations in Paragraph 193 concern the intentions of the "United States," by which Plaintiffs presumably mean the United States government. While determining the "intent" of a government comprised of many thousands of personnel is not a foolproof exercise, CACI PT states that it expected its employees to comply with applicable law at all times in supporting the United States' mission in Iraq, and presumes that United States authorities had the same expectation. CACI PT denies the remaining allegations in Paragraph 193.

194. Denied.

195. CACI PT expected its employees to comply with applicable law at all times in supporting the United States' mission in Iraq. CACI PT denies the remaining allegations in Paragraph 195.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
"CACI PT CONDONED, ACQUIESCED IN AND ACTED NEGLIGENTLY
IN FAILING TO PREVENT AND STOP TORTURE AND ABUSE OF
DETAINEES"**

196. CACI PT admits that Statement of Work CJTF-7 C2 from Delivery Order 35 states:

3. Background: To provide the ACoS, C2, CJTF-7 with the best value Interrogation Support Cell management and support; functioning as resident experts for the implementation of an Interrogation Support Cell IAW regulations and standard operating procedures within the C2, CJTF-7. The contractor will provide Interrogation Support Cells, as directed by military authority, throughout the CJTF-7 AOR to assist, supervise, coordinate, and monitor all aspects of interrogation activities, in order to provide timely and actionable intelligence to the commander.

197. Denied.

198. Denied.

199. Denied.

200. Denied.

201. Paragraph 201 purports to characterize the contents of a publicly-available report, and CACI PT states that the contents of the report speak for themselves. To the extent a response is required, CACI PT denies that any abuses at Abu Ghraib can be attributed to insufficient hiring or training by CACI PT.

202. Denied.

203. Denied.

204. Denied.

205. Denied. CACI PT admits that CACI PT and its employees had no role in dictating, supervising, monitoring, or approving the conduct of interrogators at Abu Ghraib prison from Other Government Agencies.

206. Denied.

207. Denied.

208. Paragraph 208 merely states the relief sought by Plaintiff, and therefore requires no response. To the extent a response is required, CACI PT admits that Paragraph 208 states what Plaintiffs are seeking, but denies that Plaintiffs are entitled to any recovery from CACI PT.

209. Paragraph 209 merely states the relief sought by Plaintiff, and therefore requires no response. To the extent a response is required, CACI PT admits that Paragraph 209 states what Plaintiffs are seeking, but denies that Plaintiffs are entitled to any recovery from CACI PT.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT ONE
TORTURE”**

210. CACI PT incorporates its responses to Paragraphs 1-209 of the Third Amended Complaint as if set forth fully herein.

211. Denied.

212. Denied.

213. Denied.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT TWO
CIVIL CONSPIRACY TO TORTURE”**

214. CACI PT incorporates its responses to Paragraphs 1-213 of the Third Amended Complaint as if set forth fully herein.

215. Denied.

216. Denied.

217. Denied.

218. Denied.

219. Denied.

220. Denied.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT THREE
AIDING AND ABETTING TORTURE”**

221. CACI PT incorporates its responses to Paragraphs 1-220 of the Third Amended Complaint as if set forth fully herein.

222. Denied.

223. Denied.

224. Denied.

225. Denied.

226. Denied.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT FOUR
CRUEL, INHUMAN OR DEGRADING TREATMENT”**

227. CACI PT incorporates its responses to Paragraphs 1-226 of the Third Amended Complaint as if set forth fully herein.

228. Denied.

229. Denied

230. Denied

231. Denied.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT FIVE
CIVIL CONSPIRACY TO TREAT PLAINTIFFS IN A CRUEL, INHUMAN OR
DEGRADING MANNER”**

232. CACI PT incorporates its responses to Paragraphs 1-231 of the Third Amended Complaint as if set forth fully herein.

233. Denied.

234. Denied.

235. Denied.

236. Denied.

237. Denied.

238. Denied.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT SIX
AIDING AND ABETTING
CRUEL, INHUMAN AND DEGRADING TREATMENT”**

239. CACI PT incorporates its responses to Paragraphs 1-238 of the Third Amended Complaint as if set forth fully herein.

240. Denied.

241. Denied.

242. Denied.

243. Denied.

244. Denied.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT SEVEN
WAR CRIMES”**

245. CACI PT incorporates its responses to Paragraphs 1-244 of the Third Amended Complaint as if set forth fully herein.

246. Denied.

247. Denied.

248. Denied.

249. Denied.

250. Denied

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT EIGHT
CIVIL CONSPIRACY TO COMMIT WAR CRIMES”**

251. CACI PT incorporates its responses to Paragraphs 1-250 of the Third Amended Complaint as if set forth fully herein.

252. Denied.

253. Denied.

254. Denied.

255. Denied.

256. Denied.

257. Denied.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT NINE
AIDING AND ABETTING COMMISSION OF WAR CRIMES”**

258. CACI PT incorporates its responses to Paragraphs 1-257 of the Third Amended Complaint as if set forth fully herein.

259. Denied.

260. Denied.

261. Denied.

262. Denied.

263. Denied.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT TEN
ASSAULT AND BATTERY”**

264-69. Count 10 has been dismissed, and CACI PT is not required to respond to it.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT ELEVEN
CIVIL CONSPIRACY TO ASSAULT AND BATTER”**

270-74. Count 11 has been dismissed, and CACI PT is not required to respond to it.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT TWELVE
AIDING AND ABETTING ASSAULTS AND BATTERIES”**

275-78. Count 12 has been dismissed, and CACI PT is not required to respond to
it.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT THIRTEEN
SEXUAL ASSAULT AND BATTERY”**

279-84. Count 13 has been dismissed, and CACI PT is not required to respond to
it.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT FOURTEEN
CIVIL CONSPIRACY TO SEXUALLY ASSAULT AND BATTER”**

285-89. Count 14 has been dismissed, and CACI PT is not required to respond to
it.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT FIFTEEN
AIDING AND ABETTING
SEXUAL ASSAULTS AND BATTERIES”**

290-93. Count 15 has been dismissed, and CACI PT is not required to respond to
it.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT SIXTEEN
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS”**

294-97. Count 16 has been dismissed, and CACI PT is not required to respond to
it.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT SEVENTEEN
CIVIL CONSPIRACY TO INFLICT EMOTIONAL DISTRESS”**

298-302. Count 17 has been dismissed, and CACI PT is not required to respond to it.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT EIGHTEEN
AIDING AND ABETTING
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS”**

303-06. Count 18 has been dismissed, and CACI PT is not required to respond to it.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT NINETEEN
NEGLIGENT HIRING, TRAINING AND SUPERVISION”**

307-09. Count 19 has been dismissed, and CACI PT is not required to respond to it.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“COUNT TWENTY
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS”**

310-13. Count 20 has been dismissed, and CACI PT is not required to respond to it.

**RESPONSE TO PARAGRAPHS UNDER THE HEADING
“JURY DEMAND AND PRAYER FOR DAMAGES”**

314. Paragraph 314 of the Third Amended Complaint alleges that the Plaintiffs suffered abuse and/or mistreatment while in United States custody at Abu Ghraib prison. As to whether these Plaintiffs suffered any abuse or mistreatment whatsoever while in United States custody, CACI PT lacks knowledge or information sufficient to form a belief as to the truth of such allegations and therefore denies them. As to whether the CACI Defendants abused or

mistreated Plaintiffs, or participated or acquiesced in any mistreatment or abuse of these Plaintiffs by others, CACI PT explicitly denies such allegations. The remainder of Paragraph 314 states Plaintiffs' jury demand and is a prayer for damages. Because these remaining portions in Paragraph 314 contain no factual allegations, no response is required. To the extent a response is required, CACI PT denies that Plaintiffs are entitled to any relief from CACI PT.

ADDITIONAL DEFENSES

1. CACI PT is immune from suit.
2. Plaintiffs' claims are preempted.
3. This Court lacks subject-matter jurisdiction over this action.
4. Plaintiffs' claims raise nonjusticiable political questions.
5. Plaintiffs' claims are barred by the applicable statutes of limitations.
6. Plaintiffs' claims are barred by the doctrines of laches, estoppel, and unclean hands.
7. Plaintiffs have failed to exhaust the administrative remedies available to them.
8. The courts of the United States lack the jurisdiction and authority to consider Plaintiffs' claims, which amount to a request for wartime reparations.
9. CACI PT is not liable on a vicarious liability or respondeat superior theory for any actions of CACI or CACI PT personnel outside the scope of their employment.
10. CACI PT cannot be held liable on a respondeat superior theory for alleged misconduct by the alleged co-conspirators of CACI PT employees.
11. The actions of CACI PT, and CACI PT's employees in Iraq, were authorized by competent military authority.

12. The Third Amended Complaint fails to state a claim upon which relief may be awarded.
13. The loaned employee doctrine precludes Plaintiffs' claims.
14. CACI PT owed no duty of care to Plaintiffs.
15. CACI PT cannot be held liable for conduct occurring after CACI PT ceased providing civilian interrogators in support of the United States Army's mission in Iraq.
16. The state secrets doctrine may bar Plaintiffs' claims.
17. Constitutional requirements of due process apply to Plaintiffs' prayer for punitive damages.

RESERVATION OF RIGHTS

This Answer is based on the information known to CACI PT to date, recognizing that CACI PT has not had the opportunity to take adequate discovery from third parties in this action. To the extent CACI PT learns of new or additional information, CACI PT reserves its right to amend its Answer and/or to assert additional defenses. All allegations in the Third Amended Complaint that are not specifically admitted are hereby denied.

THIRD-PARTY COMPLAINT

For its Third-Party Complaint against the United States of America and John Does 1-60, Defendant/Third-Party Plaintiff CACI Premier Technology, Inc. (“CACI PT”) alleges as follows:

NATURE OF ACTION

1. This is a third-party complaint by Third-Party Plaintiff CACI PT seeking recovery from Third-Party Defendants the United States of America and John Does 1-60 for contribution, indemnification, and exoneration, and for breach of contract in the case of the United States, in the event that CACI PT is held liable on Plaintiffs’ claims in this action. Third-Party Defendants are liable to CACI PT because if CACI PT is liable to Plaintiffs, that liability is secondary to the Third-Party Defendants’ primary liability, as Plaintiffs are seeking to hold CACI PT liable on a co-conspirator theory for the alleged tortious conduct of the Third-Party Defendants.

2. This third-party complaint is appropriate based on Plaintiffs’ admissions with respect to the allegations in their Third Amended Complaint. When Plaintiffs filed their Amended Complaint in 2008, Plaintiffs alleged that they had been directly mistreated by CACI PT personnel. *See* Dkt. #53 at 29-30 (“In fact, three CACI employees who physically harmed Plaintiffs are named [in the Third Amended Complaint.]”).

3. In defending the claims asserted in their Third Amended Complaint, Plaintiffs have conceded that they have no facts or allegations indicating that any CACI PT employee directly mistreated them. Rather, Plaintiffs now acknowledge that they are seeking to hold CACI PT liable solely on theories of co-conspirator and aiding and abetting liability for the conduct of military personnel and others under the control of the U.S. military. Dkt. #639 at 1 (“Plaintiffs sued CACI under well-established theories of accessory liability – conspiracy and aiding and abetting – for its recognized role participating in and directing the serious physical and mental

harm of detainees.”); *id.* at 31 n.30 (“[T]he gravamen of Plaintiffs’ complaint is conspiracy and aiding and abetting”); 9/22/17 Tr. at 15 (“So there -- and remember, this is a conspiracy and aiding and abetting case. *We are not contending that the CACI interrogators laid a hand on the plaintiffs.*” (emphasis added)).

4. In addition, as detailed below, depositions of the Plaintiffs have demonstrated that Plaintiffs seek to hold CACI PT liable for conditions of their detention that were in many cases dictated, authorized, or both by the United States military.

5. Accordingly, Plaintiffs’ Third Amended Complaint seeks to hold CACI PT liable for conditions of detention adopted and mandated by the United States, and for alleged mistreatment of Plaintiffs inflicted by the United States and the John Does.

JURISDICTION

6. To the extent that the Court has subject matter jurisdiction over Plaintiffs’ claims against CACI PT, this Court has subject matter jurisdiction over this Third-Party Complaint under 28 U.S.C. §§ 1331, 1332, 1346(b)(1), and 1367(a).

PARTIES

7. Third-Party Plaintiff CACI PT is a corporation organized under the laws of the State of Delaware with its principal place of business in Arlington, Virginia. CACI PT provided civilian interrogators under contract with the United States to address the United States military’s severe shortage of interrogators at battlefield detention and intelligence-gathering facilities in Iraq during the United States’ invasion and occupation of Iraq.

8. Third-Party Defendant United States of America (“United States”) conducted the invasion and occupation of Iraq. The United States established and oversaw battlefield detention

facilities in Iraq, such as Abu Ghraib prison, and established the conditions of detention and interrogation rules of engagement for such facilities.

9. John Does 1-60 are natural persons who were located at Abu Ghraib while any of the Plaintiffs were detained there and had any role in the mistreatment of Plaintiffs. John Does 1-25 are soldiers deployed to Abu Ghraib prison. John Does 26-50 are civilian employees of the United States Department of Defense, or any components thereof, or civilian contractor employees supporting the U.S. military mission at Abu Ghraib prison. John Does 51-60 are employees of the United States or civilian contractor personnel working for Other Government Agencies at Abu Ghraib prison.

10. The identities of John Does 1-60 are not known to CACI PT at this time because the United States has exclusive control over information concerning the identities of any persons who had any meaningful contact with Plaintiffs at Abu Ghraib prison. On information and belief, the identities of John Does 1-60 may be determined through discovery from the United States.

BACKGROUND

11. In March 2003, the United States and certain of its allies invaded Iraq, and a multi-national occupation of Iraq began shortly thereafter once the regime of Saddam Hussein had lost effective control of Iraq.

12. During the occupation of Iraq by the United States military, an insurgency began whereby persons loyal to Saddam Hussein or otherwise opposed to the presence of the United States military in Iraq conducted attacks on United States and other coalition forces, including planting and detonating improvised explosive devices in an attempt to kill U.S. soldiers. On information and belief, Plaintiffs Al Shimari and Al-Zuba'e were part of this insurgency.

13. During the invasion and occupation of Iraq, the United States military found itself with a severe shortage of military interrogators to develop intelligence regarding, among other things, insurgent activities and the location of Saddam Hussein and others sought by the United States military.

14. In order to address this severe shortage of military interrogators, the United States issued task orders to CACI PT whereby CACI PT provided civilian interrogators to the United States military in order to augment the military's interrogation force in Iraq.

15. In total, CACI PT provided about 36 civilian interrogators to support the U.S. military's mission in Iraq. The U.S. military determined where in Iraq each CACI PT interrogator would be deployed, and some of the CACI PT interrogators were deployed to Abu Ghraib prison in Iraq.

16. Abu Ghraib prison is located about twenty miles west of Baghdad, Iraq. The Abu Ghraib prison complex is spread over 280 acres. During its occupation of Iraq, the United States military held as many as 3,800 persons as detainees at Abu Ghraib prison.

17. Most of the persons held by the United States military at Abu Ghraib prison were not viewed by the U.S. military as having intelligence value. Detainees viewed as not having intelligence value, such as common criminals, were housed throughout Abu Ghraib prison, often in open-air tent camps. Detainees viewed by the United States military as having intelligence value were held in two wings of a cement prison building called the "hard site." Persons detained at Abu Ghraib prison generally were not placed on trial for the commission of crimes. Rather, they were held until it was determined by the U.S. military that the detainee had no useful intelligence and could be released without posing an unnecessary risk to U.S. military personnel participating in the occupation.

18. The United States military leadership at Abu Ghraib prison decided which detainees would be housed at the hard site and interrogated. The United States military leadership also decided which Tiger Team would be assigned to conduct the interrogations of a detainee designated for interrogation. A Tiger Team consisted of an interrogator, military or civilian, and a linguist. None of the linguists at Abu Ghraib prison were employed by CACI PT. A Tiger Team also sometimes included an intelligence analyst, military or civilian, depending on availability.

19. All Tiger Teams, whether they had a military interrogator or CACI PT interrogator, reported to the military chain of command for all issues relating to detainees and intelligence gathering. The immediate supervisor for a Tiger Team was a military noncommissioned officer in charge who served as a section head and supervised multiple Tiger Teams. From there, Tiger Teams next reported to the Officer in Charge of the ICE, or Interrogation Control Element at Abu Ghraib prison. For much of the relevant time period, the Officer in Charge of the ICE was Captain Carolyn Wood, who subsequently was promoted to Major and is now known as Major Carolyn Holmes. The Officer in Charge of the ICE also was assisted by a staff noncommissioned officer in charge who assisted in overseeing the Tiger Teams and section leaders. Above the Officer in Charge of the ICE, interrogation operations were overseen by the Commanding Officer of the intelligence battalion deployed to Abu Ghraib prison, Colonel Thomas Pappas, and his executive officer, Lieutenant Colonel Steve Jordan.

20. The United States military chain of command exercised direct and plenary control over all aspects of a detainee's experience at Abu Ghraib prison. The United States military dictated the general conditions of confinement at Abu Ghraib prison. The United States military chain of command decided which detainees held at Abu Ghraib prison had potential intelligence

value and would be interrogated. For detainees designated for interrogation, the United States military decided what interrogator would be assigned to interrogate the detainee. The United States military chain of command established the Interrogation Rules of Engagement, and was the sole approval point for interrogator requests to use interrogation techniques that required authorization on a case-by-case basis. The United States military required that an interrogation plan be approved by the United States military chain of command before an interrogation could proceed. The United States military required that an interrogation report be prepared after each interrogation and that the report be entered into a classified database controlled by the United States military. The United States military decided when a detainee would be moved from the hard site at Abu Ghraib to the general population or to another detention facility, and decided which detainees would be released and when.

21. CACI PT personnel did not decide which detainees would be interrogated, or which interrogator, military or civilian would be assigned to a particular detainee. CACI PT personnel had no role in adopting or amending the Interrogation Rules of Engagement made applicable by the military chain of command to interrogations at Abu Ghraib prison. CACI PT personnel had no role in authorizing the use of interrogation techniques that could be approved on a case-by-case basis by the military chain of command, nor did CACI PT personnel have authority to approve interrogation plans for military or civilian interrogators.

22. In addition to military and CACI PT interrogators, there were civilian interrogators at Abu Ghraib's hard site conducting interrogations for Other Government Agencies. As with military interrogators, CACI PT and its employees had no role in dictating, supervising, monitoring, or approving the conduct of interrogators at Abu Ghraib prison from Other Government Agencies.

PLAINTIFFS' ALLEGATIONS

23. Plaintiffs' allegations are set forth in their Third Amended Complaint, as supplemented or modified by their discovery responses and deposition testimony. Plaintiffs allege that they were held by the United States military at the Abu Ghraib hard site, and allege that they were mistreated while detained at Abu Ghraib prison. Plaintiffs further allege that the acts of mistreatment to which they allegedly were subjected constitute, individually or collectively, torture, war crimes, and cruel, inhuman and degrading treatment ("CIDT") and are actionable under the Alien Tort Statute ("ATS"), 28 U.S.C. § 1350.

24. Plaintiffs have proceeded in this action against CACI PT while acknowledging that they "are not contending that the CACI interrogators laid a hand on the plaintiffs." 9/22/17 Tr. at 15. Rather, Plaintiffs assert that CACI PT can be held liable to Plaintiffs under ATS for mistreatment allegedly inflicted on them by military personnel and others based on theories of "accessory liability," specifically conspiracy and aiding and abetting theories.

25. Indeed, Plaintiffs have taken the position that they do not need to discover who actually inflicted abuse on them because, under a co-conspiracy theory, Plaintiffs and the Court can simply assume that whatever unknown persons who allegedly mistreated Plaintiffs did so after joining a conspiracy with CACI PT or its employees to mistreat Plaintiffs, or were aided in their mistreatment by CACI PT or its employees without any facts regarding how the specific perpetrator was aided.

26. Plaintiffs have not identified a CACI PT officer with the power to enter CACI PT into a conspiracy as having made the decision to do so, nor have they alleged the manner in which CACI PT as a company conveyed its intent to join a conspiracy. Accordingly, CACI PT presumes that Plaintiffs' principal theory of co-conspirator liability is that the doctrines of

respondeat superior and co-conspirator liability, taken together, render CACI PT liable for alleged acts of mistreatment by the alleged co-conspirators of CACI PT employees.

27. Some of the acts that Plaintiffs allege to be actionable as torture, war crimes, or CIDT, either standing alone or in conjunction with other alleged acts of mistreatment, were general conditions of detention established by the military chain of command at Abu Ghraib prison either before CACI PT interrogators arrived or without input from CACI PT. These include:

- Forced nudity
- Implementation of sleep management by handcuffing detainees to the bars of their cell
- Cold temperatures in the hard site cells
- Forced grooming and bathing

28. Other acts that Plaintiffs allege to be actionable as torture, war crimes, or CIDT, either standing alone or in conjunction with other alleged acts of mistreatment, were interrogation techniques specifically determined to be lawful by the United States, and preapproved by the military chain of command for all interrogations or approved for use on a case-by-case basis. These include:

- Capitalization on religious or cultural sensitivities
- Removal or denial of religious items
- Significantly increasing the fear level in a detainee
- Use of a “Mutt and Jeff” routine where one interrogator is friendly and another interrogator is harsh.
- Dietary manipulation
- Environmental manipulation
- Sleep adjustment and management

- Isolation
- Sensory deprivation
- Use of military working dogs to unsettle a detainee during interrogations
- Yelling, loud music, and light control
- Use of stress positions

Thus, to the extent that Plaintiffs are alleging that these types of treatment, standing alone or when viewed cumulatively with other acts of alleged mistreatment, constitute torture, war crimes, or CIDT, Plaintiffs are seeking to hold CACI PT liable for interrogation conditions and techniques identified as lawful and approved for use by the United States military.

29. Plaintiffs also seek recovery from CACI PT for alleged mistreatment that occurred during the intake process at Abu Ghraib prison, before Plaintiffs were designated as having intelligence value and housed at the hard site so that an interrogator could be assigned. By way of example, Plaintiff Al-Zuba'e alleged in his deposition that he was forced to disrobe and subjected to unwanted sexual contact and other demeaning treatment during intake at Abu Ghraib prison, before he ever reached the hard site or was interrogated by anyone.

30. Finally, because Plaintiffs now admit that they "are not contending that the CACI interrogators laid a hand on the plaintiffs," and have not identified any instructions given by CACI PT employees with respect to the treatment of these Plaintiffs, it is clear that all of Plaintiffs' allegations of mistreatment, most of which are simple assaults, seek to hold CACI PT liable on conspiracy or aiding and abetting theories for injuries inflicted on Plaintiffs by John Does 1-60 under the direction and control of the United States.

31. The United States has thus far refused to disclose the identities of any interrogators who might have interrogated Plaintiffs, information that would assist CACI PT in identifying John Does 1-60.

COUNT I
COMMON-LAW INDEMNIFICATION
(Against the United States and John Does 1-60)

32. CACI PT realleges and incorporates the allegations set forth in Paragraphs 1-31 of its Third-Party Complaint.

33. Plaintiffs have conceded that they “are not contending that the CACI interrogators laid a hand on the plaintiffs.”

34. Plaintiffs also have not alleged any facts to the effect that CACI PT provided any person with instructions regarding the treatment of any of these Plaintiffs.

35. Plaintiffs have not alleged facts to the effect that CACI PT had knowledge of the mistreatment Plaintiffs allegedly suffered.

36. Accordingly, Plaintiffs are seeking to hold CACI PT liable on conspiracy or aiding and abetting theories of liability for mistreatment allegedly inflicted on them by John Does 1-60 and, in some cases, for mistreatment based on conditions of detention or interrogation techniques directed and/or authorized by the United States.

37. As such, Plaintiffs are seeking to impose liability on CACI PT for wrongful acts allegedly perpetrated by the United States and John Does 1-60, in which CACI PT’s alleged liability is secondary to the primary liability of the actual alleged wrongdoers.

38. Because any theoretical co-conspirator or aiding and abetting liability on CACI PT’s part is secondary liability, CACI PT is entitled to damages from the United States and John Does 1-60, in an amount equal to any judgment that theoretically might be entered against CACI PT, for acts of mistreatment toward Plaintiffs that the United States and/or John Does 1-60 inflicted, directed, authorized, or permitted.

COUNT II
EXONERATION
(Against the United States and John Does 1-60)

39. CACI PT realleges and incorporates the allegations set forth in Paragraphs 1-38 of its Third-Party Complaint.

40. Plaintiffs have conceded that they “are not contending that the CACI interrogators laid a hand on the plaintiffs.”

41. Plaintiffs also have not alleged any facts to the effect that CACI PT provided any person with instructions regarding the treatment of any of these Plaintiffs.

42. Plaintiffs have not alleged facts to the effect that CACI PT had knowledge of the mistreatment Plaintiffs allegedly suffered.

43. Accordingly, Plaintiffs are seeking to hold CACI PT liable on conspiracy or aiding and abetting theories of liability for mistreatment allegedly inflicted on them by John Does 1-60 and, in some cases, for mistreatment based on conditions of detention or interrogation techniques directed and/or authorized by the United States.

44. As such, Plaintiffs are seeking to impose liability on CACI PT for wrongful acts allegedly perpetrated by the United States and John Does 1-60, in which CACI PT’s alleged liability is secondary to the primary liability of the actual alleged wrongdoers.

45. Because any theoretical co-conspirator or aiding and abetting liability on CACI PT’s part is secondary liability, CACI PT is entitled to damages from the United States and John Does 1-60, in an amount equal to any judgment that theoretically might be entered against CACI PT, for acts of mistreatment toward Plaintiffs that the United States and/or John Does 1-60 inflicted, directed, authorized, or permitted.

COUNT III
CONTRIBUTION
(Against the United States and John Does 1-60)

46. CACI PT realleges and incorporates the allegations set forth in Paragraphs 1-46 of its Third-Party Complaint.

47. Plaintiffs have conceded that they “are not contending that the CACI interrogators laid a hand on the plaintiffs.”

48. Plaintiffs also have not alleged any facts to the effect that CACI PT provided any person with instructions regarding the treatment of any of these Plaintiffs.

49. Plaintiffs have not alleged facts to the effect that CACI PT had knowledge of the mistreatment Plaintiffs allegedly suffered.

50. Accordingly, Plaintiffs are seeking to hold CACI PT liable on conspiracy or aiding and abetting theories of liability for mistreatment allegedly inflicted on them by John Does 1-60 and, in some cases, for mistreatment based on conditions of detention or interrogation techniques directed and/or authorized by the United States.

51. To the extent that Plaintiffs are seeking to hold CACI PT liable on a *respondeat superior* theory based on the alleged entry into a conspiracy by CACI PT employees, or for actions of CACI PT employees in aiding and abetting any alleged mistreatment of Plaintiffs, CACI PT is entitled to contribution from the United States and John Does 1-60 with respect to any judgment that theoretically might be entered against CACI PT involving acts of mistreatment toward Plaintiffs that the United States and/or John Does 1-60 inflicted, directed, authorized, or permitted.

COUNT IV
BREACH OF CONTRACT
(Against the United States)

52. CACI PT realleges and incorporates the allegations set forth in Paragraphs 1-52 of its Third-Party Complaint.

53. The contracts under which CACI PT supplied civilian interrogators in support of the war effort in Iraq contain an implied duty of good faith and fair dealing.

54. This implied duty of good faith and fair dealing requires the parties, among other things, to act in a manner that does not hinder the ability of the other party to obtain the fruits of the parties' bargain.

55. The United States has in its possession information that would identify some or all of the persons who had meaningful contact with Plaintiffs at Abu Ghraib prison.

56. CACI PT cannot fairly defend against Plaintiffs' claims if they are not provided information regarding the persons with whom Plaintiffs interacted, as that is the only way that CACI PT can challenge Plaintiffs' self-serving allegations regarding their treatment at Abu Ghraib or Plaintiffs' allegations that whatever unidentified persons mistreated them did so in furtherance of a conspiracy supposedly joined by either CACI PT or some subset of its employees.

57. By denying CACI PT access to information that would allow CACI PT to defend itself for claims arising out of CACI PT's performance of its contract, the United States is, in bad faith, leaving CACI PT "hung out to dry" with respect to the defense of this action even though all of the events leading up to Plaintiffs' complaint occurred in a detention facility under the total control of the United States military.

58. As a result of the United States' breach, CACI PT will have been damaged to the extent that a judgment is entered against it in this action, with such damages equaling the amount of any theoretical judgment against CACI PT in this action.

PRAYER FOR RELIEF

Wherefore, with respect to its Third-Party Complaint, CACI PT respectfully requests that the Court enter judgment against the United States and John Does 1-60 in an amount equal to any judgment that might be entered against CACI PT in this action.

JURY DEMAND

CACI PT hereby demands a trial by jury on all issues so triable, both with respect to Plaintiffs' claims against CACI PT and CACI PT's Third-Party Complaint.

Respectfully submitted,

/s/ *Conor P. Brady*

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*Counsel for Defendant CACI Premier
Technology, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of January, 2018, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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/s/ Conor P. Brady

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