

TRIBUNALE DI MILANO



Sezione Giudice per le indagini preliminari

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n. 10838/05 R.G.N.R.

n. 1966/05 R.G.GIP

**THE JUDGE PRESIDING OVER PRELIMINARY INVESTIGATIONS**

Having examined the Prosecutor's request, in which custodial measures are sought for:

- 1) **MEDERO Betnie**, d.o.b 3.29.1967 in the USA, US passport nr 016051676 issued on 4.27.1988;
- 2) **FALDO VINCENT**, d.o.b. 11.1.1950 in Massachussetts (USA), US passport nr 102026001 issued in Boston on 6.7.2000;
- 3) **HARBISON James Thomas**, d.o.b. 12.15.1948 in the USA.

**ARE UNDER INVESTIGATION**

**For the following offences:**

Felony ex Arts. 110, 112 n° 1, 605 criminal code, whereby among themselves and together with others (also Egyptian nationals), including **ROMANO Joseph L. III** - with the consequent aggravating circumstance of the offence being committed by over five persons - for having kidnapped, depriving him of personal freedom, **Nasr Osama Mustafa Hassan alias Abu Omar**, apprehending him by force and forcibly making him enter a van, thereafter taking him first to the US military airbase at Aviano, where the United States of America Air Force 31st FW (Fighter Wing) is stationed, and thence to Egypt; parties to the crime being **Jenkins Anne Lidia, Kirkland James Robert, Castaldo Eliana Isabella, Ibanez Brenda Liliana, Castellano Victor and Gurley John Thomas** in participating to the preparatory stages of the abduction (preliminary scouting and assessment of the location where it would take place, scrutiny of Abu Omar's habits, research into neighboring areas to that of the planned abduction, as well evaluation of the most suitable route for a safe and hasty access to the freeway bound for Aviano); parties to the crime being **Asherleigh Gregory, Purvis George, Carrera Lorenzo, Harty Benamar, Harbaugh Raymond, Rueda Pilar, Sofin Joseph, Adler Monica Courtney, Logan Cynthia Dame, Duffin John Kevin, Channing Drew Carlyle, and Vasiliou Michalis, Medero Betnie, Faldo Vincent, Harbison James Thomas** in participating to the above mentioned preparatory stages, and to the actual execution of the kidnapping together with the victim's transfer to Aviano; party to the crime being **Romano Joseph**, US head officer in charge of security at Aviano base, for receiving the abductors and the victim at the said base, ensuring the formers benefited from a safe access to the base, and were able to put the victim on a plane taking him outside Italy; party to the crime being **Lady Robert Seldon**, for coordinating the action, as well as for guaranteeing connections and assistance to other parties to the crime, also as a consequence of his earlier presence and working activity in Milan.

## **Abduction carried out in Milan, on 02\17\2003**

### **PRELIMINARY REMARKS**

The present request for custody measures is part of the procedure above indicated, in relation with which, on 06.22.2005, this office has issued an ordinance for custody measures for:

- 1) **ADLER Monica Courtney;**
- 2) **ASHERLEIGH Gregory;**
- 3) **CARRERA Lorenzo Gabriel;**
- 4) **CHANNING John Kevin;**
- 5) **DUFFIN John Kevin;**
- 6) **HARBAUGH Raymond;**
- 7) **HARTY Ben Amar;**
- 8) **LADY Robert Seldon;**
- 9) **LOGAN Cynthia Dame;**
- 10) **PURVIS L. George;**
- 11) **RUEDA Pilar;**
- 12) **SOFIN Joseph;**
- 13) **VASILIOU Michalis.**

Consecutively, the PP's appeal having been accepted, the Tribunale del Riesame in Milan, with an ordinance dated 07.20.2005, has sought custody measures also for:

- 14) **CASTALDO Eliana;**
- 15) **CASTELLANO Victor;**
- 16) **GURLEY John Thomas;**
- 17) **KIRKLAND James Robert;**
- 18) **JENKINS Anne Lidia;**
- 19) **IBANEZ Brenda Liliana.**

The investigations made after the issuing of the two above mentioned ordinances for custody measures allowed us to identify three more persons – Medero Betnie, Faldo Vincent and Harbison James Thomas – guilty of having participated to Abu Omar's abduction in Milan on 02.17.03.

**Before we illustrate the concrete elements that allowed us to identify those indicted persons, for a better understanding of the facts and the development of the investigations, please find following the ordinance issued by this office on 06.22.2005.**

## **THE FACTS OUTLINED BELOW ARE DRAWN ON CLASSIFIED RECORDS SUBMITTED BY THE PROSECUTION**

### ***1. Notification of criminal conduct***

In the month of February 2003, the Egyptian citizen Nasr Osama Muostafa Hassan a.k.a. Abu Omar was reported missing in Milan, Italy. He had no longer been seen or heard since the morning of February 17<sup>th</sup> 2003.

Abu Omar is an Egyptian citizen who had been granted political asylum by the Italian authorities in 2001 and was under investigation in a separate inquiry for crimes connected with international terrorism (on this first point see the DIGOS note of 6.21.2005 and attachments, stating that Abu Omar had been granted political asylum with the legislative measure of 2.22.2001; on the second

point see the informative note issued by DIGOS in Milan on 2.11.2002, submitted in the scope of proceedings n. 5236/02 R.G.N.R.).

It later emerged that Abu Omar had not departed of his own free will, but had been forcibly loaded into a van by strangers.

Indeed, subsequent to a public plea made by the Imam of the Mosque located in Milan's Viale Jenner, whom the missing person's wife had appealed for help, it emerged that an Egyptian woman had confided to a number of women from the same mosque that, on the very morning of 2.17.2003, she had witnessed the following event: a dark-bearded man of Arab origin, dressed in a tunic, had been stopped in Via Guerzoni by two men in Western clothing who, after checking his papers, forced him to get into a white van and drove off immediately at great speed.

The Egyptian woman was identified as Rezk Merfat. She was later interviewed for the first time on 2.26.2003, and confirmed in substance the version given to her friends, except the part relating to having witnessed the Arab man's forcible entry in the white van, while struggling and crying for help. The event had taken place in Via Guerzoni in Milan, between 11.30 and 12.00 pm on 2.17.03.

It has never been possible to interview the eyewitness regarding the partial conflict between the above reconstruction of events and the version acquired from subsequent phone tapings and from statements made by Abu Omar's wife.

In fact the witness moved back to Egypt straight after the abovementioned deposition before the Public Prosecutor.

This circumstance was recounted by her husband who, at first, confirmed his wife's account and added: "It is also true that she left Italy to return to Egypt the day after she was heard by the magistrate from the District Attorney's office in Milan. She did so out of fear, and also because my income as a laborer (in the construction business) does not allow me to support my whole family in Milan. She currently lives in Kaloubia (Egypt) and I go and see her from time to time...."

Rezk Merfat's initial statement, though, were later questioned by the same person whom she had disclosed the information.

HASSANEIN Hayam Abdelmoneim Mohamed, declared on 3.15.2005:

"...I recall fully well what my friend told me. In the late morning of February 17<sup>th</sup> 2003, Merfat was walking home, along via Guerzoni. As she was going, she had noticed a white van with no windows in the back, and two men of Western appearance standing nearby. As she carried on walking, she crossed a full-bearded Arab-looking man dressed in a white Jalabia, who was heading towards Viale Jenner. Moments later she heard a loud noise and the man cry out in Arabic, asking for help. She turned round quickly, shocked by the commotion, and saw the van drive off at full speed with no trace of the Arab-looking man; she therefore presumed he had been abducted.

ADR. I do not recall other details on the matter; just that Merfat admitted to me she had already spoken with her husband of what she had witnessed.(...) I then went to Merfat's home to pick up my child, and told her of the Imam's announcement at the mosque about Abu Omar's disappearance. Concerned, Merfat asked me if I had disclosed her story to anyone, but I denied doing so, to spare her further worry. About a week later I received a call from Merfat who had been summoned by the police. She was weeping and asked me why I had betrayed her trust; indeed, she was terrified of her husband's reaction. At that point she confessed she hadn't told the police the whole story, because her husband forbade her to. I answered that I had done so, because I believed it could help save a man's life and – in an attempt to reassure her – I passed the phone to my husband who tried to explain to her that it was a religious duty to provide information that could reveal who had captured

Abu Omar, and that she had nothing to fear. That same evening Merfat's husband came to our house in Vermezzo, and asked my husband and myself not to disclose to the police all the details his wife had told me; he added that Merfat had been unforthcoming with the police. (...) Merfat confessed to me that she had decided to return to Egypt lest anything should happen to her or her children after what she had witnessed."

Summoned again by the Public Prosecutor, SALEM SHAWKI BAKRY, Rezk Merfat's husband, was challenged with the statements made by HASSANEIN Hayam Abdelmoneim Mohamed, and gave the following account on 3.18.05, finally revealing the truth and admitting to both his and his wife's reticent behavior:

"I must indeed make changes to my statement given only a few days ago, but I wish to stress that it was not my intention to hinder Italian justice, as I was solely concerned for the fear that gripped my wife as a result of what she had seen.

Well, although I confirm to not having paid great attention to my wife's words on 2.17.03, I admit to having omitted parts of her account. She truly feared that a similar fate could befall me. It is especially true that she saw two Western-dressed men attack a bearded Arab, dressed in a white jalabia, who struggled and cried for help while being violently grabbed and forcibly made to enter a van. I confirm she was unaware of the Arab's identity, as I did ask her the question. Regarding the van color, I believe she said it was white or gray, anyhow it was light-colored. I don't recall if she told me the van windows in the back or not: it may well be she told her friend more details than what she told me.

Anyhow, she had seen the man being loaded, despite his opposition, into the van that took off with two men on board. I do not know if the driver was a third man, as my wife did not specify this.(...)"

Gaps in the eyewitness account had already emerged subsequent to several phone tapings.

No significant progress was made in the investigation for over one year after the abduction. Indeed, investigators had almost disregarded the matter after a communication forwarded in March 2003 by "American authorities" to the Direzione Centrale della Polizia di Prevenzione in Rome, stating that Abu Omar had relocated to an unknown Balkan location. Addressed by the above Direzione Centrale, the US authorities stressed the presumptive nature of the news, to which no further detail was provided. The statement made to the Italian authorities would later be proven to be utterly groundless.

In fact, within the framework of investigations relating to Islamic terrorist activities, a number of conversations were tapped in April 2004 between Abu Omar, his wife Ghali Nabila and Elbadry Mohamed Reda, wherein the former stated that he was in Egypt (he had been deprived of his papers and was forced to live there), and that he had been abducted, taken to a US base, and from there flown to Egypt, where he had been detained until then, and subjected to serious torture.

Conversation of 4.20.2004 at 18.28 between Abu Omar (int) and his wife (ut)  
(...)

Ut: Osama, from the day they took you I have written to everyone, and thank God it's all over.

Int: it is not a problem. Listen, they warned me that reporters from all Europe will come looking for you. You must meet nobody, I must stress this, no journalists. That is what they said.

Ut: rest assured, I'll meet no-one.

Int: neither press nor TV!

Ut: sure, sure

Int: do not speak with any channel (TV, translator's note)

Ut: nobody, nobody

Int: tell the brothers I am back

(...)

Conversation of 5.8.2004 between Elbadry Mohammed Reda (U) and Abu Omar (I).

(...)

I= they tormented me with questions on many things...I was freed for health reasons, I have a kind of paralysis. To this day I cannot walk for more than 200 meters. I'm always sitting down. I was incontinent, suffered from liver trouble, with high blood pressure.. so they let me out on health grounds(...).

U= God is great

(...)

U= (...) you disappeared on Monday 17<sup>th</sup> ...

I= no, on 16<sup>th</sup>

U= you can't know more than us: it was 17<sup>th</sup>, a Monday

I= no, Monday 16<sup>th</sup>

U= the reports were made on the 17<sup>th</sup>, a Monday

I= I don't know if Monday was the 16<sup>th</sup> or 17<sup>th</sup>

U= it was February 17<sup>th</sup> ...

I= they took me straight to a military base and there they put me on board a military plane...and then..

(...)

U = the people here...every time we went to report things, they didn't believe it, and they said they know nothing about you, and that they started an investigation, and that an eyewitness saw you...

I=I saw her...she lives in the next street

U = this woman...they put pressure on her husband and he changed his statement after ten days (...)

The existence of such conversations in the records of the wire tapplings constitute an important corroboration to the statements made by the abducted man's wife and by Elbadry Mohamed Reda, as below

It must be stressed at this stage that wire tapping in this proceedings may only be used as a *notitia criminis* (therefore amounting to a formal complaint).

Furthermore, the contents of such tapplings (lawfully permitted and protracted by the competent magistrate, through a formal filing of the relevant warrant and extension, for the purposes of the present proceedings) will be analytically reported below. In this instance it is merely necessary to emphasize that, though allowed in the context of separate actions, they may certainly be used in this instance, if anything as the starting point for further investigations.

On this subject, case law is utterly consistent in maintaining that "for the purposes of Art.270 Code of Criminal Procedure, on the legal use of data arising from wire-tapping in instances other than the one for which it was sanctioned, the use must be understood as evaluation of the said data as sources of evidence. To this effect, therefore, such tapplings can lawfully provide information relating to additional offences, and may be used as a starting point for the ensuing inquiries and probative acquirements, unconstrained from the limits laid down in Art. 270 of the above code" (Cass., Sez. V, n. 23894 del 2.5.2003, Luciani; nello stesso senso vedi anche Supreme Court., Sez. VI, n. 31 del 26.11.2002, Chiarenza; Sez. VI, n. 3129 del 10.10.1992, Donzelli).

## ***2. Witness statements (de relato) re the kidnapping – First description of the offence – Account of the abductors' escape on a white van and statements as to their subsequent aircraft boarding.***

Abu Omar's wife, Ghali Nabila, was later heard again, and she declared the following:

“... my husband disappeared from Milan last February 17<sup>th</sup> and I had no news for about one year. ... Suddenly on April 20<sup>th</sup> this year, I received a phone call from my husband to my Milan home... (...) ... he told me he had been kidnapped in Milan, in a street I can't recall now – but I mentioned the name in my previous statement – and that some people had captured him with violence and taken him away in a white van... a woman, according to my husband, had witnessed the event.

My husband... told me he hadn't been kidnapped by Egyptians, although he didn't know who had... moreover, he neither told me how many people took part in the action, nor what nationality he thought they were.

After a few hours, maybe after one night, he was put on a plane and flown straight to Egypt, where he remained continuously detained until April 20<sup>th</sup> 2004.. he had always been kept blindfolded during the kidnapping and hadn't even been able to make out the abductors' language, as they had always remained silent.. I have learnt some news also in conversations with my husband's sister.. he was certainly flown to Egypt with a military aircraft, surely not a civilian plane.

(...)... he told me he had always been detained, and subject to awful torture... all kinds of torture.. because the Egyptians wanted information from him that he was unable to give.. he added that he was made to sign a statement after the torture where he declared he had turned himself in to the Egyptian authorities of his own free will...

According to my husband, at first the Egyptians were astounded at having him there with them; this fueled my husband's belief that he had not been kidnapped by Egyptians.. once freed, the Egyptian authorities told him he could go back to his work in Egypt, open up a store or even take up studying again, but he had to stay away from spreading any kind of Islamic propaganda. Some of the details I am recounting have also been learnt by my sister-in-law... I cannot provide precise information as to the traumas he endured.. I heard about the torture from his kin... at any rate, he said he had lost about 20 kilos as a result of the detention.. I do not believe my husband was able to provide any of the information they were after.. they merely ordered him to quit his propaganda activities..

(...) .On April 19<sup>th</sup> 2004, an Egyptian official whose name I do not know called my husband's home in Alexandria and, speaking with his brother Hisham, told him he could fetch my husband from a certain police station in the city.. on 20<sup>th</sup> my brother-in-law fetched him and took him home immediately.. in fact, the first call I got from my husband was made on April 20<sup>th</sup> a few minutes after getting home...

(...)

Since he was freed and then disappeared again...around may 13/15<sup>th</sup>..my husband had always stayed in Alexandria...he told me the Egyptian authorities called him from time to time.. after asking a few questions and never keeping him more than a couple of hours, they let him go home... I have no news of my husband since may 12<sup>th</sup>...”

The same circumstances were described to operators by Elbadry Mohamed Reda, who provided further details, recorded in the statement on June 15<sup>th</sup> 2004:

“(...) I obtained the first news on Abu Omar's actual fate from his wife... I learnt that on April 20<sup>th</sup> Abu Omar had called his wife from Egypt, telling her he had been detained and then freed after over a year.. his wife spread the news throughout the community, and contacted me a short time later, saying that her husband wanted to talk to me and that I should call him.. she gave me the number of the Abu Omar's family house in Alexandria, Egypt, where I called him.

During that conversation.. it took place 3/4 days after his release... we merely exchanged greetings.. it was quite a call.. Abu Omar said that he would tell me about important matters in a subsequent call... he feared his family's telephone was tapped.. he said he would give me a mobile phone number where I could reach him... Some days went by.. Abu Omar's wife gave me his Egyptian mobile number and I called him on May 7<sup>th</sup> 2004.. from a call center in Viale Jenner... during the conversation.. Abu Omar told me what had happened.. On February 17<sup>th</sup> 2003 he had left home around midday to go and pray in the V.le Jenner mosque.. he had noticed a white van with two people close to his doorway.. he didn't suspect anything.. he made his way on foot to the mosque

and as he got closer he noticed again the parked, white van; it had clearly driven round the block the other way as it could not have followed him due to the one way system...

The same two people he had noticed before approached him, and one asked him his papers in Italian ..he presented his passport, which testifies to his asylum holder status... the two men were sure of his identity.. At that point one of them sprayed something on his nose and mouth... and they pushed him into the van... Abu Omar just about noticed that an Arab women with two children was witnessing the scene.. Inside the vehicle the two men sealed his mouth with tape.. Abu Omar did not lose consciousness and came to immediately.

Speaking perfect Italian the two men told Abu Omar to keep quiet and remain still, otherwise he would be dead.. the windows had tinted glass in the back so Abu Omar was unable to see where the vehicle was going and the itinerary followed. Thanks to his watch, he was able to ascertain that he had traveled by car with the two men for about 5 hours..

He told me that he had kept the sticky tape on his mouth for the whole time, and the men had removed it only once their destination had been reached.. The two abductors handed Abu Omar to other people inside a military base that he believed to be American, judging from the US military aircraft.. with the US flag on them... He gave me no other clue as to what base it was.. he didn't say whether the captors were Italian.. just that they spoke Italian.

The two men departed and left him with a group of English- and Italian-speaking people.. who availed themselves of an Arab interpreter. The Italian and English speakers.. whom Abu Omar believed to be Americans.. asked him questions repeatedly, accompanied with outbursts of violence, on three specific issues... on his dealings with Al Quaeda...on his activities related with the war in Iraq, asking him if he was sending volunteers to fight the US in those areas... and on his relationship with Albanian Islamic groups... He told me he had been beaten.. tortured.. questioned.. At dawn he was loaded onto a US military aircraft and traveled for just under one hour... he told me that, due to the short trip and to the size of the city, which he had seen from the window... he thought he had been taken to a Rome airport.. The aircraft had stationed in a restricted area inside this huge airport, probably military.. Abu Omar was taken off the plane.. got on to another US military plane.. and took off again immediately.. They were US aircraft.. the second plane landed at a US base in the Red Sea in Egypt... Abu Omar saw other planes with US flags... From this base.. he was flown to a Cairo airport, this time Egyptian and military... he was blindfolded and taken by car, with Egyptians on board, to a secret service building in Cairo.. an office inside a well-known government building in Cairo, I also happen to know its location, in a neighborhood known as

LADOGHLJ... He had to meet an important personality.. the Egyptian Home Secretary HABIB AL ADLY.... In fact the minister... basically told him that if he agreed to work as an infiltrator for the Egyptian secret service, he would be home in 48 hours... otherwise he would have to bear full responsibility for his refusal.. Abu Omar refused.. he was forthwith taken to other Cairo premises, also managed by the secret service, where he stayed continually until his release on April 20<sup>th</sup> 2004.. He was subjected to serious torture.. the first measure was to leave him in a room where incredibly loud and unbearable noise was made.. he has experienced damage to his hearing.. The second kind of torture was to place him in a sauna at tremendous temperature and straight after to put him in a cold storeroom.. occasioning terrible pain to his bones.. as if they were cracking.. The third was to hang him upside down.. and apply live wires to the sensitive parts of the body including his genitals.. and producing electric shocks.. he has suffered damage to his motory and urinary systems.. he became incontinent.. They tortured him accusing him of being an Al Quaeda terrorist and a militant against the Egyptian regime.. they wanted to wrest information from him that he was unable to give.. they told him to consider himself, along with myself, Abu Imad (i.e. the imam of V.le Jenner) and Abu Saleh as terrorists ... and that sooner or later the same fate would befall the three of us.. they would catch us as soon as possible.. they said they had agreements with the Italian authorities... that could easily ensure our capture.. If we didn't turn ourselves in voluntarily.. they would kidnap us...

He told me the torture had been particularly ferocious for the first seven months in detention.. it had then diminished.. except whenever questions were asked about his role and his alleged involvement.. in the final stage of detention.. he underwent medical treatment.. also after his release.. He told me that he had been summoned one day by one of the superintendents of the secret service, who said that if he wanted to get out alive from that jail, he would have to declare he had left Italy for Egypt voluntarily, in order to clear his position.. he would have to keep quiet on everything else.. from the abduction to the torture.. they told him they would find out about any violation of the rules since everything was “under surveillance” also with the backing of the Egyptian judiciary.. if he rejected this proposal.. he would not leave the prison alive.. Before making a decision Abu Omar consulted other inmates.. who told him nobody gets out alive from that jail.. so they told him to accept.. So he did.. he was taken to an office in Alexandria.. he brother was told to fetch him there.. upon release Abu Omar was deprived of his papers.. and he was ordered not to disclose anything to anyone neither in Italy, nor Egypt, and certainly not to the press.. Abu Omar “breached” the agreement.. and for fear of being arrested again, he asked me not to divulge the information I had given him.. I had no other direct communication with Abu Omar aside from that first time and on May 7<sup>th</sup>.. for all other matters, I just got news from his wife..”

We later shall dwell upon the extent to which Elbadry Mohamed Reda and his account are trustworthy .

Thanks to Ghali Nabila, who had meanwhile gone to her husband’s family in Egypt, it was ascertained that Omar had been detained in a Cairo prison since May 12<sup>th</sup> 2004, thence transferred to an Alexandria jail, and then back to Cairo around 2.20.2005, where the mistreatment seems to have resumed.

Ghali Nabila states to have last seen her husband on 02.21.2005 at the prison near Alexandria, and on such occasion he had told her that, due to the widespread and detailed news of his abduction in the press (first in the Italian daily “La Repubblica”, with the contents of the article taken up and circulating widely in the Egyptian press), he was once more being subjected to physical harm, to the extent that he went on a hunger strike. Upon reaching Alexandria jail on 2.24.2005 to visit her husband, Ghali was informed of his transfer to Cairo.

Nobody has heard of Abu Omar since then.

Though de relato, yet fully exploitable for the purposes of Art.195 of the above code, the circumstances revealed by Ghali Nabila and Elbadry Mohamed Reda especially, in addition to the account given by the eyewitness Rezk Merfat, are of fundamental importance, allowing us to confirm without doubt that, sometime between 11.30 and noon on February 17<sup>th</sup> 2003 in Via Guerzoni, Milan, Abu Omar was approached by two Caucasian, Italian-speaking men, who apprehended him and forcibly dragged him into a white van (Abu Omar struggled and cried for help throughout).

### ***3. The absence of either national or international documentation certifying custodial measures***

The question arose as to whether the withholding of personal freedom, as described above, might in fact have flowed from a lawful warrant for the man’s arrest.

The competent DIGOS Bureaus ascertained the utter inexistence, also at an international level, of any warrants providing for Abu Omar’s tracking or arrest.

Investigations have been directed towards establishing Abu Omar’s presence in Egypt, in order to ascertain, by means of a formal request of judicial assistance forwarded on 08.30.2004, if the man:



- Was present on Egyptian soil and, if so, was he free or detained;
- Had been detained in Egypt in the time ranging from 02.17.2003 and 08.30.2004;
- Had entered Egyptian territory in any way and at any time.

Also, a request was made to Egyptian authorities to interrogate (the questioning could even be carried out by Egyptian authorities and Italian officials) ABU OMAR (allegedly detained in Egypt, going by his wife's statement) as well as his close family, and to learn the names of the owners and holders of the landline number 002034963879, along with the mobile numbers. 0020127619802 and. 0020123347735, most likely used by NASR Osama Moustafa Hassan (alias ABU OMAR).

Despite the full and effective collaboration of the Italian Justice Ministry, the above request for judicial assistance has yielded no reply as of yet from the competent foreign authority.

Anyhow, it remains a proven fact that Abu Omar did not leave Via Guerzoni voluntarily as a result of lawfully issued constraint measures but, instead, he was deprived of his personal freedom and abducted by force: consequently, the material element for the offence of kidnapping is existent.

#### ***4. The relevance of the lack of any documentation certifying custodial measures, as of the absence of any communication to Italian authorities***

It must be stressed that the incident is made much more serious due to a range of factors that transcend the mere crime of kidnapping.

Firstly, the fact that the subject enjoyed refugee status in Italy, and that such status had been granted by the same Italian authorities, has entailed that a refugee's willful abduction from the protection and shelter afforded by the host State – in absence of any provisions issued by the latter and clearly against the will of the former - amounts to a most serious assault against the authority of the Italian State and of international treaties on such matters.

Secondly, we are confronted with the fact that the operation was conducted by foreign citizens – as we shall examine later – for the purpose of securing a detention abroad in such a manner that no Italian authority was made privy to the fact, and in the absence of any document certifying custodial measures, or in any way sanctioning a limitation of personal freedom.

Thirdly, the fact that the person involved was under investigation by Italian authorities, and his consequent disappearance constituted an objective hindrance to the Judicial Authority's ability to effectively ascertain the facts.

#### ***5. Corroboration of the account of the abduction, and the specific technical investigation that lead to the identification of those involved in the abduction***

As mentioned before, based on the accounts given by Abu Omar to his wife and to Elbadry Mohamed Reda, and reported by the two, Abu Omar was later transferred – after a journey of **several hours, perhaps one night** according to the wife, and of **about five hours** according to Reda – to a military airbase – allegedly American – whence he was placed onto an aircraft.

Following the inquiries made by DIGOS, it ensues that the only base fitting the description is the USAF airbase at Aviano.

In an effort to further their investigation, operators sought to establish whether there had been transfers from the abduction scene to Aviano airbase, starting from the fact, as recounted by the eyewitness, that one of the persons who approached Abu Omar had been talking on the phone.

It was possible to establish this point by examining the communication exchange between mobile phones that took place within the radio cells covering the abduction scene and its immediate vicinity, thereafter ascertaining whether any of them had subsequently headed for Aviano airbase.

This activity – later analytically reported below – enabled the identification of a set of SIM cards that were operating on the crime scene, and mutually interactive, amounting to a total of 62 calls of very short length, and reaching their highpoint at the moment of Abu Omar's disappearance.

As a result of this verification, it has been possible to distinguish two sets of telephone subscribers: the first was present on the scene of the abduction; it headed towards Cormano, and there met up with the members of the second one. Straight after the abduction, nine people belonging to the second group (four of whom have been identified: Carrera Lorenzo, Logan Cynthia Dame, Channing Drew Carlyle e Vasiliou Michailis) left the area and picked up the radio cells situated along the stretch of motorway Milan – Aviano. During the journey some subscribers made calls to mobiles used by officers stationed at the said airbase. After about five hours all the subscribers picked up the radio cells surrounding the USAF airbase in Aviano.

As stated above, one of the nine subscribers (334/176579), whose identity was impossible to establish but will be henceforth referred to as ALFA, after having picked up the cell located in Via Gramsci in Cormano at 12.35 pm, took the eastbound A4 motorway. Along the way, he made contact for three times (between 14.44 and 16.42 on 02.17.2003) with a mobile phone, which turned out to be registered with the 31<sup>st</sup> Contracting Squadron (USAF Base – Aviano), and its user was proven to be Colonel Joseph L. III Romano, then head of security at Aviano airbase.

Another of these nine subscribers (334/3101143), whose identity was impossible to establish but will be henceforth referred to as BETA, picked up on the day of the abduction all the cells in the area around Via Guerzoni and the Cormano motorway entrance, in a time spanning 11.15am and 12.41, at which time he picked up the cell in Via Gramsci, Cormano, accessing the A4 motorway, and was “followed” all the way to Aviano.

Notably, the user of the 334/3101143 subscription (BETA), was located around Cormano about two hours before the abduction and there met a member of the said second group; he then approached the Viale Jenner area (where the kidnapping occurred), made contact with the “first group”, then headed back to Cormano together with the “first group”, and joined the “second group”; from there he headed toward Aviano with the “second group” users.

The utterly amazing aspect stemming from the technical data gathered, is that the factual description made by the victim and passed on to Elbadry Mohamed Reda faithfully matches BETA's movements. This individual indeed approached the area where the victim was living and picked up the TIM mobile phone signal repeater in Via Litta Modignani at 11:21:16. As he moved closer, he picked up the repeater in Via Butti 9 at 11:39:51.

The latter TIM signal repeater caters for the area facing both the victim's house and the mosque.

In order to pick up the above signal without picking up the TIM repeater in Via Imbriani 40 first, BETA's vehicle must necessarily have followed the road adjacent to the victim's house.

By so doing, the one-way system obliged him to take Via Cesare Brivio (otherwise he would have picked up the repeater in Via Imbriani 40, being sent off track by the one-way system).

The actual transit along Via Cesare Brivio constitutes the first surprising corroboration of the account given by Elbadry Mohamed Reda: this street is an unavoidable section of the route taken by the victim on his way to the mosque, and also by BETA's vehicle as it approached the signal repeater.

Time is another surprisingly matching element in the story recounted by Elbadry Mohamed Reda and BETA's route. BETA stayed hooked to the repeater in Via Butti 9 from 11.39.51 to 11.46.32. The place of the abduction is about 500 meters away from the junction between Via Conte Verde and Via Guerzoni. It takes about 6 minutes to walk, whereas it only takes about one and a half minutes to drive.

Also, according to the story recounted by Elbadry Mohamed Reda, the abductors' van crossed the victim outside his home, and later on the crime scene, where the vehicle had arrived by taking a different route from the victim on foot. This is corroborated by the examining a map of the area. After the sighting, whereas the victim could have headed straight for Via Guerzoni, the van would have had to drive round the block since Via Guerzoni is a one-way street from Viale Jenner to Via Davanzati. Even this detail matches BETA's movements in full, as "witnessed" by the mobile phone.

The time of all these movements is perfectly compatible with the time of the abduction. This occurred between 11.30 and 12.00 on 02.17.2003. BETA was present in those location at the exact same time.

Furthermore, the story recounted by Elbadry Mohamed Reda – with reference to the circumstances surrounding the movements – was corroborated by the eyewitness statement.

She maintains, in fact, that the incident took place near the Purple Cross (in Via Guerzoni 34).

Such detail is not only compatible with BETA's established position, but it also matches the forced route taken by the van so as to catch up with the victim.

Indeed, when going round the block to get back to Via Guerzoni from Via Conte Verde, the abductors' van would have necessarily had to drive down Via Carlo Cafiero, actually leading up to the Purple Cross, which the van would have to drive past as Via Guerzoni is a one-way street.

It must be inferred that the "suspicious" movements recorded match Elbadry Mohamed Reda's story too greatly to be coincidental.

After all, Elbadry was not and could not be aware of the results yielded by screening the cell communication exchange.

According to further verifications made possible by the albeit partial testimony of the woman who witnessed the crime, it ensues that Elbadry Mohamed Reda statement is completely truthful, even though it pertains to reported events.

As mentioned before, others telephone subscription users - established as being on the scenes - traveled contextually with BETA.

The subsequent moves take BETA back to Cormano, where along with the other telephone subscription users he heads towards Aviano.

During the journey towards the US military base in Aviano, those users of "suspect" telephones whose identity has been established contacted a number of individuals inside actual airbase.

The evident examination of registration holders, movements, and telephone communication exchange of all the above subscribers has yielded surprising results.

It became apparent that a great deal of subscribed numbers were registered to names that did not match those of the actual users; many numbers in fact were never matched to a user name. The remaining ones have been established as being used by US citizens.

Practically all the “suspicious” subscribed numbers share a further range of common features.

In particular:

- As said before, the users of the relevant subscribed numbers, located within the same cell therefore at a short distance from one another, exchanged numerous calls on 02.17.2003; almost all of them were very brief, and adding up to a total of 62 .
- The frequency of the calls intensified around the time coinciding with Abu Omar’s disappearance.
- All the SIM cards operated by TIM had been activated/sold between November 2002 and January 2003.
- Virtually all the subscribed numbers stopped functioning in Italy immediately after the abduction, mostly between February 18<sup>th</sup> and 20<sup>th</sup> 2003.
- The vast majority of these SIM cards were registered to subscribers, in whose name at least other ten subscribed numbers had been registered; most of them had been assigned to “fronts” (the names were often identical: 6 numbers were in the name of a Timofte Mihai, a Rumanian citizen unconnected with the incident, and 3 to a company known as “Riva Beniamino snc”); at any rate, for virtually all the subscribed numbers it had not been possible to identify the actual user from the outset..
- As explained below, the sole exception to the above rule is the Vodafone number registered in the name of a US citizen, Adler Monica Courtney, whose identity has actually been confirmed as authentic.
- One of the two mobile numbers present in via Guerzoni at the time of the kidnapping (**3397946739**), after having arrived in Aviano went straight back to Milan;
- BETA (**3343101143**), instead, arrived in Aviano and returned to Milan in the early hours of the following morning;
- As a result of the close scrutiny to which the communication exchange among the examined subscribed numbers (over 40 in total) were subject, some of which registered to US citizens, it has emerged that, even days before the incident, virtually all the users of the numbers had been present on the route that **Abu Omar** habitually followed from his house to the Viale Jenner mosque; this technical point provides added confirmation to their direct involvement in planning the crime, since to all intents and purposes the preparatory activities entailed on the spot investigation and careful observation of the victim’s movements.

The tables below demonstrates how frequently the users of suspect numbers were present in the days prior to the abduction (the numbers that were then traced as subsequently traveling to Aviano are highlighted) .

<i><b>SUBSCRIBED NUMBERS ACTIVE IN THE CELLS IN VIA BUTTI</b></i>			
<i><b>Number</b></i>	<i><b>Number of First connections</b></i>	<i><b>Last connection Date - Time</b></i>	<i><b>Last connection Date - Time</b></i>
3388952825 TIMOFTE MIHAI <i>n. 4 of Table 2</i>	95	23/01/2003 12.00.02	16/02/2003 12.51.56
335436970 DE LUCCI DAVIDE, <i>n. 7 of Table 2</i>	86	16/01/2003 11.59.48	16/02/2003 12.57.36

3387079723 TIMOFTE MIHAI, n. 3 of Table 2	78	23/01/2003 12.36.37	16/02/2003 12.48.06
3389383879 AGOSTINI CARLA, n. 9 of Table 2	59	26/01/2003 10.59.33	16/02/2003 12.50.09
3338577471KOLAZE & GHELON SRL, n.6 of Table 2	48	11/01/2003 11.38.41	16/02/2003 12.51.56
3386567958JAUREGUI CRIBILLERO, n.8 of Table 2	47	31/01/2003 11.10.02	16/02/2003 12.58.26
3336364075 RIVA BENIAMINO, n. 1 of Table 2	27	31/01/2003 11.12.11	16/02/2003 12.48.53
3343170797 TIMOFTE MIHAI, n. 54 of Table 2	24	29/01/2003 11.21.25	09/02/2003 12.30.54
3409849532 ADLER MONICA C., n. 17 of Table 2	23	14/01/2003 12.25.27	16/02/2003 12.38.33
3343101143, registered to unknown, n. 11 of Table 2	22	31/01/2003 11.45.51	16/02/2003 12.26.39
3397946739 TIMOFTE MIHAI, n. 15 of Table 2	20	18/01/2003 10.01.50	12/02/2003 12.17.43
3387849290, registered to unknown, n. 49 of Table 2	18	12/12/2002 12.52.11	16/12/2002 12.54.16
3387570943 DUFFIN JOHN KEVIN, n. 25 of Table 2	18	18/01/2003 12.45.38	07/02/2003 12.31.50
3333504739 CASTALDO E., n. 26 of Table 2	18	18/01/2003 11.18.14	31/01/2003 11.49.12
3333026990 JENKINS ANNE LIDIA, n. 28 of Table 2	17	22/01/2003 12.41.40	08/02/2003 12.48.47
3386410348 SOFIN JOSEPH, n. 29 of Table 2	15	11/12/2002 12.14.12	16/12/2002 12.54.16
3498928671 HARBAUGH R., n. 39 of Table 2	12	14/12/2002 11.26.54	17/12/2002 12.42.10
3386432346 RUSSO Domenico, n. 44 of Table 2	11	13/12/2002 12.21.33	16/12/2002 11.44.07
3406958386 KIRKLAND JAMES R., n. 32 of Table 2	11	16/01/2003 10.48.20	09/02/2003 10.59.34
3387905706 LOGAN CYNTIA D., n. 27 of Table 2	10	24/01/2003 12.24.43	16/02/2003 12.57.36
3201166281 DUMMY CUSTOMER, n. 36 of Table 2	7	09/01/2003 12.51.56	19/01/2003 12.43.05
3397672462 KOLAZE & GHELON, n. 52 of Table 2	7	24/01/2003 12.10.39	11/02/2003 12.33.18
3387570941 CASTELLANO VICTOR, n.24 of Table 2	7	25/01/2003 11.07.09	07/02/2003 12.31.50
3337642102 TIMOFTE MIHAI, n.2 of Table 2	6	15/02/2003 11.29.49	16/02/2003 12.48.06
3201166255 DUMMY CUSTOMER, n. 37 of Table 2	5	09/01/2003 12.51.56	18/01/2003 12.19.27
3398675142 LODI DONATELLA, n. 10 of Table 2	4	15/02/2003 11.46.03	16/02/2003 11.44.44
3338579242 TIMOFTE MIHAI,	3	08/02/2003	08/02/2003 12.16.53

<i>n. 5 of Table 2</i>		11.47.29	
3383790897 IBANEZ BRENDA L.,	2	13/12/2002	15/12/2002 10.24.37
<i>n. 40 of Table 2</i>		12.24.30	
3397942963 TIMOFTE MIHAI,	1	15/02/2003	15/02/2003 11.43.11
<i>n. 53 of Table 2</i>		11.43.11	

<b>SUBSCRIBED NUMBERS ACTIVE IN THE CELLS NORTH OF V. GUERZONI</b>			
<b>Numbers</b>	<b>Number of Connections</b>	<b>of First Connection Date - Time</b>	<b>Last Connection Date - Time</b>
3343101143 registered to unknown, <i>n. 11 of Table 2</i>	25	31/01/2003 12.45.17	16/02/2003 12.54.44
3343211730 RIVA BENIAMINO, <i>n. 14 of Table 2</i>	18	05/02/2003 10.08.00	16/02/2003 12.52.26
3397946739 TIMOFTE MIHAI, <i>n. 15 of Table 2</i>	10	22/01/2003 12.31.30	16/02/2003 12.54.29
3343176579 DISCOVERY SRL, <i>n. 13 of Table 2</i>	7	26/01/2003 10.58.35	08/02/2003 12.57.57
3337934123 registered to unknown, <i>n. 35 of Tabella 2</i>	7	29/01/2003 10.18.53	16/02/2003 12.56.46
3470502758 CHANNING DREW, <i>n. 30 of Table 2</i>	1	16/02/2003 12.38.33	16/02/2003 12.38.33
3389383879 AGOSTINI CARLA, <i>n. 9 of Table 2</i>	1	27/01/2003 11.46.27	27/01/2003 11.46.27
3387905706 LOGAN CYNTIA D., <i>n. 27 of Table 2</i>	1	15/02/2003 11.17.53	15/02/2003 11.17.53
3387570941 CASTELLANO V., <i>n. 24 of Table 2</i>	1	05/02/2003 12.15.36	05/02/2003 12.15.36
3338577471 KOLAZE & GHELON, <i>n. 6 of Table 2</i>	1	17/01/2003 12.59.34	17/01/2003 12.59.34
3337693263 registered to unknown, <i>n. 34 of Table 2</i>	1	27/01/2003 10.36.31	27/01/2003 10.36.31

It is patently clear from this table that a number of people had been present in that street almost one hundred times during the month prior to the incident.

Bearing in mind that they had never appeared to have visited that place neither before nor after, one can safely state that the whole body of circumstances – unitarily considered – does lead to the conclusion that the numbers examined belong to individuals who first plotted, then executed the abduction.

As stated above, one of the four subscribed numbers that reached Aviano (**3343176579**) made three calls to a mobile **3356121879** registered with the “31<sup>st</sup> Contracting Squadron (Base USAF-Aviano)” – as for its user some has been said and more will follow – between 14.44 and 16.32 on February 17<sup>th</sup> 2003; one can easily infer that, each time, the purpose of this was to inform that the vehicles were approaching Aviano base: indeed, **at the time of the said events the number was proven to be assigned to, owned and used by Lt. Col. Joseph L. III Romano, Commander of the 31<sup>st</sup> SFS (Security Forces Squadron) USAF, i.e. American head of security at Aviano Airport,**

**responsible for the access areas to the airbase itself.** Lt. Col. Romano was transferred after the events to “Pentagon 31P” in Washington DC (USA), where he is currently employed.

The nature of the contacts made during the journey by the group explain the reason why at Aviano airbase there is no trace of their passage.

With the informative report dated 02.23.2005, the Commander of the Compagnia CC. Aeronautica in Vicenza had elaborated on the following point: *“it is decided that admission to the base through gates reserved to USAF staff will require no registration, but the mere display of the pass. Indeed, intelligence personnel (e.g. O.S.I. or C.I.A.) will be merely required to present customary ID badges, while army security staff is not entitled to carry out any inspection, even though other people may be on board the vehicle”.*

Furthermore, at Aviano airbase, it has been possible to establish the departure of an aircraft at a time that is compatible with Abu Omar’s (recounted) story; the final destination of the aircraft was Egypt (where the victim claims to have been detained) and an intermediate stop was made compatibly with the victim’s (recounted) story. In actual fact the stopover did not take place in Rome but in a US airbase, although the flight time coincides clearly with the victim’s account to Elbadry Mohamed Reda.

As if to substantiate the whole story further, one of the individuals in closer contact with the abovementioned “groups” traveled to Egypt straight after the abduction. The individual is the user of a subscribed number, which one of the group members called minutes after the abduction, and subsequently at regular intervals; the individual has been named as Lady Robert Seldon, a then attaché to the US Consulate and CIA superintendent.

Yet another surprising element bringing together the individuals who own the subscribed numbers is their credit card numbers.

Most of them have credit card numbers starting with the same figures.

By examining the people in the group sharing this feature, it can be pointed out that two people share the first 14 numbers (out of 16); highlighted below are the identical numbers and the names of those who traveled to Aviano).

LOGAN Cyntia Dame	Visa	n. 4118165007635768
IBANEZ Brenda Liliana “	Visa	n. 4118165007635784

Another man shares the first 11 figures (out of 16) with the two abovementioned individuals.

DUFFIN John Kevin	Visa	n. 4118165007626908
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As a curious note, Duffin and Logan also share the first five figures of their passport numbers.

Examining now less astounding correlations, though statistically noteworthy all the same, it can be noted that other two people share the first 9 figures with the abovementioned.

CASTALDO Eliana	Visa	n. 4118165006438370
RUEDA Pilar	Visa	n. 4118165007854492

There are then two groups of two people each sharing the first 8 figures

ADLER Monica Courtney	Diners Club	n. 38541798540000
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KIRKLAND James Robert   Diners Club   n. 38541799470009

ASHERLEIGH Gregory   Visa   n. 4118160311575248  
CARRERA Lorenzo Gabriel   Visa   n. 4118160306976955

On the basis of such “coincidences” and following a meticulous process of authentication, it was possible to establish that the two “groups” had not met for the first time on the crime scene, nor in Cormano.

They had all stayed in Italy before; they had all stayed at the same hotels in Milan, La Spezia, and Florence, at times together and other times at closely successive intervals.

Different members of such “groups” often gave the same address at hotel receptions, claiming it was their own.

The above circumstances will be clearly dealt with later, however, one can safely claim that on 02.17.2003, two groups of US citizens operating in steady, coordinated and constant contact, were accessory to the kidnapping of Abu Omar.

Investigations made have allowed the identities of such groups to be known.

The first group is present in the abduction area (in fact the following cells were picked up: Via Imbriani, Via Butti, Via Bernina, Via B. Crespi, Via Imbonati, Via Pellegrino Rossi and Via Pedroni), and is constituted by the individuals below, along with the user of the BETA subscribed number (334/3101143) who, though unknown, is a key proof of the two groups’ connection:

RUEDA PILAR

HARTY BENAMAR

HARBAUGH RAYMOND

ASHERLEIGH GREGORY

PURVIS GEORGE

SOFIN JOSEPH

ADLER MONICA COURTNEY

LOGAN CYNTHIA DAME, who will quickly move towards the second group.

The second group is located in an area north of the abduction scene, i.e. the border between Milan and Cormano (in fact the following cells were picked up Via Modignani, Via G. Sand, Via Martinazzoli, Via Senigallia e Via Gramsci), and is constituted by the individuals below, along with the users of the BETA (334/3101143) and ALFA (334/3176579) subscribed numbers, as well as others, whose users remain unidentified:

CARRERA LORENZO

LOGAN CYNTHIA DAME

CHANNING DREW CARLYLE

VASILIOU MICHAILIS.

It is important to stress that all the second group numbers moved along the Milan – Aviano route straight after the kidnapping.

The “Aviano group” was surely joined later by DUFFIN JOHN KEVIN in the Verona area, as outlined below.

Examinations made with the motorway company proved that two vans and a car traveled at the following times: accessed motorway at Milano Est at 12.46 – 12.47 and 12.54 respectively; exited at Venezia Mestre at 15.18.02 – 15.18.22 – 15.26.27; accessed at Venezia Est and exited at Portogruaro at 16.00 and at 16.07. One of the vans was found to have returned to Milan on the very same day, while the other drove to Padua. Screenings of the telephone communications showed that the user of the BETA subscribed number was most likely on board one of the vans, as the number hooked up with cells steadily covering the movements made, as confirmed by the entry and exit times



Finally, a number of significant elements have been acquired, allowing the identification of the plane that departed from the USAF airbase in Aviano and carried Abu Omar to Egypt.

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### **The position of said Robert Lady Seldon remains to be examined.**

In order to assess the value of the probative elements that were found against Lady Robert Seldon, user of the Vodafone **3480614737** subscribed number, it is necessary to examine closely the communication exchange effected by the said SIM card.

The screening will be made in relation to the communication exchange dating from the first three months of 2003, as it is the relevant period for the purposes of this investigation, showing that the said number has made calls since its activation in October 2000 until last October, proving it was operational throughout.

This first table shows the contacts made by the telephone user from January 12<sup>th</sup> 2003 until February 19<sup>th</sup> 2003, two days after the crime was committed.

In this timeframe the user had always stayed in Milan and established contacts (see chart 27 attached to the DIGOS informative report dated 02.24.05) with the following SIM cards: **3388952825 – 3338579242 -3386567958** (detailed at point 4, 5, 8 of table nr.1). Such mobile numbers had all been present on the scene of the crime during the abduction, as stated in detail above.

The following table clearly shows that contact with one of the numbers below **3386567958 (sub n. 8 table)** was also made on February 17<sup>th</sup> 2003, straight after the abduction (highlighted in yellow).

Call made	Call received	Date, Time	Duration	Cell
<b>3480614737</b>	3386567958	12/01/2003 13.47	0.00.37	MILANO - Via de Alessandri, 11, Sector 1
3386567958	<b>3480614737</b>	15/01/2003 11.39	0.00.51	MILANO - Via Crispi, 5 - Milano, Sector 9
3386567958	<b>3480614737</b>	15/01/2003 13.28	0.00.11	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
3386567958	<b>3480614737</b>	17/01/2003 10.05	0.00.15	MILANO - C.so Garibaldi 68 (Hotel Ritter), Sector 2
3386567958	<b>3480614737</b>	17/01/2003 13.10	0.00.11	MILANO - Via Napo Torriani, 31, Sector 1
3386567958	<b>3480614737</b>	17/01/2003 17.46	0.01.00	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
<b>3480614737</b>	3386567958	21/01/2003 9.49	0.00.18	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector. 2
3386567958	<b>3480614737</b>	21/01/2003 17.17	0.01.09	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
3386567958	<b>3480614737</b>	22/01/2003 13.32	0.00.27	MILANO - Via Crispi, 5 - Milano, Sector. 2
<b>3480614737</b>	3386567958	22/01/2003 13.56	0.00.18	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
3386567958	<b>3480614737</b>	22/01/2003	0.01.01	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10,

Call made	Call received	Date, Time	Duration	Cell
		14.00		Sector 2
3480614737	3386567958	23/01/2003 8.47	0.00.32	TREZZO SULL'ADDA - Via del Cimitero, c/o Cimitero Comunale, Sector 1
3386567958	3480614737	23/01/2003 14.42	0.00.33	PN - SAN QUIRINO - Via Roiata, 43, Sector 3
3480614737	3386567958	24/01/2003 9.56	0.00.23	MILANO - Via Crispi, 5 - Milano, Sector 2
3386567958	3480614737	24/01/2003 12.50	0.01.16	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
3386567958	3480614737	24/01/2003 13.15	0.00.23	MILANO - Via Galileo Galilei, 2 Milano, Sector 8
3480614737	3386567958	24/01/2003 14.50	0.00.28	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
3480614737	3386567958	24/01/2003 14.51	0.00.50	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
3386567958	3480614737	25/01/2003 12.25	0.00.38	MILANO – Building owned by RAS Via Canonica, 54 - Milan, Sector 7
3386567958	3480614737	25/01/2003 17.28	0.01.01	MILANO - Via de Alessandri, 11, Sector 1
3480614737	3386567958	25/01/2003 19.01	0.00.22	MILANO - Via Napo Torriani, 31, Sector 3
3480614737	3386567958	25/01/2003 19.09	0.01.04	MILANO - Via Galileo Galilei, 2 Milano, Sector 2
3480614737	3386567958	26/01/2003 9.56	0.00.27	MILANO - C.so Garibaldi 68 (Hotel Ritter), Sector 2
3480614737	3386567958	27/01/2003 8.17	0.00.13	MILANO - Via Manzoni, 31, Sector 3
3480614737	3386567958	27/01/2003 11.31	0.00.16	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
3480614737	3386567958	27/01/2003 12.03	0.00.12	MILANO - Via Galileo Galilei, 2 Milano, Sector 8
3480614737	3386567958	28/01/2003 8.57	0.00.25	MILANO - Via Crispi, 5 - Milano, Sector. 2
3386567958	3480614737	31/01/2003 14.44	0.01.20	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
3480614737	3386567958	31/01/2003 16.14	0.01.53	MILANO - Viale Jenner, n°4, Sector 3
3338579242	3480614737	04/02/2003 10.09	0.00.46	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
3338579242	3480614737	04/02/2003 10.22	0.00.10	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector. 2
3338579242	3480614737	04/02/2003 13.44	0.00.08	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 8
3386567958	3480614737	07/02/2003	0.00.24	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10,

Call made	Call received	Date, Time	Duration	Cell
		13.45		Sector 7
<b>3480614737</b>	3386567958	08/02/2003 20.37	0.00.20	MILANO - Via Ripamonti , 66, Sector 7
3386567958	<b>3480614737</b>	10/02/2003 9.26	0.00.15	MILANO - Via Crispi, 5 - Milano, Sector 2
<b>3480614737</b>	3386567958	11/02/2003 15.40	0.01.05	MILANO - ATM car-park. Subway station Famagosta 75, Sector. 7
3386567958	<b>3480614737</b>	11/02/2003 17.06	0.00.21	MILANO - Via de Alessandri, 11, Sector 1
<b>3480614737</b>	3386567958	12/02/2003 8.50	0.00.31	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
3386567958	<b>3480614737</b>	12/02/2003 13.52	0.00.12	MILANO - Via Crispi, 5 - Milano, Sector 2
<b>3480614737</b>	3386567958	13/02/2003 8.12	0.01.18	MILANO - Via F.lli Bettinelli, 3 - Centrale Telecom Italia, Sector 7
3386567958	<b>3480614737</b>	13/02/2003 11.23	0.00.35	MILANO - Parcheggio ATM Cascina Gobba, Sector 2
<b>3480614737</b>	3386567958	13/02/2003 14.43	0.00.19	MILANO - L.go Cordusio, 4, Sector 1
3386567958	<b>3480614737</b>	14/02/2003 10.40	0.00.12	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
<b>3480614737</b>	3386567958	14/02/2003 15.45	0.00.34	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 8
3386567958	<b>3480614737</b>	14/02/2003 16.13	0.00.06	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
3386567958	<b>3480614737</b>	14/02/2003 16.58	0.00.21	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 2
3386567958	<b>3480614737</b>	14/02/2003 17.37	0.00.24	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 8
3386567958	<b>3480614737</b>	14/02/2003 19.41	0.00.30	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 1
3386567958	<b>3480614737</b>	16/02/2003 14.01	0.00.10	MILANO - Via Pancaldo, 11, Sector 3
3386567958	<b>3480614737</b>	17/02/2003 12.56	0.00.29	MILANO - Via Crispi, 5 - Milano, Sector 2
3386567958	<b>3480614737</b>	17/02/2003 14.20	0.00.21	MILANO - Via Crispi, 5 - Milano, Sector 2
3386567958	<b>3480614737</b>	17/02/2003 14.28	0.00.06	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 8
3386567958	<b>3480614737</b>	17/02/2003 16.25	0.00.08	MILANO - Viale Majno 10, Sector 1
3386567958	<b>3480614737</b>	18/02/2003 10.43	0.01.03	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 8
3386567958	<b>3480614737</b>	18/02/2003	0.00.08	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10,

Call made	Call received	Date, Time	Duration	Cell
		11.50		Sector 2
3386567958	<b>3480614737</b>	18/02/2003 15.29	0.00.08	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 1
3388952825	<b>3480614737</b>	18/02/2003 20.23	0.01.20	MILANO - Via Duilio n°6, Sector 2
3388952825	<b>3480614737</b>	19/02/2003 11.53	0.00.28	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sector 1

Since 02/19/2003 to 02/22/2003 the number **3480614737** was in contact with other numbers currently unrelated to the issues dealt with in the present proceedings, and maintained its location in the city of Milan.

On February 23<sup>rd</sup> 2003 the user of the appliance moves to the province of Gorizia, and from that day no calls are made/received by the said number until 03/03/2003 when it receives two calls from an unidentified number, **while occupying a radio “cell” in Egypt.**

Days later, on 03/15/2003, the number picks up Italian cells again, confirming it has entered Italian territory.

**One can comfortably assume that the user of the said Vodafone card stayed in Egypt from February 22<sup>nd</sup> to March 15<sup>th</sup> 2003, i.e. during the first days of Abu Omar’s unlawful detention in Egypt, and when he was most likely being subject to the first spate of “treatment”.**

These circumstances have been confirmed by the witness account made by **Elbadry Mohamed Reda**, according to whom *Abu Omar* (who had informed him) had already been transferred to Egypt in those days.

Call Made	Call Received	Date, Time	Duration	Cell
3477619320	<b>3480614737</b>	19/02/2003 12:19:06	72	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3473204821	<b>3480614737</b>	19/02/2003 16:42:39	46	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 1
<b>3480614737</b>	0276024801	19/02/2003 18:29:05	25	MILANO – Via Galileo Galilei, 2 Milano, Sett. 2
<b>3480614737</b>	3281508898	20/02/2003 09:26:37	9	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3478344302	<b>3480614737</b>	20/02/2003 10:55:19	59	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
<b>3480614737</b>	0262265138	20/02/2003 11:23:54	1	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 7
<b>3480614737</b>	3478344302	20/02/2003 12:48:26	0	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3478344302	<b>3480614737</b>	20/02/2003	39	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia,

Call Made	Call Received	Date, Time	Duration	Cell
		12:48:43		10, Sett. 2
3477619320	<b>3480614737</b>	20/02/2003 14:15:24	141	MILANO – Via Crispi, 5 - Milano, Sett. 2
<b>3480614737</b>	3477619320	20/02/2003 14:18:06	361	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
<b>3480614737</b>	3406712600	20/02/2003 14:28:24	90	MILANO – Via Crispi, 5 - Milano, Sett. 2
3473204821	<b>3480614737</b>	20/02/2003 15:06:17	83	MILANO – Via Crispi, 5 - Milano, Sett. 2
<b>3480614737</b>	3406712600	20/02/2003 16:00:48	25	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3473204821	<b>3480614737</b>	20/02/2003 20:43:34	38	MILANO - Via Marco Aurelio 26 - Centrale Telecom Italia Mil, Sett. 9
3477619320	<b>3480614737</b>	20/02/2003 22:16:29	28	MILANO - Via Marco Aurelio 26 - Centrale Telecom Italia Mil, Sett. 3
3477619320	<b>3480614737</b>	21/02/2003 08:44:04	113	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 8
3478344302	<b>3480614737</b>	21/02/2003 08:57:26	67	MILANO - C.so Garibaldi 68 (Hotel Ritter), Sett. 8
3478344302	<b>3480614737</b>	21/02/2003 09:05:02	11	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
<b>3480614737</b>	043426764	21/02/2003 17:34:41	43	VI - MONTECCHIO MAGGIORE - Via Madonnetta, Sett. 1
<b>3480614737</b>	3331729183	22/02/2003 09:52:44	22	VI - GRUMOLO DELLE ABBADESSE - A4 - km 121,3, Sett. 7
3478344302	<b>3480614737</b>	22/02/2003 10:13:42	23	VE - VENEZIA – Via dei Salici 32, Sett. 7
<b>3480614737</b>	3331729183	22/02/2003 11:01:14	105	VE - PORTOGRUARO - Viale Trieste, 3, Sett. 9
<b>3480614737</b>	3331729183	22/02/2003 11:27:34	22	GO - MONFALCONE - Terreno in loc. Cima di Pietrarossa, Sett. 1
<b>3480614737</b>	3331729183	22/02/2003 11:31:17	15	GO - MONFALCONE - Via Terza Armata, 21, Sett. 3
<b>3480614737</b>	335204587	03/03/2003 09:35:51	10	
	<b>3480614737</b>	03/03/2003 11:34:23	30	Egypt
	<b>3480614737</b>	03/03/2003 11:35:13	165	Egypt
<b>3480614737</b>	3477619320	15/03/2003 10:29:58	42	CO - CARIMATE - Via Stazione, Sett. 3
<b>3480614737</b>	3477619320	15/03/2003 10:31:28	43	MI - MEDA - Via S. Maria c/o Torre acqua comunale, Sett. 3
<b>3480614737</b>	3483948952	15/03/2003	38	MI - SEREGNO - Via S.Stefano da Seregno,

Call Made	Call Received	Date, Time	Duration	Cell
		10:34:28		39 c/o centrale Telecom, Sett. 3
3478344302	3480614737	15/03/2003 10:46:23	9	MI - MILANO – Viale Monza 139, Sett. 3
3478344302	3480614737	15/03/2003 11:56:18	63	MI - MILANO - Via de Alessandri, 11, Sett. 1

Lady Robert Seldon has long since retired from diplomatic service, and taken up residence in Italy. Indeed, he purchased a farmhouse in the hamlet of Penango (Asti), and lives together with his family in via Don Bosco nr. 40.

A substantial body of serious circumstantial evidence weighs upon him, mainly due to the fact that exchanges have been picked up between Lady and telephone subscriptions belonging to other suspects believed to have been involved in the abduction (especially those operated by Purvis George and Harbaugh Raymond); furthermore, on 02.17.2003, four contacts were made with the number operated by Harbaugh Raymond (n. 8), at 12:56, 14:20, 14:28 and 16:25.

Another noteworthy circumstance is that the said Lady was certainly present in Egypt on 3.3.2003 (two calls to the number in his use were recorded on this day), and he had most likely been there since 02.22.03.

An additional element is that one of the telephone subscriptions implicated most in the operations, transfers, and communication exchanges related to the kidnapping was officially assigned to a person (De Sousa Sabrina), a CIA agent appointed to the American Consulate in Milan: for his part, as pointed out before, Lady Robert Seldon, was an intelligence attaché to the American Consulate in Milan, operating as CIA superintendent.

Besides, access to Aviano without registering formally would have only been possible for CIA agents.

In addition to all this, one must point out the substantial similarity among passport and credit card numbers belonging to the “task force”, as well as its members’ significant financial means, since they lodged for long periods of time, and at a very considerable expense in some of the most exclusive hotels in Milan and other locations.

Such a great deal of correspondence, which cannot amount to mere coincidence is only feasible among persons belonging to an organization with practically unlimited resources.

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Also with a view on providing further details on the investigative activities, **it is necessary at this stage to go back to examining analytically the developments and the findings of the investigation itself, based on the reconstruction contained in the Prosecutor’s request.**

***“A) The incident, the first witness statements, the first investigations***

***On February 20<sup>th</sup> 2003 Antonio Nebuloni, a Milan-based attorney, contacted the D.I.G.O.S. office at the Police headquarters in Milan with the intent to obtain information on the alleged detention of Nasr Osama Moustafa Hassan, an Egyptian citizen also known as Abu Omar, who had been missing from his Milan abode since February 17<sup>th</sup> of the same year; on that same day Ghali Nabila, wife of the missing man, went to the local police station “Cenisio” where she***

*formally reported the disappearance of the said Abu Omar, and declared to have last seen her husband on February 17<sup>th</sup> at noon.*

*It must be forthrightly said that **Abu Omar** is notoriously a member of Al Jama'a Al Islamiya, a radical Egyptian group, and for this reason believed by local authorities to be an opponent of its political refugee in Rome. He later moved to Milan and renewed his residence permit on political asylum grounds until June 7<sup>th</sup> 2003. **He was formally under investigation within the ambit of proceedings n. 5236/02.21 pending at this Office, for breach of Art.270 bis cp** (connection with an organization for the purposes of international terrorism): for this reason the telephone installed in his Milan house in via Conte Verde was subject to wire-tapping, as warranted by the judge for preliminary investigation in Milan.*

*On matters relating to his disappearance, the D.I.G.O.S. in Milan learnt from trustworthy sources that on February 17<sup>th</sup> **Abu Omar** had been forcibly loaded onto a white van by at least two men while walking down via Guerzoni, on his way to the nearby Center for Islamic Culture, where he usually went at that time (see report by Insp. Piredda dated 02.21.03 and attached to the informative report of 02.25.03).*

*The confidential information was rapidly confirmed by records later admitted and filed: **Ghali Nabila**, wife of the missing man, was summoned on February 24<sup>th</sup> for the purposes of providing additional elements to the initial statement, and she confirmed that before leaving the house her husband told her he was first going to the mosque in v.le Jenner, then to pay the rent, and after that he would come home. Having established that he was unreachable, and before making an official report, the woman contacted the community leaders at the Viale Jenner mosque, a frequent haunt of her husband's. At the end of the collective prayer of Friday, February 21<sup>st</sup> the ICI imam **Arman Ahmed El Hissini Helmy**, known as **Abu Imad**, who then recounted everything to her, had asked if anyone had news of **Abu Omar**, and described the man's appearance and clothing. After the imam's appeal an Egyptian woman confided to two of her sisters that on Monday (February 21<sup>st</sup>) a friend of hers had witnessed a man being stopped via Guerzoni, on the corner with via Cafiero, by two men in Western dress who had asked to see his papers first. (**Ghali Nabila** added that every time her husband left the house he took all his papers with him, especially the residence permit, the travel document he was given confirming his refugee status, and his ID card) He was then forcibly loaded onto a white van, despite his efforts to put up resistance. Not an habitual frequenter of the mosque, the woman at that moment was walking with her children down via Guerzoni on her way home after calling at the nearby butcher's; she confided to her friend that she had distinctly heard the men issue their demands to see the papers in Italian. So shaken was the eye-witness by the whole scene, that she told her husband it was her intention to return to Egypt. According to his wife, during the week prior to his disappearance **Abu Omar** had only left home to visit the v.le Jenner mosque for the noon prayer, had presided over the Friday collective prayer at the Gallarate mosque, had visited the Varese mosque on Saturday evening, and had held religious lessons at the one in Como on Sunday afternoon. On all these occasions his brethren had picked him up and taken him home.*

*On February 25<sup>th</sup> 2003 **Ahmed El Hissini alias Abu Imad**, suitably examined by police for a summary account, substantially confirmed Ghali's deposition, adding however that although he was unacquainted with the woman in question (i.e. the eyewitness), she had to be Egyptian. For the purposes of identifying her, he had arranged extensive searches throughout the Islamic community.*

*The foreign woman who had witnessed the scene was named by police shortly after as being the Egyptian national **Rezk Merfat**, born in Kalubia (Egypt) on 02.13.1980, residing with her*



husband in via Guerzoni nr. 33 Milan; the latter was heard as a person informed of events on February 26<sup>th</sup> 2003 by Digos, and on 03.04.03 by the Prosecutor in charge of proceedings. During the two hearings, the visibly fearful woman declared she lived in via Guerzoni at number 33, first floor. Between 11.30 and noon on Monday February 17<sup>th</sup> she was walking back from a medical appointment with her two daughters after having left her husband in via Jenner, as he had other errands to run. After buying some bread, she accessed via Guerzoni and kept to the left-hand sidewalk on her way home. Having come level with the access to a ramp leading to underground parking lots, she noticed a light-colored van parked crosswise on the sidewalk, its front facing the wall and obstructing the way for pedestrians. Consequently, she crossed the road, reaching the opposite side, and continued her course, meanwhile noticing, somewhat ahead of the parked van, a bearded Arab-looking man wearing a traditional tunic walking down the left-hand side of the street, and another man, Western-looking and wearing sunglasses, who was talking into a mobile phone resting between his head and shoulder. The Egyptian woman was unable to provide any further details on the people present, also because by now she claimed she had distanced them by about 20 meters. Having reached the opposite side of the street, at a level with the entrance to the Purple Cross, she stopped a few seconds to let her younger daughter play with some young volunteers standing outside, then proceeded to resume her walk and cross via Guerzoni again. In that moment she heard a loud noise and, assuming an accident had occurred, she noticed the previously parked van back out quickly into the road and head off in the opposite direction to v.le Jenner, driving past her at great speed while she was about to cross the road on the pedestrian crossing at a level with the junction with via Cafiero. The loud noise she heard was like a thud (plausibly the sound of the heavy van door slamming hard - ed.), and as the vehicle disappeared none of the people she had previously seen standing on the sidewalk were in sight. The *modus operandi* (loud noise, high speed van) led her to believe that something had happened, and that the Arab man had been abducted. Specifically, during the account given to the Prosecutor on 03.04.03, the woman confirmed that the man standing before the bearded Arab man wearing a tunic had Western features and clothing, and was reading a document while talking over the phone. Consequently, the eyewitness had believed this to be a typical procedure of law enforcement officers when examining papers. She added also that, after walking past the van, she heard a loud noise like a falling object or a collision between two vehicles. The van had then sped past her and the people were no longer standing in the street. She maintained that the light-colored van was parked in the vicinity of the Purple Cross premises in via Guerzoni.

During the same occasion on 03.04.03, **Arman Ahmed El Hissini alias Abu Imad**, who was present at the eyewitness' examination, told investigators that a phone call was made to the Institute for Islamic Culture switchboard at 16.00 on February 26<sup>th</sup> 2003, in the course of which the anonymous caller, most likely an Egyptian, was quoted as saying that "Abu Omar was in Cairo and had been abducted by the Egyptian secret service with the help of Italian intelligence."

On the basis of the above facts, criminal proceedings were initiated at this District Attorney's office with the charge of kidnapping (Art.605 criminal code), and the Digos from the Milan Police headquarters was assigned the task of carrying out factual verifications: wire-tappings were ordered to be maintained on the telephones used by the missing man's relatives, and especially by his wife **Ghali Nabila**; the authorities also ordered the acquisition of telecommunication logs showing all conversations on the mobile telephone cells in and around Via Guerzoni at the relevant time. As the exceptional results of the probe conducted with the abovementioned means will be expanded on later, it must be pointed out here that, due to a blatant mistake in the original warrant re the actual date of the abduction, the data on **cell communication exchange** at the time and place of the kidnapping that was first obtained and examined did not refer to 02.17.03 (correct date of the incident) but to 03.17.03 (see Digos informative report of 10.08.03). **Once the mistake had been**



***corrected, the pertinent data was acquired forthwith, and as stated before immediately produced information of exceptional importance.***

Meanwhile, many witnesses were heard including the **staff at the Purple Cross** who were present in via Guerzoni at the time of the incident, and had been named by the witness Rezk Merfat in her deposition: Davide Vignati, Fabio Fusi, Alessandro Tetta, Giuseppe Tripicchio, Emiliano Bocci, Ermelinda Maria Teresa Beretta, Luigi Claudio Papa, Aniello Fariello, Giovanni Grisoli, Cosimo Tripaldi, Mirko Malavoglia and Fabio Paolo Viganò, all being employees and volunteers of the Purple Cross in via Guerzoni (the location where the witness **REZK Merfat** had said the relevant facts had taken place) on duty on that morning of February 17<sup>th</sup> 2003, and unanimously declaring that they had witnessed nothing out of place at the time and place in question.

The examination of further foreigners belonging to the local Islamic community in Milan or in neighboring towns, and who had habitual dealings with the missing man proved equally unproductive, even though some witnesses had implicitly admitted they feared **Abu Omar** had fallen victim to an abduction, as had befallen other member of the same radical Egyptian organization in the past.<sup>1</sup>

Specifically:

- **Arman Ahmed El Hissiny Helmy**, imam of the Milan-Viale Jenner mosque, declared on 08.04.03 to have learnt from Shawki Mohammed, head of the Mosque of Vienna, that some days after Omar's disappearance, Shawki had been contacted by a man known to him as belonging to the Austrian secret service, who had asked him information on Abu Omar;
- **El Ashmawi Sherif Hafez**, administrative consultant at the House of Islamic Culture in Italy - based in Via Quaranta 54 in Milan - stated on 08.11.03 to have learnt from Ghali Nabila, Abu Omar's wife, that her husband had told her how he had noticed that every time he came back from the Gallarate or Varese mosques he was followed by a car or a white Fiat Fiorino van. The witness also stated, as told him by Abu Omar's wife, that during a lesson at the Como mosque the latter had criticized some Arab countries, such as Libya and Tunisia, whose governments trample on human rights;
- **Shaari Abdelhanid**, president of the Milan Institute for Islamic Culture, based at Viale Jenner 50, merely stated on 08.06.03 that he had never been on good terms with the missing man since a pre-existing divergence arising from the handling of public relations with a number of Tunisian inmates presently in jail;
- **Abd El Aly Aly Aly**, administrative supervisor at the House of Islamic Culture in Italy - based in Via Quaranta 54 in Milan – believed the abduction to have been carried out by American or Egyptian security forces for the purposes of questioning Abu Omar on the September 11<sup>th</sup> terrorist attacks directed at the USA. This statement was based on Egyptian dailies reports that, while on his way from Denmark to Yugoslavia, Abu Talal had been forcibly taken to Egypt with American assistance;
- **Elbadry Mohamed Reda**, teacher at the House of Islamic Culture in Italy - based in Via Quaranta 54 in Milan – who, after admitting on 08.14.03 that at times Abu Omar was more involved in political than religious activity, in which he expressed his dissent against the Egyptian government, did recount impressions gathered in Islamic quarters in Milan, whereby Abu Omar's disappearance was ascribable to an abduction masterminded by Italian

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<sup>1</sup> In September 1995 the Egyptian extremist **Talaat Fouad Kassem**, alias **Abu Talal** disappeared in mysterious circumstances from Zagreb (Croatia); he was spokesman for the Egyptian **Al Jama'a Al Islamica** group and was a political refugee living in Europe. A week later, on October 20<sup>th</sup> 1995, **Jama'a Al Islamiya** carried out a bomb attack against a local police force building in Rijeka (Croatia) killing one person and wounding other 29. The action was believed to have been carried out in retaliation for the notorious leader's alleged kidnapping. The news was reported by the Milan Digos in the informative note dated 02.24.05.

intelligence, the CIA or by the Egyptian secret service, backing this up with similar precedents that had befallen Egyptian nationals, also confirmed by the Egyptian president Mubarak;

- **Rezk Mohamed Ali**, principal of the school inside the mosque in Via Quaranta 54, Milan, after stating on 08.21.03 that he had learnt from Omar himself of his previous arrest in Albania, back from Afghanistan, and of his subsequent escape to Germany, did maintain that Omar may have been kidnapped by the Americans for reasons connected with Albania (i.e. Afghanistan);
- **Bouhaddou Mohamed**, head of the Varese mosque until 1998, provided on 09.10.03 no useful evaluation on Omar's disappearance;
- **Snoussi Hassine**, head of the Como mosque provided on 08.20.03 no useful evaluation on Omar's disappearance;
- **Zergout Abdelmajid**, imam of the mosque in Varese, stated on 09.10.03 that Omar's position with regard to the well-known current political events and international affairs was certainly not among the most moderate; also, he felt that Omar's disappearance surely could not be ascribed to a voluntary departure, but, based on elements gathered in Islamic circles he frequented, it was most likely the result of an abduction either operated by the Italian secret service in conjunction with US intelligence, or by Italian intelligence with the intent to hand him over to Egyptian authorities, or – lastly - by Egyptian secret services with the assistance of common Italian criminals.

**On the dynamics surrounding Abu Omar's kidnapping, other important information was acquired between February and March 2005.**

**Specifically, on 02.26.05 a statement by Elbadry Mohamed Reda was taken**, in his position as a person informed of the facts, and whose telephone had long been under surveillance by the Carabinieri of the R.O.S. in Milan (since the man is under investigation for belonging to an organization with terrorist aims ex art. 270 bis cp). Other important conversations recorded on this number will later be elaborated on; suffice it here to say that during the 02.26.05 questioning the Prosecutor asked for details of a conversation between the witness and a friend on the subject of Omar's disappearance, wherein the witness had mentioned that the eyewitness's husband had been subject to some pressure, to persuade her to change her account. The reference seemed clearly made at the eyewitness **Rezk Merfat, who had actually been heard by both the police and the Prosecutor, and had submitted an account that differed from the one known to the heads of the V.le Jenner mosque** (according to whom the woman had been a witness throughout the abduction, including Omar's failed attempt to break free from his abductors). **Elbadry Mohamed Reda** declared to this effect:

*"..I'm talking about news that I was told by two Egyptian men, friends or family of the eyewitness' husband. They certainly all come from the same Egyptian village but I don not know if the two are related to the man or just friends. I learnt from the two that the woman had changed her version of the incident as witnessed by her, after unspecified characters had pressurized her to do so, saying that if she had confirmed the first version, her husband's residence permit would have been revoked and he would have been whisked off to Egypt. Indeed, I can confirm that this eyewitness has been named thanks to a fellow-Egyptian friend of hers (whose name I do not know) whom the woman had confided in. Her husband had spoken with Abu Imad and Abu Imad had gone to speak to the eyewitness. The change in the account revolves around this: the woman had told Abu Imad that she had seen the complete crime scene, with Abu Omar being apprehended by other people and forcibly loaded into a van, which she had described as white. I must also point out that the woman did not know Abu Omar personally, and had only give a physical description of the abducted man. When she was later called by the police, and by the Italian magistrate, the woman amended her version, saying that she neither recalled the*

*color of the van, and that she had not witnessed the man's actual kidnapping. As far as I know, the frightened eyewitness to the abduction left Italy after her deposition before the Prosecutor, and is now in Egypt, while the husband is still in Milan."*

*Consequently, on 03.15.05, the Prosecutor recorded the statement made by Salem Shawki Bakry, a person informed of the facts, and husband of the Egyptian national Rezk Merfat, eyewitness to the event:*

*"On the day the incident occurred we (i.e. the whole family) had gone to a medical center in via Ragosa where my firstborn had been visited for a hearing ailment. After the visit, around noon, we were heading home. I was driving the car and, almost home, I dropped my wife at the top of via Guerzoni and drove off as I also had a medical appointment to get to. My wife and the girls (the youngest was in her arms) had about 200/300 meters to walk.*

*When I got home that late afternoon I recall finding my wife still very shaken, and she told me she had seen a fight in via Guerzoni between two men, one she believed was a policeman, and the other was an Arab. Regarding the details of what she had seen, I cannot but confirm the version she gave to the magistrate from the D.A. in Milan when she was heard. I was also present in that occasion. I also recall that Abu Imad, the imam from the via Jenner mosque was also present. (The Prosecutor acknowledges it is stated in the statement of March 4<sup>th</sup> 2003)*

*Going back to that day, my wife told me she was also worried for me, as I could also be clearly subject to police inspection. But I comforted her saying that not only police was seldom seen in that area (it indeed was a very quiet area) but also because I had nothing to fear. Indeed, I had little to do with the mosque scene. After calming my wife down, that was the end of the matter so I did not know the details of what she had seen, nor did I consider asking her further questions on the matter. A few days later, Abu Imad (I do not recall whether directly or through someone else) told me that my wife had witnessed Abu Omar's abduction, and that she therefore had to inform the Italian police. I was flummoxed because I knew nothing of this, and at that time did not even make the connection with the "fight" she had told me about on February 17<sup>th</sup> 2003. Speaking with my wife and with Abu Imad I established how Abu Imad himself had come to know about this. Basically, my wife had confided herself with a friend of hers who had come to our house (I only know her name, Hayam, and that at the time she lived in Vermezzo, Milan), and this woman had recounted the tale with people from the via Jenner mosque. For this reason, then, my wife was first called by the police, and then by the magistrate, and told what she saw.*

*I acknowledge that, it is claimed in certain statements you have collected (collected by the Prosecutor – ed.) that my wife gave the authorities a different version of the facts she had witnessed because someone had pressurized her to keep quiet or not give a complete account, under threat that her or my residence permit would be revoked.*

*I am unaware as to who may have made such statements, but I assure you they are false. No-one has ever threatened us directly or indirectly and, anyway, I am familiar enough with Italian legislation to know that a residence permit cannot be revoked from an honest hardworking citizen for no reason.*

*Yet, it is true that my wife was certainly shocked and shaken, all the more so when she learnt the identity of that person, whose abduction was being investigated by the Italian authorities.*

*It is also true that she left Italy to go back to Egypt the day after she was heard by the magistrate from the Milan D.A. office. She did so because she was afraid and because I could not afford to support the whole family in Milan with my income as manual laborer*

*in the construction business. She currently lives in Kaloubia (Egypt) and I go and see her from time to time....I can confirm that my wife told me she had seen two people near the van, not three, and that one of them was surely an Arab."*

*However, speaking on the very same day of 03.15.05 with **Arman Ahmed El Hissini alias Abu Imad**, the latter stated:*

*"I heard from no-one, and neither from those directly involved, of any kind of threats issued against Mrs. Rezk Merfat or against her husband. I only know, though, that she changed her version when she was heard by the police and by the magistrate. The change consisted in the following: I had known beforehand that she had beheld the crime scene, not only because she had seen several people around Abu Omar, but also that she had witnessed the event that occurred outside the Purple Cross, i.e. the moment when those men grabbed Abu Omar violently and forced him into a van. And she also heard the noises coming from the van, probably made by Omar as he was trying to break free. When she was later questioned by police and the magistrate, she changed her account, saying that she had merely seen a man, who looked like a policeman, speak with Abu Omar next to the van, and that she saw the van drive off and no-one was left in the street.*

*As a result of this change I harbored the belief that someone may have induced the woman to change the description of the facts.*

*I first found out of the existence of an eyewitness to the incident from a regular of the mosque called Sayed Shaban. I had spurred all community members to strive to gather information, and Sayed told me he learnt from another man, whose identity I do not know, that an eyewitness had seen the abduction, describing it as I recounted it earlier (being the violent account of the abduction in all its phases). I do not know the man who told Sayed of the eyewitness' existence but, anyway, Sayed knew who she was: he did not name her to me, but he acted as a go-between between myself and her husband, inviting him, upon my request, to come to see me at the mosque. The man, whom I had never seen before, undoubtedly came before his wife had been summoned by the police. I told him we knew that his wife had witnessed the abduction, and that he should report everything to the authorities. We did not specifically speak about how events occurred, as Sayed had recounted to me, but only generally about Abu Omar's kidnapping. For his part, he did not tell me what he had learnt from his wife, but he confessed that she had seen an extremely serious and dangerous incident, so much that he too seemed absolutely terrified. He kept saying that he did not want to get involved, and even said he would send his wife back to Egypt for this reason. At that point I told him that if Abu Omar were killed, he would also be to blame. He understood my plea as strongly based on religious grounds, and accepted that I pass on to the authorities his wife's name as eyewitness.*

*ADR: I therefore confirm that the woman's husband told me he wanted to send her back to Egypt, and I figured it was due to her fear of being involved in the grave matter she had witnessed. He uttered a typical expression reflecting our culture, that "he did not want to fling open the doors of Hell", by involving his wife and himself in such serious circumstances. He never mentioned financial grounds as a reason for his wife's return to Egypt."*

*Also on 03.15.05, a direct comparison was immediately arranged between **Shawki Bakry** and **Arman Ahmed El Hissini alias Abu Imad**; both men confirmed their own accounts, although the former did admit to being terrified, along with his wife, at the prospect that she would be called upon to give evidence:*

*"I can first of all confirm that I was approached by Sayed Shaban who told me that Abu Imad, here present, wished to speak with me in relation to what my wife had seen. It is also true, after what Sayed had told me (whom I had known for a long time as being a friend of acquaintances of mine), that I grew afraid and was also scared as I went to speak with Abu Imad. Yet the fear was not because my wife had witnessed the whole scene, but because I understood that the incident was politically motivated, and I was not interested in its reasons.*

*It is also true that I told Abu Imad it was my intention to have my wife return to Egypt. Yet, I also confirm that everything I learnt from my wife relating to what she had seen amounts to what my wife declared to the police and the magistrate. As I said before, I did not even pay much attention to what she told me on February 17<sup>th</sup> 2003.*

*So, I have no idea what source produced a different account of the facts as witnessed by my wife and recorded in her statements made to the authorities.*

*Sayed also told me that rumours were spreading around the mosque, saying that I did not want her to testify, but I denied all that."*

*He admitted though that only at the imam Abu Imad's insistence did he accept that his wife's name was made to the police as eyewitness...*

***SALEM SHAWKI BAKRY's** reticence grew increasingly more apparent when, on the same day of 03.15.05, **HASSANEIN Hayam Abdelmoneim Mohamed**, the Egyptian woman friend of the eyewitness was summoned and heard as a person informed on the facts. She stated, in fact:*

*"... I remember perfectly well what my friend had told me. In the late morning of February 17<sup>th</sup> 2003 Merfat was walking home along via Guerzoni. On the way she had spotted a white van and two Western-looking man standing next to it; also, the back of the van had no windows. As she walked on, she passed an Arab-looking man dressed in a white Jalabia and sporting a big black beard who was directed towards via Jenner. She heard a loud noise straight afterwards and realized the man was crying for help in Arabic. She turned round suddenly, scared by the commotion, and noticed the van drive off at high speed with no trace of the Arab-looking man. For this reason she believed he had been taken away.*

*ADR. I do not remember other details on this event, just that Merfat admitted to having already spoken with her husband of what she had witnessed.*

*...The conversation with my friend Merfat took place on Friday. That morning I had taken my little girl to her house, so she could look after her for the time my husband and I were at the mosque for the collective prayer. During our conversation my husband was waiting in the car outside, but when I got in and we drove to the mosque I recounted to him Merfat's tale. When we got to the mosque I went to pray in the women's section. That day the imam made an appeal to the worshippers, asking anyone who had news on Abu Omar to come forward. I confided the story I learnt from Merfat to a fellow-worshipper, whose name escapes me. The woman urged me to approach the imam with this information. I protested that I could not go into the men's section, so the woman went up to the imam's wife, since she was also present at the prayer, and told her everything. She committed herself to pass this news on to her husband without delay. I met up with my husband outside the mosque and told him that I had spoken with other women about the event, and asked him if I had done the right thing. He reassured me, adding that he too had mentioned the affair to two young men who worked at the via Jenner mosque. I then went back to Merfat's house to pick my child up, and told her of the imam's appeal concerning Abu Omar's disappearance. Merfat worriedly asked me if*

*I had spoken with anyone about her story, and I said no because I did not want her to scare her further. One week later my friend merfat called me saying she had been summoned by the police. She asked me in tears why I had betrayed her trust, indeed she was terrified by her husband's reactions. She added that she had not told the complete story to the police, because her husband had forbidden her to. I told her I had talked because it could help to save a man's life, and to reassure her further I passed the phone to my husband, who tried to explain to her it was a religious duty to provide useful information that could shed light on who had kidnapped Abu Omar, and that she had nothing to fear. That same evening merfat's husband came to our house in Vermezzo, and asked my husband and myself not to report to the police those details that his wife had told me; he also told us that, when speaking with the police, she had kept quiet about something... Merfat revealed to me that she had decided tnce of what she had seen."*

*Summoned again by the Prosecutor, **SALEM SHAWKI BAKRY** was confronted with the statements made by **HASSANEIN Hayam Abdelmoneim Mohamed**, and on 03.18.05 declared the following, finally revealing the truth and owing up to his and his wife's earlier reticence:*

*"I must indeed make changes to my statement given only a few days ago, but I wish to stress that it was not my intention to hinder Italian justice, as I was solely concerned for the fear that gripped my wife as a result of what she had seen.*

*Well, although I confirm to not having paid great attention to my wife's words on 2.17.03, I admit to having omitted parts of her account. She truly feared that a similar fate could befall me. It is especially true that she saw two Western-dressed men attack a bearded Arab, dressed in a white jalabia, who struggled and cried for help while being violently grabbed and forcibly made to enter a van. I confirm she was unaware of the Arab's identity, as I did ask her the question. Regarding the van color, I believe she said it was white or gray, anyhow it was light-colored. I don not recall if she told me the van windows in the back or not: it may well be she told her friend more details than what she told me.*

*Anyhow, she had seen the man being loaded, despite his opposition, into the van that took off with two men on board. I do not know if the driver was a third man, as my wife did not specify this.*

*I also confirm that I did not link this event with the Abu Omar's abduction (which I had known nothing about) until Sayed, friend of mine and Abu Imad's, told me he knew what my wife had seen because she had spoken with a friend, who had informed others within the mosqu.*

*First I went to Abu Imad, who told me what he had learnt (and this matched exactly my wife's account to me, and presumably to her friend), adding that my wife had better inform the authorities of the whole thing.*

*I went home and asked my wife if she had told others what she had witnessed. I was angry but my wife denied doing so, and I did not wish to insist because our second baby had been born only a few weeks back.*

*All the same, when we appeared before the police and then the magistrate, I did not tell my wife to hide the truth: she was so scared that she decided to give only a partial account of what she had seen.*

*It is also true that I went to Mrs.Hassanein's house, and spoke with both her husband and her, but chiefly to say that they would soon be called by the police (whom I had given their address); I made no plea to them to conceal the truth. Foe sure, I told them my wife was terrified, and for this reason I imagine Mrs.Hassanein decided not to tell the police everything."*

*At this stage, it is quite clear that events unfolded in the following manner: two people (most likely three, considering the driver of the van) had assaulted and apprehended Abu Omar by force. Despite his cries for help and his efforts to break free, the man had been loaded onto the white or light-colored van, which drove off immediately.*

*The garnered information, moreover, went a long way to confirm the Milanese and provincial Islamic community's widely-held belief. Either due to firsthand knowledge of Omar's past or present lifestyle, or based on rumours picked up within the Islamic community, none of its members, in fact, had ever believed that **Abu Omar** could have possibly departed from Milan of his own free will. Indeed, everyone was convinced that he had been abducted by Italian, US, or Egyptian government agencies, not necessarily in mutual collaboration, but harboring the common intent of handing him over to Egyptian authorities, who thought (along with the Americans) he was not altogether unrelated to the recent upsurge of international terrorist activity.*

*This belief is supported by Abu Omar's wife's conversations with third parties (the family phone was being tapped from long before the abduction): since 02.18.03 and the following days, in fact, Ghali Nabila had been visibly concerned for her husband's safety and had endeavored to gather news, and spread the word around that he was missing.*

*This is the transcript of three recorded telephone conversations proving the woman's genuine concern, and Omar's friends and family's attempt to verify whether Omar had been arrested; this possibility having been ruled out by the missing man's lawyer:*

***Interception of the telephone number 02.45479222, located at 18, via Conte Verde, Milan and used by Ghali Nabila (wife of Abu Omar), carried out in the course of criminal proceedings number n. 5236/02 by D.I.G.O.S. at Milan police headquarters.***

***1) 02.18.03, 21.50 hrs, conversation between Ghali Nabila and an Egyptian woman***

*Ut: Ghali Nabila*

*Int: Egyptian woman*

*The unknown woman calls Ghali asking her if she has any news of Abu Omar. Ghali says she went to the police (Central office) and reported the mysterious disappearance.*

***2) 02.20.03, 14.27 hrs, conversation between a woman called Asma (who answers the phone belonging to Ghali Nabila) and Ummu Alai (Egyptian woman)***

*Ut: Asma*

*Int: Ummu Alai, Egyptian woman*

*The woman asks for Nabila who is not in. A friendly conversation ensues wholly dedicated to Nabila's husband's disappearance. The woman insists that a thorough search of all hospitals should be made, as he may have been admitted due to an accident...*

*Ut: even if he is in hospital...they must inform the relatives...because he carries his personal papers with him...anyway, Nabila has already reported the matter to the police, and they told her to come back and make a new report...if he were not to come home...anyway, he left to go to the mosque and never arrived...*

*Int: tell me, Fowad knows nothing yet!*

*Ut: no, Fowad knows nothing...*

*Int: I think he's in hospital ...*

*Ut: many people are looking for him, they checked in many hospitals and didn't find him...*

*Int: listen, a similar thing happened some time ago to a brother named Salah..he was found at the San Carlo hospital nine days later...*

*Ut: he has been missing since Monday afternoon ..today is the fourth day...he never even made it to the mosque...may God give Nabila the strength and the patience...poor soul, she is suffering greatly .*

*The conversation shifts to Nabila's suffering and her condition .*

### **3) 02.20.03, 14.37 hrs, conversation between an Egyptian man and woman**

*Ut: Egyptian woman.*

*int: Egyptian man .*

*The conversation starts in a familiar tone, and then*

*Ut: listen.. the lawyer told her there is no-one ...he told her there is no-one with that name ...he is certainly not there...now she went and reported the matter ...*

*Int: yes, to whom ?*

*Ut: with Iman... the Italian sister ...*

*Int: ..at the main police station, then ?*

*Ut: yes, at the main police station...*

*Int: all right, all right...let's hope for the best...by the way, Fowad has got a passport ...*

*Ut: thank God ...when did he get it?*

*Int: ...he told me yesterday at 12.30 ...*

*Ut: that means he claimed it last Monday...anyway, praise God ...listen, this kind of thing makes you think ...since he is not in that place (does not specify)...at first we hoped he was in that place ...but now*

*Int: is he sure?*

*Ut. what?*

*Int: is the lawyer sure...?*

*Ut: the lawyer has someone working there...she called Nabila and told her there is nobody there by that name...maybe he's somewhere else...but today she told her there is nobody there either...Nabila told her he may be with someone outside Milan ... that is, three days outside Milan ...anyway if he were outside Milan...but he lives here ...*

*Int: what does 'outside Milan' mean...what are they doing with him outside Milan... ?*

*Ut: because he holds lessons outside Milan...also in Como...but since he lives here ...they must take him away from here.. and then they must advise that they have taken him away...if at all, they should have taken him from here ..I mean from Milan.. let us hope God protects us*

*Int: I think you should speak with her...maybe there is trouble between him and his wife?*

*Ut: no, because when we asked her this, she said..no, it's nothing like that...He wants to divorce her, but she doesn't want to be rejected there...he kept saying 'I'll reject you and I'll give you the money you need'...but she doesn't want the divorce, she wants to continue being married to him ...*

*Int: let's hope for the best ...say, has she left already?*

*Ut: yes, she left a quarter of an hour ago ...*

*Int: did she take a photo with her ?*

*Ut : yes, she took a copy of the permit...and a photocopy of the passport...that is, the Italian passport..*

*Int: alright, let's hope for the best...*

*Ut: say, are you going back to work as soon as you're done?*

*Int: no, I've got to finish a job alone ...*

*Ut: alright .*



*They say good-bye .*

***Abu Omar's abduction has therefore taken place for sure: this certainty amounts to a starting point, which gives rise to the factual description and evaluations that follow.***

***For over one year after the abduction no significant progress was made in the investigation on the disappearance of the Abu Omar, the Egyptian extremist.***

***Moreover, on April 24<sup>th</sup> 2004, D.I.G.O.S. in Milan formally notified to this District Attorney office the contents of a March 2003 communique', and forwarded by "American authorities" to the Direzione Centrale della Polizia di Prevenzione in Rome stating that Abu Omar had relocated to an unknown Balkan location. Addressed by the above Direzione Centrale, the US authorities stressed the presumptive nature of the news, to which no further detail was provided. The statement made to the Italian authorities would later be proven to be utterly groundless.***

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***B) The telephone conversations with Abu Omar recorded in April and May 2004. The consequent statements made to the Prosecutor by the missing man's wife and associates***

***Significant investigative elements were later acquired during actions such as wire-tappings, which were sustained for over a year after the relevant facts, for the purpose of unconnected proceedings.***

*Indeed, during two distinct probes in April 2004 into actions contrary to Art. 270 bis, Criminal Code – specifically nrs. 36601/01.21 and 5236/02.21- led by this D.A. office against North African citizens suspected of involvement in varying degrees of Islamic terrorist activities, both the R.O.S. Carabinieri of Milan, and D.I.G.O.S. of the Milan police headquarters, intercepted a number of telephone conversations between Abu Omar, Ghali Nabila (his wife), Elbadry Mohamed Reda, and other persons belonging to their circle of acquaintances*

*Especially, upon examination of the telephone located at Abu Omar's Milan house, a conversation was recorded on 01.17.04 between Ghali Nabila (wife of Abu Omar) and Ommo Rulan (most likely the mother of one of Ghali's pupils, being the woman a Koran teacher), in the course of which the former admitted to knowing of her husband's detention, and hoped for his timely release:*

***01.17.04, 20.25 hrs, conversation between Ghali Nabila and Ommo Rulan***

*Ut-Nabila*

*int-Ommo Rulan*

*the conversation starts off in a friendly fashion.*

*Int asks Ut about her daughter's performance at school, especially at a Coranic level (if she is capable of reading it and learning it by heart)..*

*Then Int asks Ut:*

*Int-and how are you?what are you up to? Any news about your husband?*

*Ut-pray for us that we receive good news.*

*Int-do you know if anyone has asked anything..?*

*Ut-We did not keep quiet...let's hope that with God's help he will soon be freed.*

*Int-how long has he been gone?*

*Ut-almost a year, now.*

*Int-don't you have any news of him?*

*Ut.-after the Celebration of Sacrifice!*

*Int-let's hope he returns soon.*

*Ut-thank you and pray for me.*

*They say good-bye.*

*Yet, from the same telephone number, a call was made on April 20th 2004 by Ghali to an Egyptian number in the district of Alexandria; the ensuing recorded conversation was between herself and, unexpectedly, her husband. After initially reassuring his wife that he was well, the latter stated that he had been victim of an abduction, adding that he was not permitted at present to travel further than the outskirts of Alexandria. He asked his wife to send him Euro 200.00 in cash, and urged her to inform the Milan brethren of his release, and to eschew altogether any contacts whatsoever with the press.*

***04.20.04, 18.28 hrs, conversation between Ghali Nabila first with Rawia (most likely her sister-in-law, Abu Omar's sister) and then with Abu Omar***

*UT - Nabila*

*INT - Rawia, Egyptian woman*

*After initial greetings the woman hands the phone to Abu Omar.*

*Conversation follows between:*

*Ut: Nabila*

*Int: Abu Omar*

*Int: may peace be with you*

*Ut: how are you?*

*Int: I'm fine, thank God, where are you calling from?*

*Ut: I'm calling from home!*

*Int: Are you still in that house?*

*Ut: yes*

*Int: Are you well? how are you doing financially?*

*Ut: I'm fine, I'm fine, thank God*

*Int: Are there any other problems?*

*Ut: I'm well, I'm well, everything is good!*

*Int: are you serious?*

*Ut: I swear! How are you? What are you doing?*

*Int: I'm fine, I'm fine*

*Ut: you're fine?*

*Int: I'm fine, I'm fine!*

*Ut: really?*

*Int: I swear! They brought me food every day*

*Ut: really?*

*Int: sure, they brought me food from the fanciest restaurant!*

*Ut: thank God*

*Int: the matter is very simple, unfortunately a hitch cropped up... so... they were meant to keep me one month... but they held me longer, anyhow I praise the Lord.*

*Ut: thank God!*

*Int: listen, I want us to talk...but don't call me from the home phone*

*Ut: alright, if God wills it*

*Int: do you understand?*

*Ut: yes, yes!*

*Int: rest assurde that I am well, are your brothers well?*

*Ut: yes*

*Int: is Fouad there? Is he well?*

*Ut: they are all happy*

*Int: have they released him?*  
*Ut: oh yes...he's been free for long!*  
*Int: thank God!..did they cause you any trouble?*  
*Ut: no, all fine, they are all happy*  
*Int: are you working?*  
*Ut: yes, I go to classes, I finish at six*  
*A brief talk on school and exams follows, then ...*  
*Int: say, did they come to the house on the day they took me?*  
*Ut: yes!*  
*Int: did they touch anything?*  
*Ut: everything is in its place!*  
*Int: say...did they take the computer?*  
*Ut: no, are you well?*  
*Int: say...did they take the computer?*  
*Ut: no..*  
*Int: so tell me what they took then?!?*  
*Ut: they just took your papers, that's all!*  
*Int: they didn't take the computer?*  
*Ut: no, they took ypur papers and the lessons you hold over the internet!*  
*Int: is the computer still there? Is it?*  
*Ut: Yes, it's all in its place!*  
*Int: they money I left you at home, is it still there?*  
*Ut: yes, it is...leave it, thank God..about us, we are eating, drinking...everything is fine, the main thing is that you are well!*  
*Int: listen, I'll call you later, and..and..and.. I'll tell you*  
*Ut: yes*  
*Int: there is no problem, you can speak with the card...have you got the card?*  
*Ut: yes, I have the card*  
*Int: are you alright?*  
*Ut: I miss you, Osama!*  
*Int: take it easy, there are no problems for me! Unfortunately, I cannot leave Iskanderia (Alexandria - ed.), although they say "you can go...and come back", about you they say you can travel here and go back, but I think that if you come they won't let you leave again, you understand? Because we only have their word for it, you understand?*  
*Ut: that is not a problem, Osama*  
*Int: anyway, look, now we've spoken...keep calm, we'll talk later and I'll tell you everything*  
*Ut: all right*  
*Int: take it easy, there are no problems for me, there won't be a second kidnapping... there won't, there won't! you understand?*  
*Ut: yes*  
*Int: they told me:"We are the ones who lost, you didn't lose, we are the losers! – they said – we are the ones who lost!"*  
*Ut: alright, alright*  
*Int: they main point is that things are going in the right way, the whole "amelia" (matter – ed.) is going well, well, well, well! Anyway, they didn't take the money?!*  
*Ut: everything is in place!! I repeat to you they only took your documents, and still have them now!*  
*Int: there are no problems, have the newspapers written about me?*  
*Ut: Osama, since the day the took you, I've always written to everyone, and thank God it's all over*

*Int: there are no problems, listen, they warned me that reporters from all Europe will come looking for you; do not meet anyone, no reporter, please, that's what they told me*

*Ut: rest assured, I'll meet nobody*

*Int: neither press, nor TV!*

*Ut: sure, sure*

*Int: don't speak with any channel (TV-ed.)*

*Ut: nobody, nobody*

*Int: just inform the brethren I'm back*

*Ut: alright, they will all be happy*

*Int: say...are the people inside or out?*

*Ut: all the people are well, they send their regards*

*Int: and Abu Imad and Mohammed?*

*Ut: thank God, they are all well!*

*Int: so, I'll call you and tell you...alright?*

*Ut: I miss you, do you need anything?*

*Int: send me 200 euro, someone will come to you (Referring to a kinsman or someone trusted – ed.) you will give him the money, and he'll pass it on to me!*

*Ut: if God's will, it will be done!*

*At this stage Abu Omar hands the phone to his mother.*

*Conversation follows between:*

*Ut: Nabila*

*Int: madre di Abu Omar*

*Int: Tell me?*

*Ut: everything all right?*

*Int: thank God*

*Ut: I'm very happy for you!*

*Int: thank God*

*Ut: why don't you speak?*

*At this point Rawia steps in...*

*Ut: Nabila*

*Int: Rawia*

*Int: what's up Nabila?*

*Ut: why doesn't she want to speak?*

*Int: she is shocked by the whole business...very strange... it'll take a while because she doesn't know very much, after all. We had a great fright yesterday, this phone call saying: "come and pick your brother up straight away, just don't ask what happened.. what he was doing". Magdi and Isham took off immediately, they drove around but found no-one! Then at two o'clock they called again and said: "if you don't come now, you'll never see him again". So they drove off again, and everyone was shocked, and my mother didn't know much.*

*Ut: and she knows everything now?*

*Int: yes, he's talking with her now, and telling her! Ok? Are you peaceful?*

*Ut: alright..*

*At this point a short family chat about the children occurs, then Abu Omar talks with Nabila again... (Abu Omar also speaks with his child about school performance), then...*

*Ut: Nabila*

*Int: Abu Omar*

*Int: have they contacted you from Albania?*

*Ut: no no, I don't have their number, and I'm tired of looking for it*

*Int: and did you send them money?*

*Ut: we sent it last on the 8<sup>th</sup>!*

*Int: will you speak with them if I give you the number?*  
*Ut: alright*  
*Int: here's the number:003554244834*  
*Ut repeats the number*  
*Int: tell her not to call me, I'll call them, you understand?*  
*Ut: alright*  
*Int: tell them I've arrived and I'm well, and I'll speak with them later... speak with her slowly in Arabic*  
*Ut: alright*  
*Int: I'll call you later, stay at home. Are you still in the Via Quaranta house?*  
*Ut: yes, I am here*  
*Int: are you in Conte Verde?*  
*Ut: yes*  
*Int: do you pay or do they? (the house rent – ed.)*  
*Ut: no, they pay*  
*Int: we'll speak later*  
*They say good-bye*

***The following are two recorded conversations between Ghali Nabila and her husband Abu Omar, where it emerged that Ghali Nabila was planning to join her husband in Egypt***

***Conversation of 05.05.04, 22.59 hrs.***

*Ut : Nabila*  
*Int : Abu Omar.*  
*Int.: try to clean the flat before leaving...*  
*Int. do you have the international phonecard?*  
*Ut-Yes, the phonecard lasts 10 minutes.*  
*Int-listen, write down what I tell you.*  
*Ut- alright, tell me!!!*  
*Int-about the house where you are!!*  
*Ut-Yes.*  
*Int-about the pictures on the wall, leave them as they are, don't take anything, do you understand?*  
*Ut-yes*  
*Int-as for the fridge and the washing machine, don't touch anything; ask Sherif if anyone is interested.*  
*Ut-Alright! You are well?*  
*Int-Yes, listen to me!! Have you written?*  
*Ut-Yes, God bless you! I just call you to find out how you are!*  
*Int.Yes, I'm fine.... as for the furniture, take it to the mosque.*  
*Ut-Yes, alright*  
*Int-give the small recorder to ALI SHARIF, write, write.*

***Conversation of 05.10.04, 22.58 hrs.***

*Ut.Nabila*  
*Int.Abu Omar*  
*The conversation starts off on a personal footing.*

*Int. the brother spoke to me.*

*Ut. are you more at peace now?*

*Int. yes, well, I was very edgy at first, but not any more; I don't think about death any more. I WAS VERY CLOSE TO DYING. Now more than ever I need you by my side, to pursue the path that leads me to God. I don't care about anything in this life anymore, I just care to lead an Islamic Life. I am deeply saddened because I wasn't able to do what I had planned to do in Italy, I think I did something but not what I hoped to do; if God wills it I'll do it here (meaning he'll pursue the path in Egypt, dedicating himself to the Daoua, i.e. propaganda - ed.)*

*A familiar tone sets in the conversation*

*Int. I dedicate to my father who is no longer with us a large part of my work at the community (the Jalia in via Quaranta) and a part to the families of my brothers who are inside (ndt: meaning those brothers who are under arrest)*

*The conversation continues with regard to those things that Nabila should sell off, among which there is Abu Omar's PC and his books.*

*Then Abu Omar resumes the issue and tells Nabila:*

*Int. I want you to be here but the brothers told me it'd be better to wait until June, but it's alright: you will be here when everything is ready (meaning buying the house and furnishing it)*

*Ut. alright.*

*Int. as for the money, the Brother told me the amount will be high.*

*Ut. yes, I know*

*Int. did he say anything to you?*

*Ut. yes.*

*Int. do you have any news from Albania? (meaning the other wife and children -ed)*

*Ut. No, I'm afraid I have no news.*

*Int. i tried to contact them but to no avail.*

*Ut. indeed, the number has changed.*

*Int. the brother told me he would have committed himself personally.*

*The conversation continues on a romantic footing.*

***A number of conversations have turned out to be more significant still. They were taped on the number 339 3230193, used by Elbadry Mohammed Reda, and picked up by the Ros - Carabinieri in the scope of proceedings N. 36601/01.***

***A series of conversations were taped where it emerged that Ghali Nabila had forthwith alerted Elbadry Mohammed Reda as to her husband's release, and the man undertakes to inform duly the other members of Milan's Islamic community:***

***Conversation of 04.20.04, 17.49 hrs, between Elbadry M.Redda, his wife and daughter***

***U= MOHAMED REDA***

***I= WOMAN/HAGAR.***

***CONVERSATION IN ARABIC.***

***Family matters. I. Confirms that ABU OMAR is staying with his family in Egypt. U. says to send his regards to his wife (see full transcript).***

***U = ELBADRY MOHAMED REDA ; I : Hagarm, his daughter***

***... after the initial greetings, the conversation proceeds as below:***

U= hello?  
 I= hallo daddy...ABU OMAR is in Egypt  
 U= hey...DUAA, how are you?  
 I= it's HAGAR...  
 U= hey HAGAR...  
 I= uncle ABU OMAR is in Egypt...  
 U= huh ...what?  
 I= uncle ABU OMAR is in Egypt ...  
 U= who?  
 I= uncle ABU OMAR ...  
 U= who told you?  
 I= he called aunt NABILA and told her he's staying with his family (meaning, ABU OMAR called his wife NABILA and told her he is staying with his family in Egypt - ed)

***...in the background a woman (U's wife) is asking to speak with her husband.  
 The conversation proceeds between MOHAMED REDA and his wife as follows:***

U = ELBADRY MOHAMED REDA  
 I= DONNA (WIFE OF U)

U= lower your voice, I can't hear you...  
 I= hallo...  
 U= who gave you this news?  
 I= he's here...NABILA's mother is here...on the phone...ABU OMAR is with his folks in Egypt  
 U= what's this great news?  
 I= he's here...she jjust heard it 10 minutes ago, he called her...  
 U= send her my regards...  
 I= now he's on the phone with her...that's good...  
 U= send her all my best  
 I= where are you?  
 U= I'm coming...send her my regards  
 I= all right my love, goodbye

***Conversation of 04.20.04, 17.56 hrs, between Elbadry M.Redat and Abdel Aziz Atif.***

U= MOHAMED REDA I= MAN. CONVERSATION IN ARABIC.

Friendly talk.

U tells I of the great news he heard about ABU OMAR, and that he's well and with his family.

U= ELBADRY MOHAMED REDA; I : Abdel Aziz Atif

***... after the initial greetings, the conversation proceeds as below:***

*U= I wanted to give you one piece of good news in all the bad tidings we are hearing. The good news is that ABU OMAR called his wife today from Egypt*

*I= that's great, that's great. Where is he?*

*U= he's with his family. We don't know the details yet, I just got the news and I'm telling you and all those with you.*

*I= thanks for telling me*

*U= he called and said he's well, everything is fine, and he's with his mother*

*I= that's great, that's great*

*U= is the sheik in, or where is he?*

*I= he's just gone out, he went to doctor ALI*

*U= ah, alright, I'll call him to give him the news*

*I= yes, alright, you gave us great news, thanks*

*...they say goodbye and the conversation ends.*

***Conversation of 04.20.04, 19.32 hrs. between Elbadry M.Red, Mhamed and GHALI Nabila, "Mhamed's mother"***

*U = ELBADRY MOHAMED REDA; I: GHALI Nabila.*

*CONVERSATION IN ARABIC.*

*U sends his regards to the woman, and asks further information on ABU OMAR. I. tells what she knows, though admitting she does not know everything.*

***... after the initial greetings, the conversation proceeds as follows between Elbrady Mohamed Reda and Mohamed:***

*I= hello?*

*U= hallo MHAMED how are you?*

*I= well, thank God*

*U= is she still speaking on the phone? (she refers to MHAMED's mother - ed)*

*I= eh?*

*U= is she still speaking on the phone?*

*I= no, she's done*

*U= may I speak with her please?*

*I= alright*

***...MHAMED's mother takes the phone. The conversation proceeds thus between ELBADRY Mohamed Reda and Mhamed's mother:***

*U= ELBADRY MOHAMED REDA; I= WOMAN (MHAMED'S mother)*

*I= hallo...*

*U= how are you?*

*I= well, thank God...*

*U= many, many good wishes*



*I= thanks...*

*U= they are good people's prayers*

*I= thank God, thank God ...*

*U= I swear that everyone, really, was so glad they could hardly believe the news... they say they hadn't had such good news in years ...*

*I= thank God, thank God, he sends his best wishes too*

*U= did he give you any explanation?*

*I= no, yesterday at three...they called his brother's but he was at work...they spoke with his wife and told her to send him over to them, as soon as she saw him, to Iscandaria (Alexandria - ed). She agreed...he went but nobody met him, they told him to go back the following day. He went... no, he didn't, they called at two thirty saying: "if you don't come to pick your brother up right away, you'll never see him again". He went, he saw him, and took him away. They told him he cannot leave Iscandaria. This is what I know. It's such a surprise that not all is clear, because he (ABU OMAR-ed) was at his sister's and called me. Then I called him, and his brother's wife answered the phone and told me everything.*

*U= what I want to know is whether he was with them, or he called from Italy or what?*

*I= I asked him how he was, and he said he's been fine since he left, he dined in the best restaurants in Egypt. But I didn't understand a great deal about him myself, but I feel that he's been around and then went there*

*U= maybe, maybe...*

*I= that's what I think*

*U= we'll find out later what happened*

*I= yes, we'll find out everything*

*U= best wishes once again*

*I= I swear, I didn't understand everything. I too asked him if it was really him, and he said yes. I also asked his brother if it truly was his voice, if it was true. His brother told me it was, he said it was him and told me to calm down and relax. I called him back ten minutes later because he told me so. He was at his siter's...even his mother knew nothing, because his sisters said he had been away visiting his children; indeed, I spoke to her now and she was so shocked that all she could say was thank god, thank god.*

***...after saying goodbye, the conversation ends.***

***On 05.08.04, a direct conversation between ELBADRY MOHAMED REDA and ABU OMAR was recorded, wherein the latter stated he was in Alexandria (Iskandaria) Egypt, and that he had been kidnapped, taken straight to a US base, and put onto a military flight to be subsequently transferred. He added that he had been detained (in Egypt), and had been subjected to interrogation, among other things on events connected with himself, Abu Omar, with Abu Salah, and with Abu Imad.***

***Conversation of 05.08.04, at 10.41 hrs, between Elbadry Mohamed Reda and Abu Omar***

***U= ELBADRY MOHAMED REDA; I= ABU OMAR***

***... after the initial greetings, the conversation proceeds as follows:***

*U= don't be angry with me for not calling you: there was an agreement between us and you didn't keep to it.*

I= don't worry, thanks...how are you, how are the others?

U= they are all fine, they all send their greetings...everybody wants to call you, but I forbade it...due to your situation...

I= ...inc...

U= don't be hasty. Your wife will come over soon, at the end of this month. We are arranging a handsome sum of money for you, if God wills it.

I= what's that?

U= We are arranging a handsome sum of money for you

I= God bless you

U= if God wills it... the price of a house...it'll be ready, and...

I= God bless you

U= for these matters...everything will be ready at the end of the month, don't worry (he refers to money to buy a house and other unspecific matters – ed.)

I= thank God I'm well. When I was put away (imprisoned – ed.) God gave me strength. I fasted for two months and didn't even skip one day. I was well, I had never dreamt such a good thing could happen in my life... it was the best year of my life...thank God ...inc...and are you well?

U= well, thanks, everybody sends their greetings...as you know the situation here is quite awful, you know what it's like... we've never had it so bad... we were prisoners worse than you.

I= I understand, but I'm telling you that we're on the right path (he reads an extract from the Koran – ed.)...and that is the road to Heaven (the extract from the Koran explains that there is nothing to fear if one is blameless – ed.)...God is great.

U= may God keep you on the right path... this is our wish for you, let's hope you remain unchanged. .

I= they bothered me with their questions on many things... I was freed on health grounds, I was almost paralyzed. Still today, I cannot walk more than 200 yards. I always stay seated. I was incontinent, suffered from kidney trouble, and high blood pressure... so they let me go on health grounds... I want to tell you something that you must relay immediately to ABU IMAD: "tell him ABU YASSER is well, and was in a neighboring cell to ABU OMAR".

U= God is great

I= he was nearby...he knows who ABU YASSER is.

U= Got it...I understand

I= he was in jail, his condition is very good, though he was a bit fatigued but now is well... he saw me... I saw him... tell him he's well...thank God.

U= thank God

I= thank God ...brace yourselves, you must not despair.

U= let's hope to meet soon, if God wills it, you know what the situation is like now...

I= I understand...

**...the conversation is unintelligible as they both speak at the same time...**

U= what?

I= they only asked me of you once

*U= what?*

*I= they only asked me of you once ...*

*U= hmmm...*

*I= they only want three people in all Italy (meaning that the Egyptian authorities asked him many questions on three people in Italy at present – ed.)... myself, ABU SALAH and ABU IMAD.*

*U= right...*

*I= so tell ABU IMAD that he (“he” is referred to ABU OMAR) is very, very, very sorry they want him at all cost.*

*U= right*

*I= do you understand?*

*U= I do*

*I= anyway, as to you, there is no problem, thank God. They only asked me one question.*

*U= hmmm...*

*I= thank God all's well*

*U= they are presently employing a new strategy... now nobody is free, neither young nor old...we were questioned three times just on your case.*

*I= they know*

*U= they know everything because...SHAOUKI in Austria...and I told them...you disappeared on Monday 17<sup>th</sup> ...*

*I= no, 17<sup>th</sup>*

*U= you cannot know more than us: it was the 17<sup>th</sup>, a Monday*

*I= no, Monday 16<sup>th</sup>*

*U= the reports were made on 17<sup>th</sup>, it was a Monday*

*I= I don't know if Monday was the 16<sup>th</sup> or 17<sup>th</sup>*

*U= it was February 17<sup>th</sup>...*

*I= they took me straight to a military base and then put me onto a military flight... and then...*

*U= SHAOUKI was summoned on Monday night and they asked him about you*

*I= yes...*

*U= they asked him about you ...*

*I= oh, right...*

*U= over here, they...every time we went to make a statement, they didn't believe us, and said they knew nothing about you, and they started an investigation, and they have a witness who saw you...inc...*

*I= I saw her...she lives in the next street*

*U= this woman...they put pressure on her husband and she changed her statement ten days later*

*I= is that right?*

*U= yes, they put pressure on her husband. They told him he would have been deported, arrested, and confined to Egypt for the rest of his life.*

*I= right, right*

*U= we spoke about this in the mosque, on newspapers... I said the same thing happened that year to ABU TALAL, and other things*

*I = ...inc...*

*U = I told them these same words, i said: "this is not your style of kidnapping, this is the way Americans do things ..."*

*I = yes*

*U = "and you are allies of the Americans, while we accuse you... because this man had refugee status, and was under your protection, and you failed to protect him, so your responsibility is great...". The accusations made abroad were a real shock... not those made in Italy...the ones we made in your wife's name.*

*I = yes*

*U = I understand it's the same thing... what you said... I wrote you something that I gave to UM MOHAMED (wife of I – ed.), so she would give it to you... but since there is no security problem for you, well...if you want to talk, let's talk...everything is normal...that's right...firstly: it was your right...you had refugee status.*

*I = yes*

*U = our brother... from Denmark...clearly, you know him... sheik FATEH*

*I = yeah, yeah..*

*U = they arrested him in Holland... and he is a refugee in Denmark...*

*I = yes*

*U = he appeared on TV, saying: "I got 46 thousand euro in compensation, because they arrested me wrongfully: they had no right to arrest me"*

*I = hmmm...*

*U = do you understand? You have the right to ask for compensation, and you have the right to apply for asylum in Switzerland... that is your right*

*I = yes...I asked my wife not to revoke the complaint...I asked her to...*

*U = I told her (referring to ABU OMAR's wife - ed) that they would not come to you and question you because they are guilty (meaning the Italian authorities – ed)...and the reporters wanted to come to you in Egypt...they (reporters – ed) met ABD ELHAMID EL SHARI, and told him they wanted to interview you in Egypt... I said no.*

*I = I called my wife, and I told her they could come and do everything*

*U = they are criminals, they bring no good... they are criminals (journalists – ed.).*

*I = yes*

*U = they don't help those who are mistreated... but that's for a definite purpose... because they blamed you wrongly and you were absent.*

*I = what? What did they blame me for?*

*U = there's a dog... one of those dogs...wrote in the newspaper that you were...*

*I = hallo?... yes, yes. I hear you*

*U = they blamed you for the September 11 attacks... and for other things connected with that, I don't know. They found in your pc photographs of...I don't know what...it's all a lie... during the investigation I told them you learnt to use the pc in 2002... but they have pictures going back to 2000...and we bought a second hand pc. So they would have to look for the former owner of the computer. So all this is a lie... I told them we are well acquainted with this spiel... and we know their game.*

*I = they arrested me for the letter I wrote, that is...ITALIAN TERRORISM... did you see it?*

*U = yes, we saw it*

*I = that was the reason... ITALIAN TERRORISM...*

*U = I got it from our brothers in Como (possibly referring to HOUSSINE alias ABU FATIMA alias ABU BATTA alias ABU ISRAA, head of the Como mosque – ed.)*

*With regard to the “Letter to Italian Terrorism”, the manner in which it was actually found in Abu Omar’s home and computer will be revealed later.*

*All these telephone conversations, together with the copies of the wire tapping authorizations and of the relevant extensions, have been formally acquired in this procedure **and may be used with regard to the charge object of this procedure**, even though the wire tapping authorizations had previously been granted for the purpose of investigating the factual existence of perpetrators (including, inter alia, suspects Abu Omar and Elbrady Mohamed Reda) of the crime as contemplated in Art. 270 bis Criminal code:*

*On this point, the consolidated precedent set by the Corte di Cassazione (Supreme court) is deemed particularly noteworthy:*

° *The prohibition to use data from wire-tappings in other procedures, as per art.270 of the criminal procedural code, is to be construed in the sense that such elements cannot be used as evidence in a separate trial. However, no such restrictions to the use of the said elements exists, whenever they should bring about the revelation of criminal deeds and validly suffice for initiating new proceedings, **or for carrying out all necessary checks in an effort to secure new evidence.** Cass. pen.,sez. VI, 10/10/92, n. 3129 (c.c. 3<sup>rd</sup> September 1992) Donzelli.*

° *The use of interceptions of conversations or communications authorized in other proceedings does not fall within the prohibition as per art.270 above, when notice of a separate criminal deed is thereby given, and **it amounts to a starting point for the consequent investigation and probatory acquisitions.** \* Cass. pen.,sez. IV, 06/04/96, n. 2502 (c.c. 21<sup>st</sup> June 1996), P.M. in proc. Sindoni [RV205859]*

° *The limitations set by art.270 c.p.p. on the use of data gathered from interceptions authorized in separate proceedings refer to its inadmissibility as conclusive evidence, but **do not rule out the prospect of drawing from the said interceptions authorized in separate proceedings any whatsoever intelligence as to additional crimes, being the starting point for the consequent investigation and probatory acquisitions.** \* Cass. pen.,sez. I, 03/12/98, n. 3133 (ud. 12<sup>th</sup> November 1997), P.M. Cuomo and others [RV210184]*

*In fact, when further extensions to the wire tappings currently made on the telephone appliance in the victim’s house were sanctioned on 04.28.03, 05.19.03 and 06.03.03, within the framework of proceedings 5236/02.21 against Abu Omar for the offences as contemplated in Art. 270 bis cp, the same Judge for Preliminary Investigations in Milan expressly motivated his authorization with the necessity to shed light on the relevant abduction.*

*Anyhow, as the preliminary investigations progressed, the contents of the said telephone interceptions was fully substantiated by the statements submitted by **Ghali Nabila** (wife of Abu Omar), **Elbadry Mohamed Reda** and **Arman Ahmed El Hissiny Helmy alias Abu Imad**, as it is also confirmed by the records of the telephone communication exchange that the first two individuals actually had been in contact with Abu Omar.*

*Indeed, as a result of the intercepted conversations, and having the Public Prosecutor awaited in vain the recordings of further conversations with Abu Omar, the former proceeded with the acquisition of information from the said **Ghali Nabila, Elbadry Mohamed Reda and Arman Ahmed El Hissiny Helmy alias Abu Imad**, collecting the following statements between June 14<sup>th</sup> and 15<sup>th</sup> 2004:*

***From the statement of Ghali Nabila dated June 14<sup>th</sup> 2004:***

***“... my husband disappeared from Milan on February 17<sup>th</sup> 2003 and I had no news of him for about one year... Suddenly on April 20<sup>th</sup> this year I got call from him at my home in Milan... he was calling from his family house in Alexandria, Egypt... I spoke with his brothers who confirmed that it was actually him...***

*I then had other conversations with my husband... he told me that he had been kidnapped in Milan in a street whose name escapes me – but I gave it in previous statements – and that, in particular, some people had forcibly abducted him and loaded him into a white van... according to my husband, a woman had witnessed the event.*

*My husband...told me that he hadn't been taken by Egyptians, though he couldn't say who had been responsible... in particular he was neither able to say how many people had been involved, nor what nationality they were to his knowledge.*

*Some hours later, maybe the following night, he had been loaded onto a military flight and taken straight to Egypt where he remained continuously in custody until April 20<sup>th</sup> 2004... he had been kept blindfolded during the kidnapping and had not even managed to recognise the abductors' language, as they kept silent... I also learnt some information after speaking with my husband's sister...certainly the flight that took him to Egypt was a military flight...anyhow, not a civil one.*

*My husband was granted political asylum in 2001 as requested... I am inclined to rule out that he was wanted by Egyptian authorities in connection with any crimes...however, as a student, he had been an militant of Islamic propaganda, and had left Egypt 16 years ago to tour Europe...the propaganda he advocated was of a religious kind and not against the Egyptian regime, so for this reason, and fearing arrest, he applied for political asylum... On the phone my husband admitted he feared being arrested again...I spoke with my husband roughly every other day for about 22 days, that is until May 12/13<sup>th</sup>...he told me he had always been detained and that he was subjected to dreadful torture...all kind of torture... because the Egyptians wanted information from him that he was unable to provide...however he told me that after torturing him they made him sign a statement saying he had turned himself in voluntarily to Egyptian authorities... According to my husband the Egyptians were initially surprised at having him there; this fact increased my husband's belief that he had not been abducted by Egyptians...*

*...Upon release the Egyptian authorities told him he could resume his working activities in Egypt, open a shop or maybe even go back to university, but he had to steer clear from any kind of Islamic proselitism.... Some of the details I am recounting have been acquired from my sister in law.... I am unable to specify the traumas that he suffered.... Mainly his relatives informed me about the torture...anyway, he said he had lost 20kgs since his detention.... I don't think my husband was able to provide any information they were after... they just told him to quit his propaganda activities....*

*I found out that the Egyptian authorities contacted his relatives in Alexandria about a year after his disappearance, asking them if they were aware that I had reported my husband's disappearance in Milan. That is what I had actually done, i.e. not only informing the police, but also involving several international organisations. My husband's relatives answered that they were actually aware of my statements, and, in turn, asked the Egyptian authorities if they knew anything about my husband. But they said they had no news.... On April 19<sup>th</sup> 2004 an Egyptian official whose name I don't know called my husband's house in Alexandria and, speaking with his brother Hisham, told him that the following day he could pick my husband up at a specific police station in Alexandria...on 20<sup>th</sup> my brother in law went to pick him up and took him home immediately...indeed, the first call I received from my husband was made on April 20<sup>th</sup> a few minutes after he got home...*

*For all that time before...we had had no news from my husband...there were rumors in Egypt...in Italy...that he had been taken to Guantanamo....*

*From the time he was released until the moment he disappeared again...around May 13/15<sup>th</sup>...my husband had remained in Alexandria...he told me the Egyptian authorities called him from time to time.... After some questions and no more than two hours later, he was allowed to return home....*

*I have heard nothing from my husband since May 12<sup>th</sup> ...he agreed to speak a couple of days later...but just when I was about to call him back, his sister called me saying that an Egyptian official had called my husband's house.... He left a message with his brother saying that my husband...had to call him back because his birth certificate was ready.*

*Once home my husband called the official, and...told his family that he had to meet the man...he feared that he would be arrested once more. He didn't explain the reasons behind his fears...he seemed very worried.... My husband went to the appointment on May 13<sup>th</sup> and never came back...nobody has heard from him since. Indeed, my brother in law sought to obtain information from the authorities.... The following Saturday he was told that my husband had been transferred to Cairo...they said he "had been given a chance but hadn't kept to his side of the agreement, and had been navigating the Internet" ... without further explanation.... We were alarmed at his transfer to Cairo, for it is common knowledge that dissidents and Islamic extremists are tortured there...*

*After this first communication my husband's relatives took action through a lawyer...but this time they were told that nobody matching my husband's personal details was detained ...neither in Cairo nor in Alexandria, nor anywhere else... it's as if for the Egyptian authorities my husband had vanished in thin air...".*

***From the statement of Elbadry Mohamed Reda dated June 15<sup>th</sup> 2004:***

*"... I used to teach at the school in V.le Jenner ... then at the Institute in V. Quaranta ...in Milan...together with this professional activity, I practice work of a religious kind.... I could be called an Imam...I assist the Imam of V.le Jenner Abu Imad in drafting speeches and teachings of a religious kind... myself, I make religious sermons in V.le Jenner, Via Quaranta.. and in other mosques...*

*... Abu Omar disappeared from Milan on February 17<sup>th</sup> last year, and we had no news of him for a long time... around December 2003 and in beginning 2004 I received news of Egyptian citizens who had actually been threatened by the authorities whilst in Egypt... they were told that, unless they stopped attending the V.le Jenner mosque they would suffer the same fate as Abu Omar... therefore they must have been involved in his disappearance...*

*I obtained the first news regarding Abu Omar's actual fate from his wife...I knew that on April 20<sup>th</sup> Abu Omar had called his wife from Egypt, saying that he had been detained and had been released after more than one year...his wife spread the news throughout the community and contacted me shortly after, saying that her husband wanted to speak with me and wanted me to ring him up.... She gave me the home telephone number of Abu Omar's close relatives in Alexandria, where I called him.*

*During that first conversation...it took place ¾ days after his release...we simply greeted one another...it was quite a...call. He said he would have told me several other more important things in another instance.... He believed that his family's telephone was tapped... he told me he would have provided me with a mobile phone number where I could call him.... Several days went by.... His wife gave me Abu Omar's Egyptian mobile phone number, which I called on May 7<sup>th</sup> 2004... I made the call that day from a booth in a call center in V.le Jenner...during the conversation...Abu Omar told me what happened to him.... On February 17<sup>th</sup> 2003 he had left home around midday to go and pray at the*

V.le Jenner mosque...he had noticed a white van with two people close to his front door...but had thought nothing of it.... He approached the mosque on foot and, once in its vicinity, he noticed the parked van again that had clearly driven round the block as it could not follow him directly due to the one way system.... The two people he had noticed previously approached him and one of them asked him for his papers in Italian...he showed them his passport, where it is stated that he enjoys political asylum.... The two men were now sure of his identity.... At that point one of them sprayed something on his mouth and nose...and they pushed him into the van.... Abu Omar had just enough time to notice an Arab woman with two kids who had witnessed the scene.... Inside the vehicle the two men also applied sticky plaster to his mouth.... Abu Omar did not lose consciousness and was well aware. Speaking Italian, the two men told him to be quiet otherwise they would have killed him...the windows were also tinted from the inside so he hadn't seen what direction the vehicle had taken nor what route it followed. Thanks to his writ-watch, though, he noted that the two men had driven him around for about five hours...

He just told me that he had been gagged for the duration of the journey and the plaster had only been removed once they had reached their destination.... The two kidnappers handed him over to other people inside a military base that he believed to be American because he had clearly spotted US military aircraft...bearing the US flag.... He gave me no other details that could be helpful in identifying the base...he didn't say if the kidnappers were Italians...just that they spoke Italian. The two left him with a number of people who spoke English and Italian...and who anyhow had an interpreter for Arabic. Those who spoke English and Italian... who Abu Omar believed to be American... beat him whilst repeatedly asking questions on **three specific issues...on his relationship with Al Qaeda...on his involvement with the Iraqi war, asking if he was sending volunteers in that area to fight Americans...and on his dealings with Albanian radical islamic circles.** He told me he was beaten...tortured...interrogated...at dawn he was loaded onto a **US military aircraft**, on which he traveled for less than an hour.... He told me that the length of the trip, the size of the arrival airport, and the size of the city he had seen from the window had all led him to believe that he had been taken to an airport in Rome.... The aircraft had landed at this large airport, inside a restricted, maybe military, area.... Abu Omar was made to get off the plane...get onto another military aircraft, still bearing US insignia...and took off... immediately.... They were US aircraft.... The second plane landed at a US military airbase in Egypt on the Red Sea...Abu Omar saw other aircraft with US insignia.... From this base...he was flown with another plane to a Cairo airport, certainly Egyptian and for military use...he was blindfolded and Egyptian personnel drove him to a secret services building in Cairo...inside an office located in a notorious ministry building in Cairo, of which I also happen to know is located in a neighborhood called LADOGHLJ... He had to meet an important personality... the Egyptian Home Secretary HABIB AL ADLY.... **In fact the minister... basically told him that if he agreed to work as an infiltrator for the Egyptian secret service, he would be home in 48 hours... otherwise he would have to bear full responsibility for his refusal..** Abu Omar refused.. he was forthwith taken to other Cairo premises, also managed by the secret service, where he stayed continually until his release on April 20<sup>th</sup> 2004.... **He was subjected to serious torture...**the first measure was to leave him in a room where incredibly loud and unbearable noise was made.. he has suffered damage to his hearing.... The second kind of torture was to place him in a sauna at tremendous temperature and straight after to put him in a cold storeroom.. occasioning terrible pain to his bones.. as if they were cracking.... The third was to hang him upside down.. and apply live wires to the sensitive parts of the body including his genitals.. and producing electric shocks.. he has suffered damage to his motory and urinary systems.. he became incontinent.. They tortured him accusing him of being an Al Qaeda terrorist and a militant against the Egyptian regime..



*they wanted to wrest information from him that he was unable to give.. they told him to consider himself, along with myself, Abu Imad (i.e. the imam of V.le Jenner) and Abu Saleh as terrorists... and that sooner or later the same fate would befall the three of us.. they would catch us as soon as possible.. they said they had agreements with the Italian authorities... that could easily ensure our capture.. If we didn't turn ourselves in voluntarily.. they would kidnap us...*

*He told me the torture had been particularly ferocious for the first seven months in detention.. it had then diminished.. except whenever questions were asked about his role and his alleged involvement.... In the final stage of detention.. he underwent medical treatment.. also after his release.. He told me that he had been summoned one day by one of the superintendents of the secret service, who said that if he wanted to get out alive from that jail, he would have to declare he had left Italy for Egypt voluntarily, in order to clear his position.. he would have to keep quiet on everything else.. from the abduction to the torture.. they told him they would find out about any violation of the rules since everything was "under surveillance" also with the backing of the Egyptian judiciary.. if he rejected this proposal.. he would not leave the prison alive.. Before making a decision Abu Omar consulted other inmates.. who told him nobody gets out alive from that jail.. so they told him to accept.. So he did.. he was taken to an office in Alexandria.. he brother was told to fetch him there.. upon release Abu Omar was deprived of his papers.. and he was ordered not to disclose anything to anyone neither in Italy, nor Egypt, and certainly not to the press.. Abu Omar "breached" the agreement.. and for fear of being arrested again, he asked me not to divulge the information I had given him.. I had no other direct communication with Abu Omar aside from that first time and on May 7<sup>th</sup>.. for all other matters, I just got news from his wife.... It was his wife who informed me...22 days after his release Abu Omar had been summoned by some police official in Alexandria, but I don't know which one...and he was told to go there and pick up some identity papers that he had applied for in order to travel around Egypt...Abu Omar went to that office in Alexandria and never returned from there.... His brother went there himself and learnt that Abu Omar had been taken to Cairo. The family was clearly alarmed...and took formal steps to obtain information in Cairo, too.... But they were told that no information was available on Abu Omar. Basically, in Alexandria they had been told that Abu Omar had been transferred to Cairo, but in Cairo they said he was not there...they have had no news of him ever since. ...his wife asked Abu Omar's brother to send her the medical file stating the kind of treatment her husband was undergoing when not detained...the brother sent it through DHL... but the medical file never arrived.... At the DHL office in Alexandria no explanation was given for the disappearance... Omar's wife's brother also went to the DHL office in Milan, but to no avail: nothing had arrived...."*

***Indeed the managers at DHL were questioned by Digos in Milan and, after the necessary inspection, they reported that the relevant parcel never reached their offices ( see informative note 07.17.04).***

***From the statement of Arman Ahmed El Hissiny Helmy alias Abu Imad dated June 15th 2004:***

*...I am the director and Imam of the Islamic Cultural Institute in V.le Jenner... a place of cultural, religious, and social teachings.... I carry out the same duties at the Islamic Community center in Via Quaranta...but I am not the director there: that is ALY EL-SHERIF....*

*... Abu Omar disappeared from Milan on February 17<sup>th</sup> last year...I heard nothing about him, until finding out about 7/8 months after his kidnapping that a number of Egyptians had been interrogated...and during the interrogation these people had gathered...from the*

questions asked... that Abu Omar was detained in Egypt, and that the Egyptians were ready to kidnap also other people whom they believed were in the same situation.... I had known nothing on Abu Omar's fate until lately...more recent news.... I was informed by his wife that he had been released in Egypt...also from ELBADRY Mohamed Reda.... They are the only people in Milan with whom Abu Omar has spoken.... I have never spoken with him.... I learnt from his wife and from Reda that, speaking with them, Abu Omar had disclosed his kidnapping in a street near the V.le Jenner mosque..., a woman had witnessed the scene..., but he didn't specify the number of abductors...who had then driven him to an airbase from which he was flown to Egypt.... From what the two were saying, it emerged that Abu Omar had been taken to Egypt and detained there...and for at least seven months he was subject to serious bodily torture that had occasioned a loss of hearing in one ear and deambulation problems.... Seven months later the harmful treatment had subsided greatly for a specific episode that Reda recounted to me, and relating to Omar's relationship with another Egyptian named Mohamed Morgan.... This man frequented the via Quaranta Islamic community...and was a member of the "liberation party",...a group operating within the Islamic society...known to be founded on extremist principles.... MORGAN had known and frequented Abu Omar well at Via Quaranta.... Morgan left Milan spontaneously to go back to Egypt... but was arrested.... The Egyptians questioned him and learnt from him that Abu Omar had actually convinced him to quit the "liberation party".... According to Reda, once the Egyptians found out about this, they started to regard Omar considerably more learned and of greater importance.... The torture lessened greatly, or ended altogether....

I don't know if MORGAN was detained with Abu Omar.... Not to my knowledge...I think he is still in jail.... Some months later, as I learnt from Omar's wife and from Reda, Abu Omar was offered to submit an official statement to the authorities, saying that he had traveled to Egypt willingly...clearly not mentioning the torture he had been inflicted.... In return he would have been released.... Abu Omar accepted the proposal...he signed the statement and was sworn to secrecy.... About two months later he was released and handed over to his family in Alexandria, who went to pick him up.... I am firmly convinced that the Egyptians used him to strike out at the political opponents to the present regime, making use of accusations and suspicion of terrorist activities.... From Reda I also learnt that during the detention and the torture, the Egyptians questioned Abu Omar about me and Abu Saleh.... I think that their interest towards us is due to the fact that we oppose the present Egyptian regime.... They told him that we were also running the risk of being kidnapped and suffering his same fate.... Abu Saleh...frequented the Via Quaranta Islamic community...he left Milan before September 11<sup>th</sup> 2001...from newspaper reports we learnt he had died in Afghanistan.... Anyway we have never heard of him since, and neither of his family who left Italy with him....

Going back to Abu Omar...I learnt from his wife that about one month after his release, he was rearrested by the Egyptians.... I know the family made enquiries in Egypt to find out what happened to him...they have no news of their relative.... For my part, I appointed an Egyptian lawyer I know, based in Cairo, but he has also found nothing...

Abu Omar was an Imam at the Via Quaranta community...he lead discussions, prayers, and made sermons.... He also frequented the via Jenner community, where he carried out similar tasks....

In Croatia in 1995...a certain Abu Tallal Alcasimi, an Egyptian who had been granted political asylum in Denmark, was kidnapped on his way to Bosnia to enlist as a volunteer ...he was taken to Egypt. Even the authorities there admitted to this episode.... To my knowledge, up to two months before Abu Omar's disappearance, another Egyptian, an Austrian resident known as Gamal Alminshawy, vanished whilst travelling to Saudi Arabia. Nobody knows where he was kidnapped exactly or where he is now."

*As a confirmation of the scenario that emerged from aforementioned conversations featuring Abu Omar (dated April and May 2004), and drawing from the statements provided by his wife, Elbadry Mohamed Reda, and Arman Ahmed El Hissiny, on 07.27.04 Carabinieri conducting wire tapings on the mobile phone number 3403606683, used by Ghali Nabila, intercepted a conversation between the latter and her husband, who once more appeared to be in jail (where he had been calling from):*

*During the conversation the man told his wife that he was in prison in Alexandria, and didn't know whether he would be freed. He asked her when she would move to Egypt. On her part, the woman asked about her husband's state of health.*

*At the Prosecutor's request, Elbadry Mohamed Reda and Arman Ahmed El Hissiny Helmy alias Abu Imad were heard once again by Digos staff in Milan on 09.08.04: both men stressed that Abu Omar was still detained (in Cairo) and that his wife Ghali Nabila had left for Egypt on 09.01.04, and had moved in with her sister-in-law (husband's sister) in the hope of Abu Omar's timely release. They added that this possibility was concrete, also as a result of the talks currently in progress between the Egyptian government and Jama'a Islamiya (the organization to which Abu Omar belonged or had done formerly), and focusing on the latter's forsaking armed struggle and violence, in exchange for political acknowledgement from the government and the liberation of political detainees. **Elbadry Mohamed Reda** added that Abu Omar had been re-arrested by Egyptian authorities in May because he had not stuck by the agreement not to call his wife in Italy, and because she had alerted the Italian press and the international aid agencies. Indeed, the wife's return to Egypt had been sanctioned, providing he kept his word. Also according to **Elbadry Mohamed Reda**, Abu Omar's release had already once been ordered by the Cairo judges, but the ruling had remained ineffective, as a result of a new arrest warrant being issued. Thus, Abu Omar was awaiting judicial review of his situation.*

*Whilst being examined on 03.15.05, Arman Ahmed El Hissiny Helmy (Abu Imad) put forward two medical certificates dated 05.10.04 in Arabic, relating to blood and urine tests that Abu Omar did in the time between his release and subsequent re-arrest. The papers were mailed to Milan by Abu Omar's wife (who had moved to Egypt in September 2004), and further validate the facts outlined so far.*

*Additional information on both the state of political negotiations between the Egyptian Government and the Jama'a Islamiya and Abu Omar's situation was provided by **Elbadry Mohamed Reda** during the latest declarations made to the Prosecutor on **February 26<sup>th</sup> and 27<sup>th</sup> 2005**. It is noteworthy to give a detailed description of this account, as it sheds light on the news that Elbadry Mohamed Reda had gleaned during phone conversations with Abu Omar in April and May.*

***From the statement of Elbadry Mohamed Reda, compiled on 02.26.05 before the Public prosecutor:***

*"...when I was heard on June 15<sup>th</sup> 2004, I told you that I had received calls from Abu Omar who told me he had been released from jail on April 20<sup>th</sup> 2004. After 14 months detention and enduring serious acts of physical violence, they decided to let him go but subject to two conditions: if he should ever be questioned on the issue, he would have to claim he went to Egypt voluntarily and was never inflicted any bodily harm. Furthermore, he would have to swear not to publicize his ordeal, and mention it to nobody. Yet Abu Omar was re-arrested on May 12<sup>th</sup> 2004. As to the reasons for this, I can only mention what I was told when speaking on the phone with his wife, Ghali Nabila, who moved to Egypt in September 2004 and is now living in a flat in Alexandria, with which we helped*

her financially. As soon as she had the chance, the woman went to see her husband in jail, and learnt from him that after his arrest on May 12<sup>th</sup> he was interrogated by Egyptian police officers, who claimed that, by calling his wife and myself and telling us what had happened, he had breached the agreement. The authorities were aware of his actions as they had tapped the phone he called from, going so far as quoting to him, during the interrogations, on what day he had made the calls and what he had told us. He therefore was in breach of the agreement, and for this reason had been re-arrested: that is what his wife told me. Since May 12<sup>th</sup> Abu Omar has been at first detained in a Cairo prison, and then in one near Alexandria. However, I spoke with his wife about three days ago and she said that he has been taken back to Cairo. She also said that she noticed the visible marks of torture on her husband, to the extent that, aside from his damaged hearing, his sight has also been seriously impaired. Ghali went on to say that her husband made two appeals for release to the Egyptian judicial authorities: one in November and one in January, and that in both cases the Cairo judges had ordered his release due to lack of evidence; yet he was never released because every time he was taken back to Alexandria, where the local police would issue a new warrant. In short, he is certainly still detained, and has never been released.

I also wish to add that I am the only one whom Ghali passes information on Abu Omar, though she does have relatives in Milan, but the whole affair terrifies them so, that they would rather stay out of it, and just ask generic questions about Omar's state of health. She doesn't even speak with Abu Imad.... The oddness of this situation is that there isn't even a proper case against Abu Omar, so she cannot even nominate a defence counsel. Abu Imad was also told this by Mr. **Muntassar Al Zayat**, a famous Cairo lawyer, who has always defended members of the "Gama'a Al Islamiya".

"...let me start by saying that I have never been a member of "Gama'a Al Islamiya", even though the Egyptian government thinks otherwise. Nonetheless, also thanks to the information passed on by Abu Imad, a member just like Omar, we are well aware of the talks between the organisation and the Egyptian government. Following these negotiations, "Gama'a Al Islamiya" has basically split up and abandoned illegal activities, in exchange for the government's commitment to release detained members. The chief mediator in these talks has been MOHAMED Yassin, a historical leader of the group, who lives at Ismaelya, Egypt. He is also personally in touch with members of the group living in Europe, and has helped many of them solve their problems. For instance, as a result of these talks, even El Feki Nabil @ Abu Khadija, an important member of the Viale Jenner community, was able to return to Egypt after 15 years, is currently in Cairo, and is not experiencing any kind of trouble – to our knowledge; we spoke with him lately and he is sorting out his situation. As far as I know, "Gama'a Al Islamiya" is now disbanded and doesn't even intend to turn into a political party. Moreover, Egyptian law forbids political parties founded on religious principles. At any rate, it is certain that many "Gama'a Al Islamiya" members have been already released in Egypt due to this deal. The organisation already started a process of self dissolution about two years ago, and many books and documents on the matter, put together by militant leaders formerly in jail, are now to be found on the Internet.

It was on the very basis of the encouraging developments in relations between government and "Gama'a Al Islamiya", that Abu Omar's friends and family were hoping for his imminent release, to the extent that granting his wife the chance to return to Egypt was regarded as a first step towards his discharge. The Egyptian authorities also told his relatives that, once Omar's wife was in Egypt, he would have been freed soon, providing discretion on his situation was guaranteed. We were all waiting but nothing happened.

*Indeed, it was Ghali who told me that the Egyptian press last week carried the news as widely published in Italy by the daily “La Repubblica”, and this would have caused the physical torture against Omar to be resumed.*

*“from what she (Ghali Nabila, Abu Omar’s wife – ed) told me on the phone, she met him Monday, February 21<sup>st</sup> in the jail near Alexandria, and her husband spoke with her about the newspaper article, about how the violence against him was resumed, and said he was bent on starting a new hunger strike. Ghali went back to the prison on Thursday February 24<sup>th</sup>, but she didn’t meet her husband, and she was told he had been transferred to a Cairo prison. She has not yet managed to see him.”*

***As for the telephone contacts with Abu Omar between April and May 2004, Elbadry Mohamed Reda gave the following account to the Prosecutor:***

*“...I thought about the number of conversations I had with Abu Omar and I’m sure I had more than two. I don’t remember how many exactly, but they weren’t many.*

*I even recalled that I maybe made that first call from the phone center on the Friday straight after I heard about Omar’s release. Well, it should be April 23<sup>rd</sup>, I can easily tell by checking the calendar with you. Indeed, I am sure I used the phone center for calls on Friday afternoons, once the prayer at the mosque was over, at around 14-14.30 hrs: Friday afternoon is still the most convenient time for me to go to the phone center, because it is the time I’m free from any religious and academic commitments.*

*Anyway, I called Omar on his sister’s mobile number that he was using, and it’s the one I gave to the police, i.e. **0020.127619802**.*

*I cannot rule out that I may have spoken with Omar also from other telephone numbers, aside from those at the phone center. “*

*At this stage the Prosecutor informed Elbadry Mohamed Reda that his telephone number **339 3230193** was tapped, as a result of investigations conducted by the Carabinieri, therefore it was already known that on May 8<sup>th</sup> 2004 he had called **800192803**, an international toll-free number, got through to the above-mentioned Egyptian mobile number, and had spoken with Omar.*

*Elbadry Mohamed Reda answered as follows:*

*“I obviously accept what you are saying, but I don’t recall using my phone (though I confirm the number you quoted was mine); still, I confirm that I cannot remember all the calls I made to Omar, or the number I used.*

*You can nevertheless rest assured that I told you the truth, and what I recounted to Italian authorities, whom I trust, exposed me to personal risks to the extent that, after my June 2004 testimony, an Egyptian friend of mine (whose name I’d rather withhold, thus sparing him any trouble) told me he overheard an employee at the Egyptian consulate in Milan say that I “was also a potential target for abduction” if I were to testify against the Egyptian government in the Abu Omar case.”*

*At this stage of the examination, the Prosecutor put a number of questions to Elbadry Mohamed Reda, which are noteworthy enough to be read in full:*

***“Question:*** *in the conversation taped by Carabinieri on May 8th do you lay blame on Omar for not keeping to a certain agreement between you? Whilst reserving the chance of playing the original recording, I’d like you to elaborate on what you were hinting at.*

***Answer:** I think I was talking about the fact that Abu Omar wasn't at his relatives' home when I had called him before.*

***Q:** who is this Abu Yasser you mention in the conversation?*

***A:** he is a historic leader of Gama'a Al Islamiya, i.e. RIFA'I Ahmed Taha Moussa @ Abu Yasser, who later became leader of the organisation; the Egyptian authorities thrice sentenced him to death, and Abu Omar met him in jail.*

***Q:** who is this Shaouki in Austria, whom you mention? And how can he say that he was summoned on the Monday night after the kidnapping, and questioned about Abu Omar?*

***A:** Shaouki is Imam at the Vienna mosque, and he is also a Gama'a Al Islamiya member; he often comes to Milan as his daughter is married with Amro Rifa'i, an Egyptian from our community. In the conversation with Abu Omar, I recount what Abu Imad learnt from Shaouki, by telephone I think. The latter, on the same day that Omar's wife reported her husband's disappearance, namely on February 20<sup>th</sup>, I think, claimed he was summoned around 17hrs by the Vienna police, and questioned on Abu Omar and his activities in Milan. Shaouki answered these questions but, having learnt of the kidnapping from Abu Imad, he went back to the Vienna police on the same day (20<sup>th</sup>), asking them how come they hadn't mentioned to him Omar's abduction: the police simply told him that Omar was no longer in Italy. Shaouki clearly asked himself how come the Vienna police was already informed of the abduction (it dawned on him when thinking back to the questions they asked him that night) before Abu Omar's wife had even reported it.*

***From the statement of Elbadry Mohamed Reda, compiled on 02.27.05 before the Public prosecutor, in which specific questions were asked on how events unfolded immediately subsequent to the abduction:***

*"The Prosecutor informs **ELBADRY Mohamed Reda** that in the outgoing call from his mobile to Omar on May 8th, the latter tells him he is sure his arrest was due to a document he had written on "Italian terrorism", and Reda says he has seen this letter. The Prosecutor asks that the contents of this letter be specified.*

***A:** I confirm that part. Omar refers to a document he had written, and which he had handed out as a flyer bearing his signature at the Como mosque on February 16th, i.e. the day before his abduction. Some days after the kidnapping, I picked up this document from brethren at the Como mosque, once we had started asking ourselves for what reason he had been abducted. The contents of this document must be placed in a historical context, shortly prior to the kidnapping, when a public debate was in progress on the possibility of Italian involvement alongside the US in the imminent invasion of Iraq. Even the Prime Minister Berlusconi had spoken of this possibility. Now, Omar stated in his paper on "Italian terrorism" that it wouldn't come as a surprise if Italy entered the conflict alongside the US, because even recent history showed that Italy had demonstrated aggressive behaviour towards the Islamic world. The Italian domination in Libya and Somalia was also quoted, demonstrating that the grounds for Italian intervention in Iraq were to be found in the history of Italian aggressiveness towards Islam. Abu Omar naturally criticized the Italian government's attitude strongly, and thought he had been kidnapped for this reason – retaliation. I think the complete document may have been stored in Omar's computer."*

By measure of substantiating the declarations made by ELBADRY Mohamed Reda as to his interlocutor's identity, and the exactness of the reference coming from Abu Omar, it is important to stress here, how **an Arab-language document called "Italian terrorism" had actually been found in Omar's house**; once translated, its contents coincided greatly with the paper outlined by Elbrady Mohamed Reda (see Digos informative note of 03.21.05).

**The document also seems to be stored in Omar's computer, seized from his home** (the seizure was ordered by the Prosecutor as a result of the above-mentioned conversation, and was executed on 06.14.04).

*"At this stage the Prosecutor reads out to **ELBADRY Mohamed Reda** the statements he gave to the D.A. on June 15th 2004, asking whether he wished to make any changes.*

***ELBADRY Mohamed Reda** declares: I naturally confirm everything I told you, albeit with the following specifications:*

- *when at pag. 3 I speak of information garnered in a single phone call dated May 7<sup>th</sup>, I can specify that, as I told you yesterday morning, I garnered the news I recounted to you in several phone calls. For instance, after the statement I made to you yesterday, I recalled another phone call, probably between 23<sup>rd</sup> and 25<sup>th</sup>, when I suggested to Abu Omar to check if he could apply for political asylum at the Swiss embassy in Cairo, but Omar told me he wasn't free to move around;*
- *when talking about the vehicle that forcibly took him to the US base, Abu Omar always spoke of a small van. This van didn't allow him to see the road so, rather than having tinted windows, I seem to recall it had no windows at all;*
- *when I recount at pag. 4, that in the US base he was asked questions on the dispatch of volunteers to Iraq to fight the Americans, I am clearly not referring to a war then in progress in Iraq, as the US-led invasion took place some weeks later, but to the fact that it was now imminent and had also been publicly announced as such. Therefore, Abu Omar was suspected of despatching fighters to the Iraqi area in view of the now-imminent US invasion, hence the motive behind the questions he'd been asked.*

**Q:** *about Abu Omar's presence in Albania, do you know if he has ever been arrested in that country, or if he has ever been involved in plans to attack an Egyptian political figure in Albania?*

**A:** *I am not aware of any instance in which Abu Omar has been arrested in Albania; for his part, he said that he was certainly wanted in Albania by the US secret service. I know that, at one stage, some of Omar's friends were arrested in Albania, and also for this reason he left the country and came to Italy. I am not aware of any plans to carry out attacks against Egyptian political figures in Albania.*

**Q:** *please, carry on*

**A:** *I would like to make a statement regarding the flight that left from a US base in Italy and took Abu Omar to Egypt. I can say this because I told Abu Omar's wife to ask her husband further details about the flight. After speaking with her husband in November, Ghali told me she learnt from her husband that, unlike what I had understood and reported to you, the plane with Omar on board that left the US base, actually had flown straight to Egypt, therefore not stopping in any other base in Rome or elsewhere. After all, when I spoke to you of an intermediate stop, I said that Omar had reckoned with no certainty that the plane might have stopped in Rome or another large airport. Personally, I can account for this divergence, as I may have misunderstood or not remembered what Omar actually told me about his plane journey. I was more concentrated on the torture he'd been inflicted, than on these details.*

*Ghali had this conversation with her husband when he was held in a Alexandria police station. The judge had got him out of jail, but the police had not released him altogether. Thus, as far as I knew, he was not allowed out the police station.*

**Q:** *Did Abu Omar describe the plane to either you or his wife, namely did he mention its size?*

**A:** *he didn't tell me if it was large or small, but he spoke of a US military plane to both me and his wife, and that it had departed from the same base where he'd been taken to by van.*

**Q:** *could you repeat what Abu Omar told you about the aircraft's departure time from the US base?*

**A:** *he told me that after about a 5-hour drive by van, he'd arrived at this US base, and was interrogated and tortured until 3 a.m., after which he took off with the plane. This is what Omar told me, but clearly I cannot confirm whether it means the aircraft took off at 3 a.m., or it left once they were through with torturing and "questioning", or even several hours after the violence was over. He certainly left on 18<sup>th</sup>, though.*

**Q:** *would you care to specify what you have been told as regards the destination airport?*

**A:** *well, I can confirm the following: Abu Omar told me he'd first been taken to a military base on the Red Sea, and thence to Cairo military airport. The conviction that the first airport was situated in Egypt was his inference, because, upon his arrival there, he was handed over to Egyptians and flown to Cairo. Besides, the first destination airport was surely a US base since Abu Omar had seen other US aircraft. Personally, I know that the biggest US base on the Red Sea is "Ras Banas", but I do know there are also US bases in Saudi Arabia, on the other side of the Red Sea.*

**Q:** *would you care to repeat what, to your knowledge, are the grounds for his detention and "torture"?*

**A:** *I cannot but confirm what I've declared before: once arrived in Egypt, this is what he told me, Abu Omar was taken before the Egyptian Home Secretary, who stated clearly that he would have been freed soon and returned to Italy, if he'd accepted to work as a mole for the Egyptian secret services. This was, then, the abductors' first aim. Besides, whilst being held and tortured in Egypt, Omar was questioned several times on Al Qaeda and on everything they believed he knew on Gama'a Al Islamiya and anti-government activities. If he'd provided the information they wanted on the terrorist scene, they would've freed him: this is what they said. I must add, however, that when he was in Italy Omar always declared his disagreement with the political solution that Gama'a Al Islamiya was pursuing with the Egyptian government. Moreover, when he spoke after his release on April 20<sup>th</sup> 2004, Omar said that whilst in jail he'd finally declared his support for the political solution, also because he'd been speaking with Abu Yasser, a fellow inmate and an acknowledged leader, who had suggested him to adopt a more tolerant behaviour, which would spare him more torture and lead to his release. This said, even Abu Yasser didn't agree with the policy shift.*

**Q:** *could you elaborate on Abu Yasser's leading role, which you've just mentioned?*

**A:** *RIFA'I Ahmed Taha Moussa a.k.a. Abu Yasser is doubtlessly the historical emir (and acknowledged leader) of the Gama 'a Al Islamiya group, and responsible for the radicalisation of its agenda. Famous leaders had acted before him, such as Omar Abdelrhman (arrested in NYC in conjunction with the first World Trade Center attack in 1993) and Abu Talal, who disappeared from Zagreb, Croatia in mysterious circumstances in 1995. For this reason I stated Abu Yasser is number three in the organisation. Like Al*



*Quaeda, Abu Yasser himself actively joined the fledgling "International Islamic Front against Jews and Crusaders" on behalf of his cell within Gama'a Al Islamiya, and signed the foundation treaty in February 1998, along with Bin Laden, Al Zawahiri and others. Indeed Abu Yasser's radical choice, which other Gama'a Al Islamiya leaders were opposed to, led to a crisis in the organization, and later to its demise. In Milan Abu Omar belonged to Yasser's radical wing, whereas Es Sayed Abdelkader Mahmoud, known as Abu Saleh, belonged to the group whose political reference point was Ayman Al Zawahiri's Islamic Jihad.*

**ADR:** *I confirm that the Abu Omar's clinical reports have never made it to Italy; they were mailed by Omar's brother in Egypt, as said before (see pag.8 of the June 15<sup>th</sup> statement)."*

*The statements made by **ELBADRY Mohamed Reda** in June 2004 and February 2005, specifically concerning information from Abu Omar on the flights that transferred him to Cairo will be examined and evaluated better at section "N" of the present request, the object of which, indeed, is the unlawful transfer. The statements will then be severely scrutinized, also in the light of documentation and data, as acquired from civil and military Aviation authorities at Aviano airport and in charge of civil and military air traffic control.*

**C) The request for judicial assistance made to Egyptian Authorities**

*In the light of these findings (especially resulting from the conversations between Abu Omar and, both, his wife and ELBADRY Mohamed Reda, as well as the latter's statements on 06.15.04), given the importance of the case and the developments of current investigations, and although no specific convention exists but basing itself on the principle of reciprocity, **on August 30<sup>th</sup> 2004 this Department issued a formal request for judicial assistance to the competent judicial Authority in Egypt, for the purposes of ascertaining if:***

- *NASR Osama Moustafa Hassan was present on Egyptian soil; if so, if he was free or detained;*
- *NASR Osama Moustafa Hassan had been held in Egypt anytime between 02.17.2003 and 08.30.2004; if so, when did his detention begin, and on what grounds was it warranted;*
- *In the event of an affirmative answer to one of the above questions, how did NASR Osama Moustafa Hassan enter Egyptian territory, and on what day or in what period did this take place.*

*If NASR Osama Moustafa Hassan, whether free or detained, was still present on Egyptian soil, the application contained a further request for authorization to confer with Omar, being both witness to and victim of the abduction. Furthermore, it was requested that the investigation into the events during and after the abduction be conducted by Egyptian authorities in the presence of the Prosecutor, and Italian police as well; also, the Italian magistrate would be authorized to put questions to NASR Osama Moustafa Hassan directly or by way of the same Egyptian authorities.*

*It was also requested that the Alexandria-based relatives of NASR Osama Moustafa Hassan be heard as witnesses, in the above described manner, since only the following names are known: Amal (mother), Hisham (younger brother living with Amal in Alexandria), Hassan (other brother) and Rawya (sister). If necessary, the latter could be identified more easily since she may have been using the following phone number: 002034963879.*

*Lastly, request was made to ascertain the identities of subscribers and users of the above number 002034963879, as well as subscribers and users of the mobile phone numbers 0020127619802 and 0020123347735, the latter most likely being in use to NASR Osama Moustafa Hassan.*

***The Italian Justice Ministry duly sent the application for assistance to the Egyptian embassy in Rome and, since no reply has been forthcoming, forwarded on 12.17.2004 with equal haste this***

*Department's urgent reminder, wherein calls for an answer to the application, if even a rejection, were renewed. It is telling that no response, be it positive or negative, has reached the Italian government so far. **The Italian Embassy in Cairo informed this Department on 03.21.05 that, for its part, it urged the Egyptian Authority in December 2004 to grant the application;** by so doing, **"the most suitable measures"** were adopted, based on which the Justice Ministry hoped would ensure that **"the application from the Milan Department would be allowed"**; thus speaks, literally, the registered memo dated 12.17.04 from the Head Office at the Ministry of Justice's Penal Section addressed to the Italian Embassy in Cairo, to this Department and, for their information, to the Ministry for Foreign Affairs. Also in this instance no answer has been delivered as yet, although the Italian Embassy will endeavour to continue urging.*

**D) The investigations have been requested after the telephonic interceptions and the statements of ELBADRY Mohamed Reda: particularly those concerning the individuation of the aeronautic base of Aviano as where ABU OMAR has been illegally taken before being transferred to Egypt.**

After the interceptions of the phone conversations between Abu Omar and his wife (20<sup>th</sup> of April 2004 and following days) and with Elbadry Mohamed Reda (8.5.04), and after having afterwards collected the declarations of **ELBADRY Mohamed Reda** on the 15<sup>th</sup> of June 2004, the Public Prosecutor started a series of verifications among them those relative to:

- the possibility, somewhere else in the world, of other kidnappings similar to Abu Omar's;
- eventual pending matters Abu Omar would have with the Justice in Egypt;
- the location in Northern or Central Italy of American military bases or Italian military bases eventually used also by American vehicles.

The Digos in a report dated 4.11.04, answered the first and second request, pointing out the similar case of **Abu Talal Al Qassem's kidnapping (alias Talaat Fouad Qassem) Egyptian and spokesman of the "Jama'a al Islamiya" organization, who disappeared from Zagabria (Croatia) in September 1995, specifying that Nasr Osama Moustafa Hassan, Abu Omar, is not addressee of restrictive measures or wanted in other countries.**

On the 19<sup>th</sup> of July 2004, the Digos also communicated the list of the Military bases used by the American aeronautics: **only Aviano, among the bases used also by the US Aeronautics, is located "at about 5 hours drive" from Milan with a van or with a "convoy" of vehicles including a van.**

At this stage, the attention of the Public Prosecutor and of the Judicial Police focused on the possibility that Abu Omar might have been transferred to Aviano, after being kidnapped in Milan, and then sent to Egypt, **being however sure, that in all cases the kidnapping occurred in Milano and that he was currently in an Egyptian jail** (where someone, obviously, had taken him against his will).

As we will mention in the following Paragraph "E" (dedicated to the analysis of the "cd of the traffic of the cell"), **it must be taken for granted that the kidnapped person has been taken on the 17<sup>th</sup> of February 2003 at Aviano base by a high number of US citizens.**

**According to a logical sequence which follows the chronological happening of the facts, the enquiries (included those which brought to the identification of several kidnappers) were immediately rebuilt according to the moment of the kidnapping and to the transportation of the kidnapped person to Aviano, before describing what follows:**

- 1 – the individuation of the airplane used for the violent and illegal transportation of Abu Omar to Egypt;**
- 2 – the assurance of the possibility that the kidnapped Abu Omar would have been clandestinely taken inside the base of Aviano without informing the Italian authorities;**
- 3 – the individuation of the accomplice or accomplices (obviously the accomplices must have been much more than one) of the kidnappers inside the Aviano base.**

**We will be talking of the above in Paragraph "N" of the present document, even if we have to anticipate that the relative enquiries, even though generated by the declarations of ELBADRY Mohamed Reda, have taken this specific direction only after the Milan Digos had made sure that some users of mobile phones, present in the area of the kidnapping, immediately headed on the highway to Aviano, where they arrived between 4.30pm and 5pm of the 17<sup>th</sup> of February 2003,**

*and that those same mobile phones, all along the way, have repeatedly called a number of mobile phone located in Aviano base, a number of the US Consulate in Milan, and a mobile phone number used by the responsible of the CIA in Milan, apart from various phones in Virginia (USA), location of the CIA headquarters.*

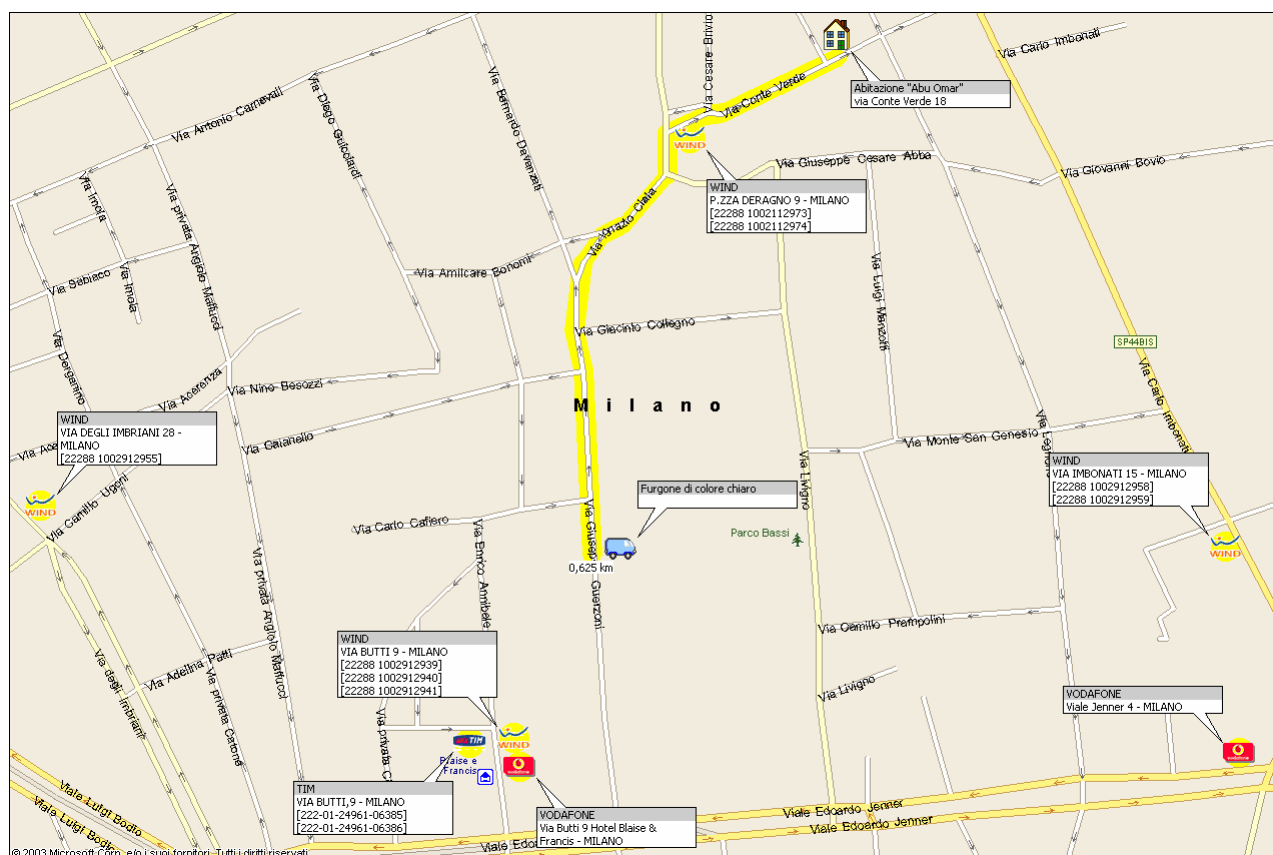
### ***E) ANALYSIS OF THE CD OF THE CELL TRAFFIC***

*The proofs obtained from the analysis of the cd of the cell traffic, which means the traffic relative to mobile phones that would be transiting by the radiobase cells in the area of the kidnapping – via Guerzoni – on the 17<sup>th</sup> of February 2003 between 11am and 1pm, were relevant and decisive. Talking about the “radiobase cells”, we should mention that each company controls its own cells, and that the territorial extension of each one of those, as you can see in the graphic below, states that they should stand at a few hundreds meters distance one from another, (at least in the area we are interested in), which makes the next points we will discuss extremely significant.*

The witness **Rezk Merfat**, had indeed declared that she noted a van parked on the sideway, and next to it, against the wall, there was a man looking middle eastern: Abu Omar. According to the witness, seemingly Abu Omar had his documents checked by one of the kidnappers, **who was talking on a mobile phone.**

*For that reason, the Milan Digos requested the information relative to the mobile phone traffic in that specific area.*

*In the following map, we have put in evidence in yellow, the road on which Abu Omar was walking: from his home in via Conte Verde 18 till via Guerzoni, where he was stopped that morning of the 17<sup>th</sup> of February 2003. In this same graphic, we have also put in evidence, all the radiobase cells of the area: TIM, VODAFONE, and WIND's.*



*After the analysis of traffic of the cells, obtained with a decree of the Public Prosecutor, the Digos of Milan noted that a **group of SIM cards operating simultaneously on the spot of the kidnapping***

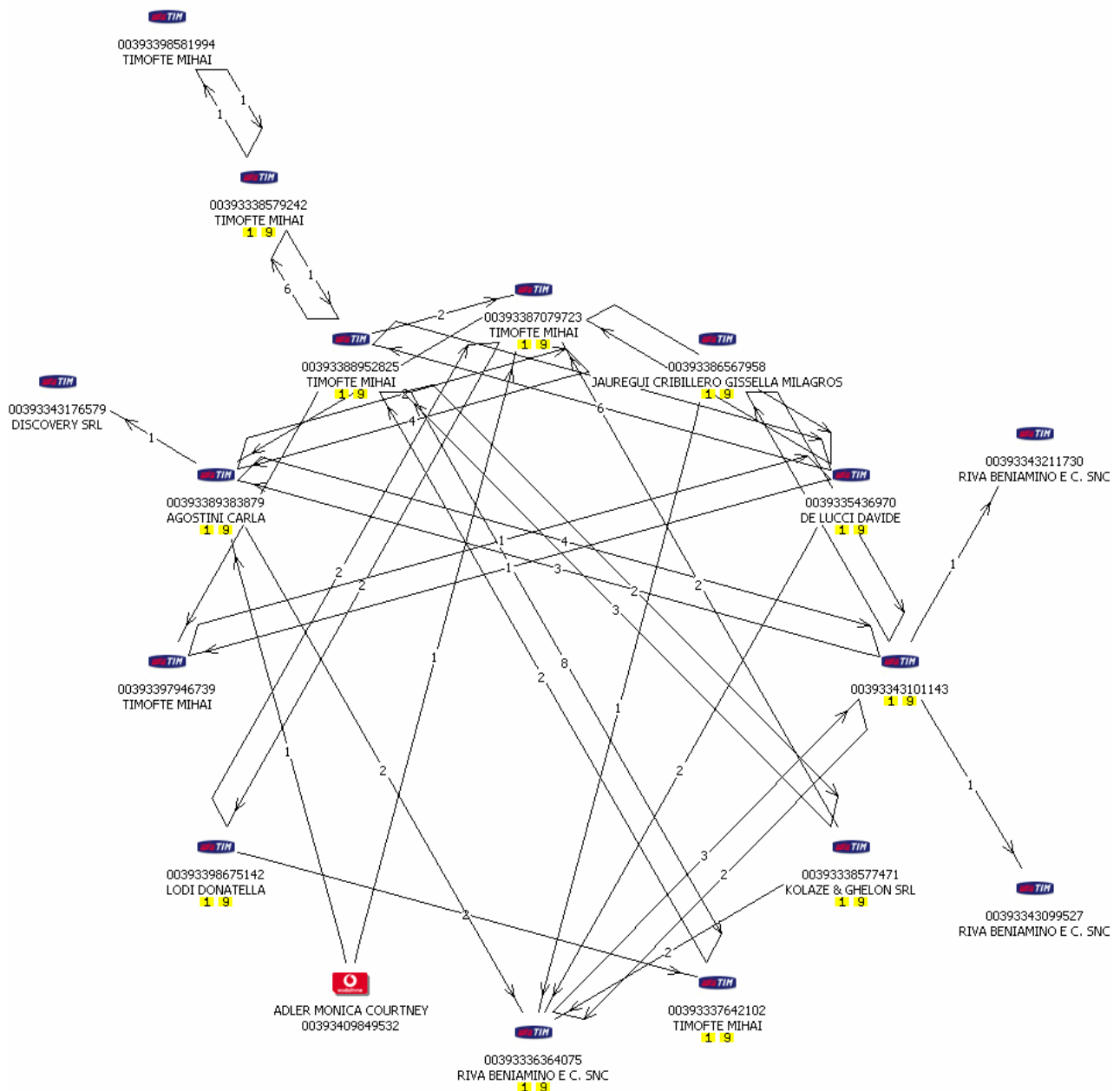
***and connected with each other, which utilisation by unknown users, according to the following analytic valuation, seemed abnormal and needed a deeper investigation.***

*We must specify that the analysis of the traffic of the phones related to the cell has been effectuated by Milan Digos – who demonstrated, apart from rare professional skills, a capacity of using modern investigating instruments through a software that allows, on a specific basis of research, the analysis of thousands of data, a necessary thing in this case. To reduce the research field in a first phase, they first selected all the mobile phones that, in that moment (11/1) of the 17<sup>th</sup> of February 2003, were connected with each other and with both via Butti's cells, which were the nearest to the place of the kidnapping (see map). So, it has been possible to individualize 11 mobile phones on this spot, those listed in the first part of the following tab.1. Near via Butti, other 6 mobile phones which were in contact with the previous 11, were individualized.*

*The traffic between all those users seemed suspect for the following reasons:*

- *the users of the above mobile phones, or most of them, calling from the same cell, and situated at a little distance one from the other, had called each other a certain number of times, for very short conversations, for a total of 62 phone calls.*
- *The frequency of those calls got more intense when Abu Omar disappeared.*
- *All the TIM SIM cards have been sold/activated between the month of November 2002 and January 2003, “bonificate”, and stopped one year later. Same happened to the VODAFONE SIM card ( The expression “bonificate” should ring an alarm bell, because it means there is a Codice Fiscale, the owner of SIM card's, associated to more then ten other phones. After noting this fact, the TIM, who considers as “suspect” a person that uses more then ten different phones, should block the utilisation of the card. But in fact, the computer only cancels the personal data, while the SIM card keeps on working regularly allowing the user to charge his credit and produce/receive phone communications. The procedure to block the card, is only a theory (as per relation produced by Digos, Assistant Marco Sabatino dated 3<sup>rd</sup> March 2005). It is very unusual for TIM to act in this way.*
- *Some of the cards were without nominee, some were registered under obvious fake names (often to identical names: 6 to Timofte Mihai, Rumanian citizen which has nothing to do with the facts and 3 to Riva Beniamino snc), and anyway, for almost all of them, it was not possible to individuate immediately the real user. The only exception is represented, as we see, by the Vodafone card registered at the name of the US citizen **Adler Monica Courtney**, existing and identified, but we will talk about her further.*

*Following, a graphic that illustrates the contacts between the different phones we have stated, that helps understanding the close links that relate the users of those phones. Among the 17 different phones, 11 of them, n°19 and in yellow in the graphic, have called through the cell of Via Butti which covers the area around via Guerzoni, and proves that they all were on the spot on the 17<sup>th</sup> of February 2003.*



Not all the phones which were present on the spot are listed. There must have necessarily been another phone belonging to the same operative group, TIM card **3392191934** registered under the fictitious name of the Chinese citizen **Zheng Lihuai**, (we will talk about him further), but it has not been put in evidence in the graphic in the first phase of the enquiry.

Following to the above considerations, authorized by Milan GIP, we have obtained the general traffic of all the above mobile phones, which we have reported in Tab. 1 stating beside each number, his owner and the period of activity of each.

**Tab. 1**

	<b>Phone number</b>	<b>Registered under the name of:</b>	<b>Date/hour Beginning of traffic</b>	<b>Date/hour End of traffic</b>
<b>1</b>	<b>3336364075</b>	<i>RIVA BENIAMINO E C. SNC</i>	<i>06/12/2002 – 22:23:14</i>	<i>17/02/2003 - 19:38:45</i>
<b>2</b>	<b>3337642102</b>	<i>TIMOFTE MIHAI, nato il 21/09/1973 in ROMANIA</i>	<i>30/12/2002 – 10:03:13</i>	<i>21/02/2003 - 15:44:50</i>
<b>3</b>	<b>3387079723</b>	<i>TIMOFTE MIHAI, nato il 21/09/1973 in ROMANIA</i>	<i>09/11/2002 – 21:41:25</i>	<i>23/02/2003 - 03:47:08</i>
<b>4</b>	<b>3388952825</b>	<i>TIMOFTE MIHAI, nato il 21/09/1973 in ROMANIA</i>	<i>08/01/2003 – 19:05:11</i>	<i>23/02/2003 - 11:22:08</i>
<b>5</b>	<b>3338579242</b>	<i>TIMOFTE MIHAI, nato il 21/09/1973 in ROMANIA</i>	<i>23/09/2002 – 23:17:20</i>	<i>20/02/2003 - 15:51:25</i>
<b>6</b>	<b>3338577471</b>	<i>KOLAZE &amp; GHELON SRL</i>	<i>21/12/2002 – 13:28:38</i>	<i>22/02/2003 - 15:43:08</i>
<b>7</b>	<b>335436970</b>	<i>DE LUCCI DAVIDE, nato il 16/05/1964 a BARI</i>	<i>14/01/2003 – 17:07:25</i>	<i>20/02/2003 - 15:15:46</i>
<b>8</b>	<b>3386567958</b>	<i>JAUREGUI CRIBILLERO GISSELLA MILAGROS, nata il 25/12/1981 in PERU'</i>	<i>08/08/2002 – 01:01:44</i>	<i>18/02/2003 - 11:50:44</i>
<b>9</b>	<b>3389383879</b>	<i>AGOSTINI CARLA, nata il 18/01/1926 a Mandello Del Lario (LC)</i>	<i>16/01/2003 – 11:34:54</i>	<i>17/02/2003 - 14:48:00</i>
<b>10</b>	<b>3398675142</b>	<i>LODI DONATELLA, nata il 07/04/1968 a CENTO (FE)</i>	<i>11/01/2003 – 17:13:43</i>	<i>20/02/2003 - 15:51:25</i>
<b>11</b>	<b>3343101143</b>	<b>No registration name</b>	<b>28/10/2002 – 20:46:51</b>	<b>18/02/2003 - 11:10:50</b>
<b>12</b>	<b>3343099527</b>	<i>RIVA BENIAMINO E C. SNC</i>		
<b>13</b>	<b>3343176579</b>	<i>DISCOVERY SRL</i>	<i>22/01/2003 – 22:07:39</i>	<i>17/02/2003 - 19:29:40</i>
<b>14</b>	<b>3343211730</b>	<i>RIVA BENIAMINO E C. SNC</i>	<i>06/12/2002 – 22:14:20</i>	<i>18/02/2003 - 10:53:04</i>
<b>15</b>	<b>3397946739</b>	<i>TIMOFTE MIHAI, nato il 21/09/1973 in ROMANIA</i>	<i>08/01/2003 – 18:38:00</i>	<i>23/02/2003 - 03:47:08</i>
<b>16</b>	<b>3398581994</b>	<i>TIMOFTE MIHAI, nato il 21/09/1973 in ROMANIA</i>	<i>28/12/2002 – 15:02:41</i>	<i>17/02/2003 - 18:50:45</i>
<b>17</b>	<b>3409849532</b>	<i>ADLER MONICA COURTNEY, nata il 02/02/1973 in USA</i>	<i>11/01/2003 – 13:57:01</i>	<i>18/02/2003 - 17:50:50</i>

*As mentioned before the phones from number 1 to 11 were physically on the spot of the kidnapping, and used the three radiobase cells that we put in evidence in the map, the phones from number 12 to 17 were in the surroundings, about 1 km distance, and in contact with the other eleven even in the moments previous to the action.*



**E. 1) Analysis of the traffic of the 17 mobile phones that were present, at the time of the kidnapping, on the spot or in the surroundings. General data and valuations.**

The analysis of the phone traffic produced by the above mentioned phones has given, since the beginning, elements confirming the theory that the users of these phones were actually the operative group that materially effectuated the kidnapping of the Egyptian **Nasr Osama Mustafa Hassan @ Abu Omar**, allowing at the same time to focus the investigative attention on the milieu of the cd "American intelligence".

Elements that are perfectly coherent with the reconstruction of the action, given by declarations, specially those of the Egyptian **Elbadry Mohamed Reda** who gave us details of the kidnapping in Italy, having been called from Egypt by **Abu Omar**, who had just been liberated after one year in jail.

At this point, we shall examine few technical/investigative details, that directed the verifications towards a precise hypothesis:

- all the phones we put in evidence in the above tab. have had a short life, only few months. They started doing or receiving calls between the months of November 2002 and January 2003 – except n°5 (activated September 23, 2002), n°8 (activated August 8, 2002) and n°11 (activated October 28, 2002) – and they all stopped their activity between the 17<sup>th</sup> and the 23<sup>rd</sup> of February 2003 (the days that followed immediately Abu Omar's disappearance) , this period of time comprehend the preparatory and executive phases of the criminal event. This explains also the use of phone cards registered under fake names, in order not to permit the immediate individuation of the user;
- Controlling the calls issued from those phones, we noted that there were contacts with American phones in Virginia, contacts with the American Consulate in Milan, and some phones were registered under the names of American citizens, which traffic relative to that precise period was obtained.
- Four among the utilities present on the spot of the facts or in the nearby (**3343101143, 3343176579, 3343211730, 3397946739, N°11,13,14 AND 15**), after moving from via Guerzoni in Milan or from some other nearby street, **have been connected with the cells situated on the highway Milan-Aviano**, and after a period of time, which would be necessary to do this trip (about 5 hours), they all started connecting to cells situated in the surroundings of the Military base USAF in Aviano. This technical detail, goes hand in hand with the circumstances described by the witness **Elbadry Mohamed Reda**, who declared that Abu Omar told him on the phone that he has been transported to an American Military Base situated at about 5 hours distance from the place of the kidnapping, and that it could be Aviano. **We must add, that during the investigations, other 9 numbers of mobile phones were individualized, included the four the mentioned above. Some of them are registered under the name of American citizens that went from Milan to Aviano in the hours following the kidnapping.**
- One of the four phones mentioned above, that went to Aviano (n°13 **3343176579**) called three times a mobile phone **3356122879** registered under the name: 31 Contracting Squadron (Base USAF-Aviano) whose user we already mentioned and we will mention after, between 2.44pm and 4.32pm of the 17<sup>th</sup> of Feb 2003. We deduce that they called to communicate the arrival of the vehicles to the base of Aviano. **This phone was given and was used, at the moment of the facts, by the Ten. Col. Joseph L. III Romano, of the 31 SFS (Security Forces Squadron) Usaf, the American person responsible for the Security**

*of the Airport of Aviano, who controls the access to the airport. Col. Romano, after the facts, was transferred to the Pentagon 31P in Washington DC, where he presently works.*

- *One of the phones (n°15 – 3397946739) present in Via Guerzoni at the moment of the facts, once arrived to Aviano, headed straight back to Milan.*
- *Another phone (n°11 – 3343101143) left Aviano early the following day.*
- *Two of the numbers present in the surroundings of Via Guerzoni on the 17<sup>th</sup> of February 2003, (3386567958 and 3388952825 n° 8 and 4), have contacted during the month of January 2003, each one only one, a number registered under the name of the US Consulate in Milan, as follows:*

<i>- CALLING NUMBER</i>	<i>- CALLED NUMBER</i>	<i>- DATE/TIME</i>	<i>- DURATION</i>
<i>- 3388952825</i>	<i>- 0229035338</i>	<i>- 01.23.2003 9.02.27AM</i>	<i>- 0.00.24</i>
<i>- 3386567958</i>	<i>- 0229035388</i>	<i>- 01.31.2003 3.41.27 PM</i>	<i>- 0.00.45</i>

- *Those same numbers (3386567958 and 3388952825) have contacted, between January and February 2003, the Vodaphone number 3480614737 registered under the name of the American citizen **Suddath Barbara**, identified as **Barbara Patricia Suddath** born in Kansas City (USA), d.o.b. 8/12/1956. The documents shown to Vodaphone, state that the foreigner person is part of the staff of the American Diplomatic Representatives in Italy , working as a Technician and Administrative in the US Embassy in Rome. When she bought the SIM card, she gave as personal address: USA Consulate in Milan, Via Principe Amedeo, 2,*
- *The user of the Vodaphone Card registered under the name of **Suddath Barbara**, has been identified as **Robert Lady Seldon** born in Honduras, d.o.b. 5.2.1954, who was at the period of the facts, **the CIA responsible in Milan**. The number had contacts with the SIM Cards 3388952825, 3338579242 and 3386567958, which were all present in Via Guerzoni and around at the moment of the kidnapping.*
- *That same Vodaphone phone has been contacted three times, in February 2003, by another phone of the group (3338579242, n°5),*
- *One of the cell phones contacted during the months of January and February, four American numbers in the State of Virginia (two of those were contacted 4 times the day of the disappearance of **Nasr Osama Mostafa Hassan @ Abu Omar**, after 6 pm): **0017033392919 – 0017036092915 – 0017036093952 – 0017037291152**, which had contacts only with the number 3338579242 (registered under the name of Timofte Mihai, n°5), and the user was present on the spot and at the moment of the kidnapping;*
- *As a result of the complete analysis of the traffic of all the telephones (over 40), some of them registered under the name of American citizens, we can deduce that the users of those phones, or at least a great number of them, were also present on the way that **Abu Omar** usually took from his house to the mosque of Viale Jenner in the days preceding the facts, technical detail that confirms the direct participation of those persons to the planning of the criminal act, with evident preparatory activity for the location and the observation of the movements of the victim.*

*As anticipated, the complete analysis of the traffic generated by those phones, apart from confirming the relations existing between the users, has also put in evidence normal contacts with other cellular phones, some of them registered under the name of American citizens. We have asked to issue a decree to control their telephonic traffic.*

*After a complete control, we have noted several contacts with hotels in Milan and other towns in North Italy, with Car Rental Agencies, with Airlines Companies.*

*And so, following to those indications, the Judicial Police followed four directions:*

- 1. telephones controls (contacts between different numbers, identification of IMEI codes of each of the used phones and eventually other cards used on the same phones, movements of the users of the phones (available through the study of the Radiobase).*
- 2. Controls in Milan and other towns' hotels that have been contacted by the users of those mentioned phones.*
- 3. Controls of the Car Rental Agencies that have been contacted by the phones related to our enquiry.*
- 4. Controls with the society of the Highway (Telepass or Viacard) to be able to identify the eventual vehicles used for the action and the following moves during the 17<sup>th</sup> of February 2003, specially on the road from Milan to Aviano.*

*The information resulting from such controls has allowed us, at last, to identity several American citizens about whom we will talk in the present document, who are those who took part, under different roles, to the planning and the execution of the kidnapping of the Egyptian Abu Omar.*

*In some cases, we have been able, with a reasonable margin of sureness, to attribute to each one the phone card he was using on the spot of the facts (Via Guerzoni); those persons have then had an operational part in the action.*

#### **E. 2) Phone controls – 17 cards**

*All contacts between the phones resulting from the enquiries, dates of activation and suspension, details of registration, identification of the real users and verification of their presence in important areas for the enquiry, are stated in TABLE 2, which will be the argument of the following paragraph M. Following you can find the details of the telephonic traffic relative to the 17 phones indicated in TABLE 1. For details regarding the phone cards, please consult the report dated 19<sup>th</sup> February 2005 made by Sovr. Germano Canil and V. Sovr D'Urso, enclosed to the Digos report dated 24th February 2005.*

*To make the comprehension of the controls easier, we will start immediately examining the general traffic of the phone n°17, only SIM card of VODAFONE that was immediately individuated (**Adler Monica Courtney**). Following you will find the general traffic of all other phones, using the numbers already used in TABLE 1 (from 1 to 16)*

#### **PHONE # 17**

*The VODAFONE number 3409849532 (n°17) is registered under the name of the American citizen **Adler Monica Courtney**, and has been activated on the 11<sup>th</sup> of January 2003 by **Cabra sas – Galleria di testa Stazione Centrale – Milano** (Milan Central Railway Station)*

*Verifications made with the VODAFONE Company have brought us to the complete identification of the owner of the card, who, at the moment of the purchase, produced her international driving*

licence n° 66605387 delivered by the American authority of Heathrow (Florida) on the 3<sup>rd</sup> of April 2002, valid one year, to **Adler Monica Courtney**, born in Seattle (Washington – USA), d.o.b. February 2<sup>nd</sup>, 1973, resident in Arlington (Virginia – USA). Copy of this document is included.

This Vodafone number, as described before, has attracted the attention of this Judicial Police because it has been in contact with other phones present on the spot (Surroundings of via Guerzoni), but without activating the radiobase cells which were missing on the spot. Though certainly it was very near (about few hundreds meters) because it has activated Via Crespi's cell.

By the traffic produced by the card (all.17 to report 24.2.05), we note that the user, among others, has had since the 11<sup>th</sup> of January to the 18<sup>th</sup> of February 2003, contacts with the following numbers:

- **3398675142 – 3397946739 – 3389383879 – 3388952825 – 3387079723 – 335436970 – 3338577471 – 3337642102** (respectively numbers 10,15, 9, 4, 3, 7, 6, and 2 of TABLE 1) that were present on the spot of the facts of the 17<sup>th</sup> of February 2003, all reported on the graphic with a small yellow number (0,1);
- with a VODAFONE card **3470502758** registered under the name of the American citizen **Channing Drew Carlyle**. Verifications effected with the Vodafone company permitted the identification of the above, who at the moment of the purchase of the SIM card, has showed an American Passport n° 017121103 (the telephone company provided us with a copy) delivered to **Channing Drew Carlyle**, d.o.b. 24.6.65 in New York.
- With several TIM phone cards that resulted being registered under the name of American citizens. Among them: **3387570941** registered under the name of **Castellano Victor – 3387570943** registered under the name of **Duffin John Kevin – 3333504739** registered under the name of **Eliana Isabella Castaldo – 33330226990** registered under the name of **Jenkins Anne Lidia – 3387905706** registered under the name of **Logan Cynthia Dame**. The above American citizens owners of the above mentioned TIM phone cards, after verifications made with hotels or car rental agencies, which we will mention further in this document, have been identified as as being:
  1. **Castellano Victor** d.o.b. 1.5.1968 in Texas, American passport n° 015914097;
  2. **Duffin John Kevin** d.o.b. 3.5.1952 in the US, American passport n° 016434535;
  3. **Castaldo Eliana Isabella**, d.o.b. 14.11.1969, in Florida, American passport n° 026138038;
  4. **Jenkins Anne Lidia** d.o.b. 24.9.1946 in Florida, American passport n° 0166698784;
  5. **Logan Cynthia Dame** d.o.b. 1.5.1960 in Maryland, American passport n° 016430730.
- With a land line in Milan **0267385960** registered at the name of the car rental agency Sicily by Car srl.

#### PHONE # 1

The TIM number **3336364075 (#1)** is registered under the name of the company **Riva Beniamino e C. SNC. V.le Giovanni XXIII, 21 Molteno (LC)**. Verifications (as per report dated February 19<sup>th</sup>, 2005 made by sovr.te Germano Canil and by Vice sovr.te Mario D'Urso, and also report dated February 24<sup>th</sup>, 2005) with this company allowed us to verify that the card was part, together with cards relative to phones 12 and 14, of a purchase of a TIMMY Light Nokia 3510 made by the company PENTA srl di Piombino Dese (PD) (company which has stopped its activity) from **Riva Beniamino and C.** in November 2002. On the 21<sup>st</sup> of March 2005, Milan Digos sent to the Public Prosecutor copy of the report on the Penta srl made by Venice Digos, in which it results that, according to declarations of some persons who worked in this society (Ranzato Giorgio, Quaggia Daniele and Pravato Samanta), none of those three could provide with useful indications about the purchase of those phone cards: on the contrary, it was noted that the purchases were made without asking the personal data of the buyer, thing which is required is by VODAFONE OMNITEL but not from TIM. Moreover, the Penta does not have any record of their activity, since Mr Ranzato, on

the 26<sup>th</sup> of May 2003, has sold the company to a Roman trader (which transferred the company to Rome), and the shop on the 29<sup>th</sup> of May 2003, was sold to company Audio Planet di Linda Rostellato, that has also taken the stock of merchandise available in the shop.

Verifications made on the card (graphic 1 and report of Milan Digos dated 24.2.2005), allowed us to note that the user has had contacts in the period going from the 6<sup>th</sup> of December 2002 and the 17<sup>th</sup> of February 2003, with the following phones:

- **3389383879 – 3388952825 – 3386567958 – 335436970 – 3343176579 – 3343101143 – 3338579242 – 3338577471 – 3398581994** (numbers 9, 4, 8, 7, 13, 11, 5, 6, 16 of TABLE 1) who were present on the spot of the facts of the 17<sup>th</sup> of February 2003, all designed with a small yellow number in the graphic (0,1)
- **with a TIM phone card 3387905706** registered under the name of the American citizen **Logan Cynthia Dame** whom we have mentioned before.

## PHONE # 2

The TIM number **3337642102 (#2)** registered under the name of the Rumanian citizen **Timofte Mihai** d.o.b. 21.9.73 in Botosani (Rumania) resident in Carate Brianza, Viale Brianza 51, has been sold by **MI.BA. di Caspani Liliana & C. via Lorenteggio 35 – Milan**.

We believe that the name of the owner is fake: when we met Mr **Timofte** on the 3<sup>rd</sup> February 2005, he declared that he never used those phones registered in his name, and that he had bought a VODAFONE card from the above mentioned company of Via Lorenteggio to whom he gave copy of his identification documents.

The name of the foreigner citizen has been most probably used by the dealer to register various SIM cards (several phones result being registered under the name of Timofte Mihai). Mr Mihai also said that also last spring he had been convoked by the Carabinieri of Carate Brianza to be heard as witness regarding some phone cards registered under his name and used by unknown criminals. According to the report sent to the Public Prosecutor dated 3.3.05 made by the Stazione dei Carabinieri di Carate Brianza, Timofte Mihai is a mason, married, “of normal moral and civic behaviour”, which has already given declarations twice regarding the phone cards (different from those of this procedure) which were activated by credit cards which provenience was criminal. The enquiries have not brought any result and so the Court of Tortona and Busto Arsizio now proceed against unknown.

Milan Digos issued a report dated 19<sup>th</sup> February 2005 made by sovr.te Germano Canil and Vice sovr.te Mario d’Urso, that Mr Marco Celestino, manager of the **MI.BA. Maialarelli** shop was listened to, and that he had declared that all documents regarding business going from 1997 to 2004 had been given to TIM company, and so he could not give any indication regarding phones 3.4.5.15.16 registered in the name of Timofte and sold by MI.BA, and phone 8 registered under the name of **Jauregui Cribillero Gisella Milagros**. He also added that he has been the manager of the shop only for one year and that before him, that job was done by Faticati Barbara, who is on a leave for maternity.

By the traffic produced by the card (see graphic 2 report dated 24.2.05 Milan Digos) we notice that the user has had contacts with the following phones the period going from the 30<sup>th</sup> of December 2002 to the 21<sup>st</sup> of February 2003:

- **3398675142 – 33889522825 – 3387079723 – 335436970 – 3338577471** (respectively numbers 10, 4, 3, 7, 6 of TABLE 1). All of them were present on the spot of the facts on the 17<sup>th</sup> of February 2003, and evidenced with a small yellow number in the graphic.
- **With the VODAFONE card phone 3409849532** registered under the name of **Adler Monica Courtney**;

- **With** hotels, particularly the **041710400** of the Sofitel group in Venice.

#### PHONE #4

The TIM phone **3388952825 (number 4)** also registered under the fake name of **Timofte Mihai**, has been sold by **MI.BA. di Caspani Liliana & C. via Lorenteggio 35 – Milan**.

The telephone contacts of the user of the phone are particularly interesting, as we will specify hereafter. In fact, this phone has had contacts with several VODAFONE cards registered to the staff of the American diplomatic delegation in Italy.

From the verification of the card (as per graphic 4, Milan Digos report dated 24.2.05), we note that the user, between the 8<sup>th</sup> of January 2003 and the 23<sup>rd</sup> of February 2003, contacts with the following phones:

- **3398675142 – 3397946739 – 3387079723 – 335436970 – 334101143 – 3338579242 – 338577471 – 3337642102 – 3336364075** (respectively numbers 10, 15, 3, 7, 11, 5, 6, 2, 1 of TABLE 1) who were present on the spot of the facts of the 17<sup>th</sup> of February 2003, all evidenced with a small yellow number in the graphic.
- With other VODAFONE phone cards registered under the name of American citizens, among them: **3409849532 Adler Monica Courtney – 3483948952 De Sousa Sabrina – 3406958386 Kirkland James Robert – 3480614737 Suddath Barbara – 3470408060 Galisai Mario**.

Verifications with the VODAFONE company allowed us to the complete identification of the above mentioned persons as follows:

#### **ADLER MONICA COURTNEY** (See PHONE 17)

**SUDDATH BARBARA**. At the moment of the purchase of the SIM card from the VODAFONE company, this person has produced an Italian identification document (Identity Card) N. 61516 delivered on the 15.7.99 (expiry 14.7.2001) by the Italian Ministry of Foreign Affairs at the name of **Barbara Patricia Suddath** d.o.b. 8.12.1956 in Kansas City (USA). A copy of this document is enclosed. Suddath is part of the staff of the **American Diplomatic Representatives in Italy – Technician and Administrative at the US Embassy in Rome**. From the analysis of the traffic generated by this phone (details will follow hereafter), it has been possible to attribute the use of the SIM Card in question to the American citizen **Robert Lady Sheldon**, in employment at the American Consulate as CIA responsible.

**KIRKLAND JAMES ROBERT**. At the moment of the purchase of the SIM Card he produced the American passport n° 045032045 delivered by the Passport Agency of Miami on the 1<sup>st</sup> of October 1998 (expiry 30<sup>th</sup> September 2008) to **Kirkland James Robert** d.o.b. 13<sup>th</sup> July 1942 in Tennessee (USA)

According to controls made with the VODAFONE company, this phone registered under the name of **GALISAI MARIO**, has been effectively purchased by the American citizen **CHANNING DREW CARLYLE** and by pure mistake assigned by the telephone company to GALISAI, which is absolutely not involved in our enquiry. You will find enclosed the copy of the American passport of CHANNING d.o.b. 24.6.65 in New York (report of Milan Digos dated 24.2.05)

**DE SOUSA SABRINA**, at the moment of the purchase of the SIM card from VODAFONE, has produced, among others, her Italian document (Identity Card) n° 67292 delivered on the 18.3.99

(expiry 17.3.2003) by the Italian Ministry of Foreign Affairs (copy enclosed) to SABRINA D. DE SOUSA d.o.b. 19.11.1955 in Bombay (India). This person is part of the staff of the **American Diplomatic representatives in Italy – Second Secretary of the Embassy in the USA Embassy in Rome. This person is known at the Digos** (as per report dated 24.2.05) **because she has been a CIA Agent operating in the Milan American Consulate.**

Regarding the documented phone connections between DE SOUSA and the group under enquiry, we must declare that those are limited and rare. DE SOUSA had contacts only with number **3388952825** as specified below:

CALLING NUMBER	CALLED NUMBER	DATE/TIME	DURATION
0039338895825	00393483948952	23.01.2003 / 2.41.17PM	0.00.13
0039338895825	00393483948952	29.01.2003 / 9.17.04pm	0.00.14

- with several TIM phone cards registered under the name of American citizens, among them : **3387570941 CASTELLANO VICTOR – 3387570943 DUFFIN JOHN KEVIN – 3333504739 ELIANA ISABELLA CASTALDO – 3333026990 JENKINS ANNE LIDIA – 3387905706 LOGAN CYNTHIA DAME**, who have all been identified,
- with the United States American Consulate in Milan number **0220035388**,
- with numbers in Milan: among them the number of the HOTEL PRINCIPE DI SAVOIA and HOTEL TOURING. (For verifications on hotels see paragraph F).

#### PHONE # 5

Also this number **3338579242 (n°5)** is registered under the fake name of the Rumanian citizen TIMOFTE MIHAI and has been sold by MI.BA. di Caspani Liliana & C. via Lorenteggio 35 – Milan.

From the traffic issued by the card (see graphic 5 and Milan Digos report dated 24.2.05) we note that the user, during the period going from the 23<sup>rd</sup> of September 2002 to the 20<sup>th</sup> of February 2003, has had contacts with the following number:

- **3398675142 – 3398581994 – 3397946739 – 3388952825 – 335436970 – 3338577471 – 3336364075 (Respectively numbers 10,16, 15, 4, 7, 6, 1 TABLE 1)** which were present on the spot of the facts on the 17<sup>th</sup> of February 2003, evidenced in the graphic with a small yellow number (0,1)
- with several VODAFONE phone cards registered under names of already identified American citizens, among them: **3406958386 KIRKLAND JAMES ROBERT – 3470408060 GALISAI MARIO – 3470502758 CHANNING DREW CARLYLE – 3480614737 SUDDATH BARBARA**.
- with several TIM phone cards registered under names of American citizens, among them: **3387570943 DUFFIN JOHN KEVIN – 3387570941 CASTELLANO VICTOR**, whom we have already mentioned before.
- With four American land lines numbers in the State of Virginia (the two underlined numbers have been contacted 4 times each the day of the disappearance of **NASR OSAMA MOSTAFA HASSAN @ ABU OMAR**, the first two times at the moment or immediately after the arrival of the kidnapped person to Aviano, and the others after 6pm): **0017033392919 – 0017036092915 – 0017036093952 – 0017037291152**. Following, please find details of those contacts which occurred in the months of January and February 2003:
  - a) the number **0017033392919** has been called on the 13<sup>th</sup> of February 2003 at 10.11.42pm;
  - b) the number **0017036092915** has been called on the 30<sup>th</sup> of January 2003 at 11.55.38pm, the 1<sup>st</sup> of February 2003 at 11.43.13pm, the 2<sup>nd</sup> of February at 10pm, the 4<sup>th</sup> of February 2003 at 11.41pm, the 5<sup>th</sup> of February 2003 at 11.11pm, the 6<sup>th</sup> of February at 11.18pm, at

11.38pm and at 11.52pm, the 7<sup>th</sup> of February 2003 at 9.19pm and at 9.21pm, the 8<sup>th</sup> of February 2003 at 10.27pm, the 9<sup>th</sup> of February 2003 at 10.51pm, the 10<sup>th</sup> of February at 9.04pm, the 11<sup>th</sup> of February 2003 at 9.50pm and at 11.05pm, the 12<sup>th</sup> of February at 10.34pm, the 14<sup>th</sup> of February 2003 at 10pm, the 17<sup>th</sup> of February 2003 at 4.48pm, at 4.50pm, at 6.11pm and at 6.37pm;

- c) the number 0017036093952 has been called on the 30<sup>th</sup> of January 2003 at 11.32pm,
- d) the number 0017037291152 has been called on the 27<sup>th</sup> of January 2003 at 11.36pm, the 28<sup>th</sup> of January 2003 at 00.02am, at 11.50pm and at 11.52pm, the 29<sup>th</sup> of January at 11.56pm, the 31<sup>st</sup> of January 2003 at 11.55pm, the 1<sup>st</sup> of February 2003 at 11.41pm and at 11.54pm, the 2<sup>nd</sup> of February at 00.02am, the 3<sup>rd</sup> of February 2003 at 11.10pm, the 5<sup>th</sup> of February 2003 at 11.08pm, the 9<sup>th</sup> of February 2003 at 10.50pm and at 11.29pm from number 3338579242, the 10<sup>th</sup> of February 2003 at 10.10pm, the 11<sup>th</sup> of February at 10.25pm, the 12<sup>th</sup> of February 2003 at 10.32pm, the 13<sup>th</sup> of February 2003 at 10.11pm, the 15<sup>th</sup> of February 2003 at 9.47pm, the 16<sup>th</sup> of February at 10.06pm, the 17<sup>th</sup> of February 2003 at 6.09pm, at 6.14pm, at 6.16pm and at 11.31pm, the 18<sup>th</sup> of February 2003 at 00.28am.

*We ignore under which name those four American numbers in the State of Virginia are registered; in fact, it has not been possible, for obvious reasons of investigative secrecy, to ask for a formal judicial assistance to the US authorities. The GIP of Milan will obviously ask for this verification. And also for other foreign numbers that have appeared during the enquiry, which are important because they can explain facts and relative responsibilities.*

- with several land line numbers in Milan. Regarding controls on hotels please see paragraph F.

#### PHONE # 6

The TIM number 3338577471 (n°6) is registered under the name of **Kolaze & Ghelon srl – Piazzale Baracca 4, Milan**, who is the dealer which effectively sold the SIM Card relative to this number.

Regarding this number – also number 3397672462 – the manager of the shop, Paganini Sara, in a hearing on the 15<sup>th</sup> of February 2005, declared that the two numbers have been activated by the Kolaze & Ghelon srl in December 2002, and then given on the 7.1.03 to company SORAYA TELEFONIA MOBILE, DI YOUSEFZADEH SALIMI MAJEED, Piazza Lima 3 Milano, (enclosed invoice relative to the purchase). Mrs Paganini also said that she ignored why the purchaser left the cards under the name of Kolaze & Ghelon srl. SORAYA TEL. MOBILE does not exist since 2004, and so we could not get a documentation relative to those phone cards.

From the traffic produced by the card (see graphic 6 and Milan Digos report dated 24.2.05) we note that the user, in the period going from December 21<sup>st</sup> 2002 and February 22<sup>nd</sup> 2003, has had contacts with the following numbers:

- 3398675142 – 3397946739 – 3388952825 – 335436970 – 3338579242 – 3337642102 – 3336364075 – (respectively numbers 10, 15, 4, 7, 5, 2, 1 TABLE 1) who were present on the spot of the facts on the 17<sup>th</sup> of February 2003, all evidenced in the graphic by a small yellow number (0,1)
- with several VODAFONE phone cards registered under the name of American citizens, among them: 3409849532 **ADLER MONICA COURTNEY** – 3406958386 **KIRKLAND JAMES ROBERT** – 3470408060 **GALISAI MARIO** – 3470502758 **CHANNING DREW CARLYLE**. All those persons have been identified.
- With several TIM phone cards registered under the name of American citizens, among them: 3387570943 **DAFFIN JOHN KEVIN** – 3333504739 **ELIANA ISABELLA CASTALDO** –



**3333026990 JENKINS ANNE LIDIA – 3387905706 LOGAN CYNTHIA DAME**, who have all been identified, and phone card **3386410348 SOFIN JOSEPH** who has been identified as American citizen d.o.b. 13.2.153 in Moldavia, passport n° 016138217;

- Several Italian hotel numbers, specially in Milan, Venice and Florence;
- Several car rental agencies. (for verifications see paragraph F and G)

#### PHONE # 7

The TIM number **335436970 (N°7)** has been sold by **Kolaze & Ghelon snc Piazzale Baracca 4, Milan** and bears the fake name of **De Lucci Davide** d.o.b. 16.5.64 in Bari, residing in Milan Via Domenichino19, jeweller.

During a hearing as a witness on the 28<sup>th</sup> of January 2005, Mr De Lucci has declared that he never used that card, and that in the past, he had purchased other cards in that same shop in Piazzale Baracca (that he mistakenly, not remembering, calls Chelaze & Ghelon). He also said that in February 2003, he has bought a rechargeable TIM phone card not from a shop, but from a person who worked in the phone business and that he had met while doing his normal activity of jeweller, a man called ALLEN BUDA, but he could not add anything else about this person.

From the traffic produced by the card (graphic 7 and Milan Digos report dated 24.2.05) we note that the user has had, in the period going from January 14<sup>th</sup> 2003 to February 20<sup>th</sup> 2003, contacts with the following numbers:

- **3398675142 – 3397946739 – 3388952825 – 3387079723 – 3338579242 – 3388577471 – 3337642102 – 3336364075 (Respectively numbers 10, 15, 4, 3, 5, 6, 2, 1 TABLE 1)** who were present on the spot of the facts on the 17<sup>th</sup> of February 2003, all evidenced in the graphic with a small yellow number (0,1)
- with several VODAFONE phone cards registered under the name of American citizens, among them: **3409849532 ADLER MONICA COURTNEY – 3406958386 KIRKLAND JAMES ROBERT – 3470408060 GALISAI MARIO**, who have all been identified.
- With several TIM phone cards registered under the name of American citizens, among them: **3387570943 DUFFIN JOHN KEVIN – 3333504739 ELIANA ISABELLA CASTALDO – 3333026990 JENKINS ANNE LIDIA – 3387905706 LOGAN CYNTHIA DAME – 3387570941 CASTELLANO VICTOR**, who have all been identified.
- Several numbers of Hotels in Milan,
- One land line number **0286463454, Europcar**, Car rental agency in Milan.
- Few numbers of Airlines companies: Lufthansa and United Airlines.

For verifications made on hotels and car rental agencies please see paragraph F and G.

#### PHONE # 8

The TIM phone **3386567958 (n°8)** registered under the fake name of **Jauregui Cribillero Gisella Milagros** has been sold by **MI.BA di Caspani Liliana & C° via Lorenteggio 35 – Milan**.

Mrs **Jauregui**, has declared on the 4<sup>th</sup> of Feb 2005 that she has never used the TIM card **3386567958**, and that she had, in the past, purchased a TIM card from a dealer in Via Lorenteggio, at the corner with Via Tolstoi, which is MI.BA. This card has been stolen to the lady about two years ago, inside the phone which used it, in a disco in Milan. Mrs Jauregui also declared that she had lost, about three years ago, her passport in the Ufficio Anagrafe in Baggio (Milan) and that it was returned to her about one month later.

From the traffic produced by the card (see graphic 8 and Milan Digos report dated 24.2.05) we note that the user has had, in the period going from the 8<sup>th</sup> of August 2002 to the 18<sup>th</sup> of February 2003, contacts with the following phones:

- **3398675142 – 3398581994 – 33893383879 – 3343101143 – 3336364075 (Respectively numbers 10,16,9,11,1 table 1)** who were present on the spot of the facts of the 17<sup>th</sup> of February 2003, all evidenced in the graphic with a small yellow number (0,1)
- with the VODAFONE card **3480614737** registered under the name of the American citizen **Suddath Barbara**,
- with a number of telephone in Milan **0220035388**, the number of the US Consulate in Milan,
- with a number of telephone in Milan **0248008435**, the number of the American citizen **Lady Robert Seldon** whom we have already mentioned.

#### PHONE # 9

The TIM number **33893383879 (n°9)** registered under the name of **Agostini Carla** has been released on the 27<sup>th</sup> of February 2002 to Master spa, via degli Arrotini 2 – Leghorn, and activated on the 14<sup>th</sup> of January by the dealer **Rivolta srl** in **via Macchi 26**, in Milan.

**Mrs Agostini** is another fake name, as she is an old lady born in 1926, residing in Monza where she has been heard at the Police Office. She has declared never having used the card relative to this paragraph, but she has used the number 3388471140 which was given to her by her brother in law Angelotti Fabio, who had bought it on the 27<sup>th</sup> of February 2002 from the shop **On Air di tale Luca Fantasia, via Vitruvio 47 – Milan**. The Digos, in a report dated 2<sup>nd</sup> of March 2005, noted that the shop in question is only few meters distant from the shop **Rivolta srl di via Macchi 26 Milan**, where, on the 23<sup>rd</sup> of January 2003, under the name of the woman, was registered the phone n°9. According to the report dated 19<sup>th</sup> of February 2005 made by sovr.te Germano Canil and Vice sovr.te Mario D'Urso, the shop Rivolta stopped its activity and has sold the shop.

From the traffic produced by the card (see graphic 9 and Milan Digos report dated 24<sup>th</sup> of February 2005), we note that the user in the period going between the 16<sup>th</sup> of January 2003 to the 17<sup>th</sup> of February 2003 had contacts with the following phones:

- **3387079723 – 3386567958 – 3343211730 – 3343176579 – 3343101143 – 3343099527 – 3336364075 – 3398581994 – (respectively numbers 3, 8, 14, 13, 11, 12, 1, 6 table 1)** who were present on the spot on the 17<sup>th</sup> of February 2003, evidenced in the graphic with a small yellow number.
- With a VODAFONE phone card **3409849532** registered under the name of **Adler Monica Courtney**
- With a WIND phone card **3291242728** registered under the name of **Roling Maria Irlei**.
- With a green number AVIS rent a car spa.

#### PHONE # 10

The TIM phone **3398675142 (n°10)** registered under the name of **Lodi Donatella**, has been assigned by Tecnodiffusione Italia spa ex Vobis in Via Firenze 2/4 of Ponsacco and has been recharged on the 13<sup>th</sup> of February 2003 by Vobis of via F. Filzi in Milan. But according to the report made on the 19<sup>th</sup> of February 2005 by sovr.te Germano Canil and Vice sovr.te Mario D'Urso, Vobis has moved and to this moment we ignore the new address.

On the 14<sup>th</sup> of February 2005, Mrs Lodi (dob 07.04.68 in Cento FE) declared to the DIGOS of Ferrara, that she has never possessed that TIM card, but that she had activated a card number **3398674412** (the number is very similar to the other, only the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> numbers after the code

are different) at the shop Strabilia di Pavanelli Alessandro in Funo (BO) in via Galliera 60/2. That number had been used by her son Luca Baldissara.

By the traffic produced by the Sim card (graphic 10 and report dated 24<sup>th</sup> of February 2005 of Milan Digos) we note that the user, during the period that goes from the 11<sup>th</sup> of January 2003 and the 20<sup>th</sup> of February 2003, has had contacts with the following numbers:

- **3388952825 – 3387079723 – 3386567958 – 335436970 – 3338579242 – 3338577471 – 3337642102 (respectively numbers 4,3,8,7, 5, 6, 2 table 1)** who were present on the spot of the facts on the 17<sup>th</sup> of February 2003, all evidenced in the graphic with a small yellow number (0,1).
- With several VODAFONE phone cards registered under the name of American citizens. Among those: **3409849532 ADLER MONICA COURTNEY – 3470502758 CHANNING DREW CARLYLE** – of whom we have already spoken above.
- With a TIM phone card **3387905706** registered under the name of the already identified American citizen **Logan Cynthia Dame**,
- With the number of the Hilton International in Milan. Please see following paragraph F.

#### PHONE # 11

The TIM number **3343101143 (N°11)** has been assigned on the 2<sup>nd</sup> of October 2002 to the dealer Telebuna di Bucarelli C. piazza V. Emanuele II 96 in Rome, and has been recharged with ricaricard on the 26<sup>th</sup> of January 2003 and on the 7<sup>th</sup> of February 2003. The enquiry is still proceeding.

By the traffic produced by the Sim card (see graphic 11 and Milan Digos report dated 24<sup>th</sup> of February 2005) we note that during the period going between October 8.2002 and February 8, 2003, the user has had contacts with the following phones:

- **3389383879 – 3388952825 – 3386567958 – 3343211730 – 3343176579 – 3343099527 – 3336364075 – 3398581994 (Respectively numbers 9, 4, 8, 14, 13, 12, 1, 16 table 1)** who were all present on the spot of the facts on the 17<sup>th</sup> of February 2003, evidenced in the graphic with a small yellow number (0,1)
- with a VODAFONE card phone **3470408060** registered under the name of **Galisai Mario**, which, as we have already seen, has been effectively purchased by the American citizen **Channing Drew C.**,
- with a TIM phone card **3387570943** registered under the name of **Duffin John Kevin**.
- With a German cellular phone **00491754359439** which investigation is still going on. At that period, that phone was in roaming in Italy and activated the cell radiobase at the USAF base of Aviano, as follows:

- CALLING NUMBER	- CALLED NUMBER	- DATE/TIM E	- DURATIO N
- 0039334310114 3	- 0049175435943 9	- 26.01.03- 7.51.12PM	- 0.00.37
- AS ABOVE	- AS ABOVE	- 27.01.03 – 11.43.22 AM	- 0.00.34
- AS ABOVE	- AS ABOVE	- 27.01.03 – 2.00.39PM	- 0.00.27

#### PHONE # 12

The TIM phone **3343099527 (n°12)** is registered under the name of **Riva Beniamino e C. v.le Giovanni XXIII, 21 Molteno (LC)**. After verifications made with the dealer (see phone #1), it appeared to us that this phone was part of a lot of TIMMY Light Nokia sold in November 2002 to company PENTA srl di Piombino Dese (PD), this company has ceased its activity. We have already pointed out that it has been impossible to have any details regarding the sale of this phone.

By the traffic produced by the Sim card (graphic 12 and Milan Digos report dated 24<sup>th</sup> of February 2005), we note that the user has had contacts with the following phones:

- **3343211730 – 3343176579 – 3343101143 – 3389383879 (respectively numbers 14.13. 11. 9 table 1)** who were present on the spot of the facts on February 17<sup>th</sup> 2003, all evidenced in the graphic with a small yellow number (0,1),
- with a WIND phone card **3291242728**, registered under the name of **Roling Maria Irlei**, about whom we will talk further in this document.

### PHONE # 13

The TIM number **3343176579 (n°13)** is registered under the name of **Discovery srl**. The verifications (see report dated 19<sup>th</sup> February 2005 made by sovr.te Germano Canil and vice sovr.te Mario D'Urso enclosed to report dated 24<sup>th</sup> February 2005), showed that it was part of a delivery of TIMMY Siemens C45 and Nokia 3330 made to the company Discovery of Milan, via Spartaco 16, by the company **Riva Beniamino e C. SNC v.le Giovanni XXIII, 21 Molteno (LC)**. The company DISCOVERY has moved from via Spartaco and the actual address is still unknown.

By the traffic produced by the Sim card (see graphic 13 and Milan Digos report dated 24<sup>th</sup> of February 2005) we note that the user has had contacts, the period going from 22<sup>nd</sup> January 2003 to 17<sup>th</sup> February 2003, with the following numbers:

- **3389383879 – 3343211730 – 3343101143 – 3343099527 – 3336364075 – 3398581994 (Respectively numbers 9,14,11,12,1,16 table 1)** who were present on the spot of the facts on February 17, 2003, all evidenced in the graphic with a small yellow number (0,1)
- with a SIM VODAFONE card **3470502758** registered under the name of the American citizen **Channing Drew Carlyle**, whom we have already mentioned.
- With a TIM phone card **3387570943** registered under the name of the already identified American citizen **Duffin John Kevin**,
- With a WIND phone card **3291242728** registered under the name of **Roling Maria Irlei**,
- With a Sim card **3356121879** registered under the name of 31<sup>^</sup> Contracting Squadron – Base Usaf Aviano, details as follow:

- CALLING NUMBER	- CALLED NUMBER	- DATE/TIM E	- DURATIO N
- 0039334317657 9	- 0039335612187 9	- FEB.17 2003 2.44.14PM	- 0.00.35
- AS ABOVE	- AS ABOVE	- FEB.17 2003 4.13.03PM	- 0.00.19
- AS ABOVE	- AS ABOVE	- FEB. 17 2003 - 4.32.02PM	- 0.00.14

The number **33561221879** registered under the name of 31<sup>^</sup> Contracting squadron – Base Usaf Aviano, has been intercepted in the period going from December 30, 2004 and January 13, 2005, verifying that it was a phone of the military base assigned to Lt. Col. **John Quattrone**, officer of the

*American Military Police, which has resulted not to be involved in the facts of our enquiry, as he has been assigned to Aviano base after the facts.*

*After verifications, and after a preliminary investigation made in Aviano by the Public Prosecutor on the 24<sup>th</sup> of February 2005, we have established, as already mentioned before, **That the phone had been assigned to be used, in the period of the facts, to Lt. Col. Joseph L. III Romano, commanding officer of the 31<sup>st</sup> SFS (Security Forces Squadron) Usaf, i.e, to the American responsible of the Security of Aviano Airport, who controls all accesses to the Airport.** Col. Romano, has been, after the facts, transferred to “Pentagon 31P” in Washington DC (USA) where he actually works (see *Compagnia Carabinieri Aeronautica di Vicenza* memo dated 25<sup>th</sup> February 2003).*

### **PHONE # 14**

*Also the TIM number 3343211730 (n°14) is registered under the name of **Riva Beniamino e C. SNC. V.le Giovanni XXIII, 21 Molteno (LC).** Enquiries (see Phone # 1) have showed that this phone was part of a lot of TIMMY Light Nokia 3510 sold in November 2002 to the company PENTA SRL of Piombino Dese (PD), who ceased its activity (see phone #1 for details relative to the company Penta and to the impossibility of individuating the purchasers of the sold Sim cards).*

*By the traffic produced by the Sim card (see graphic 14 and Milan Digos report dated Feb. 24, 2005), we can note that in the period going from December 6, 2002 to February 18, 2003, the user has had contacts with the following numbers:*

- **3389383879 – 3343176579 – 3343101143 – 3343099527 (respectively numbers 9,13,11,12 table 1)** who were present on the spot of the facts on February 17, 2003, all evidenced in the graphic with a small yellow number (0,1).
- With a VODAFONE Sim card **3470502758** registered under the name of the American citizen **Channing Drew Carlyle**, whom we have already mentioned before.
- With a TIM phone card **3387905706** registered under the name of the American citizen **Logan Cynthia Dame**, already identified,
- With the number in Rome, **06489929**, of the Marriott Grand Hotel Flora.

### **PHONE # 15**

*The TIM phone 3397946739 (n° 15) also bearing the name of the fictitious **Timofte Mihai**, has been sold by the company **MI.BA di Caspani Liliana & C. via Lorenteggio 35 – Milan.** Please see what has already been said about Mr Timofte and the declarations he made.*

*By the traffic produced by the Sim card (see graphic 15 and Milan Digos report dated Feb.24, 2005), we can note that the user, in the period going from January 8, 2003 to February 23, 2003, has had contacts with the following numbers:*

- **3388952825 – 3387079723 – 335436970 – 3338579242 – 3338577471 (TIM phones respectively numbers 4,3,7,5,6 table 1)** who were present on the spot of the facts on Feb. 17, 2003, all evidenced in the graphic with a small yellow number (0,1),
- with several VODAFONE phone cards registered under the name of American citizens. Among them: **3409849532 ADLER MONICA COURTNEY** (already mentioned before, number 17 in the table) – **3406958386 KIRKLAND JMES ROBERT** – **3470408060**

**GALISAI MARIO – 3470502758 CHANNING DREW CARLYLE.** All those persons have been identified.

- With several TIM phone cards registered under the name of American citizens. Among those: **3387570941 CASTELLANO VICTOR – 3387570943 DUFFIN JOHN KEVIN – 3333504739 ELIANA ISABELLA CASTALDO – 3387905706 LOGAN CYNTHIA DAME**, who have all been identified.
- With a fix number **0220035388**, Milan US Consulate.
- With numbers in Milan, among them the Hotel Principe di Savoia and Hotel Jolly Touring. Please see paragraph F for verifications on Hotels.

#### PHONE # 16

The TIM number **3398581994 (n° 16)** also registered under the fictitious name of **Timofte Mihai**, has been sold by **MI.BA di Caspani Liliana & C. via Lorenteggio 35 – Milan**.

By the traffic produced by the Sim card (see graphic 16 and Milan Digos report dated Feb 24, 2005), we can note that the user, between the 28<sup>th</sup> of December 2002 and the 17<sup>th</sup> of February 2003, has had contacts with the following numbers:

- **3389383879 – 3386567958 – 3343176579 – 3343101143 – 3338579242 – 3336374075 (respectively numbers 9, 8, 13, 11, 5, 1 table 1)** who were present on the spot of the facts on Feb.17, 2003, all evidenced in the graphic with a small yellow number (0,1)
- with a WIND phone card **3291242728** registered under the name of **Roling Maria Irlei**.
- Has received calls from different public phones: **064746192 AND 066793506** in Rome, respectively in Via Vittorio Veneto 2 and in Via del Tritone 56, which are situated very near from the American Embassy in Rome.

#### E. 3) Verifications on phones. Traffic of other Sim cards

We have also provided to do verifications on other Sim Cards we already mentioned from VODAFONE, TIM and WIND (mainly used by or registered under the name of American citizens) different from the 17 phones who were present on the spot of the facts and at the time of the kidnapping.

Milan GIP authorized verifications of following phone cards:

- **TIM 3387570941 CASTELLANO VICTOR**
- **TIM 3387570943 DUFFIN JOHN KEVIN**
- **TIM 3333504739 ELIANA ISABELLA CASTALDO**
- **TIM 3387905706 LOGAN CYNTHIA DAME**
- **TIM 3333026990 JENKINS ANNE LIDIA**
- **TIM 3386410348 SOFIN JOSEPH**
- **VODAFONE 3470502758 CHANNING DREW CARLYLE**
- **VODAFONE 3470408060 GALISAI MARIO**
- **VODAFONE 3406958386 KIRKLAND JAMES ROBERT**
- **VODAFONE 3480614737 ROLING MARIA IRLEI**
- **TIM 3337693263 and TIM 3337934123** both without any registration names
- **WIND 3201166281 and 3201166255** both without any registration names.

The analysis of the traffic produced by the above mentioned phones has given us more elements that permitted confirming that those phones were used by American citizens, who were also part of the

operative group responsible of the planning and execution of the kidnapping of the Egyptian citizen, **Abu Omar**.

For verifications made with phone cards dealers, please see report dated Feb.19, 2005 made by Sov. Canil and V.Sov D'Urso and Milan Digos report dated Feb 24, 2005)

**All contacts, and details relative to formal registration, activation and suspension, and to the identifications of the effective users and their location, are reported in TABLE 2, paragraph M.**

### **1. TIM 3387570941 CASTELLANO VICTOR**

This phone is registered under the name of **Castellano Victor**, d.o.b. 01.05.1968 in Texas, who has had contacts (see graphic 18 and Milan Digos report dated Feb 24, 2005) with following numbers: - **3338579242 – 335436970 – 3387079723 – 3388952825 – 3397946739 and 3409849532** (respectively numbers 5, 7, 3, 4, 15, 17 table 1) who were present on the sport of the kidnapping or in the neighbourhood on Feb 17, 2003. Details following:

<b>Calling number</b>	<b>Called number</b>	<b>Date/hour</b>	<b>duration</b>
00393397946739	00393387570941	20/01/2003 14.36	0.01.56
00393388952825	00393387570941	21/01/2003 12.21	0.01.10
00393409849532	00393387570941	21/01/2003 13.49	0.01.39
00393387570941	00393409849532	22/01/2003 21.35	0.00.31
00393387570941	00393409849532	22/01/2003 21.38	0.02.23
00393409849532	00393387570941	22/01/2003 22.55	0.01.16
00393388952825	00393387570941	23/01/2003 9.49	0.01.20
00393409849532	00393387570941	23/01/2003 21.19	0.00.10
00393409849532	00393387570941	23/01/2003 21.20	0.00.16
0039335436970	00393387570941	25/01/2003 12.03	0.00.20
00393409849532	00393387570941	25/01/2003 12.44	0.00.44
00393409849532	00393387570941	25/01/2003 12.55	0.00.14
00393409849532	00393387570941	25/01/2003 15.24	0.00.17
00393397946739	00393387570941	26/01/2003 14.27	0.01.08
00393388952825	00393387570941	26/01/2003 19.08	0.00.58
00393387570941	00393338579242	27/01/2003 16.58	0.00.03
00393387079723	00393387570941	27/01/2003 20.04	0.02.10
00393388952825	00393387570941	28/01/2003 9.00	0.00.41
00393387570941	00393388952825	28/01/2003 9.03	0.00.07
00393387079723	00393387570941	28/01/2003 9.28	0.00.48
00393387570941	00393387079723	28/01/2003 9.35	0.00.16
00393387570941	00393388952825	28/01/2003 9.37	0.01.14
00393388952825	00393387570941	28/01/2003 10.33	0.00.34
00393388952825	00393387570941	28/01/2003 11.42	0.00.33
00393387079723	00393387570941	28/01/2003 15.29	0.00.51
00393387570941	00393387079723	28/01/2003 15.36	0.00.23

<i>Calling number</i>	<i>Called number</i>	<i>Date/hour</i>	<i>duration</i>
00393387079723	00393387570941	28/01/2003 15.41	0.00.13
00393387570941	00393387079723	28/01/2003 16.12	0.00.30
00393387570941	00393387079723	29/01/2003 11.20	0.00.18
00393409849532	00393387570941	29/01/2003 11.33	0.01.30
00393387079723	00393387570941	29/01/2003 17.07	0.02.34
00393409849532	00393387570941	29/01/2003 17.20	0.00.39
00393387570941	00393387079723	29/01/2003 17.59	0.00.31
00393387079723	00393387570941	29/01/2003 18.32	0.00.29
00393338579242	00393387570941	29/01/2003 18.57	0.04.13
00393387079723	00393387570941	30/01/2003 11.04	0.00.26
00393409849532	00393387570941	30/01/2003 14.55	0.00.34
00393387570941	00393387079723	31/01/2003 8.54	0.01.13
00393409849532	00393387570941	31/01/2003 9.10	0.00.25
00393387570941	00393387079723	31/01/2003 9.23	0.00.17
00393387570941	00393409849532	31/01/2003 13.37	0.00.50
00393388952825	00393387570941	31/01/2003 14.54	0.00.32
00393387079723	00393387570941	31/01/2003 19.56	0.01.37
00393387079723	00393387570941	31/01/2003 20.22	0.00.45
00393409849532	00393387570941	01/02/2003 12.15	0.00.08
0039335436970	00393387570941	04/02/2003 9.51	0.00.29
00393387079723	00393387570941	04/02/2003 12.16	0.01.04
00393338579242	00393387570941	04/02/2003 15.38	0.01.11
00393387079723	00393387570941	04/02/2003 18.28	0.00.23
00393387079723	00393387570941	04/02/2003 19.09	0.01.40
00393387079723	00393387570941	04/02/2003 20.38	0.00.55
00393387079723	00393387570941	05/02/2003 17.51	0.00.56
00393387570941	00393409849532	05/02/2003 17.53	0.00.32
00393409849532	00393387570941	05/02/2003 22.27	0.00.12
00393387570941	00393409849532	06/02/2003 12.50	0.00.13
00393387570941	00393409849532	06/02/2003 12.51	0.01.10
00393387079723	00393387570941	06/02/2003 18.53	0.01.40
00393387079723	00393387570941	06/02/2003 20.35	0.00.34
00393387570941	00393409849532	07/02/2003 17.31	0.00.51
00393387079723	00393387570941	07/02/2003 18.29	0.00.54
00393409849532	00393387570941	07/02/2003 19.24	0.02.51
00393409849532	00393387570941	07/02/2003 20.50	0.00.11
00393409849532	00393387570941	07/02/2003 21.43	0.00.25
00393409849532	00393387570941	08/02/2003 10.47	0.01.57
00393397946739	00393387570941	08/02/2003 14.14	0.00.15
00393388952825	00393387570941	08/02/2003 19.16	0.05.15
00393409849532	00393387570941	08/02/2003 20.30	0.00.25



<i>Calling number</i>	<i>Called number</i>	<i>Date/hour</i>	<i>duration</i>
00393387570941	00393388952825	08/02/2003 21.48	0.00.35
0039335436970	00393387570941	09/02/2003 14.41	0.01.00
0039335436970	00393387570941	09/02/2003 14.54	0.00.39
00393387570941	00393338579242	09/02/2003 16.28	0.00.48

- *VODAFONE numbers 3406958386, KIRKLAND JAMES ROBERT and 3409849532 ADLER MONICA COURTNEY,*
- *American numbers in the State of Texas (from where Castellano comes from): 0012102709515 – 0012103928471 – 0012106494203 – 0012108842009,*
- *TIM numbers registered under American citizens names: 3387570943 DUFFIN JOHN KEVIN, 3333504739 ELIANA ISABELLA CASTALDO – 3333026990 JENKINS ANNE LIDIA.*

## **2. TIM 3387570943 DUFFIN JOHN KEVIN**

*The TIM phone 3387570943 registered under the name of the American citizen DUFFIN JOHN KEVIN d.o.b. 03.05.1952 in the USA, has had contacts with the following numbers (see graphic 19 and Milan Digos report dated Feb. 24, 2005).*

- *with the phones indicated in Table 1 whose users were present on the spot and in the moment of the kidnapping of the Egyptian citizen Abu Omar: 3397946739 TIMOFTE MIHAI, 338895825 TIMOFTE MIHAI, 3387079723 TIMOFTE MIHAI – 3338579242 TIMOFTE MIHAI – 3338577471 KOLAZE & GHELON SRL – 3343176579 DISCOVERY SRL – 335436970 DE LUCCI DAVIDE – 3343101143. The contacts are particularly intense, as you can note in the table as they are evidenced in yellow, on Feb. 17, particularly during the operative phases and immediately after the kidnapping of Abu Omar.*

<i>Calling number</i>	<i>Called number</i>	<i>Date/hour</i>	<i>duration</i>
00393338577471	00393387570943	19/01/2003 11.42.45	0.01.31
0039335436970	00393387570943	19/01/2003 12.11.09	0.00.15
00393338577471	00393387570943	19/01/2003 12.41.31	0.00.40
00393387570943	00393338577471	19/01/2003 13.07.14	0.00.35
00393387570943	0039335436970	19/01/2003 20.04.31	0.02.07
00393388952825	00393387570943	20/01/2003 12.42.22	0.01.55
00393387570943	00393388952825	20/01/2003 15.40.34	0.02.01
00393388952825	00393387570943	20/01/2003 16.05.44	0.01.22
00393387570943	00393388952825	20/01/2003 16.09.15	0.00.30
00393388952825	00393387570943	20/01/2003 18.05.53	0.01.25
00393387570943	00393388952825	20/01/2003 19.39.30	0.01.06
00393387570943	00393388952825	21/01/2003 13.10.58	0.00.32
00393387570943	00393388952825	21/01/2003 13.11.40	0.00.17
00393388952825	00393387570943	21/01/2003 18.19.50	0.03.44
00393388952825	00393387570943	21/01/2003 20.27.54	0.00.45
00393387570943	00393388952825	22/01/2003 12.48.51	0.00.44

<i>Calling number</i>	<i>Called number</i>	<i>Date/hour</i>	<i>duration</i>
00393387570943	00393388952825	22/01/2003 13.25.10	0.00.18
00393387570943	00393388952825	23/01/2003 12.00.02	0.01.45
00393387570943	00393388952825	23/01/2003 12.12.08	0.00.27
00393388952825	00393387570943	23/01/2003 12.14.48	0.00.24
00393388952825	00393387570943	23/01/2003 21.20.41	0.01.39
00393388952825	00393387570943	24/01/2003 16.16.37	0.00.18
00393387079723	00393387570943	25/01/2003 17.41.29	0.01.27
00393387570943	00393388952825	25/01/2003 18.16.34	0.00.21
00393388952825	00393387570943	25/01/2003 20.11.21	0.02.07
00393388952825	00393387570943	25/01/2003 21.36.31	0.05.03
00393388952825	00393387570943	26/01/2003 9.11.17	0.00.37
00393387570943	00393388952825	27/01/2003 12.32.02	0.00.55
00393388952825	00393387570943	27/01/2003 12.33.37	0.00.26
00393388952825	00393387570943	27/01/2003 15.52.39	0.00.34
00393387570943	00393388952825	27/01/2003 20.16.59	0.01.10
00393387570943	00393388952825	28/01/2003 8.06.36	0.00.50
00393388952825	00393387570943	28/01/2003 10.02.08	0.00.39
00393388952825	00393387570943	28/01/2003 10.41.19	0.01.14
00393387570943	00393388952825	28/01/2003 10.44.13	0.00.09
00393387570943	00393388952825	28/01/2003 11.10.35	0.00.45
00393387570943	00393338579242	28/01/2003 18.17.53	0.00.35
00393338579242	00393387570943	28/01/2003 18.32.49	0.01.02
00393387570943	00393338577471	28/01/2003 21.35.57	0.01.10
00393387079723	00393387570943	29/01/2003 10.40.04	0.01.21
00393387570943	00393387079723	29/01/2003 12.50.22	0.00.34
00393387570943	00393387079723	29/01/2003 18.35.58	0.00.58
00393387570943	00393338579242	29/01/2003 19.03.48	0.01.22
00393387570943	00393387079723	29/01/2003 19.38.28	0.00.20
00393387570943	00393338579242	29/01/2003 20.16.40	0.00.39
00393387570943	00393387079723	29/01/2003 20.49.42	0.00.50
00393387570943	00393387079723	30/01/2003 13.02.20	0.00.43
00393387570943	00393388952825	31/01/2003 10.27.05	0.00.34
00393387570943	00393388952825	31/01/2003 10.28.01	0.01.05
0039335436970	00393387570943	31/01/2003 10.35.34	0.00.26
00393387570943	00393397946739	31/01/2003 10.36.24	0.00.48
00393388952825	00393387570943	31/01/2003 14.51.35	0.01.36
00393338579242	00393387570943	31/01/2003 20.03.01	0.01.53
00393338577471	00393387570943	31/01/2003 20.22.21	0.01.11
00393387079723	00393387570943	05/02/2003 18.53.26	0.01.30
00393387079723	00393387570943	05/02/2003 20.00.47	0.00.54
00393387079723	00393387570943	05/02/2003 20.13.47	0.00.18

<i>Calling number</i>	<i>Called number</i>	<i>Date/hour</i>	<i>duration</i>
00393387570943	00393387079723	05/02/2003 20.14.34	0.04.03
00393387079723	00393387570943	05/02/2003 21.44.51	0.00.18
00393387570943	00393387079723	05/02/2003 22.16.23	0.00.12
00393387079723	00393387570943	05/02/2003 22.22.33	0.00.12
00393338579242	00393387570943	07/02/2003 17.34.55	0.01.22
00393387570943	00393338579242	07/02/2003 18.09.04	0.00.29
00393387570943	00393338577471	08/02/2003 10.45.40	0.00.21
00393387570943	00393338579242	08/02/2003 17.31.33	0.00.26
00393388952825	00393387570943	08/02/2003 20.54.53	0.04.23
00393387570943	00393388952825	09/02/2003 10.51.06	0.00.50
00393338579242	00393387570943	09/02/2003 15.47.33	0.01.45
00393387079723	00393387570943	09/02/2003 15.59.07	0.01.49
00393338579242	00393387570943	09/02/2003 16.03.30	0.01.23
00393387570943	00393338579242	09/02/2003 16.07.14	0.00.21
00393387570943	00393338579242	09/02/2003 17.20.48	0.01.54
00393338579242	00393387570943	09/02/2003 18.08.04	0.03.04
00393387570943	00393338579242	10/02/2003 9.12.47	0.00.23
00393388952825	00393387570943	10/02/2003 10.34.06	0.01.53
00393338579242	00393387570943	10/02/2003 14.22.53	0.00.56
00393387570943	00393338579242	10/02/2003 17.49.08	0.00.18
00393338579242	00393387570943	10/02/2003 18.45.20	0.03.31
00393387570943	00393388952825	10/02/2003 20.00.21	0.01.31
00393388952825	00393387570943	10/02/2003 21.03.47	0.02.14
00393387570943	00393387079723	11/02/2003 10.02.10	0.02.28
00393388952825	00393387570943	11/02/2003 10.57.06	0.00.39
00393387570943	00393338579242	11/02/2003 15.51.33	0.01.06
00393388952825	00393387570943	11/02/2003 17.14.17	0.00.29
00393387570943	00393338579242	11/02/2003 17.39.27	0.02.50
00393387570943	00393338579242	11/02/2003 19.35.35	0.01.30
00393338579242	00393387570943	11/02/2003 19.48.35	0.03.30
00393387570943	00393338579242	11/02/2003 19.52.32	0.00.28
00393387079723	00393387570943	11/02/2003 20.09.05	0.00.33
00393387570943	00393387079723	12/02/2003 10.00.19	0.01.00
00393387079723	00393387570943	12/02/2003 10.06.30	0.01.11
00393387570943	00393397946739	15/02/2003 9.58.08	0.01.51
00393388952825	00393387570943	15/02/2003 10.37.20	0.00.14
00393388952825	00393387570943	15/02/2003 10.45.32	0.00.45
00393387570943	00393397946739	15/02/2003 14.10.35	0.02.08
00393343101143	00393387570943	16/02/2003 11.11.28	0.00.15
00393387570943	00393397946739	17/02/2003 8.53.13	0.00.59
00393387570943	00393338579242	17/02/2003 9.22.20	0.00.55

<i>Calling number</i>	<i>Called number</i>	<i>Date/hour</i>	<i>duration</i>
00393338579242	00393387570943	17/02/2003 9.27.53	0.01.03
00393387570943	00393343176579	17/02/2003 14.12.15	0.00.11
00393388952825	00393387570943	17/02/2003 14.15.32	0.00.15
0039335436970	00393387570943	17/02/2003 14.22.49	0.02.21
00393387570943	00393343176579	17/02/2003 15.01.11	0.01.06
00393388952825	00393387570943	17/02/2003 15.14.26	0.00.13
0039335436970	00393387570943	17/02/2003 16.50.16	
0039335436970	00393387570943	17/02/2003 16.50.23	
0039335436970	00393387570943	17/02/2003 16.50.30	
00393397946739	00393387570943	17/02/2003 16.53.48	
00393338579242	00393387570943	17/02/2003 18.02.26	0.06.37
00393397946739	00393387570943	17/02/2003 20.44.13	0.03.17
00393387570943	00393338577471	18/02/2003 10.44.57	0.00.32
00393387570943	0039335436970	18/02/2003 13.12.22	0.00.40
00393387570943	0039335436970	18/02/2003 14.14.27	0.02.30
00393397946739	00393387570943	18/02/2003 14.37.53	0.06.19
0039335436970	00393387570943	18/02/2003 15.34.57	0.00.11
0039335436970	00393387570943	18/02/2003 15.35.19	0.01.23
00393387570943	00393338579242	18/02/2003 15.59.22	0.01.22
00393397946739	00393387570943	18/02/2003 16.49.30	0.01.15
00393387570943	00393388952825	18/02/2003 20.18.15	0.01.22
00393388952825	00393387570943	18/02/2003 20.25.43	0.01.25
00393387570943	00393388952825	18/02/2003 20.27.48	0.01.04
00393387570943	00393397946739	18/02/2003 20.36.19	0.02.56
00393338579242	00393387570943	18/02/2003 21.16.44	0.00.42
00393388952825	00393387570943	19/02/2003 8.41.18	0.00.26
00393387570943	00393388952825	19/02/2003 9.33.42	0.00.44
00393387570943	00393397946739	19/02/2003 16.56.15	0.00.58
00393397946739	00393387570943	19/02/2003 19.33.11	0.01.42
00393387570943	00393388952825	23/02/2003 10.37.51	0.01.59
00393387570943	00393388952825	23/02/2003 11.22.08	0.03.06

- with the VODAFONE numbers: **3406958386 KIRKLAND JAMES ROBERT**, **3409849532 ADLER MONICA COURTNEY**, and **3470502758 CHANNING DREW CARLYLE**,
- With a fix American number **0017036092915**,
- With TIM phones registered under the names of American citizens: **3333026990 JENKINS ANNE LIDIA** – **3387570941 CASTELLANO VICTOR** – **3387905706 LOGAN CYNTHIA DAME**.

But there are further technical details that confirm the participation of the phone's user to the operative phases of the kidnapping. In fact, the phone registered under the name of **Duffin John**

**Kevin**, as we can note from the analysis of the traffic of the cell, in the hours following to the kidnapping, has moved along a road that could be the road going from **Milan to Aviano**.

### **3. TIM 3333504739 ELIANA ISABELLA CASTALDO.**

The TIM phone registered under the name of **Eliana Isabella Castaldo** d.o.b. 14.11.1969 in Florida (USA) has had contacts with the following numbers (see graphic 20 and Milan Digos report dated Feb. 24<sup>th</sup>, 2005):

- with numbers **3397946739, 3388952825, 3387079723, 335436970, 3338577471, 3343211730 (respectively numbers 15, 4, 3, 7, 6, 14 OF TABLE 1),**
- With the VODAFONE phone card **3409849532** registered under the name of **Adler Monica Courtney.**
- With a TIM number **3387570941** registered under the name of **Castellano Victor.**

### **4. TIM 3387905706 LOGAN CYNTHIA DAME**

The TIM number **3387905706** registered under the name of **Logan Cynthia Dame** d.o.b. 1.5.1960 in Maryland, has had contacts with the following numbers (see graphic 21 and Milan Digos report dated Feb. 24, 2005):

- with the numbers **3336364075, 3338577471, 3343211730, 335436970, 3387079723, 3388952825, 3397946739, 3398675142 and 3409849532 (respectively numbers 1. 6, 14, 7, 3, 4, 15 and 17 table 1) as per following details:**

<b>Calling number</b>	<b>Called number</b>	<b>Date / hour</b>	<b>duration</b>
00393387905706	00393388952825	23/01/2003 11.04	0.02.21
00393387905706	00393409849532	31/01/2003 9.23	0.01.05
00393387905706	00393338577471	31/01/2003 11.03	0.00.19
00393387905706	00393387079723	31/01/2003 11.04	0.00.28
00393388952825	00393387905706	31/01/2003 12.44	0.00.11
00393388952825	00393387905706	31/01/2003 12.52	0.00.57
00393387905706	00393388952825	01/02/2003 11.04	0.01.44
00393338577471	00393387905706	01/02/2003 12.54	0.01.15
00393387905706	00393338577471	01/02/2003 19.18	0.01.26
00393338577471	00393387905706	02/02/2003 9.26	0.01.04
00393387905706	00393338577471	02/02/2003 12.25	0.03.16
00393387905706	00393338577471	02/02/2003 12.46	0.00.16
00393387905706	00393387079723	04/02/2003 12.06	0.00.32
00393387905706	00393336364075	08/02/2003 14.15	0.00.43
00393387905706	00393387079723	09/02/2003 14.47	0.00.48
00393409849532	00393387905706	09/02/2003 18.14	0.00.56
00393387905706	00393409849532	09/02/2003 18.18	0.00.30
00393387905706	00393388952825	11/02/2003 10.06	0.00.10
00393388952825	00393387905706	11/02/2003 10.15	0.01.37
00393387905706	00393338577471	11/02/2003 15.22	0.00.41

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393387905706	00393387079723	11/02/2003 15.24	0.00.58
00393388952825	00393387905706	11/02/2003 19.14	0.00.56
00393397946739	00393387905706	11/02/2003 19.17	0.01.52
00393397946739	00393387905706	12/02/2003 8.44	0.00.50
00393387905706	00393397946739	12/02/2003 9.50	0.00.31
00393387905706	0039335436970	12/02/2003 12.03	0.00.55
00393387905706	0039335436970	12/02/2003 12.10	0.01.19
00393387905706	0039335436970	12/02/2003 12.12	0.00.23
00393387905706	00393397946739	12/02/2003 13.29	
0039335436970	00393387905706	12/02/2003 13.50	0.00.26
00393387079723	00393387905706	12/02/2003 16.50	0.02.18
00393387905706	00393397946739	12/02/2003 21.29	0.00.31
00393409849532	00393387905706	13/02/2003 18.34	0.01.39
00393397946739	00393387905706	13/02/2003 21.46	0.01.06
00393387905706	00393388952825	14/02/2003 8.15	0.00.39
00393409849532	00393387905706	14/02/2003 8.20	0.00.35
00393388952825	00393387905706	14/02/2003 8.34	0.00.20
00393387905706	00393397946739	14/02/2003 8.38	0.00.22
00393409849532	00393387905706	14/02/2003 8.49	0.00.24
00393397946739	00393387905706	14/02/2003 9.44	0.00.27
00393397946739	00393387905706	14/02/2003 10.10	0.00.21
00393397946739	00393387905706	14/02/2003 10.23	0.00.31
00393397946739	00393387905706	14/02/2003 15.18	0.00.46
00393397946739	00393387905706	14/02/2003 18.41	0.01.02
00393397946739	00393387905706	14/02/2003 20.24	0.00.42
00393387905706	00393409849532	14/02/2003 20.34	0.00.55
0039335436970	00393387905706	15/02/2003 10.18	0.00.29
00393387905706	0039335436970	15/02/2003 10.24	0.00.15
00393387905706	00393409849532	15/02/2003 11.17	0.00.01
00393409849532	00393387905706	15/02/2003 19.00	0.02.30
00393387905706	00393409849532	15/02/2003 19.06	0.01.20
00393387905706	00393398675142	16/02/2003 9.49	
00393387905706	0039335436970	16/02/2003 10.20	0.00.01
00393387905706	0039335436970	16/02/2003 10.23	0.00.38
00393398675142	00393387905706	16/02/2003 10.30	
0039335436970	00393387905706	16/02/2003 12.46	0.00.41
00393387905706	0039335436970	16/02/2003 12.57	0.00.29
00393397946739	00393387905706	16/02/2003 13.38	0.01.19
00393397946739	00393387905706	16/02/2003 13.45	0.00.32
00393387905706	0039335436970	16/02/2003 13.46	0.00.57
00393387905706	00393397946739	16/02/2003 13.47	0.00.19

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393409849532	00393387905706	16/02/2003 19.22	0.00.20
00393387905706	0039335436970	17/02/2003 10.33	0.00.22
00393387905706	00393388952825	17/02/2003 10.44	0.00.25
00393387905706	00393343211730	17/02/2003 13.31	0.00.16
0039335436970	00393387905706	17/02/2003 14.20	0.01.36
00393387905706	00393343211730	17/02/2003 14.47	0.00.14
00393387905706	00393343211730	17/02/2003 15.13	0.00.15
00393387905706	00393343211730	17/02/2003 15.29	0.00.18
00393338577471	00393387905706	17/02/2003 15.29	0.01.21
00393387905706	00393343211730	17/02/2003 15.57	0.00.14
00393409849532	00393387905706	17/02/2003 16.14	0.00.37
00393387905706	00393343211730	17/02/2003 16.16	0.00.15
00393387905706	00393409849532	17/02/2003 16.18	0.00.04
00393387905706	00393409849532	17/02/2003 16.19	0.01.04
00393387905706	00393388952825	17/02/2003 16.23	0.00.18
0039335436970	00393387905706	17/02/2003 16.32	0.02.03
00393409849532	00393387905706	17/02/2003 16.41	0.01.18
0039335436970	00393387905706	17/02/2003 16.49	
00393387905706	0039335436970	17/02/2003 16.51	
00393409849532	00393387905706	17/02/2003 19.50	0.02.07
00393387905706	0039335436970	17/02/2003 20.04	0.03.04
00393397946739	00393387905706	17/02/2003 21.46	0.00.40
00393338577471	00393387905706	17/02/2003 21.47	0.00.48
00393387905706	0039335436970	18/02/2003 9.38	0.00.44
00393338577471	00393387905706	18/02/2003 9.42	0.03.14
00393387905706	0039335436970	18/02/2003 9.46	0.01.14
00393387905706	00393338577471	18/02/2003 9.56	0.01.01
00393338577471	00393387905706	18/02/2003 10.11	0.00.17
0039335436970	00393387905706	18/02/2003 11.17	0.01.40
00393338577471	00393387905706	18/02/2003 11.45	0.01.00
0039335436970	00393387905706	18/02/2003 11.57	0.00.44
00393338577471	00393387905706	18/02/2003 12.09	0.02.20
00393387079723	00393387905706	18/02/2003 12.17	0.00.34
00393397946739	00393387905706	18/02/2003 12.47	0.01.27
00393387905706	00393338577471	18/02/2003 13.11	0.00.51
00393338577471	00393387905706	18/02/2003 15.24	0.03.27
00393338577471	00393387905706	18/02/2003 16.23	0.01.35
00393338577471	00393387905706	18/02/2003 18.30	0.02.28
0039335436970	00393387905706	18/02/2003 19.11	0.00.42
00393338577471	00393387905706	19/02/2003 18.58	0.00.40
00393387905706	00393338577471	20/02/2003 11.55	0.00.36



<b>Calling number</b>	<b>Called number</b>	<b>Date / hour</b>	<b>duration</b>
00393387905706	00393387079723	20/02/2003 17.08	0.01.34
00393338577471	00393387905706	20/02/2003 19.08	0.00.31
00393387905706	00393387079723	22/02/2003 10.09	0.01.18

The details evidenced in yellow refer to calls of the phone registered under the name of **Logan Cynthia Dame** the day of Abu Omar's kidnapping.

- with the following VODAFONE numbers: **3406958386 KIRKLAND JAMES ROBERT – 3409849532 ADLER MONICA COURTNEY – 347050278 CHANNING DREW CARLYLE and 3470408060 GALISAI MARIO.**
- With the following TIM numbers registered under the name of American citizens: **3387570943 DUFFIN JOHN KEVIN and 3333026990 JENKINS ANNE LIDIA.**

But there are further technical details that confirm the material participation of the user of the phone to the operative phases of the kidnapping. In fact, the phone registered under the name of **Logan Cynthia Dame**, as shown by the analysis of the cell traffic, in the hours following the kidnapping has moved on a road that could be the road from Milan to Aviano.

##### **5. TIM 3333026990 JENKINS ANNE LIDIA**

The TIM phone registered under the name of **Jenkins Anne Lidia** d.o.b. 24.9.1946 in Florida, has had contacts with the following numbers (see graphic 22 and Milan Digos report dated Feb 24, 2005):

- with the numbers **335436970, 3409849532, 33889522825, 3338577471, and 3387079723 (respectively numbers 7, 17, 4, 6, 3 table 1)** whose users were present on the spot and at the moment of the kidnapping as detailed hereunder:

<b>Calling number</b>	<b>Called number</b>	<b>Date / hour</b>	<b>duration</b>
00393388952825	00393333026990	21/01/2003 20.22.51	0.01.10
00393333026990	00393388952825	21/01/2003 21.02.09	0.00.27
00393388952825	00393333026990	22/01/2003 9.57.17	0.00.19
00393333026990	00393388952825	22/01/2003 10.11.48	0.00.21
00393388952825	00393333026990	22/01/2003 10.21.34	0.00.23
00393388952825	00393333026990	22/01/2003 12.41.40	0.01.08
00393333026990	00393409849532	22/01/2003 17.04.38	0.00.14
00393409849532	00393333026990	22/01/2003 17.05.07	0.01.11
00393333026990	00393338577471	22/01/2003	0.00.44



<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
		17.25.07	
00393338577471	00393333026990	23/01/2003 10.11.38	0.00.32
00393333026990	00393388952825	23/01/2003 10.21.26	0.00.59
00393409849532	00393333026990	23/01/2003 10.25.07	0.00.43
00393409849532	00393333026990	23/01/2003 10.25.08	0.00.42
00393333026990	00393338577471	23/01/2003 10.40.03	0.00.38
00393388952825	00393333026990	23/01/2003 12.56.01	0.00.39
00393388952825	00393333026990	23/01/2003 12.56.01	0.00.39
00393338577471	00393333026990	23/01/2003 15.40.48	0.01.42
00393333026990	00393338577471	23/01/2003 18.20.51	0.02.13
00393333026990	00393409849532	23/01/2003 18.58.14	0.01.54
00393333026990	00393409849532	23/01/2003 18.58.15	0.01.53
00393388952825	00393333026990	23/01/2003 19.52.58	0.01.38
00393387079723	00393333026990	23/01/2003 20.20.17	0.00.31
00393388952825	00393333026990	23/01/2003 21.09.00	0.01.41
00393333026990	00393388952825	24/01/2003 14.10.31	0.00.45
00393333026990	00393388952825	24/01/2003 15.04.47	0.00.24
00393388952825	00393333026990	24/01/2003 15.32.16	0.00.10
00393388952825	00393333026990	25/01/2003 12.41.47	0.00.43
00393387079723	00393333026990	25/01/2003 17.38.44	0.01.18
00393333026990	00393387079723	25/01/2003 17.43.01	0.01.20
00393333026990	00393387079723	25/01/2003 17.54.36	0.01.15
0039335436970	00393333026990	26/01/2003 12.31.23	0.00.44

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393333026990	00393388952825	26/01/2003 13.57.18	0.02.36
00393388952825	00393333026990	26/01/2003 18.53.41	0.00.45
00393388952825	00393333026990	26/01/2003 19.24.39	0.00.52
00393333026990	00393409849532	26/01/2003 19.27.14	0.00.13
00393333026990	00393409849532	26/01/2003 19.27.16	0.00.13
00393409849532	00393333026990	26/01/2003 19.52.44	0.01.43
00393409849532	00393333026990	26/01/2003 19.52.45	0.01.43
00393333026990	00393338577471	27/01/2003 13.05.25	0.00.27
00393333026990	00393338577471	27/01/2003 13.05.25	0.00.27
00393338577471	00393333026990	27/01/2003 13.07.51	0.00.18
00393387079723	00393333026990	27/01/2003 20.12.55	0.03.17
00393333026990	00393387079723	28/01/2003 10.28.40	0.01.37
00393388952825	00393333026990	28/01/2003 11.41.00	0.00.39
00393388952825	00393333026990	28/01/2003 11.41.00	0.00.39
00393388952825	00393333026990	28/01/2003 16.45.04	0.00.47
00393387079723	00393333026990	28/01/2003 19.30.00	0.01.28
00393333026990	00393387079723	28/01/2003 19.33.14	0.00.16
00393387079723	00393333026990	29/01/2003 10.42.02	0.01.05
0039335436970	00393333026990	29/01/2003 10.51.55	0.01.23
00393333026990	00393387079723	29/01/2003 10.53.44	0.00.29
00393338577471	00393333026990	29/01/2003 11.20.27	0.00.37
00393338577471	00393333026990	29/01/2003 18.14.59	0.00.28
00393387079723	00393333026990	29/01/2003	0.01.09

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
		20.40.13	
00393338577471	00393333026990	29/01/2003 21.22.40	0.01.11
00393409849532	00393333026990	29/01/2003 21.31.42	0.00.44
00393409849532	00393333026990	29/01/2003 21.37.44	0.01.12
00393409849532	00393333026990	29/01/2003 21.37.46	0.01.11
00393338577471	00393333026990	29/01/2003 22.41.53	0.00.50
00393333026990	00393387079723	29/01/2003 22.44.36	0.02.03
00393333026990	00393338577471	30/01/2003 8.16.26	0.00.39
00393409849532	00393333026990	30/01/2003 8.30.32	0.00.29
00393409849532	00393333026990	30/01/2003 8.30.32	0.00.28
00393333026990	00393409849532	30/01/2003 8.35.23	0.00.42
00393409849532	00393333026990	30/01/2003 8.42.18	0.00.41
00393409849532	00393333026990	30/01/2003 8.42.19	0.00.40
00393409849532	00393333026990	30/01/2003 8.46.06	0.02.02
00393409849532	00393333026990	30/01/2003 8.46.06	0.02.02
00393333026990	00393409849532	30/01/2003 8.48.51	0.00.22
00393333026990	00393409849532	30/01/2003 8.48.52	0.00.21
00393333026990	00393409849532	30/01/2003 8.51.41	0.00.53
00393338577471	00393333026990	30/01/2003 10.31.09	0.01.53
00393333026990	00393387079723	30/01/2003 15.55.08	0.01.11
00393409849532	00393333026990	30/01/2003 18.19.24	0.01.05
00393409849532	00393333026990	30/01/2003 18.19.25	0.01.04
00393387079723	00393333026990	31/01/2003 8.56.11	0.02.23

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393387079723	00393333026990	31/01/2003 8.56.11	0.02.24
00393409849532	00393333026990	31/01/2003 9.09.51	0.00.18
00393333026990	00393387079723	31/01/2003 14.26.32	0.01.03
00393333026990	00393409849532	31/01/2003 14.29.34	0.00.32
00393333026990	00393409849532	31/01/2003 15.44.28	0.00.48
00393338577471	00393333026990	31/01/2003 15.46.47	0.01.18
00393387079723	00393333026990	31/01/2003 16.50.18	0.00.44
00393387079723	00393333026990	31/01/2003 19.58.41	0.01.07
00393338577471	00393333026990	31/01/2003 20.25.06	0.00.52
00393388952825	00393333026990	01/02/2003 9.44.38	0.01.45
00393388952825	00393333026990	01/02/2003 9.53.14	0.02.55
00393338577471	00393333026990	01/02/2003 11.22.04	0.01.10
00393333026990	00393338577471	03/02/2003 10.30.38	0.00.44
00393338577471	00393333026990	03/02/2003 11.26.58	0.00.37
00393333026990	00393338577471	03/02/2003 13.41.30	0.00.34
00393333026990	00393388952825	04/02/2003 11.47.37	0.00.20
00393387079723	00393333026990	04/02/2003 12.14.46	0.00.45
00393387079723	00393333026990	04/02/2003 18.27.09	0.00.36
00393387079723	00393333026990	04/02/2003 19.06.37	0.02.16
00393387079723	00393333026990	04/02/2003 20.36.24	0.01.48
00393333026990	00393387079723	05/02/2003 9.11.28	0.00.55
00393333026990	00393388952825	05/02/2003 11.18.56	0.01.10
00393388952825	00393333026990	05/02/2003	0.00.31

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
		12.20.58	
00393388952825	00393333026990	05/02/2003 12.52.35	0.00.12
00393387079723	00393333026990	05/02/2003 17.49.45	0.00.39
00393387079723	00393333026990	05/02/2003 18.51.20	0.01.24
00393387079723	00393333026990	05/02/2003 19.58.45	0.00.13
00393388952825	00393333026990	06/02/2003 11.54.11	0.00.10
00393387079723	00393333026990	06/02/2003 11.55.18	0.00.16
00393333026990	00393388952825	06/02/2003 12.01.40	0.00.13
00393388952825	00393333026990	06/02/2003 12.06.38	0.00.16
00393387079723	00393333026990	06/02/2003 12.10.17	0.00.13
00393388952825	00393333026990	06/02/2003 13.06.41	0.00.41
00393333026990	00393387079723	06/02/2003 18.04.43	0.00.54
00393387079723	00393333026990	06/02/2003 18.52.11	0.00.22
00393333026990	00393387079723	06/02/2003 20.01.07	0.00.18
00393409849532	00393333026990	07/02/2003 13.02.02	0.00.29
00393409849532	00393333026990	07/02/2003 13.02.03	0.00.28
00393333026990	00393387079723	07/02/2003 13.38.11	0.00.35
00393333026990	00393409849532	07/02/2003 13.54.24	0.00.52
00393387079723	00393333026990	07/02/2003 18.31.06	0.02.25
00393333026990	00393387079723	07/02/2003 19.43.04	0.01.56
00393333026990	00393387079723	08/02/2003 12.32.32	0.00.19
00393388952825	00393333026990	08/02/2003 12.48.47	0.02.13
00393388952825	00393333026990	08/02/2003 12.48.47	0.02.13

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393388952825	00393333026990	08/02/2003 13.04.10	0.00.17
00393333026990	00393388952825	08/02/2003 13.43.59	0.00.54
00393333026990	00393388952825	08/02/2003 14.15.14	0.00.28
00393388952825	00393333026990	08/02/2003 14.18.10	0.00.49
00393388952825	00393333026990	08/02/2003 14.23.16	0.00.11
00393333026990	00393387079723	08/02/2003 19.36.06	0.01.34
00393333026990	00393387079723	08/02/2003 19.36.06	0.01.34
00393387079723	00393333026990	08/02/2003 20.12.12	0.02.22
00393388952825	00393333026990	09/02/2003 12.14.24	0.00.35
00393388952825	00393333026990	09/02/2003 14.26.55	0.00.11
00393387079723	00393333026990	09/02/2003 15.19.34	0.00.45
00393387079723	00393333026990	09/02/2003 15.55.49	0.01.24
00393387079723	00393333026990	09/02/2003 19.03.25	0.01.41
00393333026990	00393387079723	09/02/2003 19.06.43	0.01.31
00393333026990	00393387079723	09/02/2003 20.36.41	0.00.17
00393387079723	00393333026990	10/02/2003 16.55.04	0.06.06
00393387079723	00393333026990	10/02/2003 18.11.46	0.02.57

- With the VODAFONE numbers **3406958386 KIRKLAND JAMES ROBERT**, **3409849532 ADLER MONICA COURTNEY**.
- With several TIM numbers registered under the name of American citizens: **3387570943 DUFFIN JOHN KEVIN**, **3387570941 CASTELLANO VICTOR**, **3387905706 LOGAN CYNTHIA DAME**.

The contacts between Ms **Jenkins** and the other persons of the group stop on Feb. 10, 2004, as we can see in the table, that is exactly a week before the execution of the kidnapping.

In fact, on the 11<sup>th</sup> of February, the woman will leave Italy for Germany, with a car rented in Italy by **Sofin Joseph**. The car has been given back in Germany.

#### 6. **TIM 3386410348 SOFIN JOSEPH**

The TIM number **3386410348** registered under the name of **SOFIN JOSEPH**, d.o.b. 13.2.1953 in Moldavia, has had contacts with the following numbers (also see graphic 23 and Milan Digos report dated Feb.24, 2005):

- with the number **3338577471** (number 6, table 1)
- with the following VODAFONE numbers registered under the name of American citizens: **3498928668 HARTY BENAMAR** and **3498928671 HARBAUGH RAYMOND**. After verifications those two persons have been identified as:
  - 1- **Harty Benamar** d.o.b. 20.10.1944 in Iowa, American passport n° 017120164,
  - 2- **Harbaugh Raymond**, d.o.b. 9.6.1939 in Alaska, American passport n° 016136600.
- With the following TIM numbers: **3383790897** registered under the name of the American citizen **IBANEZ BRENDA LILIANA**, and **3336301128** registered under the name of the American citizen **PILAR RUEDA**. Those two persons have been identified as:
  - 1- **Ibanez Brenda Liliana** d.o.b. 7.1.1960 in the US, American passport 017018953,
  - 2- **Rueda Pilar**, d.o.b. 8.5.1961 in California, American passport 016518173.

#### 7. **VODAFONE 3470502758 CHANNING DREW CARLYLE**

The VODAFONE number **3470502758** registered under the name of the American citizen **Channing Drew Carlyle**, d.o.b. 26.04.1965 in the US, has had contacts with the following numbers (see graphic 24 and Milan Digos report dated Feb 24, 2005):

- with numbers **3338577471**, **3338579242**, **3343176579**, **3343211730**, **3397946739** and **3398675142** (respectively numbers 6, 5, 13, 14, 15, 10 table 1) as follows:

Calling number	Called number	Date / hour	duration
00393470502758	00393409849532	15/02/2003 19.57.49	0.00.01
00393470502758	00393398675142	15/02/2003 21.33.50	0.02.07
00393470502758	00393409849532	16/02/2003 12.38.33	0.00.55
00393470502758	00393338579242	16/02/2003 18.57.52	0.02.04
00393409849532	00393470502758	16/02/2003 19.19.10	0.02.42
00393470502758	00393397946739	17/02/2003 12.28.19	0.00.23
00393470502758	00393338577471	17/02/2003 12.30.36	0.00.09
00393470502758	00393397946739	17/02/2003	0.00.27

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
		12.31.05	
00393470502758	00393397946739	17/02/2003	0.00.39
		12.43.20	
00393470502758	00393397946739	17/02/2003	0.00.47
		12.55.36	
00393470502758	00393397946739	17/02/2003	0.01.15
		12.57.48	
00393470502758	00393338577471	17/02/2003	0.00.15
		13.08.33	
00393470502758	00393397946739	17/02/2003	0.00.23
		13.09.06	
00393470502758	00393397946739	17/02/2003	0.00.15
		13.12.00	
00393470502758	00393343176579	17/02/2003	0.00.30
		13.22.45	
00393470502758	00393397946739	17/02/2003	0.00.22
		13.24.51	
00393470502758	00393397946739	17/02/2003	0.00.17
		13.30.18	
00393470502758	00393343176579	17/02/2003	0.00.46
		13.38.04	
00393470502758	00393397946739	17/02/2003	0.00.38
		13.50.42	
00393470502758	00393338579242	17/02/2003	0.00.23
		13.59.33	
00393470502758	00393397946739	17/02/2003	0.00.22
		14.43.26	
00393470502758	00393343176579	17/02/2003	0.00.11
		15.02.56	
00393470502758	00393343176579	17/02/2003	0.00.19
		15.12.35	
00393470502758	00393343211730	17/02/2003	0.00.09
		15.13.46	
00393470502758	00393343176579	17/02/2003	0.00.07
		15.58.44	
00393470502758	00393343176579	17/02/2003	0.00.08
		16.05.03	
00393470502758	00393338579242	17/02/2003	0.00.32
		21.01.26	
00393409849532	00393470502758	18/02/2003	0.00.34
		11.07.48	
00393470502758	00393397946739	19/02/2003	0.00.45
		9.20.21	
00393470502758	00393397946739	19/02/2003	0.01.58
		13.19.46	



The details evidenced in yellow, are the contacts that the user of the phone registered under the name of Channing Drew Carlyle has had the day of Abu Omar's kidnapping.

- with the following VODAFONE numbers: **3470408060** registered under the name of **Galisai Mario** and **3409849532** registered under the name of **Adler Monica Courtney**. After verifications with the Vodafone company, we made sure that the phone was purchased by **Channing Drew Carlyle** in person.
- With TIM phones registered under names of American citizens: **3387570943 DUFFIN JOHN KEVIN**, **3387905706 LOGAN CYNTHIA DAME**.
- With several international phone numbers which are still under enquiry, among which the following American numbers: **0017036139186**, **0017035757742**, **0013019068177**, **0013017620948**, **0012403554558**, **0012123199494**. With a British number: **00447880735612**, and with Greek numbers: **00302284022954** and **00302108075087**.
- With **0258581133**, phone number of the car rental agency Maggiore SPA of Milan.

But there are further technical evidence that confirm the participation of the user of this phone. In fact, this phone registered under the name of **Channing Drew Carlyle**, as shown by the analysis of the traffic of the cell, in the hours following the kidnapping, moved along a road that could be the road that goes from Milan to Aviano.

#### 8. VODAFONE 3470408060 GALISAI MARIO

The VODAFONE phone **3470408060** officially registered under the name of **Galisai Mario**, d.o.b. 03.04.1856 in Teti (NU)/Italy, where he resides, in v. Dante, 26. This person resulted not to be involved in the facts of this inquiry. After verifications made with the phone company, we noted that who really purchased the card was the American citizen **Channing Drew Carlyle** whom we have mentioned before. The employee of the shop where the card was sold made a mistake, and so it showed Galisai as purchaser instead of Channing D.C.

This phone, as we will explain further, was used by the American citizen **Vasiliou Michalis**, d.o.b. 5.11.1962 in Greece.

This phone (as per graphic 25 and Milan Digos report dated Feb. 24, 2005) has had contacts with the following numbers:

- **3338577471**, **3338579242**, **3343101143**, **335436970**, **3388952825** and **3397946739** (respectively numbers 6,5,11, 7, 4, 15 table 1) as per following details:

Calling number	Called number	Date / hour	duration
00393470408060	00393338579242	13/02/2003 18.16	0.00.48
00393388952825	00393470408060	13/02/2003 18.39	0.00.33
00393397946739	00393470408060	13/02/2003 20.43	0.01.23
00393397946739	00393470408060	14/02/2003 8.26	0.01.23
00393397946739	00393470408060	14/02/2003 9.10	0.00.27
00393338579242	00393470408060	14/02/2003 11.58	0.01.17
00393338577471	00393470408060	14/02/2003 18.13	0.01.11
00393470408060	00393338579242	14/02/2003 18.47	0.00.45

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393470408060	00393338579242	14/02/2003 20.57	0.03.28
00393397946739	00393470408060	14/02/2003 21.43	0.00.24
00393470408060	00393338577471	15/02/2003 7.53	0.08.41
00393470408060	00393397946739	15/02/2003 15.33	0.00.29
00393470408060	00393388952825	15/02/2003 15.34	0.01.04
00393338579242	00393470408060	15/02/2003 17.44	0.03.00
00393470408060	00393338579242	15/02/2003 18.17	0.00.53
0039335436970	00393470408060	15/02/2003 18.56	0.00.47
00393470408060	00393397946739	16/02/2003 11.03	0.00.52
00393338579242	00393470408060	16/02/2003 18.43	0.02.18
00393470408060	00393397946739	16/02/2003 18.46	0.00.29
00393397946739	00393470408060	17/02/2003 12.26	0.00.10
00393397946739	00393470408060	17/02/2003 12.33	0.00.27
00393388952825	00393470408060	17/02/2003 12.46	0.00.15
00393338579242	00393470408060	17/02/2003 12.48	0.00.31
00393343101143	00393470408060	17/02/2003 12.56	0.00.42
00393343101143	00393470408060	17/02/2003 13.07	0.00.26
00393343101143	00393470408060	17/02/2003 13.11	0.00.10
00393343101143	00393470408060	17/02/2003 14.43	0.00.34
00393388952825	00393470408060	17/02/2003 15.16	0.00.24
00393343101143	00393470408060	17/02/2003 15.17	0.00.09
0039335436970	00393470408060	17/02/2003 16.50	
00393397946739	00393470408060	17/02/2003 19.46	0.03.51
00393397946739	00393470408060	17/02/2003 20.25	0.01.44
0039335436970	00393470408060	17/02/2003 20.27	0.03.22
00393470408060	00393338577471	18/02/2003 8.25	0.02.58
00393338579242	00393470408060	18/02/2003 9.24	0.06.28
00393338579242	00393470408060	18/02/2003 10.20	0.00.16
0039335436970	00393470408060	18/02/2003 11.19	0.01.41
0039335436970	00393470408060	18/02/2003 11.23	0.00.34
00393338577471	00393470408060	18/02/2003 11.40	0.00.01
00393338577471	00393470408060	18/02/2003 11.41	0.00.08
00393338577471	00393470408060	18/02/2003 12.05	0.02.40
00393397946739	00393470408060	18/02/2003 14.01	0.01.38
00393397946739	00393470408060	18/02/2003 14.36	0.00.03
0039335436970	00393470408060	18/02/2003 15.34	
00393397946739	00393470408060	18/02/2003 16.48	0.00.02
00393397946739	00393470408060	18/02/2003 21.43	0.05.12
00393397946739	00393470408060	19/02/2003 7.37	0.03.31
00393388952825	00393470408060	19/02/2003 8.50	0.00.49
00393397946739	00393470408060	19/02/2003 17.12	0.02.19

Calling number	Called number	Date / hour	duration
00393397946739	00393470408060	19/02/2003 19.35	0.01.27
00393388952825	00393470408060	20/02/2003 10.29	0.01.24

- With a Greek number **00302108075087**,
- With two numbers in Milan: **0258581133**, Maggiore spa (car rental agency) and a telecom shop: New Comunicazione Sas, via Washington 80.

The parts evidenced in yellow are the contacts that the phone registered under the name of **Galisai Mario** has had the day of the kidnapping of **Abu Omar**.

But there are further technical details that confirm the participation of the user of the phone to the operative phases of the kidnapping. In fact, as per the analysis of the traffic of the cell, we note that the phone registered under the name of **Galisai Mario**, in the hours that followed the kidnapping, moved along a road that could be the road that goes from Milan to Aviano.

#### 9. **VODAFONE 3406958386 KIRKLAND JAMES ROBERT**

The VODAFONE number is registered under the name of the American citizen **Kirkland James Robert** d.o.b. 13.07.1942 in the US and residing in Milan, via Washington 39. At the moment of the purchase of the SIM card, the man produced an American passport (enclosed copy) n° 045032045 issued by the Passport Agency in Miami on the 1<sup>st</sup> of October 1998, valid until September 30 2008, at the name of **Kirkland James Robert** d.o.b. July 13.1942 in Tennessee (USA).

The user of the above mentioned Sim card has had contacts with the following cell phones (see graphic 26 and Milan Digos report dated Feb. 24, 2005):

- with numbers **3338577471**, **3338579242**, **335436970**, **3388952825**, **3397946739**, (respectively numbers 6, 5, 7, 4, and 15 table 1) as specified hereunder:

Calling number	Called number	Date / hour	duration
00393397946739	00393406958386	15/01/2003 13.18	0.04.14
00393397946739	00393406958386	15/01/2003 20.48	0.00.58
00393406958386	0039335436970	16/01/2003 10.48	0.00.54
00393397946739	00393406958386	16/01/2003 19.09	0.04.30
00393397946739	00393406958386	17/01/2003 9.57	0.01.49
00393397946739	00393406958386	17/01/2003 15.28	0.00.46
00393397946739	00393406958386	17/01/2003 18.03	0.03.02
00393397946739	00393406958386	17/01/2003 18.09	0.00.27
00393397946739	00393406958386	17/01/2003 18.10	0.00.25
00393406958386	00393397946739	18/01/2003 18.56	0.01.14
00393397946739	00393406958386	21/01/2003 12.21	0.02.01
0039335436970	00393406958386	21/01/2003 12.38	0.02.33
0039335436970	00393406958386	21/01/2003 13.10	0.01.19
00393388952825	00393406958386	21/01/2003 18.28	0.00.29
00393388952825	00393406958386	21/01/2003 18.38	0.01.38
00393388952825	00393406958386	21/01/2003 20.29	0.00.43

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393406958386	00393388952825	22/01/2003 12.09	0.01.21
00393406958386	00393388952825	22/01/2003 12.11	0.00.39
00393388952825	00393406958386	23/01/2003 9.50	0.01.54
00393406958386	00393397946739	23/01/2003 16.26	0.02.35
00393388952825	00393406958386	23/01/2003 21.12	0.02.50
00393406958386	00393397946739	23/01/2003 22.10	0.01.10
00393406958386	00393397946739	24/01/2003 11.21	0.00.21

00393406958386	00393397946739	24/01/2003 12.54	0.00.27
00393397946739	00393406958386	24/01/2003 12.55	0.00.23
00393388952825	00393406958386	24/01/2003 13.43	0.00.34
00393397946739	00393406958386	24/01/2003 16.37	0.01.02
00393388952825	00393406958386	24/01/2003 17.28	0.02.06
00393397946739	00393406958386	24/01/2003 17.32	0.01.02
00393397946739	00393406958386	24/01/2003 23.57	0.00.36
00393397946739	00393406958386	25/01/2003 15.01	0.00.35
00393388952825	00393406958386	26/01/2003 8.42	0.02.19
00393406958386	00393397946739	26/01/2003 8.47	0.01.43
00393406958386	00393388952825	26/01/2003 8.49	0.00.52
00393388952825	00393406958386	26/01/2003 10.47	0.00.16
00393388952825	00393406958386	26/01/2003 11.03	0.00.26
00393388952825	00393406958386	26/01/2003 18.55	0.01.52
00393388952825	00393406958386	26/01/2003 18.58	0.00.26
00393406958386	00393397946739	26/01/2003 19.17	0.00.25
00393397946739	00393406958386	27/01/2003 20.03	0.02.10
00393397946739	00393406958386	28/01/2003 12.10	0.00.29
00393338577471	00393406958386	28/01/2003 12.12	0.00.32
00393406958386	00393397946739	28/01/2003 12.13	0.00.28
0039335436970	00393406958386	28/01/2003 15.49	0.00.46
00393397946739	00393406958386	29/01/2003 13.27	0.01.58
00393397946739	00393406958386	29/01/2003 13.40	0.00.24
00393397946739	00393406958386	29/01/2003 18.06	0.01.21
00393397946739	00393406958386	29/01/2003 20.48	0.01.07
00393397946739	00393406958386	29/01/2003 21.13	0.00.49
00393406958386	00393397946739	30/01/2003 12.52	0.01.05
00393388952825	00393406958386	30/01/2003 13.56	0.01.08
00393397946739	00393406958386	30/01/2003 17.29	0.00.53
00393397946739	00393406958386	31/01/2003 9.29	0.00.57
00393388952825	00393406958386	31/01/2003 12.41	0.00.56
0039335436970	00393406958386	31/01/2003 19.37	0.01.46
00393338577471	00393406958386	31/01/2003 20.26	0.02.51

00393406958386	00393388952825	31/01/2003 20.31	0.01.56
0039335436970	00393406958386	31/01/2003 20.52	0.04.35
00393406958386	00393397946739	31/01/2003 20.58	0.01.22
00393388952825	00393406958386	31/01/2003 21.30	0.02.40
00393406958386	0039335436970	31/01/2003 21.34	0.01.04
0039335436970	00393406958386	31/01/2003 21.35	0.00.48
00393406958386	0039335436970	01/02/2003 10.15	0.02.03
00393397946739	00393406958386	01/02/2003 10.30	0.00.42
00393406958386	00393388952825	01/02/2003 16.34	0.02.00
0039335436970	00393406958386	04/02/2003 12.33	0.01.19
00393397946739	00393406958386	04/02/2003 15.06	0.03.23
00393397946739	00393406958386	04/02/2003 15.11	0.00.40
00393406958386	00393397946739	04/02/2003 17.15	0.02.12
0039335436970	00393406958386	04/02/2003 18.55	0.02.47
00393406958386	00393397946739	04/02/2003 18.59	0.01.35
0039335436970	00393406958386	04/02/2003 19.53	0.01.29
0039335436970	00393406958386	04/02/2003 19.55	0.00.22
00393406958386	00393397946739	04/02/2003 20.14	0.00.01
00393406958386	00393397946739	04/02/2003 21.00	0.01.36
00393406958386	00393388952825	05/02/2003 10.46	0.00.13
00393388952825	00393406958386	05/02/2003 12.53	0.00.39
00393397946739	00393406958386	05/02/2003 19.47	0.00.55
00393388952825	00393406958386	06/02/2003 11.53	0.00.24
00393388952825	00393406958386	06/02/2003 12.03	0.00.20
00393406958386	00393397946739	06/02/2003 20.17	0.01.12
0039335436970	00393406958386	06/02/2003 20.21	0.01.03
00393406958386	0039335436970	07/02/2003 13.30	0.01.57
00393406958386	0039335436970	07/02/2003 13.56	0.02.27
00393406958386	0039335436970	07/02/2003 14.41	0.00.15
00393388952825	00393406958386	07/02/2003 17.43	0.03.18
0039335436970	00393406958386	07/02/2003 18.30	0.01.53
00393388952825	00393406958386	08/02/2003 12.53	0.00.30
00393388952825	00393406958386	08/02/2003 14.13	0.00.27
0039335436970	00393406958386	08/02/2003 20.11	0.01.26
00393406958386	00393388952825	09/02/2003 10.59	0.00.36
00393388952825	00393406958386	09/02/2003 14.27	0.00.18
0039335436970	00393406958386	09/02/2003 14.33	0.01.48
00393397946739	00393406958386	09/02/2003 14.58	0.01.06
00393397946739	00393406958386	09/02/2003 15.58	0.00.33
0039335436970	00393406958386	09/02/2003 18.37	0.01.36
00393338579242	00393406958386	10/02/2003 8.53	0.01.14
00393406958386	0039335436970	10/02/2003 9.28	0.01.34

00393406958386	00393397946739	10/02/2003 9.51	0.00.19
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- with the following TIM numbers: **3333026990 JENKINS ANNE LIDIA**, **3387570941 CASTELLANO VICTOR**, **3387905706 LOGAN CYNTHIA DAME** and **3387570943 DUFFIN JOHN KEVIN**.
- With several international numbers which are still under investigation. Among them several American phones: **00191334916655**, **0018166400151**, **0012708431226**, **0012708420687**, **0012707823886** – **0012707820684**, **0012707815041**, **0012705860324**, **0012705355938**.

#### 10. **VODAFONE 3480614737 SUDDATH BARBARA**

The VODAFONE number registered under the name of the American citizen **Suddath Barbara**, d.o.b. 08.12.1956 in the US, residing in Via Principe Amedeo 2/10, address of the USA Consulate in Milan.

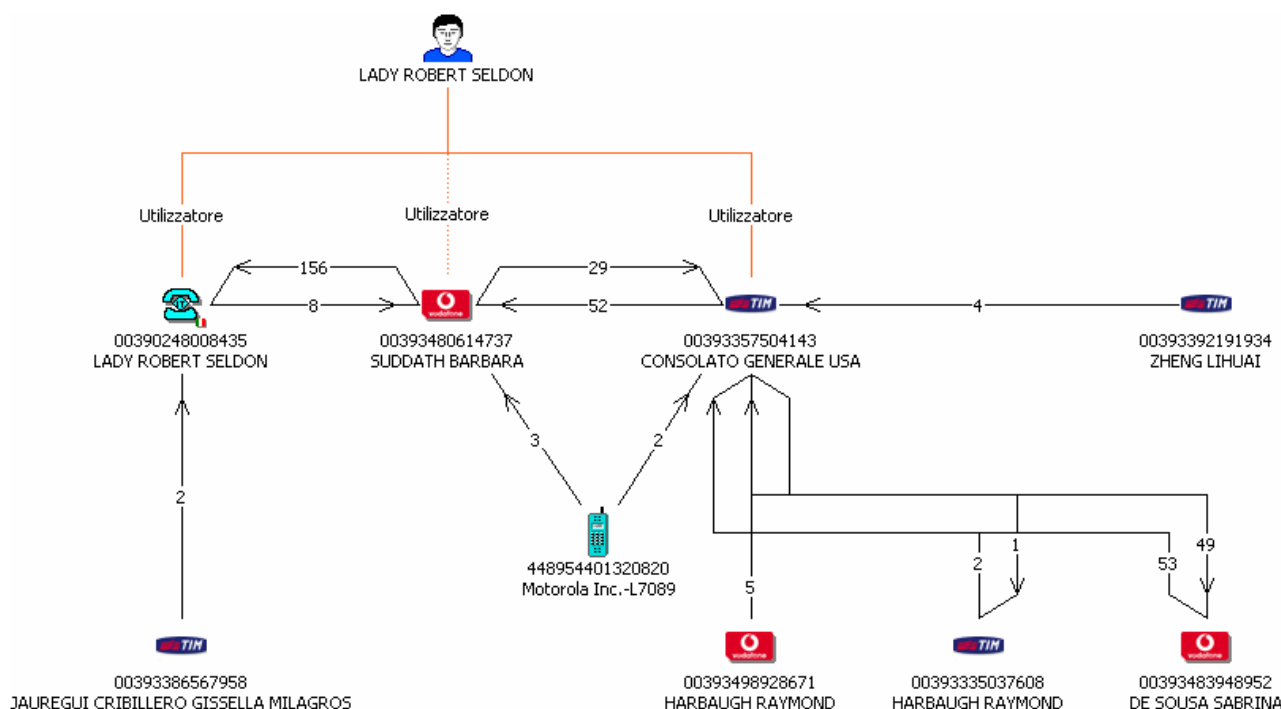
At the moment of the purchase of the Vodafone Sim card, the buyer produced among others an Italian Identity Card n° 61516 issued on July 15.1999, validity July 14, 2001, by the Italian Ministry of Foreign Affairs to **Barbara Patricia Suddath** d.o.b. 8.12.1956 in Kansas City (USA). This person is part of the staff of the American Diplomatic Representatives in Italy, and she works as Administrative technician at the Rome US Embassy.

From the analysis of the traffic generated by the number **3480614737**, we were able to verify that the Sim card, contrarily to our previous hypothesis, was used by the American citizen **Robert Lady Seldon** d.o.b 5.2.54 in Tegucigalpa (Honduras). And as we have already said, this man is well known by the Milan Digos as he was, at that period, the responsible in Milan of the CIA Office which is located at the US Consulate in Milan in via Principe Amedeo (see report dated Feb. 24, 2005).

Several considerations made us deduce with certainty that the phone registered under the name of Ms **Suddath** was actually used by **Robert Lady**:

- Both numbers **3480614737 (Suddath Barbara)** and **3357504143 (Milan US Consulate)**, used by **Robert Lady Seldon**, have shared, in sporadic occasions, the IMEI **448954401320820**. In its report dated Feb. 24, 2005, Milan Digos reports, that with this same cell phone, the man had business communications with the Digos staff;
- Also the number **3480614737** (registered under the name of Suddath Barbara) has contacted several times the staff of Milan Digos;
- From October 15, 2001 at 10.04.43 am till February 18, 2003 at 7.44.22 pm, the number **3357504143** has deviated, at irregular intervals, but more frequently during December 2002, the phone calls to number **3480614737**. For example, the calls made by the phones registered under the name of HARBAUGH (See following graphic) during the month of December 2002 were directed to number **3357504143** that deviated them to number **3480614737**.





After verifications made on the cells that were more frequently activated between 9pm and 10am by number **3480614737**, we individuated the cells listed in the following table. We note that during the evenings and nights, the number has used **270 TIMES** the cell in Via de Alessandri, at about 100 meters from **Lady's** old address: Via Cimarossa 22; and **49 times** the cell in Moncalvo (AT) situated at less than 2km from the actual address of Mr Lady, in Penango (AT), via Don Bosco 40. The Digos also points out that the first time that this phone has activated this cell, was on **September 10, 2003** at 3.12.21pm, and the change of address is dated **September 9, 2003**. So, this coincides with **Seldon's change of residence**. As for cells numbers 2, 4 and 5, those are the ones that cover the zone where the US Consulate is situated in Milan, via Principe Amedeo 10.

Address of the cell	Number of contacts between 9 pm and 10 am	First Contact	Last contact
1. MI - MILANO - Via de Alessandri, 11, Sett. 1	270	16/10/2000 21.05.13	02/08/2003 22.19.53
2. MI - MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2	57	14/12/2000 22.29.44	21/09/2004 09.15.50
3. AT - MONCALVO - C/O area cimiteriale Fg.8 mapp.266/B, Sett. 2	49	16/09/2003 21.59.15	15/10/2004 21.00.30
4. MI - MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 8	45	30/10/2000 21.12.56	18/07/2003 09.50.00
5. MI - MILANO - Via Crispi, 5 - Milano, Sett. 2	22	25/11/2000 08.50.51	29/10/2003 09.38.49

To be able to study all the evidences relative to the user of the Vodafone Sim Card **3480614737**, **Robert Lady Seldon**, we should analyse all details of the traffic of said Card.

We will concentrate only on the traffic relative to the first three months of 2003, taking in consideration that this phone has been activated in October 2000 and has been active until last October.

In this first table we have put in evidence the contacts that the user of the phone has had since January 2003 till February 19<sup>th</sup> 2003, two days after the facts of our investigation.

In this period of time the user has always been in Milan and has had contacts (see graphic 27 and Milan Digos report dated Feb. 24, 2005) with the following SIM Cards: **3388952825 – 3338579242 – 3386567958 (respectively numbers 4.5 and 8 table 1)** cellular phones that were all present on the spot (Via Guerzoni and the surrounding streets) and at the moment of the kidnapping.

As we can notice from the following table the contacts with one of the above mentioned phones, **3386567958 (n°8)** occurred on the 17<sup>th</sup> of February 2003, immediately after the kidnapping (evidenced in yellow).

Calling number	Called number	Date / hour	Duration	Activated cell
3480614737	3386567958	12/01/2003 13.47	0.00.37	MILANO - Via de Alessandri, 11, Sett. 1
3386567958	3480614737	15/01/2003 11.39	0.00.51	MILANO - Via Crispi, 5 - Milano, Sett. 9
3386567958	3480614737	15/01/2003 13.28	0.00.11	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3386567958	3480614737	17/01/2003 10.05	0.00.15	MILANO - C.so Garibaldi 68 (Hotel Ritter), Sett. 2
3386567958	3480614737	17/01/2003 13.10	0.00.11	MILANO - Via Napo Torriani, 31, Sett. 1
3386567958	3480614737	17/01/2003 17.46	0.01.00	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3480614737	3386567958	21/01/2003 9.49	0.00.18	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3386567958	3480614737	21/01/2003 17.17	0.01.09	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3386567958	3480614737	22/01/2003 13.32	0.00.27	MILANO - Via Crispi, 5 - Milano, Sett. 2
3480614737	3386567958	22/01/2003 13.56	0.00.18	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3386567958	3480614737	22/01/2003 14.00	0.01.01	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3480614737	3386567958	23/01/2003 8.47	0.00.32	TREZZO SULL`ADDA - Via del Cimitero, c/o Cimitero Comunale, Sett. 1
3386567958	3480614737	23/01/2003 14.42	0.00.33	PN - SAN QUIRINO - Via Roiata, 43, Sett. 3
3480614737	3386567958	24/01/2003 9.56	0.00.23	MILANO - Via Crispi, 5 - Milano, Sett. 2
3386567958	3480614737	24/01/2003 12.50	0.01.16	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2



<b>Calling number</b>	<b>Called number</b>	<b>Date / hour</b>	<b>Duration</b>	<b>Activated cell</b>
3386567958	<b>3480614737</b>	24/01/2003 13.15	0.00.23	MILANO - Via Galileo Galilei, 2 Milano, Sett. 8
<b>3480614737</b>	3386567958	24/01/2003 14.50	0.00.28	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
<b>3480614737</b>	3386567958	24/01/2003 14.51	0.00.50	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3386567958	<b>3480614737</b>	25/01/2003 12.25	0.00.38	MILANO - Stabile di proprieta` RAS Via Canonica, 54 - Milan, Sett. 7
3386567958	<b>3480614737</b>	25/01/2003 17.28	0.01.01	MILANO - Via de Alessandri, 11, Sett. 1
<b>3480614737</b>	3386567958	25/01/2003 19.01	0.00.22	MILANO - Via Napo Torriani, 31, Sett. 3
<b>3480614737</b>	3386567958	25/01/2003 19.09	0.01.04	MILANO - Via Galileo Galilei, 2 Milano, Sett. 2
<b>3480614737</b>	3386567958	26/01/2003 9.56	0.00.27	MILANO - C.so Garibaldi 68 (Hotel Ritter), Sett. 2
<b>3480614737</b>	3386567958	27/01/2003 8.17	0.00.13	MILANO - Via Manzoni, 31, Sett. 3
<b>3480614737</b>	3386567958	27/01/2003 11.31	0.00.16	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
<b>3480614737</b>	3386567958	27/01/2003 12.03	0.00.12	MILANO - Via Galileo Galilei, 2 Milano, Sett. 8
<b>3480614737</b>	3386567958	28/01/2003 8.57	0.00.25	MILANO - Via Crispi, 5 - Milano, Sett. 2
3386567958	<b>3480614737</b>	31/01/2003 14.44	0.01.20	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
<b>3480614737</b>	3386567958	31/01/2003 16.14	0.01.53	MILANO - Viale Jenner, n°4, Sett. 3
3338579242	<b>3480614737</b>	04/02/2003 10.09	0.00.46	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3338579242	<b>3480614737</b>	04/02/2003 10.22	0.00.10	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3338579242	<b>3480614737</b>	04/02/2003 13.44	0.00.08	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 8
3386567958	<b>3480614737</b>	07/02/2003 13.45	0.00.24	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 7
<b>3480614737</b>	3386567958	08/02/2003 20.37	0.00.20	MILANO - Via Ripamonti , 66, Sett. 7
3386567958	<b>3480614737</b>	10/02/2003 9.26	0.00.15	MILANO - Via Crispi, 5 - Milano, Sett. 2
<b>3480614737</b>	3386567958	11/02/2003 15.40	0.01.05	MILANO - Torre parcheg ATM fermata metro` di Famagosta 75, Sett. 7
3386567958	<b>3480614737</b>	11/02/2003 17.06	0.00.21	MILANO - Via de Alessandri, 11, Sett. 1

<b>Calling number</b>	<b>Called number</b>	<b>Date / hour</b>	<b>Duration</b>	<b>Activated cell</b>
3480614737	3386567958	12/02/2003 8.50	0.00.31	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3386567958	3480614737	12/02/2003 13.52	0.00.12	MILANO - Via Crispi, 5 - Milano, Sett. 2
3480614737	3386567958	13/02/2003 8.12	0.01.18	MILANO - Via F.lli Bettinelli, 3 - Centrale Telecom Italia, Sett. 7
3386567958	3480614737	13/02/2003 11.23	0.00.35	MILANO - Parcheggio ATM Cascina Gobba, Sett. 2
3480614737	3386567958	13/02/2003 14.43	0.00.19	MILANO - L.go Cordusio, 4, Sett. 1
3386567958	3480614737	14/02/2003 10.40	0.00.12	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3480614737	3386567958	14/02/2003 15.45	0.00.34	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 8
3386567958	3480614737	14/02/2003 16.13	0.00.06	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3386567958	3480614737	14/02/2003 16.58	0.00.21	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3386567958	3480614737	14/02/2003 17.37	0.00.24	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 8
3386567958	3480614737	14/02/2003 19.41	0.00.30	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 1
3386567958	3480614737	16/02/2003 14.01	0.00.10	MILANO - Via Pancaldo, 11, Sett. 3
3386567958	3480614737	17/02/2003 12.56	0.00.29	MILANO - Via Crispi, 5 - Milano, Sett. 2
3386567958	3480614737	17/02/2003 14.20	0.00.21	MILANO - Via Crispi, 5 - Milano, Sett. 2
3386567958	3480614737	17/02/2003 14.28	0.00.06	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 8
3386567958	3480614737	17/02/2003 16.25	0.00.08	MILANO - Viale Majno 10, Sett. 1
3386567958	3480614737	18/02/2003 10.43	0.01.03	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 8
3386567958	3480614737	18/02/2003 11.50	0.00.08	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3386567958	3480614737	18/02/2003 15.29	0.00.08	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 1
3388952825	3480614737	18/02/2003 20.23	0.01.20	MILANO - Via Duilio n° 6, Sett. 2
3388952825	3480614737	19/02/2003 11.53	0.00.28	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 1

In the period going from February 19, 2003 to February 22, 2003, the number **3480614737** has contacted from Milan other phones which were not involved in our inquiry.

On the 22<sup>nd</sup> of February 2003, the user of the phone moves in the province of Gorizia, and from that moment the phone SIM card does not receive nor makes phone calls until the 3<sup>rd</sup> of March 2003, when that same phone, **activating a radiobase cell in Egypt**, receives two phone calls from a non identified phone number.

Then, on the 15<sup>th</sup> of March 2003, the phone has activated Italian cells, signifying that the user was back in Italy.

**That makes us deduce that the user of the Vodafone card was in Egypt from the 22<sup>nd</sup> of February 2003 to the 15<sup>th</sup> of March 2003, i.e, in the first days of the illegal detention of Abu Omar in Egypt, when he was probably subjected to the first “treatments”.**

This fact is confirmed also by the declarations made by witness **Elbadry Mohamed Reda**, according to what he was told by the Egyptian citizen **Abu Omar**, that the latter had been, in this period, already transferred to Egypt where he was submitted to heavy “interrogations”.

Calling number	Called number	Date / hour	Duration	Activated cell
3477619320	3480614737	19/02/2003 12:19:06	72	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3473204821	3480614737	19/02/2003 16:42:39	46	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 1
3480614737	0276024801	19/02/2003 18:29:05	25	MILANO – Via Galileo Galilei, 2 Milano, Sett. 2
3480614737	3281508898	20/02/2003 09:26:37	9	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3478344302	3480614737	20/02/2003 10:55:19	59	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3480614737	0262265138	20/02/2003 11:23:54	1	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 7
3480614737	3478344302	20/02/2003 12:48:26	0	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3478344302	3480614737	20/02/2003 12:48:43	39	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3477619320	3480614737	20/02/2003 14:15:24	141	MILANO – Via Crispi, 5 - Milano, Sett. 2
3480614737	3477619320	20/02/2003 14:18:06	361	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3480614737	3406712600	20/02/2003 14:28:24	90	MILANO – Via Crispi, 5 - Milano, Sett. 2
3473204821	3480614737	20/02/2003 15:06:17	83	MILANO – Via Crispi, 5 - Milano, Sett. 2
3480614737	3406712600	20/02/2003 16:00:48	25	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3473204821	3480614737	20/02/2003 20:43:34	38	MILANO - Via Marco Aurelio 26 - Centrale Telecom Italia Mil, Sett. 9
3477619320	3480614737	20/02/2003	28	MILANO - Via Marco Aurelio 26 - Centrale

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>Durati on</i>	<i>Activated cell</i>
		22:16:29		Telecom Italia Mil, Sett. 3
3477619320	3480614737	21/02/2003 08:44:04	113	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 8
3478344302	3480614737	21/02/2003 08:57:26	67	MILANO - C.so Garibaldi 68 (Hotel Ritter), Sett. 8
3478344302	3480614737	21/02/2003 09:05:02	11	MILANO - C.so di P.ta Nuova, 7/ V. Cernaia, 10, Sett. 2
3480614737	043426764	21/02/2003 17:34:41	43	VI - MONTECCHIO MAGGIORE - Via Madonnetta, Sett. 1
3480614737	3331729183	22/02/2003 09:52:44	22	VI - GRUMOLO DELLE ABBADESSE - A4 - km 121,3, Sett. 7
3478344302	3480614737	22/02/2003 10:13:42	23	VE - VENEZIA – Via dei Salici 32, Sett. 7
3480614737	3331729183	22/02/2003 11:01:14	105	VE - PORTOGRUARO - Viale Trieste, 3, Sett. 9
3480614737	3331729183	22/02/2003 11:27:34	22	GO - MONFALCONE - Terreno in loc. Cima di Pietrarossa, Sett. 1
3480614737	3331729183	22/02/2003 11:31:17	15	GO - MONFALCONE - Via Terza Armata, 21, Sett. 3
3480614737	335204587	03/03/2003 09:35:51	10	
	3480614737	03/03/2003 11:34:23	30	Egitto
	3480614737	03/03/2003 11:35:13	165	Egitto
3480614737	3477619320	15/03/2003 10:29:58	42	CO - CARIMATE - Via Stazione, Sett. 3
3480614737	3477619320	15/03/2003 10:31:28	43	MI - MEDA - Via S. Maria c/o Torre acqua comunale, Sett. 3
3480614737	3483948952	15/03/2003 10:34:28	38	MI - SEREGNO - Via S.Stefano da Seregno, 39 c/o centrale Telecom, Sett. 3
3478344302	3480614737	15/03/2003 10:46:23	9	MI - MILANO – Viale Monza 139, Sett. 3
3478344302	3480614737	15/03/2003 11:56:18	63	MI - MILANO - Via de Alessandri, 11, Sett. 1

*This phone has been intercepted as from December 30, 2004 and January 13. 2005 as it was still activated in Italy though without any traffic at all.*

*The American citizen **Robert Lady Seldon** who retired long ago from the diplomatic career wanted to settle in Italy. In fact, he bought a farm in Penango (AT) via Don Bosco, 40, where he actually lives with his family.*

## **11. WIND 3291242728 ROLING MARIA IRLEI**

*This phone registered under the name of **Roling Maria Irlei**, d.o.b. 21.07.1968 in Brazil, residing in Rome, via Dei Brusari 80, is still under inquiry but is probably also registered under a fake name.*

*The phone has had contacts (see graphic 28 and Milan Digos report dated Feb. 25, 2005) with the following numbers:*

- **3398581994, 3389383879, 3343099527 (respectively numbers 16, 9 and 12),** and with number **3392191934** registered under the name of **Zheng Lihuai**, of whom we will talk later. Another interesting detail of the traffic of this phone, as we can note from the graphic, is that it has divided the IMEI (thus the same device) with another TIM phone **3387570929** that has always been located in Aviano area. This latter phone has had contacts on Feb. 17, 2003 with the TIM phone **3343101143 (n° 11 of the table)**, and on January 29, 2003 with number **3356121879** registered under the name of **31^ Contracting Squadron (Base Usaf Aviano)** which we previously mentioned.

## **12. TIM 3392191934 ZHENG LIHUAI**

*We have also requested a copy of the traffic produced by the TIM Sim card registered under the name of **Zheng Lihuai**, whose user was not involved in this inquiry.*

*In fact, the user of the Sim Card, was also present on the spot and at the moment of the kidnapping, as we noted from verifications on the cells it has activated.*

*From the traffic of the Sim card (see graphic 29 and Milan Digos report dated Feb. 24, 2005), that has been sold by **MI.BA. di Caspani Liliana & C. via Lorenteggio 35 Milan** – we note that it has had contacts with the following numbers:*

- **3338579242, 3343101143, 3343176579, 3386567958, 3388952825, 3389383879 and 3398581994 (respectively numbers 5, 11, 13, 8, 4, 9 and 16 table 1),** details as follow:

<b>Calling number</b>	<b>Called number</b>	<b>Date / hour</b>	<b>duration</b>
00393392191934	00393388952825	26/01/2003 9.28	0.00.32
00393392191934	00393389383879	26/01/2003 9.30	0.00.56
00393386567958	00393392191934	27/01/2003 18.09	0.01.11
00393389383879	00393392191934	27/01/2003 19.26	0.02.04
00393389383879	00393392191934	28/01/2003 11.26	0.01.51
00393386567958	00393392191934	28/01/2003 15.07	0.00.35
00393392191934	00393388952825	28/01/2003 16.19	0.00.49
00393343101143	00393392191934	28/01/2003 19.32	0.02.29
00393392191934	00393343101143	28/01/2003 20.05	0.00.58
00393392191934	00393389383879	28/01/2003 20.11	0.01.24
00393389383879	00393392191934	28/01/2003 20.52	0.00.20
00393389383879	00393392191934	29/01/2003 9.38	0.01.22
00393392191934	00393389383879	29/01/2003 9.57	0.00.53
00393392191934	00393388952825	29/01/2003 10.24	0.01.21
00393386567958	00393392191934	29/01/2003 11.31	0.01.06
00393392191934	00393388952825	29/01/2003 12.24	0.00.48
00393386567958	00393392191934	29/01/2003 21.19	0.00.49

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393386567958	00393392191934	30/01/2003 9.03	0.00.28
00393386567958	00393392191934	30/01/2003 9.43	0.00.16
00393389383879	00393392191934	30/01/2003 20.27	0.01.01
00393389383879	00393392191934	30/01/2003 21.34	0.01.48
00393389383879	00393392191934	30/01/2003 21.37	0.00.56
00393392191934	00393389383879	30/01/2003 22.33	0.00.59
00393392191934	00393389383879	31/01/2003 8.52	0.00.23
00393389383879	00393392191934	31/01/2003 8.53	0.00.19
00393392191934	00393389383879	31/01/2003 10.50	0.00.15
00393343101143	00393392191934	31/01/2003 13.58	0.00.32
00393392191934	00393388952825	31/01/2003 14.00	0.00.45
00393386567958	00393392191934	31/01/2003 14.30	0.00.14
00393389383879	00393392191934	31/01/2003 16.13	0.02.22
00393343101143	00393392191934	31/01/2003 16.46	0.01.07
00393392191934	00393389383879	31/01/2003 17.02	0.00.43
00393386567958	00393392191934	31/01/2003 17.40	0.01.36
00393338579242	00393392191934	31/01/2003 20.07	0.04.22
00393389383879	00393392191934	31/01/2003 21.50	0.01.14
00393392191934	00393388952825	04/02/2003 13.27	0.00.55
00393386567958	00393392191934	04/02/2003 15.29	0.01.28
00393386567958	00393392191934	04/02/2003 15.58	0.00.46
00393392191934	00393388952825	04/02/2003 16.08	0.00.16
00393343101143	00393392191934	04/02/2003 17.14	0.00.19
00393389383879	00393392191934	04/02/2003 17.28	0.01.05
00393392191934	00393389383879	04/02/2003 18.28	0.02.10
00393392191934	00393389383879	04/02/2003 18.31	0.00.17
00393343176579	00393392191934	04/02/2003 20.07	0.02.37
00393392191934	00393343176579	04/02/2003 20.25	0.00.24
00393386567958	00393392191934	05/02/2003 17.28	0.00.32
00393389383879	00393392191934	05/02/2003 19.59	0.01.12
00393386567958	00393392191934	06/02/2003 13.51	0.01.01
00393392191934	00393388952825	06/02/2003 14.41	0.01.04
00393389383879	00393392191934	07/02/2003 10.13	0.00.53
00393386567958	00393392191934	07/02/2003 20.07	0.01.18
00393343101143	00393392191934	07/02/2003 20.26	0.00.40
00393343101143	00393392191934	07/02/2003 20.38	0.01.01
00393392191934	00393388952825	07/02/2003 20.40	0.00.20
00393386567958	00393392191934	07/02/2003 20.46	0.00.53
00393392191934	00393388952825	07/02/2003 20.49	0.00.24
00393343101143	00393392191934	07/02/2003 20.50	0.00.13
00393386567958	00393392191934	07/02/2003 21.03	0.00.42



<b>Calling number</b>	<b>Called number</b>	<b>Date / hour</b>	<b>duration</b>
00393389383879	00393392191934	07/02/2003 21.12	0.00.37
00393389383879	00393392191934	08/02/2003 9.46	0.00.51
00393343101143	00393392191934	08/02/2003 10.09	0.00.27
00393389383879	00393392191934	08/02/2003 11.08	0.00.11
00393343101143	00393392191934	08/02/2003 11.09	0.00.15
00393343101143	00393392191934	08/02/2003 13.52	0.00.14
00393343101143	00393392191934	08/02/2003 16.36	0.00.27
00393392191934	00393388952825	08/02/2003 16.42	0.00.43
00393386567958	00393392191934	09/02/2003 15.03	0.00.25
00393338579242	00393392191934	09/02/2003 18.15	0.05.26
00393386567958	00393392191934	09/02/2003 18.38	0.01.26
00393392191934	00393388952825	10/02/2003 8.55	0.00.20
00393386567958	00393392191934	10/02/2003 14.52	0.00.15
00393392191934	00393386567958	11/02/2003 10.06	0.01.44
00393392191934	00393388952825	11/02/2003 19.01	0.01.34
00393386567958	00393392191934	12/02/2003 8.54	0.00.18
00393392191934	00393388952825	12/02/2003 17.00	0.00.41
00393338579242	00393392191934	13/02/2003 11.44	0.01.42
00393392191934	00393338579242	13/02/2003 12.11	0.00.37
00393386567958	00393392191934	13/02/2003 14.49	0.00.22
00393338579242	00393392191934	14/02/2003 12.00	0.01.14
00393386567958	00393392191934	14/02/2003 12.58	0.00.49
00393386567958	00393392191934	14/02/2003 15.57	0.00.30
00393389383879	00393392191934	14/02/2003 17.35	0.00.07
00393389383879	00393392191934	14/02/2003 19.03	0.00.41
00393343101143	00393392191934	14/02/2003 19.35	0.00.42
00393386567958	00393392191934	14/02/2003 19.40	0.00.45
00393392191934	00393389383879	14/02/2003 20.48	0.01.55
00393386567958	00393392191934	15/02/2003 13.29	0.00.15
<b>00393389383879</b>	<b>00393392191934</b>	<b>17/02/2003 9.36</b>	<b>0.00.39</b>
<b>00393389383879</b>	<b>00393392191934</b>	<b>17/02/2003 11.06</b>	<b>0.00.19</b>
<b>00393398581994</b>	<b>00393392191934</b>	<b>17/02/2003 11.46</b>	<b>0.00.25</b>
<b>00393343101143</b>	<b>00393392191934</b>	<b>17/02/2003 12.54</b>	<b>0.00.05</b>

- With the US Consulate in Milan and with WIND number 3291242728 registered under the name of Roling Maria Irlei.

**13. TIM 3337693263 and TIM 3337934123 without registration names.**

The TIM numbers **003933376993263** and **00393337934123**, without any registration names, could have been used by the same person.

*Their traffic show that their contacts are almost the same (see graphic 30 and Milan Digos report dated Feb. 24, 2005), but they have never called each other, and they have activated the same cells (among them the one at Aviano's USAF base).*

*The two phones are important for this investigation as they have had several contacts with the users of cell phones who were present on the spot and at the moment of the kidnapping: 3343211730, 3336364075, 3389383879, 3343101143 (respectively numbers 14, 1, 9 and 11 table 1) and the WIND number 3291242728 registered under the name of Roling Maria Irlei.*

*The traffic of the above numbers is listed in the following tables:*

<b>Calling number</b>	<b>Called number</b>	<b>Date / hour</b>	<b>duration</b>
00393389383879	00393337934123	23/01/2003 16.51.18	0.00.27
00393389383879	00393337693263	24/01/2003 8.23.37	0.01.44
00393389383879	00393337693263	24/01/2003 15.11.18	0.04.27
00393337693263	00393389383879	25/01/2003 11.11.21	0.00.36
00393337693263	00393389383879	25/01/2003 11.55.48	0.00.35
00393389383879	00393337693263	25/01/2003 12.04.22	0.00.21
00393337693263	00393389383879	25/01/2003 12.07.36	0.01.00
00393337693263	00393389383879	26/01/2003 14.00.39	0.00.42
00393343101143	00393337934123	27/01/2003 10.19.25	0.00.24
00393337693263	00393389383879	27/01/2003 10.36.30	0.00.18
00393337934123	00393389383879	27/01/2003 20.33.26	0.01.28
00393337934123	00393336364075	27/01/2003 21.03.12	0.00.33
00393343101143	00393337934123	28/01/2003 7.47.00	0.00.25
00393337934123	00393389383879	28/01/2003 10.56.39	0.00.34
00393337693263	00393343211730	28/01/2003 19.41.33	0.00.33
00393343101143	00393337934123	28/01/2003 21.29.45	0.00.30
00393343101143	00393337934123	29/01/2003 10.18.53	0.00.27
00393337934123	00393336364075	30/01/2003 8.58.03	0.00.11



<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393343101143	00393337934123	30/01/2003 17.50.44	0.00.22
00393389383879	00393337934123	30/01/2003 20.10.15	0.00.28
00393343101143	00393337934123	31/01/2003 11.53.32	0.00.21
00393337934123	00393343101143	31/01/2003 13.57.40	0.00.26
00393343101143	00393337934123	31/01/2003 18.13.07	0.01.08
00393337934123	00393343101143	31/01/2003 18.42.17	0.00.43
00393337934123	00393343101143	31/01/2003 19.49.13	0.00.36
00393337934123	00393343101143	31/01/2003 19.54.16	0.00.32
00393337934123	00393343101143	04/02/2003 19.28.39	0.00.22
00393343101143	00393337934123	05/02/2003 11.35.06	0.00.22
00393343101143	00393337934123	05/02/2003 12.48.55	0.00.17
00393337934123	00393336364075	05/02/2003 13.11.32	0.02.02
00393343101143	00393337934123	06/02/2003 11.23.27	0.00.17
00393343101143	00393337934123	06/02/2003 12.04.42	0.00.25
00393343101143	00393337934123	08/02/2003 11.01.31	0.00.23
00393343101143	00393337934123	08/02/2003 12.49.41	0.00.19
00393343101143	00393337934123	08/02/2003 14.12.25	0.00.16
00393343101143	00393337934123	08/02/2003 14.19.16	0.00.13
00393343101143	00393337934123	08/02/2003 14.22.31	0.00.10
00393343101143	00393337934123	09/02/2003 11.15.52	0.00.30
00393337934123	00393343101143	09/02/2003 13.27.55	0.00.10
00393343101143	00393337934123	09/02/2003 14.20.28	0.00.40
00393343101143	00393337934123	09/02/2003	0.00.39

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
		17.03.58	
00393337934123	00393336364075	14/02/2003 16.07.52	0.00.27
00393336364075	00393337934123	14/02/2003 17.26.07	0.01.36
00393337934123	00393343101143	14/02/2003 19.58.01	0.00.39
00393336364075	00393337934123	14/02/2003 20.15.52	0.00.44
00393336364075	00393337934123	14/02/2003 20.17.25	0.00.58
00393337934123	00393336364075	14/02/2003 21.51.01	0.03.34
00393336364075	00393337693263	14/02/2003 21.56.11	0.02.12
00393337693263	00393336364075	14/02/2003 23.14.01	0.00.32
00393343101143	00393337934123	15/02/2003 11.23.40	0.00.19
00393343101143	00393337934123	15/02/2003 12.55.30	0.00.23
00393343101143	00393337693263	15/02/2003 18.05.26	0.00.25
00393343101143	00393337934123	16/02/2003 11.06.32	0.00.15
00393343101143	00393337934123	16/02/2003 12.53.28	0.00.16
00393343101143	00393337934123	16/02/2003 12.56.45	0.00.22
00393343101143	00393337934123	17/02/2003 11.18.26	0.00.11
00393343211730	00393337934123	17/02/2003 12.42.25	0.00.07
00393343101143	00393337934123	17/02/2003 13.04.14	0.00.18
00393343101143	00393337934123	17/02/2003 13.06.58	0.00.16
00393343101143	00393337934123	17/02/2003 13.06.59	0.00.16
00393343101143	00393337934123	17/02/2003 13.10.55	0.00.11
00393343101143	00393337934123	17/02/2003 13.58.49	0.00.26
00393343101143	00393337934123	17/02/2003 15.28.22	0.00.19

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393337934123	00393343211730	17/02/2003 16.10.14	0.00.21
00393343211730	00393337934123	17/02/2003 16.15.57	0.00.14
00393337934123	00393336364075	17/02/2003 17.30.48	0.00.54
00393337934123	00393343101143	17/02/2003 17.32.05	0.00.17
00393337934123	00393343101143	17/02/2003 17.32.05	0.00.17
00393343101143	00393337934123	17/02/2003 18.30.08	0.00.31
00393336364075	00393337934123	17/02/2003 18.51.09	0.03.15
00393337693263	00393336364075	17/02/2003 19.38.45	0.00.54
00393343101143	00393337693263	17/02/2003 21.29.29	0.00.37
00393343101143	00393337693263	18/02/2003 10.54.41	0.00.05
00393337693263	00393343101143	18/02/2003 10.57.58	0.00.55

*The contacts evidenced in yellow are those of the day of the kidnapping.*

**14. WIND PHONES 3201166281 AND 3201166255 without registration names.**

*Also the above phones were found interesting by the investigators as they have had contacts with some of the numbers of table 1, they have never sent their particulars to Wind for registration purpose, as they used the Sim cards for only 10 days, which permits them to remain anonymous. Those cards, in fact, use the “Wind Attiva” service that consists in a prepaid card that comes pre-activated at the moment of the purchase. To activate this card you have to call Wind at the number 4242 that activates the card. When, at the moment of the purchase, the buyer does not produce any particulars, he has to send to Wind a form that he should fill in with his particulars with a copy of an identity document and the “codice fiscale”, within three days from the call made to 4242. If those particulars are not received within 7 days, the Sim card cannot call any number, and after 10 days it will not receive calls neither and thus be totally suspended. (This possibility offered by Telecom company Wind, offers to any criminal possibilities of illegal use of the Sim cards, and so the companies should really try to solve this problem)*

*The user of the Sim card Wind 3201166281 has had contacts with numbers 3338577471, 335436970, 3343211730 and 3409849532 (respectively numbers 6, 7, 14 and 17 table 1) as per following details:*

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393338577471	00393201166281	11/01/2003 12.33.14	0.00.56

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393201166281	00393338577471	11/01/2003 15.19.26	0.00.47
00393201166281	00393409849532	12/01/2003 9.40.52	0.02.41
00393338577471	00393201166281	12/01/2003 9.46.12	0.01.12
00393201166281	00393338577471	12/01/2003 18.33.34	0.01.26
00393338577471	00393201166281	13/01/2003 14.00.02	0.02.06
00393338577471	00393201166281	13/01/2003 14.07.26	0.00.28
00393409849532	00393201166281	13/01/2003 15.07.04	0.01.34
00393201166281	00393409849532	13/01/2003 15.58.01	0.00.38
00393397946739	00393201166281	14/01/2003 10.34.05	0.01.01
00393201166281	00393409849532	14/01/2003 12.31.56	0.01.58
00393338577471	00393201166281	14/01/2003 12.37.11	0.01.36
00393201166281	00393409849532	14/01/2003 13.52.10	0.01.01
00393201166281	00393338577471	15/01/2003 9.23.32	0.01.08
00393409849532	00393201166281	15/01/2003 9.29.11	0.03.40
00393201166281	0039335436970	15/01/2003 9.33.50	0.01.02
00393201166281	0039335436970	15/01/2003 10.37.15	0.00.21
00393409849532	00393201166281	15/01/2003 12.33.23	0.01.04
00393397946739	00393201166281	15/01/2003 13.08.02	0.00.35
00393201166281	00393397946739	15/01/2003 13.15.13	0.00.41
00393397946739	00393201166281	15/01/2003 14.37.24	0.00.09
00393201166281	00393397946739	15/01/2003 14.59.45	0.01.22
0039335436970	00393201166281	15/01/2003 15.16.10	0.01.41
0039335436970	00393201166281	15/01/2003	0.00.13

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
		15.35.28	
00393338577471	00393201166281	15/01/2003 15.46.07	0.01.45
00393201166281	0039335436970	15/01/2003 16.15.51	0.01.59
00393201166281	0039335436970	15/01/2003 18.34.23	0.00.39
00393201166281	0039335436970	15/01/2003 18.42.22	0.00.11
00393201166281	0039335436970	15/01/2003 22.37.13	0.00.09
0039335436970	00393201166281	15/01/2003 22.42.38	0.05.35
0039335436970	00393201166281	16/01/2003 15.51.56	0.00.59
00393201166281	00393338577471	16/01/2003 17.19.58	0.02.20
00393338577471	00393201166281	16/01/2003 17.23.21	0.01.01
00393201166281	00393338577471	17/01/2003 10.12.09	0.01.37
00393201166281	00393409849532	17/01/2003 12.00.49	0.00.16
00393338577471	00393201166281	17/01/2003 12.52.28	0.01.33
00393201166281	00393409849532	17/01/2003 12.56.41	0.01.21
00393201166281	00393338577471	17/01/2003 13.08.20	0.01.41
00393201166281	0039335436970	17/01/2003 13.13.02	0.02.18
0039335436970	00393201166281	17/01/2003 13.40.11	0.01.35
00393201166281	0039335436970	17/01/2003 16.03.13	0.01.50
0039335436970	00393201166281	17/01/2003 16.23.04	0.00.34
0039335436970	00393201166281	17/01/2003 16.47.17	0.01.29
0039335436970	00393201166281	17/01/2003 17.08.50	0.00.30
00393201166281	00393397946739	17/01/2003 17.58.20	0.01.58
00393397946739	00393201166281	17/01/2003 18.06.32	0.02.29

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393201166281	0039335436970	17/01/2003 19.09.07	0.00.17
00393397946739	00393201166281	18/01/2003 10.01.50	0.00.37
00393201166281	00393397946739	18/01/2003 10.19.20	0.00.23
00393397946739	00393201166281	18/01/2003 10.27.02	0.00.19
00393338577471	00393201166281	18/01/2003 13.09.47	0.00.03
00393338577471	00393201166281	18/01/2003 13.10.18	0.01.15
00393201166281	00393338577471	18/01/2003 13.12.24	0.00.46
00393201166281	00393338577471	18/01/2003 13.26.09	0.00.13
00393201166281	00393338577471	18/01/2003 13.27.31	0.00.04
00393338577471	00393201166281	18/01/2003 13.45.17	0.01.49
00393338577471	00393201166281	18/01/2003 13.58.12	0.00.31
00393338577471	00393201166281	18/01/2003 15.25.59	0.01.31
00393338577471	00393201166281	19/01/2003 9.14.07	0.01.19
00393338577471	00393201166281	19/01/2003 9.17.54	0.01.15
00393201166281	00393397946739	19/01/2003 9.20.40	0.00.28
00393397946739	00393201166281	19/01/2003 9.31.49	0.01.44
00393201166281	0039335436970	19/01/2003 9.38.53	0.00.46
0039335436970	00393201166281	19/01/2003 9.48.36	0.00.39
00393397946739	00393201166281	19/01/2003 10.25.56	0.00.24
0039335436970	00393201166281	19/01/2003 10.53.49	0.01.27
0039335436970	00393201166281	19/01/2003 12.35.24	0.01.45
00393338577471	00393201166281	19/01/2003 12.38.50	0.00.40
00393397946739	00393201166281	19/01/2003	0.00.22

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
		12.43.05	
00393409849532	00393201166281	19/01/2003 13.13.54	0.00.53
00393338577471	00393201166281	19/01/2003 13.24.44	0.01.03
00393397946739	00393201166281	19/01/2003 14.22.38	0.00.20
00393338577471	00393201166281	19/01/2003 14.29.53	0.00.52
0039335436970	00393201166281	19/01/2003 14.44.01	0.00.26
00393397946739	00393201166281	19/01/2003 17.28.41	0.00.21
00393397946739	00393201166281	19/01/2003 19.48.18	0.01.28
00393397946739	00393201166281	19/01/2003 19.49.57	0.01.01
00393338577471	00393201166281	20/01/2003 10.43.54	0.00.06
00393338577471	00393201166281	20/01/2003 10.44.53	0.00.06

You will find further details hereafter, but we can already anticipate (see also paragraph H) that the user of this card has been identified as American citizen, **Harbaugh Raymond** that has also used the Sim card **3386567958 REGISTERED UNDER THE NAME OF Jauregui Cribillero Gisella Milagros**, and the TIM number **3388952825** registered under the name of **Timofte Mihai**, both mentioned in previous paragraphs, that were both present on the spot of the kidnapping on Feb. 17; 2003. For the details of the traffic of those three Sim cards please see graphic 31 and Milan Digos report dated Feb. 24, 2005.

Also the traffic of the WIND phone **3201166255** (see graphic 32 and Milan Digos report dated Feb. 24, 2005) is similar to the previous phone. In fact, it has had contacts only for 10 days, with numbers **3338577471**, **335436970**, **3409849532** and **3343211730**, the three first ones who were present on the spot and at the moment of the kidnapping and the fourth in relation with those, as per following details:

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393201166255	00393338577471	11/01/2003 11.38.41	0.00.55
00393338577471	00393201166255	11/01/2003 11.44.03	0.00.58
00393338577471	00393201166255	11/01/2003 12.08.15	0.01.15
00393409849532	00393201166255	11/01/2003 13.57.01	0.02.26

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393338577471	00393201166255	12/01/2003 9.48.38	0.02.03
00393338577471	00393201166255	12/01/2003 11.45.22	0.00.44
00393338577471	00393201166255	12/01/2003 12.02.26	0.00.46
00393201166255	00393338577471	12/01/2003 12.22.27	0.00.19
00393201166255	00393409849532	12/01/2003 15.00.12	0.00.20
00393338577471	00393201166255	13/01/2003 12.25.23	0.00.43
00393409849532	00393201166255	14/01/2003 12.30.48	0.00.03
00393201166255	00393409849532	14/01/2003 12.30.57	0.00.46
0039335436970	00393201166255	15/01/2003 10.06.35	0.01.13
00393201166255	0039335436970	15/01/2003 10.20.15	0.00.19
0039335436970	00393201166255	15/01/2003 10.20.53	0.00.35
0039335436970	00393201166255	15/01/2003 11.29.22	0.03.13
00393201166255	0039335436970	15/01/2003 11.49.00	0.00.45
00393338577471	00393201166255	15/01/2003 14.00.07	0.00.11
00393338577471	00393201166255	15/01/2003 14.00.57	0.00.26
0039335436970	00393201166255	15/01/2003 15.23.41	0.00.08
00393201166255	0039335436970	15/01/2003 15.25.20	0.01.45
0039335436970	00393201166255	16/01/2003 10.17.16	0.00.09
00393201166255	0039335436970	16/01/2003 11.59.48	0.00.43
00393338577471	00393201166255	16/01/2003 12.24.26	0.00.32
00393201166255	0039335436970	16/01/2003 12.25.55	0.00.40
0039335436970	00393201166255	17/01/2003 10.06.14	0.02.27
0039335436970	00393201166255	17/01/2003	0.02.14



<b>Calling number</b>	<b>Called number</b>	<b>Date / hour</b>	<b>duration</b>
		10.08.56	
00393201166255	0039335436970	17/01/2003 13.23.03	0.00.12
0039335436970	00393201166255	17/01/2003 13.24.15	0.00.33
0039335436970	00393201166255	17/01/2003 13.58.13	0.00.34
0039335436970	00393201166255	17/01/2003 14.21.25	0.00.37
00393201166255	0039335436970	17/01/2003 14.58.40	0.00.36
0039335436970	00393201166255	17/01/2003 15.21.30	0.00.14
00393397946739	00393201166255	17/01/2003 16.14.25	0.01.14
00393397946739	00393201166255	17/01/2003 16.18.24	0.00.48
0039335436970	00393201166255	18/01/2003 11.41.56	0.00.35
00393409849532	00393201166255	18/01/2003 15.12.09	0.00.07
00393409849532	00393201166255	18/01/2003 15.35.18	0.01.30
0039335436970	00393201166255	19/01/2003 10.21.11	0.00.08
00393338577471	00393201166255	19/01/2003 11.48.08	0.00.50
00393338577471	00393201166255	19/01/2003 12.28.31	0.00.31
00393338577471	00393201166255	19/01/2003 12.34.33	0.01.03

*The user of this last number WIND 3201166255 was identified in the american citizen HARTY Benamar (see par. "H") , who, as it will be possible to read after, also used mobile phone n. 3387079723 registered under name Timofte Mihai (see n.3 of the table), that was on the place of the kidnapping on febr. 18, 2003.*

#### **E.4) Verifications on phones. IMEI Codes**

*To be able to identify all 17 users of the 17 Sim cards operating, as said before, on the spot of the kidnapping, we have requested the IMEI codes that identify each phone used with those Sim Cards, to be able to verify if they eventually would have been used also with different Sim cards.*

*It appeared from the study of the IMEI codes (please see graphic 33 and Milan Digos report dated Feb. 24, 2005) that the phones had been several times exchanged between the various elements of*

the group. In fact, those phone had been previously used with other Sim cards, moreover some of them had been used with Sim cards registered under the name of other American citizens (even after the 17<sup>th</sup> of February 2003) who were obviously not involved in our investigation. **That gives more strength to the hypothesis that the phones we were verifying would be a kind of “office phone”.**

Below, details of IMEI codes:

- the Nokia 3510 phone identified with IMEI code 350843805732620, operating since January 9, 2003 till February 20, 2003, with the SIM card **3338577471 (n° 6, table 1, registered under the name of KOLAZE & GHELON SRL)** whose user was present on the spot and at the moment of Abu Omar's disappearance, has been used from the 9<sup>th</sup> December 2002 to the 24<sup>th</sup> January 2003 with the TIM Sim Card **3386410348** registered under the name of the American citizen **Sofin Joseph**, d.o.b. Feb. 13. 1953 in Moldavia. The Sim card **3338577471** as we will see further, was used by the American citizen Sofin Joseph the day of the kidnapping.
- The Nokia 3510 phone identified with IMEI code 351112204285680, operating from Jan.21, 2003 till Feb. 23, 2003 with the Sim card **3387079723 (n° 3, table 1 registered under the name of TIMOFTE MIHAI)** who was present on the spot and at the moment of Abu Omar's disappearance, had been used from Dec.8,2002 till Dec.17,2002 with the TIM Sim card **3383790897 registered under the name of Ibanez Brenda Liliana**, and from Jan. 9, 2003 till Jan.19, 2003 with the WIND Sim card **3201166255** which was in use by the American citizen **Harty Benamar**. This person, as we will further describe, seems to be also the user of phone number 3387079723 on the day of the kidnapping.
- The Nokia 5210 phone identified with IMEI code 350881107255200, operating with the Sim card **3398675142 (n° 10 table 1 registered under the name of Lodi Donatella)** who was present on the spot and at the moment of Abu Omar's disappearance had been used from Dec.7, 2002 to Dec.17,2002 with the TIM Sim card **3386432346** registered under the name of **Russo Domenico**, probably a fake registration name, (we are still investigating to find the “original” registration name), and as from Jan.9, 2003 till Feb.2,2003 with the TIM Sim card **3333504739**, registered under the name of the American citizen **Eliana Isabella Castaldo** (phone that has had contacts with the following number: 3338577471, 335436970, 3387079723, 3388952825, 3397946739 and 3409849532 whose users were present on the spot and at the moment of the kidnapping); and as from Sep.9, 2004 till Sep.28.2004 (a long time after the facts of our enquiry) the phone has been used with the VODAFONE Sim card **3474032315** registered under the name of **Reynolds Yun Kerry** who is not involved in our enquiry but we are still verifying his complete identity.
- The Nokia 3330 phone identified with IMEI code 350692800342930 operating since Jan.12,2003 to Feb.18,2003 with the Sim card **3386567958** registered under the name of **Jauregui Cribillero Gissella Milagros**. This phone was present on the spot and the moment of Abu Omar's disappearance, and has been used as from Oct.9,2002 to Oct.16,2002 with the TIM Sim card **3335037608** registered under the name of the American citizen **Harbaugh Raymond**, who was also the user of phone 3386567958 the day of the kidnapping. Graphic 33 and report dated Feb. 24, 20005 show that the Sim card relative to number **3386567958** has been activated on a Motorola 8700 phone purchased from the same dealer where both Sim cards **3338579242 and 3388952825** have been activated on the same phone. Above mentioned cards, both registered under the name of **Timofte Mihai**, where present of the spot of the kidnapping;
- The Nokia 3310 phone identified with IMEI code 350005200298920, operating as from Jan.8,2003 till Feb. 23, 2003 with Sim card **3388952825 (n°4 table 1, registered under the name of Timofte Mihai)** present on the spot and at the moment of Abu Omar's disappearance, had been used from Oct.9,2002 to Oct.16,2002 with the TIM Sim card

**3335029861 registered under the name of Drake James Patrick**, and from Jan.9, 2003 to Jan.20,2003 with the WIND Sim card **3201166281**, please note that also this phone was in used by the American citizen Harbaugh Raymond.

- The Nokia 3310 phone identified by the IMEI Code 350888203887370, operating as from Feb. 14, 2003 to Feb.21, 2003 with the SIM card **3337642102** (n°2 table 1, **registered under the name of the Rumanian citizen Timofte Mihai**) who was present on the spot and at the moment of Abu Omar's disappearance, had been used as from Dec.7,2002 to Dec.18, 2002 with a VODAFONE Sim card **3498928671** registered under the name of the American citizen **Harbaugh Raymond**, and from Jan.9, 2003 till Feb.10,2003 with the VODAFONE Sim card **3406958386** registered under the name of the American citizen **Kirkland James Robert**, and on Feb. 10, 2003 with the TIM Sim card **3397919344** also registered under the fake name of **Timofte Mihai**. The day of the kidnapping, the Sim card 3337642102 was used by the American citizen Asherleigh Gregory, of whom we will speak further on.
- The Nokia 3510 phone identified by the IMEI code 350843807466970 operating as from Jan.11, 2003 to Feb.18,2003 with the VODAFONE Sim card **3409849532** registered under the name of the American citizen **Adler Monica Courtney**. This phone, on the day of the kidnapping, was present in the surroundings of the facts and was in close contact with the other phones present at the moment of Abu Omar's disappearance. Previously, as from Dec. 9, 2002 till Dec. 17, 2002, that same phone had been activated by the TIM Sim card **3387849290**, without any registration name, that had been in contact with the TIM card registered under the name of the American citizen **Sofin Joseph** and was present on the spot of the kidnapping.
- The Nokia 3310 phone identified by the IMEI Code 351342804689700 operating as from Jan.14,2003 till Feb. 23, 2003 with the TIM Sim card **3397946739** (n°15 table 1, **registered under the name of Timofte Mihai**). This phone has been used the day of the kidnapping by the American citizen Carrera Lorenzo of whom we will speak later on. After the facts of our enquiry that same phone has been used as from Nov.8, 2003 till Nov.24,2003 with a VODAFONE Sim card **3409072633** registered under the name of **Duffy Delphine**, on whom we are still investigating, and from Dec.4, 2003 to Dec.17,2003 with another VODAFONE Sim card **3495259414** also registered under the name of the American citizen **Kirkland James Robert**.

**E. 5) Verification on phones. Details of traffic of other phones interesting under the investigative aspect.**

Other Sim cards have been controlled, they certainly were used by members of this same group, as we can deduce from the phone traffic detailed in the tables below. Till now we ignore the identity of the users of those cards.

We have made verification on the following numbers:

- **3397672462** registered under the name of KOLAZE & GHELON SRL of Milan, Via Stefanardo da Vimercate 25, has had contacts with the following cellular phones: **3338577471, 335436970, 3388952825 and 3409849532** ( respectively numbers 6, 7, 4, 15 and 17 table 1). Details as follow:

Calling number	Called number	Date / hour	Duration
00393397672462	00393338577471	09/01/2003 15.58	0.00.04
00393338577471	00393397672462	09/01/2003 16.00	0.00.04

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>Duration</i>
00393338577471	00393397672462	09/01/2003 18.10	0.00.09
00393397672462	00393338577471	18/01/2003 9.39	0.00.49
00393397672462	00393338577471	18/01/2003 13.06	0.02.41
00393397672462	00393338577471	19/01/2003 11.37	0.00.54
00393338577471	00393397672462	19/01/2003 11.49	0.00.12
00393388952825	00393397672462	21/01/2003 20.42	0.03.07
00393397672462	00393338577471	22/01/2003 11.11	0.00.48
00393397672462	00393388952825	22/01/2003 15.36	0.05.47
00393388952825	00393397672462	23/01/2003 9.37	0.02.06
00393397672462	00393388952825	23/01/2003 13.06	0.00.24
00393338577471	00393397672462	23/01/2003 13.31	0.01.15
00393338577471	00393397672462	23/01/2003 13.34	0.00.30
00393397672462	00393338577471	23/01/2003 17.42	0.01.45
00393338577471	00393397672462	23/01/2003 18.38	0.03.44
00393397672462	00393338577471	23/01/2003 19.11	0.00.51
00393397672462	00393388952825	23/01/2003 19.13	0.03.07
00393409849532	00393397672462	23/01/2003 19.30	0.02.50
00393388952825	00393397672462	23/01/2003 21.17	0.01.09
00393338577471	00393397672462	23/01/2003 21.21	0.02.00
00393397946739	00393397672462	24/01/2003 12.10	0.01.57
00393338577471	00393397672462	24/01/2003 12.40	0.00.25
00393338577471	00393397672462	24/01/2003 13.07	0.00.55
00393397672462	00393338577471	25/01/2003 10.54	0.01.07
00393388952825	00393397672462	25/01/2003 12.42	0.01.04
00393338577471	00393397672462	26/01/2003 18.55	0.00.04
00393338577471	00393397672462	26/01/2003 19.34	0.03.13
00393338577471	00393397672462	27/01/2003 16.30	0.01.40
00393338577471	00393397672462	27/01/2003 17.16	0.00.55
00393338577471	00393397672462	27/01/2003 19.35	0.00.18
00393338577471	00393397672462	28/01/2003 12.49	0.01.13
00393338577471	00393397672462	28/01/2003 17.28	0.00.01
00393397672462	00393338577471	28/01/2003 17.29	0.02.38
00393338577471	00393397672462	28/01/2003 17.42	0.01.42
00393397672462	00393338577471	28/01/2003 19.33	0.00.39
00393397672462	00393338577471	29/01/2003 10.20	0.01.05
00393388952825	00393397672462	29/01/2003 11.20	0.00.30
0039335436970	00393397672462	29/01/2003 14.15	0.00.13
00393397672462	00393338577471	29/01/2003 19.52	0.00.23
00393388952825	00393397672462	30/01/2003 13.54	0.00.49
00393338577471	00393397672462	30/01/2003 19.46	0.00.36
00393388952825	00393397672462	31/01/2003 12.59	0.00.10

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>Duration</i>
00393397672462	00393338577471	31/01/2003 16.51	0.00.12
0039335436970	00393397672462	31/01/2003 19.46	0.02.00
0039335436970	00393397672462	31/01/2003 19.57	0.06.01
0039335436970	00393397672462	31/01/2003 20.23	0.00.51
0039335436970	00393397672462	31/01/2003 21.40	0.04.37
0039335436970	00393397672462	31/01/2003 21.49	0.02.59
0039335436970	00393397672462	31/01/2003 22.05	0.03.37
00393338577471	00393397672462	01/02/2003 9.45	0.01.20
0039335436970	00393397672462	01/02/2003 11.12	0.01.04
00393397672462	0039335436970	01/02/2003 11.27	0.00.17
0039335436970	00393397672462	01/02/2003 11.28	0.00.24
0039335436970	00393397672462	01/02/2003 11.41	0.00.50
00393397672462	00393338577471	02/02/2003 9.46	0.00.59
00393338577471	00393397672462	02/02/2003 10.15	0.02.21
00393338577471	00393397672462	02/02/2003 10.43	0.00.34
00393397672462	0039335436970	04/02/2003 11.00	0.01.04
0039335436970	00393397672462	04/02/2003 11.27	0.01.40
0039335436970	00393397672462	04/02/2003 17.32	0.01.15
0039335436970	00393397672462	04/02/2003 17.54	0.01.01
0039335436970	00393397672462	04/02/2003 18.02	0.00.17
0039335436970	00393397672462	04/02/2003 18.09	0.00.42
00393397672462	00393338577471	04/02/2003 21.16	0.01.13
0039335436970	00393397672462	04/02/2003 21.17	0.00.49
00393388952825	00393397672462	04/02/2003 22.02	0.00.45
00393397672462	00393388952825	05/02/2003 11.26	0.01.29
00393388952825	00393397672462	05/02/2003 13.02	0.00.02
00393388952825	00393397672462	05/02/2003 13.02	0.00.16
00393397672462	00393338577471	05/02/2003 16.33	0.00.12
00393397672462	00393338577471	05/02/2003 16.33	0.02.16
00393338577471	00393397672462	05/02/2003 16.36	0.00.20
00393397672462	0039335436970	05/02/2003 18.56	0.01.48
0039335436970	00393397672462	05/02/2003 19.40	0.00.31
0039335436970	00393397672462	05/02/2003 19.58	0.00.19
00393338577471	00393397672462	05/02/2003 20.02	0.00.39
0039335436970	00393397672462	05/02/2003 22.04	0.00.34
00393397672462	00393397946739	05/02/2003 22.07	0.29.11
00393397672462	00393338577471	06/02/2003 10.46	0.00.21
00393397672462	00393388952825	06/02/2003 11.01	0.01.07
00393397946739	00393397672462	06/02/2003 13.01	0.01.15
00393397946739	00393397672462	06/02/2003 13.53	0.00.28
00393397946739	00393397672462	06/02/2003 13.59	0.00.01

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>Duration</i>
00393397946739	00393397672462	06/02/2003 13.59	0.00.29
0039335436970	00393397672462	06/02/2003 14.25	0.02.16
00393397946739	00393397672462	07/02/2003 11.08	0.00.43
00393397672462	00393397946739	07/02/2003 11.32	0.02.41
00393397946739	00393397672462	07/02/2003 12.03	0.00.58
0039335436970	00393397672462	07/02/2003 17.01	0.02.09
00393338577471	00393397672462	07/02/2003 17.44	0.01.11
0039335436970	00393397672462	07/02/2003 19.24	0.02.34
00393338577471	00393397672462	07/02/2003 21.28	0.01.14
00393397672462	0039335436970	08/02/2003 14.43	0.01.06
00393397946739	00393397672462	08/02/2003 14.59	0.05.05
00393397946739	00393397672462	08/02/2003 15.25	0.03.12
00393397946739	00393397672462	08/02/2003 15.47	0.00.21
00393397946739	00393397672462	08/02/2003 16.35	0.00.33
0039335436970	00393397672462	09/02/2003 10.33	0.01.12
00393388952825	00393397672462	09/02/2003 13.08	0.01.10
00393388952825	00393397672462	09/02/2003 13.10	0.00.30
00393397672462	00393388952825	09/02/2003 13.20	0.00.21
00393397946739	00393397672462	09/02/2003 16.01	0.01.05
00393397672462	00393397946739	09/02/2003 16.32	0.00.52
0039335436970	00393397672462	09/02/2003 16.36	0.00.35
0039335436970	00393397672462	09/02/2003 16.39	0.00.29
00393397672462	00393397946739	09/02/2003 23.04	0.12.21
00393397946739	00393397672462	10/02/2003 9.26	0.02.52
00393338577471	00393397672462	10/02/2003 10.22	0.00.11
00393397672462	00393397946739	10/02/2003 10.56	0.01.17
00393397946739	00393397672462	10/02/2003 11.04	0.00.16
00393338577471	00393397672462	10/02/2003 11.51	0.00.17
00393338577471	00393397672462	10/02/2003 11.52	0.01.09
00393397672462	00393338577471	10/02/2003 12.10	0.00.48
00393397946739	00393397672462	10/02/2003 19.56	0.01.35
0039335436970	00393397672462	11/02/2003 10.34	0.02.33
0039335436970	00393397672462	11/02/2003 10.40	0.01.22
0039335436970	00393397672462	11/02/2003 10.42	0.00.25
00393397672462	00393338577471	11/02/2003 11.34	0.01.14
00393338577471	00393397672462	11/02/2003 12.33	0.00.43
00393397672462	00393338577471	11/02/2003 14.01	0.02.08
00393397672462	00393338577471	11/02/2003 14.35	0.01.25
00393397672462	00393388952825	11/02/2003 15.26	0.00.34
00393397946739	00393397672462	11/02/2003 17.39	0.03.53
00393397672462	00393388952825	11/02/2003 18.39	0.03.08

- **3397942963**. Also this phone is registered under the fake name of **Timofte Mihai**, d.o.b. Sep.21, 1973 in Rumania, has been sold by **MI.BA. di Caspani Liliana & C. Via Lorenteggio, 35 Milan**, and has maintained contacts with the following cell phones: **3336364075, 3343101143 and 3343176579 (respectively numbers 1, 11, 13 table 1)**. Details as follow:

<b>Calling number</b>	<b>Called number</b>	<b>Date / hour</b>	<b>duration</b>
00393397942963	00393336364075	08/02/2003 9.12.09	0.00.53
00393336364075	00393397942963	08/02/2003 9.17.07	0.00.46
00393336364075	00393397942963	08/02/2003 21.20.26	0.00.02
00393336364075	00393397942963	09/02/2003 9.34.34	0.00.29
00393343101143	00393397942963	09/02/2003 11.09.07	0.00.26
00393397942963	00393336364075	14/02/2003 20.29.56	0.00.44
00393336364075	00393397942963	14/02/2003 21.23.09	0.00.32
00393343176579	00393397942963	14/02/2003 21.53.48	0.00.32
00393336364075	00393397942963	15/02/2003 10.31.17	0.00.36
00393336364075	00393397942963	15/02/2003 10.34.05	0.00.17
00393336364075	00393397942963	15/02/2003 11.43.11	0.00.15
00393336364075	00393397942963	16/02/2003 10.28.59	0.00.14

- **00393343170797** also registered under the name of **Timofte Mihai**, d.o.b. Sep. 21, 1973 in Rumania, sold by **MI.BA di Caspani Liliana & C. Via Lorenteggio 35, Milan**, has had contacts with the following numbers: **33385774741, 3338579242, 3387079723, 3388952825, 3397946739 and 3409849532 (respectively numbers 6, 5, 3, 4, 15 and 17 table 1)** whose users were present on the spot and at the moment of the kidnapping. Details in the following table:

<b>Calling number</b>	<b>Called number</b>	<b>Date / hour</b>	<b>duration</b>
00393343170797	00393388952825	28/01/2003 22.07.58	0.01.28
00393343170797	00393388952825	29/01/2003	0.01.11

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
		7.30.43	
00393343170797	00393397946739	29/01/2003 9.08.00	0.01.48
00393397946739	00393343170797	29/01/2003 9.39.48	0.00.47
00393387079723	00393343170797	29/01/2003 10.44.03	0.01.48
00393388952825	00393343170797	29/01/2003 11.21.26	0.00.38
00393343170797	00393387079723	29/01/2003 12.01.30	0.00.56
00393343170797	00393409849532	29/01/2003 12.05.48	0.00.21
00393343170797	00393409849532	29/01/2003 12.05.49	0.00.20
00393343170797	00393338577471	29/01/2003 12.06.30	0.00.29
00393343170797	00393409849532	29/01/2003 12.07.34	0.00.15
00393343170797	00393409849532	29/01/2003 12.07.36	0.00.14
00393343170797	00393409849532	29/01/2003 13.13.48	0.00.57
00393343170797	00393409849532	29/01/2003 13.13.49	0.00.56
00393343170797	00393387079723	29/01/2003 17.11.50	0.02.21
00393409849532	00393343170797	29/01/2003 17.21.24	0.01.32
00393343170797	00393387079723	29/01/2003 18.32.31	0.02.24
00393343170797	00393388952825	29/01/2003 20.32.29	0.03.03
00393343170797	00393388952825	29/01/2003 20.36.45	0.00.17
00393343170797	00393387079723	29/01/2003 20.37.50	0.00.50
00393343170797	00393409849532	29/01/2003 21.30.23	0.00.59
00393409849532	00393343170797	29/01/2003 21.36.28	0.00.43
00393409849532	00393343170797	29/01/2003 21.45.33	0.02.11
00393409849532	00393343170797	29/01/2003 22.46.28	0.01.47



<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393409849532	00393343170797	30/01/2003 9.13.05	0.00.35
00393343170797	00393388952825	30/01/2003 9.19.59	0.00.24
00393343170797	00393409849532	30/01/2003 9.34.28	0.00.18
00393343170797	00393388952825	30/01/2003 9.39.26	0.00.01
00393343170797	00393388952825	30/01/2003 9.40.04	0.01.25
00393343170797	00393388952825	30/01/2003 9.43.58	0.01.09
00393343170797	00393387079723	30/01/2003 9.47.36	0.01.30
00393343170797	00393397946739	30/01/2003 10.02.27	0.03.35
00393343170797	00393387079723	30/01/2003 10.32.34	0.03.36
00393343170797	00393387079723	30/01/2003 17.26.11	0.00.35
00393387079723	00393343170797	31/01/2003 8.51.59	0.02.16
00393343170797	00393388952825	31/01/2003 10.56.50	0.00.34
00393388952825	00393343170797	31/01/2003 11.12.01	0.00.16
00393343170797	00393387079723	31/01/2003 11.31.51	0.00.18
00393388952825	00393343170797	31/01/2003 12.42.42	0.00.20
00393343170797	00393388952825	31/01/2003 12.48.39	0.00.22
00393388952825	00393343170797	31/01/2003 13.08.30	0.00.14
00393387079723	00393343170797	31/01/2003 16.53.30	0.01.35
00393387079723	00393343170797	31/01/2003 20.00.20	0.02.53
00393343170797	00393338579242	04/02/2003 11.41.44	0.00.18
00393338579242	00393343170797	04/02/2003 12.14.05	0.00.32
00393338579242	00393343170797	04/02/2003 15.36.23	0.00.10
00393338579242	00393343170797	04/02/2003	0.00.47

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
		15.40.12	
00393343170797	00393387079723	04/02/2003 19.52.41	0.03.48
00393409849532	00393343170797	04/02/2003 20.51.28	0.00.25
00393409849532	00393343170797	04/02/2003 20.51.30	0.00.24
00393343170797	00393387079723	04/02/2003 21.14.51	0.00.37
00393343170797	00393409849532	04/02/2003 23.45.51	0.00.18
00393388952825	00393343170797	05/02/2003 11.41.52	0.00.16
00393388952825	00393343170797	05/02/2003 12.43.21	0.00.23
00393343170797	00393388952825	05/02/2003 12.51.07	0.01.00
00393343170797	00393409849532	05/02/2003 13.05.24	0.00.17
00393409849532	00393343170797	05/02/2003 13.28.51	0.00.08
00393343170797	00393409849532	05/02/2003 13.32.05	0.00.35
00393343170797	00393409849532	05/02/2003 13.32.06	0.00.35
00393343170797	00393409849532	05/02/2003 17.44.25	0.01.05
00393387079723	00393343170797	05/02/2003 19.40.38	0.01.55
00393343170797	00393409849532	05/02/2003 21.27.53	0.00.20
00393343170797	00393409849532	05/02/2003 23.43.54	0.00.10
00393343170797	00393409849532	06/02/2003 1.53.11	0.02.20
00393388952825	00393343170797	06/02/2003 11.35.05	0.00.21
00393343170797	00393388952825	06/02/2003 11.38.58	0.00.06
00393343170797	00393388952825	06/02/2003 11.39.17	0.00.47
00393387079723	00393343170797	06/02/2003 11.54.36	0.00.13
00393387079723	00393343170797	06/02/2003 12.01.00	0.00.58

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393343170797	00393387079723	06/02/2003 12.02.20	0.00.14
00393343170797	00393387079723	06/02/2003 12.05.33	0.00.29
00393343170797	00393409849532	06/02/2003 13.09.00	0.00.09
00393409849532	00393343170797	06/02/2003 13.09.55	0.00.15
00393387079723	00393343170797	06/02/2003 15.37.02	0.00.50
00393387079723	00393343170797	06/02/2003 16.30.27	0.00.48
00393388952825	00393343170797	06/02/2003 16.53.32	0.00.33
00393343170797	00393387079723	06/02/2003 17.42.33	0.01.25
00393387079723	00393343170797	06/02/2003 18.59.12	0.00.40
00393343170797	00393338579242	06/02/2003 20.18.35	0.00.30
00393387079723	00393343170797	06/02/2003 20.36.00	0.00.50
00393343170797	00393387079723	06/02/2003 20.38.43	0.00.25
00393343170797	00393387079723	07/02/2003 11.14.03	0.00.20
00393343170797	00393338579242	07/02/2003 11.28.23	0.00.15
00393387079723	00393343170797	07/02/2003 11.28.47	0.00.33
00393343170797	00393409849532	07/02/2003 12.14.45	0.00.06
00393343170797	00393409849532	07/02/2003 12.16.01	0.02.03
00393343170797	00393409849532	07/02/2003 13.22.02	0.03.46
00393338579242	00393343170797	07/02/2003 15.57.59	0.00.33
00393343170797	00393409849532	07/02/2003 16.03.29	0.00.04
00393388952825	00393343170797	07/02/2003 20.33.22	0.01.58
00393343170797	00393409849532	07/02/2003 20.36.46	0.00.56
00393343170797	00393388952825	07/02/2003	0.01.58

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
		20.38.04	
00393343170797	00393388952825	07/02/2003 21.04.01	0.00.34
00393387079723	00393343170797	08/02/2003 10.16.08	0.00.28
00393343170797	00393387079723	08/02/2003 11.08.36	0.00.25
00393388952825	00393343170797	08/02/2003 11.25.49	0.00.12
00393338579242	00393343170797	08/02/2003 11.47.29	0.00.53
00393338579242	00393343170797	08/02/2003 11.51.12	0.00.14
00393388952825	00393343170797	08/02/2003 12.52.25	0.00.13
00393343170797	00393409849532	08/02/2003 14.53.02	0.01.30
00393409849532	00393343170797	08/02/2003 15.23.20	0.00.05
00393409849532	00393343170797	08/02/2003 15.23.48	0.03.50
00393343170797	00393338579242	08/02/2003 15.30.00	0.00.23
00393387079723	00393343170797	08/02/2003 18.02.40	0.00.20
00393387079723	00393343170797	08/02/2003 18.03.27	0.01.30
00393343170797	00393387079723	08/02/2003 19.10.40	0.01.41
00393388952825	00393343170797	08/02/2003 21.00.23	0.00.40
00393343170797	00393409849532	09/02/2003 11.13.32	0.01.12
00393388952825	00393343170797	09/02/2003 11.29.16	0.00.08
00393388952825	00393343170797	09/02/2003 12.30.54	0.00.18
00393388952825	00393343170797	09/02/2003 14.29.07	0.00.22
00393343170797	00393409849532	09/02/2003 14.30.08	0.00.02
00393343170797	00393409849532	09/02/2003 14.30.27	0.00.12
00393409849532	00393343170797	09/02/2003 14.31.25	0.00.57

<i>Calling number</i>	<i>Called number</i>	<i>Date / hour</i>	<i>duration</i>
00393343170797	00393388952825	09/02/2003 15.42.41	0.00.24
00393343170797	00393388952825	09/02/2003 16.11.04	0.00.21
00393343170797	00393409849532	09/02/2003 16.36.49	0.00.51
00393343170797	00393397946739	09/02/2003 16.40.18	0.01.14
00393343170797	00393338579242	09/02/2003 18.23.23	0.02.26

#### ***F) Verifications with hotels***

*Determinate elements which helped identifying the authors of the facts have been verified by Milan Digos with hotels in Milan and in other towns of Northern Italy, where the members of the group have been, spending huge amounts of money. From the analysis of the telephone traffic, we notice repeated contacts between users of Sim cards under enquiry and land lines of some hotels in Milan or in other locations.*

*Verifications have been made with the following hotels in Milan and in other provinces:*

- 1. HILTON MILAN – VIA GALVANI 12***
- 2. PRINCIPE DI SAVOIA – PIAZZA DELLA REPUBBLICA 17***
- 3. EXCELSIOR HOTEL GALLIA – PIAZZA DUCA D'AOSTA 9***
- 4. MARRIOTT HOTEL – VIA WASHINGTON 66***
- 5. JOLLY TOURING – VIA TARCHETTI 2***
- 6. GRAND HOTEL BRUN – VIA CALDERA 21***
- 7. THE WESTIN PALACE – PIAZZA DELLA REPUBBLICA 20***
- 8. GRAND HOTEL ET DE MILAN – VIA MANZONI 29***
- 9. FOUR POINTS SHERATON – VIA CARDANO 1***
- 10. STAR HOTEL ROSA – VIA PATTARI 5***
- 11. SHERATON DIANA MAJESTIC – VIALE PIAVE 42***
- 12. ATA HOTEL EXECUTIVE – VIALE STURZO 45***
- 13. HOTEL MANZONI – VIA SANTO SPIRITO 20***
- 14. HOTEL WINDSOR – VIA GALILEI 2***
- 15. JOLLY HOTEL DEL GOLFO – LA SPEZIA***
- 16. HOTEL GHIRONI – LA SPEZIA***
- 17. GRAND HOTEL BAGLIONI – FLORENCE***
- 18. PARK HOTEL LAURIN – BOLZANO***
- 19. HOTEL TRAMOGGIA – CHIESA DI VALMALENCO (SO)***
- 20. GRAND HOTEL CROCE DI MALTA – MONTECATINI TERME (PT)***
- 21. THE WESTIN EUROPA & REGINA – VENICE***
- 22. SOFITEL VENEZIA – SANTA CROCE 245 – VENICE***
- 23. HOTEL DANIELI – RIVA DEGLI SCHIAVONI 4196 – VENICE.***

*For more details please see memo of the assistants Martinelli Dario and Nacci Bartolomeo and Milan Digos report dated Feb.2, 2005. Here below we will evidence how our investigations*

brought us to identify several American citizens who stayed in Italy as from January 2003 until a few days after February 17, 2003, date of the kidnapping of the Egyptian citizen **Abu Omar**.

**1. ADLER Monica Courtney, d.o.b. 02.02.1973 in Washington (USA), owner of the VODAFONE phone 3409849532 (n° 17 table 1).**

- she arrived at the Hotel **WESTIN PALACE** on Jan.9, 2003 and she stayed in room 1027 until Jan.1, 2003. Her bill amounted to €996,00. She paid with a Credit Card DINERS CLUB N° 38541798540000. She had an extra bill of €128,10 that she paid cash. The ID she produced is an American passport n° 017017139 and she declared that her address was: 2001 N. Adams in Arlington – VA – 22201,
- Then, on Jan.1, 2003, she went to Hotel **PRINCIPE DI SAVOIA** where she stayed in room 704 until Feb.1, 2003. Her bill amounted to €6,540.00 she paid with a DINERS CLUB Credit Card n° 38541798540000 and declared that her address was: 2001 N. Adams in Arlington – VA – 22201. She also used the car parking available for customers of the hotel during their stay. On Jan. 23, 2003 at 01.00 am she parked a grey FIAT PUNTO, plate number CC247CM, and then she drove with it the same day at 10.00am . That car, in that period, was property of the AVIS AUTONOLEGGIO SPA (car rental agency).
- On Feb.1, 2003 she arrived at La Spezia at Hotel **JOLLY HOTEL DEL GOLFO** where she stayed in room 528 together with another American citizen **Duffin John**. The price of the room was €122. They stayed until Feb.2, 2003.
- On Feb. 2, 2003 she arrived to Florence at the **GRAND HOTEL BAGLIONI**, Piazza dell'Unità Italiana 6, where she stayed in room 330. She produced a passport n° 017017139 issued on July 25, 2001. She said she would leave the hotel on Feb.4, 2003.
- She arrived to the **HILTON MILAN** at 8.50pm on Feb.3, 2003. She stayed in room 869 (**which had been booked by Castellano**), until 9.30am of Feb.18, 2003. Her bill amounted to €4.200 (280€ per night). The bill was paid with a DINERS CLUB credit card n° 38541798540000 valid till May 2004, and she produced a passport n° 017017139.

**2. CASTELLANO Victor, d.o.b. May 1, 1968. American citizen.**

He arrived at the Hotel **PRINCIPE DI SAVOIA** on January 9, 2003 and he stayed in room 350 till Feb. 1, 2003 for a total cost of €7,614.60 that he paid with a DINERS CLUB credit card n° 38184636950006 valid till December 2004. He produced a passport n° 015914097. During his stay he used the car park available for Hotel customers. On Jan.10, 2003 he parked a blue VW PASSAT, plate number CB232SX and took it back at 12.20pm of Jan.14, 2003. Again, at 12.00am of Jan.16, 2003 Castellano parked that same car and then drove away with it at 1.00pm of Jan.20, 2003. That car at that period was property of MAGGIORE RENT SPA (Car rental agency).

He arrived on Feb.2, 2003 at the **JOLLY HOTEL DEL GOLFO** in La Spezia, where he stayed in room 730 (€122 per day) until Feb.2, 2003.

He arrived at the **GRAND HOTEL BAGLIONI** in Florence (Piazza dell'Unità Italiana 6) on Feb. 2, 2003. He stayed in room 342. He produced a passport n° 015914097 issued on July 14, 1997 and said he would leave the hotel on Feb.4, 2003,

Then he arrived at the **HILTON MILAN** at 8.52pm of Feb.3, 2003 (exactly like Ms Adler) and he stayed in room 636 that he had booked himself until the 9<sup>th</sup> of February where he left at 4.02pm. His room's cost was €280 per night. He paid with a VISA card n° 4118160152726694 valid till March 2005. He produced passport n° 015914097 and declared that his address was P.O.Box 41471 Arlington – VA 22204.

**3. DUFFIN JOHN KEVIN, d.o.b. May 3, 1952 in Illinois (USA). American citizen.**

He arrived at the Hotel **PRINCIPE DI SAVOIA** on Jan.9, 2003 where he stayed in room 349 (client's code 873388) till Feb.1, 2003. His bill amounted to €7,591.00 he paid with a VISA card n° 4118165007626908. At the reception, he declared that his address in the USA was POBOX 60031 19046 King of Prussia PA (USA) and he produced passport n° 016434535.

He arrived on Feb.2, 2003 at the **JOLLY HOTEL DEL GOLFO** in La Spezia, where he stayed in room 528 together with **Adler Monica** (price €122) till Feb.2, 2003.

He arrived on Feb.2, 2003 at the **GRAND HOTEL BAGLIONI** in Florence, Piazza dell'Unità Italiana 6, where he stayed in room 345. He produced a passport n° 016434535 issued on Sep.15, 1999, and he said he would leave the hotel on Feb.4, 2003.

At 8.54pm of Feb.3, 2003 (just like Adler and Castellano) he arrived at the **HILTON MILAN** where he stayed in room 647 (booked by himself) until 10.11am of Feb.10.2003, paying €280 per night. He paid with a DINERS CLUB credit card n° 38650098880006 valid till April 2005 and he produced a passport n° 016434535.

Then, on Feb. 10, 2003 he arrived to the **EXCELSIOR HOTEL GALLIA** where he stayed in room 518 till Feb. 12, 2003 producing the same passport showed in other hotels of which we enclose a photocopy.

Verifications made with the hotel **SHERATON DIANA MAJESTIC** show a room booked at his name on Jan.6, 2003. He should have stayed from Jan.9. 2003 to Feb. 2. 2003. This booking has been afterwards cancelled. At the moment of the booking, the following address and phone number were given: 649 South Kensington Rd, King of Prussia – 19406 PA, **610 265 0563**. After verifications, we learned that the phone was registered under the name of Krauss Nannette 329 Prince Frederick St – King of Prussia, PA 19406.

#### **4. LOGAN Cyntia Dame, d.o.b. May 1 1960 in Maryland (USA). American citizen.**

She arrived at Hotel **WESTIN PALACE** in May 10, 2002 where she stayed in room 535 till May 11, 2002. Her bill amounted to €265,00. She paid with a VISA card n° 4118165007635768. She produced a passport n° 016430730, and a SPG card A type n° 50556279010 and declared her address was Coachmen Enterprises Washington, DC P.O.BOX 91228 WASHINGTON DC (USA). (same address than Ibanez and Asherleigh).

On Jan. 19, 2003 she arrived to the **PRINCIPE DI SAVOIA** hotel where she stayed in room 433 till Feb. 1, 2003. She produced a passport n° 016430730, and the bill amounted €3,909,50 she paid with a VISA card n°4118165007635768 valid till April 2003. She also used the car park available for hotel customers. On Jan. 22, 2003, at 12.40pm she parked a grey FORD FIESTA, matriculation n° CC911NX, and then drove away with it at 9.00am of Feb.1, 2003. That car in that period was property of SICILY BY CAR SPA, Via Deianira 5, Palermo. The phone of SICILY BY CAR, as showed in previous paragraphs, had been contacted by the VODAFONE phone used by **Adler Monica**.

Then, on Feb.3, 2003 she arrived at the **EXCELSIOR HOTEL GALLIA** where she stayed in room 327 until Feb. 10, 2003. She produced a passport n° 016430730 (photocopy is enclosed)

At 8.10 am of Feb. 11, 2003 she arrived at the **HILTON MILAN** without any booking and she stayed, the first night in room 402, and then in room 859. She left at 8.45 am of Feb. 19. 2003. The price of the room amounted to €280 per night. She paid with a VISA card n° 4118165007635768 valid till April 2003. When she arrived she produced at the reception her UNITED AIRLINES "Frequent Flyer" Card n° 01394828870 to increase her bonus.

She reached the **GRAND HOTEL CROCE DI MALTA** in Montecatini Terme (PT) on Feb.19, 2003. She stayed in room 909 till Feb. 20, 2003. She produced a passport n° 016430730 issued on June 3, 2000.

*She arrived to Bolzano, **PARK HOTEL LAURIN**, via Laurin 4, on Feb. 20, 2003. She stayed in room 306 till the 21<sup>st</sup> of February 2003. She produced a passport n° 016430730.*

**5. CHANNING Drew Carlyle, d.o.b. April 26 1965 in New York (USA). American citizen.**

*He arrived on Feb.13, 2003 at Hotel **MARRIOTT**. He produced passport n° 017121103 issued on Jan.10, 2002. He stayed in room 4009, at the cost of €183 per day, until Feb. 19, 2003. He paid his bill amounting to €1,098. with a DINERS CLUB credit card n° 385033097360001 valid till April 2005.*

**6. JENKINS Anne Lidia, d.o.b. Sep.24, 1946 in Florida. American citizen.**

*She arrived on Jan.19, 2003 at the Hotel **PRINCIPE DI SAVOIA** where she stayed in room 435 till February 1, 2003.*

*She arrived on Feb.3, 2003 at the **EXCELSIOR HOTEL GALLIA** where she stayed in room 328 until Feb.10, 2003 (same period than **Logan Cinthia Dame**). She produced a passport n° 016698784 (enclosed photocopy).*

**7. SOFIN Joseph, d.o.b. Feb.13, 1953 in Moldavia. American citizen.**

*he arrived at the **WESTIN PALACE** on Dec.7, 2002 where he stayed in room 624 till Dec.18,2002. His bill amounted to €2,673,00 that he paid with DINERS CLUB credit card n° 38643304300000. He produced a passport n° 016138217 and declared at the reception of the hotel that his address was P.O. 4173 Arlington 22203 VA (USA), and that his phone number was **7032185346**. He also had a SPG Card (Special Preferred Guest) A type n° 716587012.*

*He arrived in Venice at **HOTEL DANIELI** on Feb.1, 2003: He stayed in room 8311 till Feb.2, 2003. He produced a passport n° 016138217 and at the hotel reception he declared his address was 9555 Black Lane Fairfay Virginia. He was accompanied by another American citizen, **J. Greg Keeton**, d.o.b. Jan.21,1970 in the USA, who produced passport n° 01710221 issued on Nov.1, 2002 and declared that his address was: 916 Beacod Square, Gathersburg MD. Mr **Keeton** also stayed in Milan at the Sheraton Four Points as from Feb.10,2003 till Feb.11, 2003 in room 214.*

*Then, on Feb.10,2003, he arrived at hotel **FOUR POINTS SHERATON** where he stayed in room 814 till Feb.19,2003. His bill amounted to €2,070.00 that he paid cash. He produced a passport n° 016138217.*

*On Feb.19, 2003 he arrived to Montecatini Terme at **GRAND HOTEL CROCE DI MALTA** (like Ms **Logan**) and he stayed in room 910 till Feb.20, 2003. He produced a passport n° 016138217 issued on Nov.18, 1999.*

*He reached Bolzano on Feb.20, 2003. He stayed at **PARK HOTEL LAURIN**, via Laurin 4, in room 309 till Feb. 21, 2003. He produced a passport n° 016138217.*

**8. CASTALDO Eliana, d.o.b. Nov.14, 1969 in Florida (USA). American citizen.**

*The first time she got at hotel **WESTIN PALACE** was May 10, 2002. She stayed in room 614 till May 11, 2002. Her bill amounted to €265 she paid with a VISA card n° 4118165006438370 valid till February 2005.*

*She came to that same hotel, the second time, on Jan.9, 2003. She stayed in room 1027 till Feb. 1, 2003. Her bill amounted to €6,831.00 she paid with a VISA card n° 4118165006438370, plus €50,00 for the use of the garage. In fact, at 5.30pm of Jan.13, she parked a grey FIAT PUNTO, matriculation number CC245CM, (that results being the property of **NASTI Pasquale**, d.o.b. 07.15.70 in Casoria (NA), Via Giolitti 37, who rents it).*



*She took back the car from the garage on Jan. 15 at 10.00 am. She produced a passport n° 026138038 and at the hotel reception she declared that her address was P.O.BOX 1041 Norristown 19404 PA (USA) and that her phone was 6102786893.*

*On Feb.2, 2003 she arrives to La Spezia. She stays in **HOTEL GHIRONI**, in room 210 till Feb. 2, 2003. She produced a passport n° 026138038 issued on Nov.2, 1998.*

**9. IBANEZ Brenda Liliana, d.o.b. 01.07.60 in New York (USA). American citizen.**

*she arrived at the **HILTON MILAN** on Feb.13, 2003 where she stayed in room 769 till Feb.19, 2003. Her bill amounted €2.046 (€335 per night) she paid with a VISA card n° 4118165007635784 expiring in April 2003. At the hotel reception, she produced a passport n° 017018953 and declared her address was P.O.BOX 91228 Coachmen Enterprises Washington DC 20066 (same address than Logan and Asherleigh) and that her phone number in Washington Dc. Was 2026823098. At her arrival to the hotel, she also produced her DELTA AIRLINES “Frequent Flyer” Card to credit her bonus that would give her the possibility of enjoying more facilities in her trips and hotel stays. During her hotel stay she made several phone calls that are details in enclosed memo.*

*She arrived in Venice at the **WESTIN EUROPA & REGINA** hotel on Feb. 19, 2003. She stayed till Feb. 21, 2003. She produced a passport n° 0171018953.*

**10. RUEDA Pilar, d.o.b. 05.08.51 in California (USA). American citizen.**

*She arrived on Jan.8. 2003 at the **WESTIN PALACE** hotel where she stayed in room 1004 till Feb. 1, 2003. The room cost was €332 per day and she paid with her VISA card n° 4118165007854492 expiring September 2003. She produced a passport n° 016518173 and she declared that her address was P.O.BOX 80027 Washington DC. 20618 (USA). Ms **Rueda** has also produced a SPG Card (Special Preferred Guest) n° A. 50426336887.*

*She arrived to La Spezia on Feb.2, 2003. She went to **HOTEL GHIRONI** where she stayed in room 211 till Feb.2, 2003. She produced a passport n° 0161518173 issued on 02.27.01.*

*On Feb.3, 2003 and accompanied by American citizen **Harbaugh Raymond**, she arrived to Chiesa di Valmalenco (SO) and went to **HOTEL TRAMOGGIA**, via Bernini 6. They shared room 410. She produced a passport n° 016518173 issued on 02.27.01. They both left on Feb. 4, 2003.*

*On Feb. 4, 2003 she arrived at **STAR HOTEL ROSA** where she stayed till Feb. 19, 2003. She paid €269 a night for the hotel, and €25,82 per day for the car parking (she used from Feb.6 till the end of her stay). Her total bill amounted to €4,370,86 she paid with a VISA card n° 4118165007854492 expiring September 2003. She produced an American passport n° 0161518173. At the moment of the booking of the hotel rooms (also for **HARBAUGH Raymond and HARTY Benamar**) made by **Rueda Pilar**, she declared her personal cell phone number was 335436970. As we have seen before, this phone results to be registered under the fake name of **De Lucci Davide**, and its user was present on the spot of **Abu Omar's** kidnapping. We can then confirm that the user of this phone was **Rueda Pilar**.*

**11. HARBAUGH Raymond, d.o.b. 06.09.39 in Alaska (USA). American citizen.**

*He arrived at the **WESTIN PALACE** on Jan.8,2003 and he stayed in room 1024 till Feb.2,2003. He paid €332 per day with a VISA card n°4486025001058371 expiring in June 2005. He produced a passport n° 016136600 and declared that his address was: Box 73 Newington 22122 VA (USA), same address than **Harty**.*

*He arrived on Feb.2,2003 at La Spezia, **HOTEL GHIRONI** where he stayed in room 212 till Feb.2, 2003. He produced a passport n° 016136600 issued on March 17, 1999.*

He arrived at **HOTEL TRAMOGGIA** in Chiesa di Valmalenco (SO) via Bernina 6, on Feb.3, 2003 together with the American citizen **Rueda Pilar** and they both stayed in room 410. He produced a passport n° 016136600 issued on March 17, 1999, and both left on Feb.4, 2003.

Then, on Feb.4, 2003, he arrived at **STAR HOTEL ROSA** where he stayed in room 306 till Feb. 19, 2003 paying €269 per day, plus extras (minibar and phone) for a total bill of €4,070,73 that he settled with a VISA card n° 4316440000154988 expiring in March 2003. He produced a passport n° 016136600.

**12. HARTY Ben Amar, d.o.b. Oct.20, 1944 in Iowa (USA). American citizen.**

Since his arrival at the **WESTIN PALACE** on Jan.8, 2003 he stayed in room 1127. He left on Feb.1,2003. He paid €332 per day and settled his bill with a VISA card n° 4486029500095512 expiring in June 2003. He produced a passport n° 017120164 valid till Nov.19, 2007. He declared that his address was: P.O.BOX 73 Newington, VA 22122 (same address than **Harbaugh**). He also produced a SPECIAL PREFERRED GUEST CARD N° A 50426336577.

On Feb.2, 2003 he arrived at **HOTEL GHIRONI** in La Spezia where he stayed in room 210 till Feb.2, 2003. He produced a passport n° 017020164 issued on Nov.9, 2001.

On Feb.4, 2003 he arrived at **STAR HOTEL ROSA** and he stayed in room 206 till Feb. 19, 2003. He paid €269 per night and he also used the parking of the hotel as from Feb.5 till the end of his stay (€25.82 per day). His bill amounted to €4,396.48 he paid with a VISA card n°4486029500095512 expiring June 2003. He produced a passport n° 017120164 valid till Nov.9, 2007.

He reached the **SOFITEL VENEZIA** in Venice on Feb.19, 2003. He stayed in room 345 (€250 per night) till Feb.23,2003. He paid €1,000.20 with a credit card n° 4316440000221555 expiring in March 2003. He produced a passport n° 017020164 issued on Nov.9, 2001.

**13. GURLEY John Thomas, d.o.b. July 10, 1969 in Los Angeles (USA). American citizen**

On Jan.25, 2003 he arrived at the hotel **PRINCIPE DI SAVOIA** where he stayed in room 931 till Feb.1, 2003. He paid €335 per night for a total of €2,424 he paid with a VISA card n° 4118160151941278 expiring 12/04. He produced a passport n° 045029843 issued on Dec.10, 1999. He declared that his address was: 2783 Lb Mcloud Rd 32805 Orlando (USA).

On Feb.2, 2003 he arrived at the **JOLLY HOTEL DEL GOLFO** in La Spezia where he stayed in room 521 (€122) till Feb.2, 2003.

On Feb.2, 2003 he arrived at the **GRAND HOTEL BAGLIONI** in Florence in Piazza dell'Unità Italiana 6, where he stayed in room 255. He produced a passport n° 045029843 issued on Dec.10, 1999. He said he would leave the hotel on Feb.4, 2003.

He then reached the **HILTON MILAN** on Feb.3, 2003 where he stayed in room 910 till Feb.9, 2003. He paid (on Feb.9. 2003 at 4.05pm) a bill of €1,680 (€280 per night) with a VISA card 4118160151941278 expiring in Dec. 2004. He produced a passport n° 045029843 issued on Dec.10, 1999 and declared that his address was: 2783 Lb Mcloud Rd 32805 Orlando (USA). We verified that, during his stay, he made several phone calls, details enclosed.

**14. ASHERLEIGH Gregory, d.o.b. Dec.23, 1955 in Hyattsville Mariland (USA). American citizen.**

On Feb.13, 2003 he arrived at hotel **HILTON MILAN** where he stayed in room 549 till Feb.19, 2003. He paid (on Feb.19, 2003 at 06.05am) a total bill of €2,027 (€335 per night) with a VISA card n° 4118160311575248 expiring in June 2005. He produced a passport n° 015135635 issued on June 4, 1996 and declared that his address was: P.O.BOX 91228 Coachmed Enterprises Washington DC 20066 (USA). (*same address than Logan and Ibanez*). He also produced a NORTH WESTERN AIRLINES Frequent Flyer Card n° 541415276 and a HILTON HONORS n° 377778847. In the Hilton archives there also is the following address: STS Inc. P.O.BOX 1606 Hyattsville (Mariland) 20788 (USA) and the following phone number: **3015953823**. We could also verify, that during his stay, he made several phone calls, details enclosed to Milan Digos report.

On Feb.19, 2003 he arrived at the **WESTIN EUROPA & REGINA** hotel in Venice where he stayed till Feb.21, 2003. He produced a passport n° 015135635.

**15. CARRERA Lorenzo Gabriel, d.o.b. Jan.29, 1971 in Texas (USA). American citizen.**

he arrived on Jan.10, 2003 at the **MARRIOTT** hotel where he stayed in room 7018 (€285 per night) till Feb.1, 2003. He produced a passport n° 016422583 issued on Feb.12, 1995. His total bill amounted to €6,018.

On Feb.2, 2003, he reached **HOTEL GHIRONI** in La Spezia where he stayed till Feb.2, 2003. He produced a passport n° 016422583 issued on Jan.28, 2000.

On Feb.4, 2003 he arrived at **ATA HOTEL EXECUTIVE** where he stayed in room 265 (€345 per night) till Feb.10, 2003. He produced a passport n° 016422583 issued on Jan.28, 2000. His total bill amounted to €2,070 that he paid with a VISA card n° 4118160306976955 expiring Oct. 2005. During his stay, he made several phone calls, details as per enclosed report.

Then, on Feb.10, 2003 he arrived at the **FOUR POINTS SHERATON** where he stayed in room 414 (€230 per night) till Feb. 19, 2003. He produced a passport n° 016422583 issued on Jan.28, 2000. His total bill amounted to €2,070. He paid (on Feb.17) €1,610 with a VISA card n° 4118160306976955 expiring Oct. 2005, and the remaining sum of €460 on Feb.19, with a DINERS credit card n° 38502203140000 expiring Oct. 2004.

He arrived to Venice to the **SOFITEL VENEZIA** on Feb.19, 2003. He stayed in room 336 (€250 per night) till Feb.23, 2003. He paid €1,000 with a credit card n° 41181603069760(or 9)55 expiring Oct. 2005, and €56,70 cash for laundry and phone. He produced a passport n° 016422583.

**16. KIRKLAND James Robert, d.o.b. July 13, 1942 in Tennessee (USA). American citizen.**

On Jan.9, 2003 he arrived at the **MARRIOTT** Hotel where he stayed in room 7012 (€235 per night) till Feb.1, 2003. He produced a passport n° 045032045 issued on Oct.1, 1998. His total bill amounted to €5,441.

On Feb.4, 2003 he arrived at the **ATA HOTEL EXECUTIVE** where he stayed in room 165 (€345 per night) till Feb.10, 2003. He produced a passport n° 045032045 issued on Oct.1, 1998 in Miami. His total bill amounted to €2,089 he paid with a DINERS CLUB INTENATIONAL credit card n° 38541799470009 expiring Jan. 2004. During his stay he made several phone calls from his room, details as per enclosed Milan Digos report.

**17. PURVIS George, d.o.b. May 29, 1959 in China. American citizen.**

He arrived on Jan.25, 2003 at the hotel **PRINCIPE DI SAVOIA**. He stayed in room 933 till Feb.1, 2003. He produced a passport n° 015645726 issued on May 20, 1997. His total bill amounted to €1,698 he paid with a MASTER CARD N° 5466160067501849 expiring March

2003. He declared that his address was: **21008 Matchlock Ct 20147 Ashburn – Virginia (USA)** and that his e-mail was: **LOIEP53@AOL.COM**.

He arrived on Feb.2, 2003 at the **JOLLY HOTEL DEL GOLFO** in La Spezia where he stayed in room 735 (€122) till Feb.2, 2003.

He arrived on Feb.2, 2003 to the **GRAND HOTEL BAGLIONI** in Florence, Piazza dell'Unità Italiana 6, where he stays in room 344. He produced a US passport n° 015645726 issued on May 20, 1997. He said he would leave the hotel on Feb.4, 2003.

On Feb.3, 2003, at 8.51pm, he arrived at the **HILTON MILAN** where he stayed in room 861 (€288 per night) till Feb.10, 2003 (10.03 am). He produced a passport n° 015645726 issued on May 20, 1997. His total bill amounted to €2,031 he paid with a MASTER CARD N° 5466160067501849 expiring April 2003. He also produced a UNITED AIRLINES Frequent Flyer card n° 01208942316 and a HILTON HONORS N° 441369809. During his stay, he made several phone calls from his room, details as per attached report of Milan Digos dated Feb.24, 2005.

On Feb.10, 2003 he arrived to hotel **WINDSOR** where he stayed in room 721 (€90 per night) till Feb.17, 2003. He produced a passport n° 015645726 issued on May 20, 1997. His total bill amounted to €665 he paid cash. During his stay he made several phone calls from his room.

On Feb.17, 2003 (at 5.02pm) he moved to the **MILAN MARRIOTT** hotel where he stayed in room 3015 till Feb.19, 2003 (7.02pm). He produced a passport n° 015645726 issued on May 20, 1997.

**18. VASILIOU Michalis, d.o.b. Nov.5, 1962 in Greece. American citizen.**

He arrived at the hotel **MARRIOTT** on Feb.13, 2003. He produced a passport n° 015456173 issued Oct.11, 1995. He stayed in room 3031 (€183 per night) till Feb. 19, 2003 (same period than Channing Drew Carlyle). He paid his hotel bill, €1.098, in cash.

\*\*\*\*\*

**G) Verifications with car rental agencies**

Other investigative details on the members of the group author of the Egyptian citizen Abu Omar's kidnapping came out from verifications with car rental agencies.

In fact, from the telephone verifications, we noticed repeated contacts between the users of the Sim cards under inquiry and car rental agencies in Milan and elsewhere.

In the following table, details given by those agencies. Those details are not definitive as we are still investigating.

<b>Name</b>	<b>Date of the rent started</b>	<b>Date of end of rent</b>	<b>Matriculation</b>	<b>Car rental agency</b>
ASHERLEIGH GREGORY	14/02/2003	18/02/2003	CD431NV	Hertz - Milano FS
HARTY BENAMAR	09/01/2003	20/02/2003	CC471DZ	AVIS
GURLEY JOHN THOMAS	28/01/2003	06/02/2003	CB731SN	Italy by car
LOGAN CYNTIA DAME	22/01/2003	01/02/2003	CC911NX	Sicily by car

ADLER MONICA COURTNEY	01/02/2003	17/02/2003	BY479BH	Sicily by car
JENKINS ANNE LIDIA	01/02/2003	11/02/2003	CC482PJ	HERTZ Milano - Staz. C.le FS
SOFIN JOSEPH	09/12/2002	17/12/2002	CB256RY	HERTZ Milano - Staz. C.le FS
SOFIN JOSEPH	10/01/2003	24/01/2003	CB525KF	HERTZ Milano - Staz. C.le FS
SOFIN JOSEPH	24/01/2003	29/01/2003	BV808TR	Italy by car v. Vittor Pisani 13 - MILANO
SOFIN JOSEPH	29/01/2003		CC127ZT	Italy by car v. Vittor Pisani 13 - MILANO
SOFIN JOSEPH	08/02/2003	22/02/2003	CA788DV	HERTZ Milano - Staz. C.le FS

*We had other details on rented cars from our investigations with Hotels, as sometimes, the cars were parked in the Hotel's parking, details as follow:*

*Castellano Victor parked a VW Passat, matriculation n° CB232 SX (MAGGIORE rent a car) in the parking of the HOTEL PRINCIPE DI SAVOIA as from Jan.10, 2003 till Jan.14, 2003 and then from Jan.16, 2003 till Jan.20, 2003.*

*Adler Monica Courtney parked a FIAT PUNTO, matriculation n° CC247CM in the parking of the hotel PRINCIPE DI SAVOIA as from 1.00am till 10.00am of Jan.23, 2003.*

*Eliana Isabella Castaldo parked a FIAT PUNTO, matriculation n° CC245CM, in the parking of the hotel WESTIN PALACE as from Jan.13, 2003 till Jan.15, 2003.*

*We could not yet individuate the van probably used for the crime. We are still investigating on this point.*

\*\*\*\*\*

#### **H) Identification of the users of the cell phones**

*Verifications made by the Judicial Police made it possible to identify (see report Ass. Sabatino Marco, attached to Milan Digos report dated Feb.24, 2005) several users of the 17 phones listed in table 1. According to all elements of our investigation, those phones were used to execute Egyptian citizen Abu Omar's kidnapping. Other phones are also under investigation. As you will note, using details exposed in this document (Collocation of Sim cards the day of the kidnapping and the days of its preparation, verification of stays of American citizens whose name emerged during the investigations in hotels, and with car rental agencies) we got to the identification of those who had used their Sim cards in the crucial moments of the facts. In fact, those Sim cards were present and used in several hotels following a chronological sequence.*

*For example, if we prove that the "X" cell phone was present in "sensitive" zones of the city in occasion of the preparation and the actuation of the kidnapping or during the transportation of the kidnapped person to Aviano, we could also prove that this same phone had been used in other periods, activating radiobase cells near specified hotels in Milan and elsewhere. If we control the traffic of those cards late at night or early in the morning we can deduce that the user of this card slept in those hotels. And this is what we verified, i.e. that the person that is under inquiry, "Y", had stayed successively in the hotels whose radiobase cells had been activated, in the same chronological succession and in significant timings, by the cell phones we are investigating on. We could then deduce, that, "Y", only person always present in the radiobase cells used in succession by the phone, is the user of the phone "X". Moreover, we have also*

*elements that prove his contacts with other persons under investigation that have been in contact, through phone cards, with the “X” phone. The correctness of the deduction method that we illustrated and the conclusion are also confirmed by the fact that the stays in hotels and the use of phones are related contemporary to more than one person (for example, the stay of the Feb.1 and 2 in Hotel Ghironi in La Spezia of Harty Benamar, Harbaugh Raymond and Rueda Pilar, while in same period Purvis Gorge also stays in La Spezia but in Jolly Hotel del Golfo; and the stay of Harbaugh Raymond and Rueda Pilar, on Feb.3 and 4 2003 at the Hotel Tramoggia in Chiesa di Valmalenco, near Sondrio; of Sofin Joseph and Logan Cynthia, on Feb.20 and 21, 2003 at the Park Hotel Laurin in Bolzano), and by the circumstance, in at least two occasions, the respective users Sofin Joseph and Rueda Pilar, while booking the hotel rooms for themselves, have given as personal phone numbers the above mentioned phone numbers, one registered under the name of Kolaze & Ghelon srl and the other under the fake name of De Lucci Davide (see sub.6 for number 3338577471 and sub.7 for number 335436970).*

***More details:***

***1) 3336364075 RIVA BENIAMINO E C. SNC***

***We do not have sufficient elements to find the user of this phone.***

***2) 3337642102 TIMOFTE MIHAI***

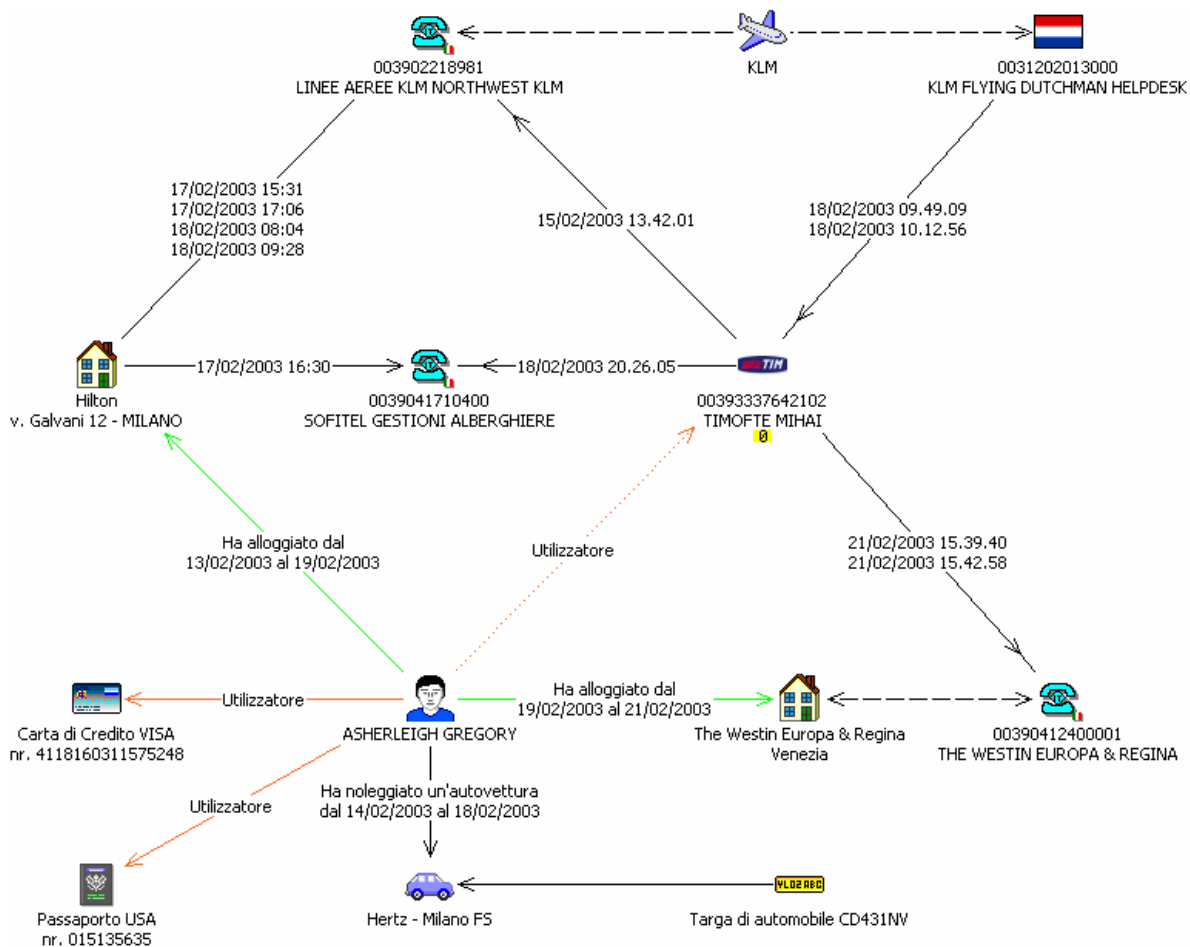
*This phone was used by the American citizen **Asherleigh Gregory**, d.o.b. Dec.23, 1955 in Hyattsville (Maryland USA), US passport n° 015135635, and US Driving Licence n° 66605685.*

*The latter, who contrarily to the other American citizens did not have any cell phone registered under his own name, has been anyway identified making verifications with hotels and car rental agencies that had been contacted by the group.*

*Asherleigh, during his stay at the Hotel Hilton, made the following phone calls from his room n° 549, using the hotel's phone (and not a cell phone):*

- on Feb.15,2003 at 12.03am he called n° 0237007227 (Albacom network, had been also called by KIRKLAND James Robert on Jan.10, 2003 at 5.41.29pm);*
- on Feb.17, 2003 at 4.30pm he called number 041710400 (hotel SOFITEL VENEZIA has been also called by n° 3337642102 registered under the name of TIMOFTE MIHAI on Feb.18, 2003 at 8.26.05pm);*
- on Feb. 17, 2003 (at 3.31pm and 5.06pm) and on Feb. 18, 2003 (at 8.04am and 9.28am) he called number 02218981 (KLM Dutch Airways company, has also been called by n° 3337642102 registered under the name of TIMOFTE MIHAI on Feb.15, 2003 at 1..42.01pm).*

***Following, a graphic stating the above mentioned connections of Asherleigh Gregory:***



Several elements and investigative deductions make us realize that the user of number 3337642102 registered under the name of TIMOFTE MIHAI and making part of the group present on the spot and at the moment of Abu Omar's disappearance, is Asherleigh Gregory.

In fact:

- the numbers under points 2 and 3 (041710400 and 02218981) called by Asherleigh from his hotel room (where he certainly stayed) have been called only by another cell phone among those under investigation: n° 3337642102;
- on Feb. 18, 2003 at 9.49.09am and 10.12.56am the cell phone number 3337642102 has been contacted by number 0031202013000, KLM Flying Dutchman Helpdesk ( see point 3) and Asherleigh had previously called the company from his hotel room, and to be called back he gave the following cell phone number: 3337642102;
- as from Feb. 14, 2003 till Feb. 19, 2003, the phone number 3337642102 has activated cells exclusively in Milan (before the only phone call is dated Dec. 30, 2002 at 10.03.13am made to number 3331472782 (registered under the name of Ordonez Martinez Diana Lorena), probably only to activate the Sim card.). That period of time corresponds perfectly with Asherleigh's stay in the city. He particularly activated, at the beginning and at the end of the day, the TIM cell in via Tonale 11, through number 3337642102 confirming the fact that Mr Asherleigh stayed in Hotel Hilton, in via Galvani 12;
- as from Feb. 19. 2003 the phone number 3337642102 has moved to Venice where the cells have been activated till Feb. 21, 2003. Date when the traffic stops, probably at the "Marco Polo" airport in Venice. In this same period of time Mr Asherleigh stayed in hotel THE WESTIN EUROPA & REGINA in Venice.

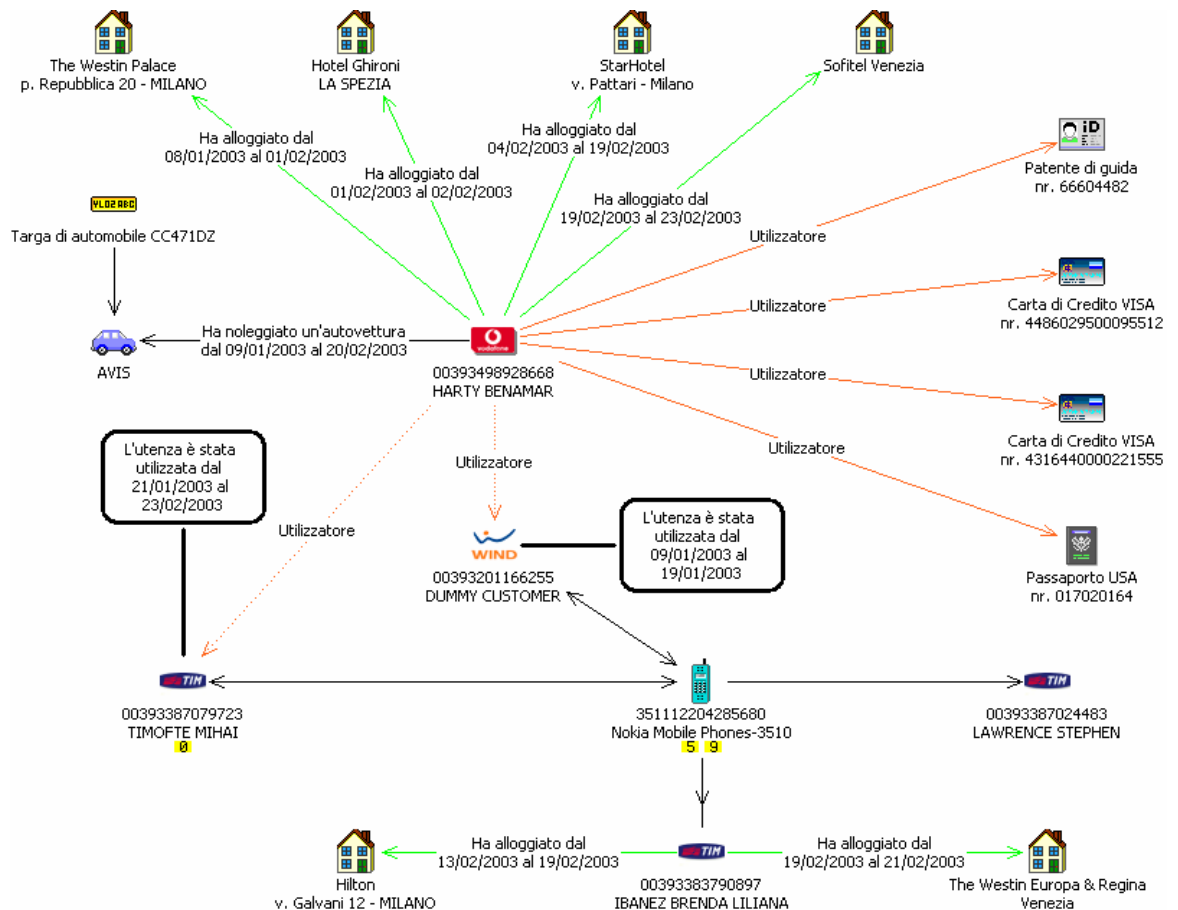
Following details of stays of Asherleigh in Italy:

HILTON VIA GALVANI 12 MILAN	FROM FEB.13 TO FEB.19, 2003
THE WESTIN EUROPA & REGINA – VENICE	FROM FEB.19 TO FEB.21, 2003

### 3) 3387079723 TIMOFTE MIHAI

Though this number has divided the phone IMEI code 351112204285680 with number 3383790897 registered under the name of the American citizen **Ibanez Brenda Liliana**, according the elements we will further list, we can think that both TIM phones 3387079723 and 3201166255 have been used by **Harty Benamar d.o.b. Oct.20, 1944 in Iowa (USA)**.

Following, a graphic that explains all investigative elements on the eventual user of the phones.



We can surely establish that **Ms Ibanez** did not use that phone because she stayed in Hotel Hilton in via Galvani as from Feb.13 till Feb.19, and the cell activated by phone 3387079723 in this period, do not at all correspond to this area.

But they perfectly correspond, particularly at the beginning and at the end of the day, with **Harty Benamar**, whether at the Starhotel of via Pattari (where he stayed from



Feb.4, 2003 till Feb.19, 2003) and especially, this fact has been crucial, at the Sofitel in Venice (where he stayed from Feb.19 to Feb.23, 2003).

And also the cell activated by phone WIND **3201166255**, that has produced traffic as from Jan.9 till Jan.19, 2003, correspond with the stay of **Harty** at the Westin Palace in Milan.

Following, please find a table that list of hotels and the periods he stayed in them:

WESTIN PALACE MILAN	FROM JAN.8 TO FEB.1 2003
HOTEL GHIRONI LA SPEZIA	FROM FEB.1.TO FEB.2, 2003
STARHOTEL VIA PATTARI MILAN	FROM FEB.4 TO FEB.19, 2003
SOFITEL VENICE	FROM FEB.19 TO FEB.23, 2003

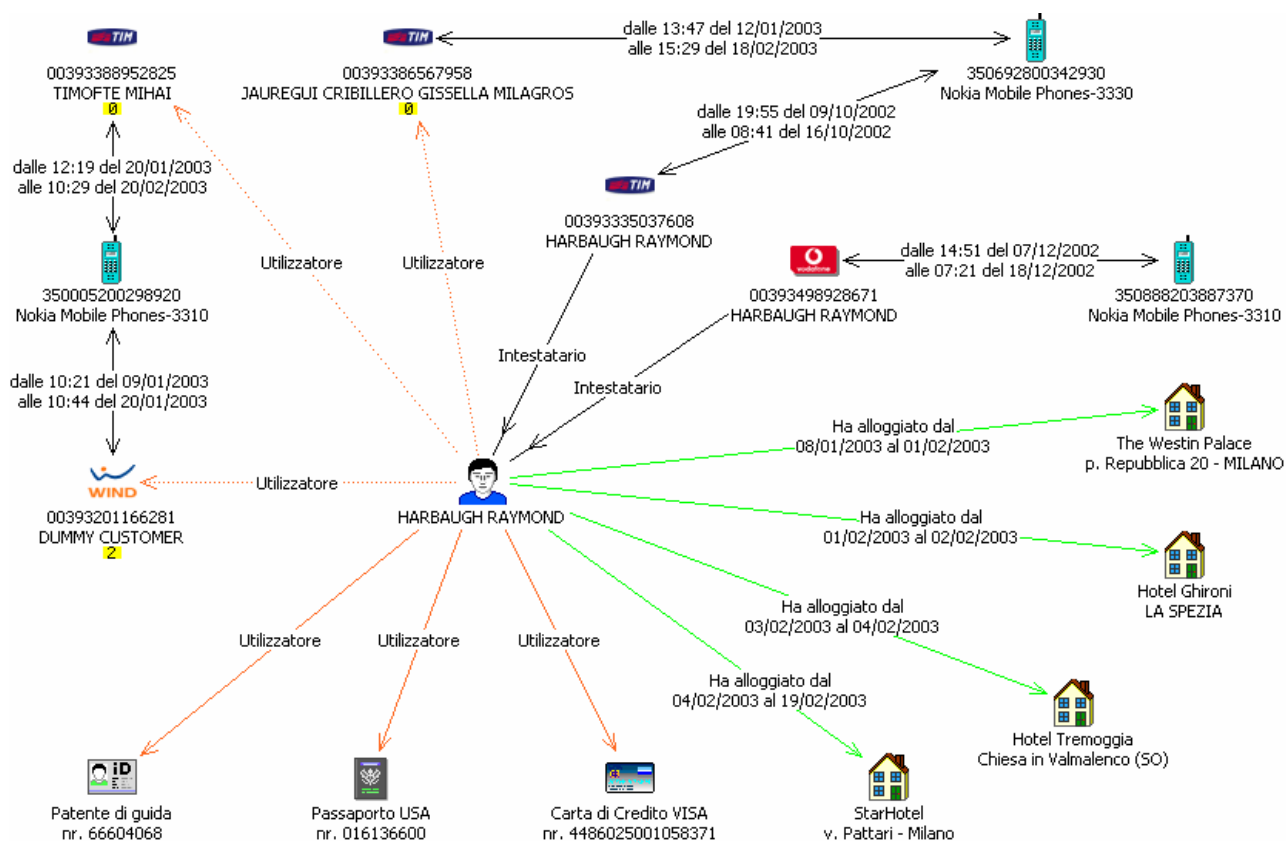
Please also note that the IMEI **351112204285680**, as from Sep.11 till Sep.19, 2004, more than one year after the facts, has been used by phone **3387024483** registered under the name of **Lawrence Stephen, d.o.b. Oct.8, 1941** (information obtained from TIM).

The cell mainly activated by this latter Sim card is the one in VIA MOLISE 4 ROMA (RM) LAZIO (RX16D1), which is at about 100 meters distance from the USA Embassy. This could make us think, but we are still investigating, that also this person could be part of the staff of the American delegation in Italy and that this phone could be an "office phone" used by the staff of the embassy.

#### **4) 3388952825 TIMOFTE MIHAI**

That phone has been used by **Harbaugh Raymond, d.o.b. Jan.9, 1939** in the USA, American passport n° 016136600.

Following a graphic illustrating all elements regarding him:



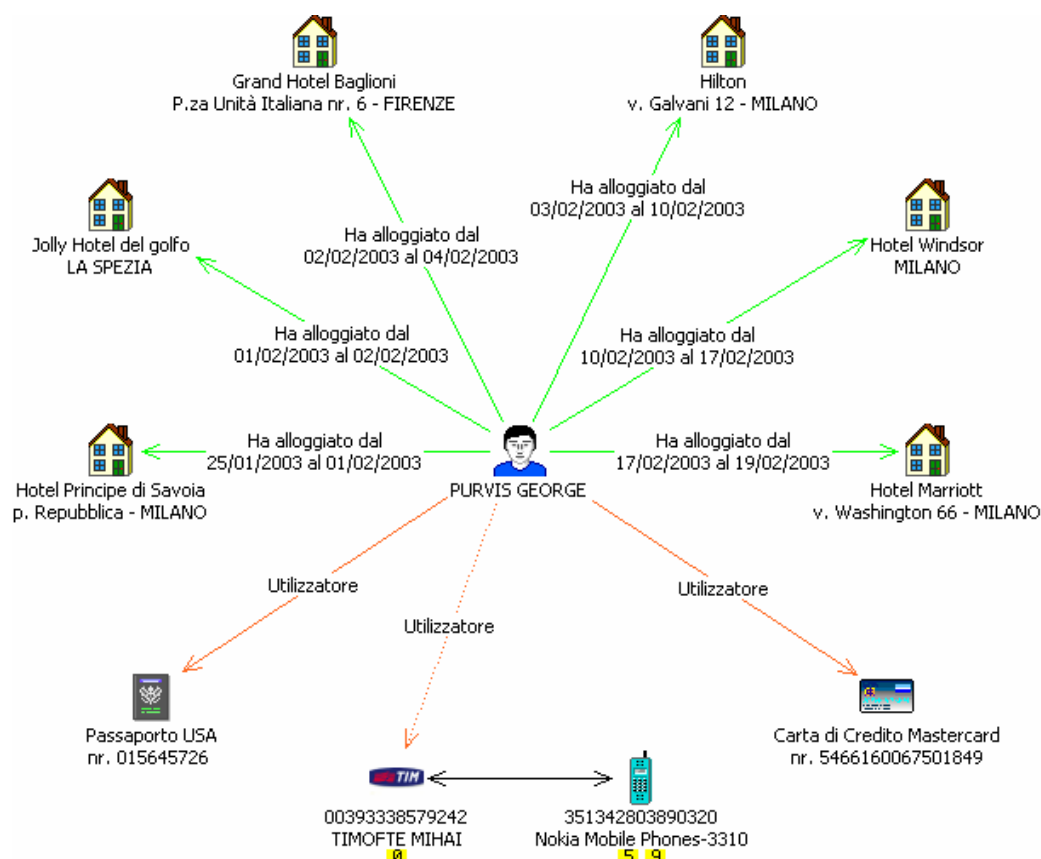
We can also deduce that the American citizen **Harbaugh Raymond** (under whose name's are registered the phones 3335037608 and 3498928671) has also been the user of phone **3386567958** (see following point 8) and **3201166281** (who has no registration name). Those assertions come from the following considerations:

- those three phones never called each other;
- the phone 3335037608 (which has used IMEI 350692800342930 as from 7.55pm of Oct.9 2002 till 8.41am of Oct.16,2002) registered under the name of **Harbaugh Raymond** has divided the phone which IMEI code is 350692800342930 with number **3386567958** (has used IMEI 350692800342930 as from 1.47pm of Jan.12, 2003 till 3.29pm of Feb.18,2003) which is registered under the name of **Jauregui Cribillero Gissella Milagros**,
- the cell phone identified with IMEI code 350005200298920 has been used for the first time at 7.05 of Jan.8, 2003 with **3388952825** Sim card, and then from 10.21am of Jan.9, 2003 till 10.44 of Jan.20, 2003 with the **3201166281** Sim card, and then as from 12.10pm again with number **3388952825** till Feb.20, 2003. Examining the cell of the phone traffic of the three Sim cards, we assert that those have always activated the same cells in the same moment, which means that the above mentioned IMEI with their relative Sim cards have moved always together also on big distances (for example, Sondrio)
- The cells activated by the three Sim cards, controlled late at night and early in the morning, coincide perfectly with the places where Harbaugh spent the night in following hotels:

WESTIN PALACE – P. REPUBBLICA – MILAB	FROM JAN.8 TO FEB.2, 2003 (Same day than beginning of traffic of number 3388952825)
HOTEL GHIRONI LA SPEZIA	FROM FEB.1 TO FEB.2, 2003
HOTEL TRAMOGGIA – CHIESA DI VALMALENCO (SO)	FROM Feb.3, to FEB 4, 2003
STARHOTEL – VIA PATTARI – MILAN	FROM FEB.4 TO FEB.19, 2003

### 5) 3338579242 TIMOFTE MIHAI

that phone have been used by **Purvis George**, d.o.b. May 29, 1952 in China, American passport n° 015645726. Though this person has no phone registered under his name, he came out in a research made with the Jolly Hotel in La Spezia, where this person has stayed on Feb.1, 2003 together with all the American citizens involved in this matter. Following a graphic with all elements regarding the user of these phones:



The cells activated by the phone at the beginning and end of the day correspond perfectly with the stays of the person in hotels.

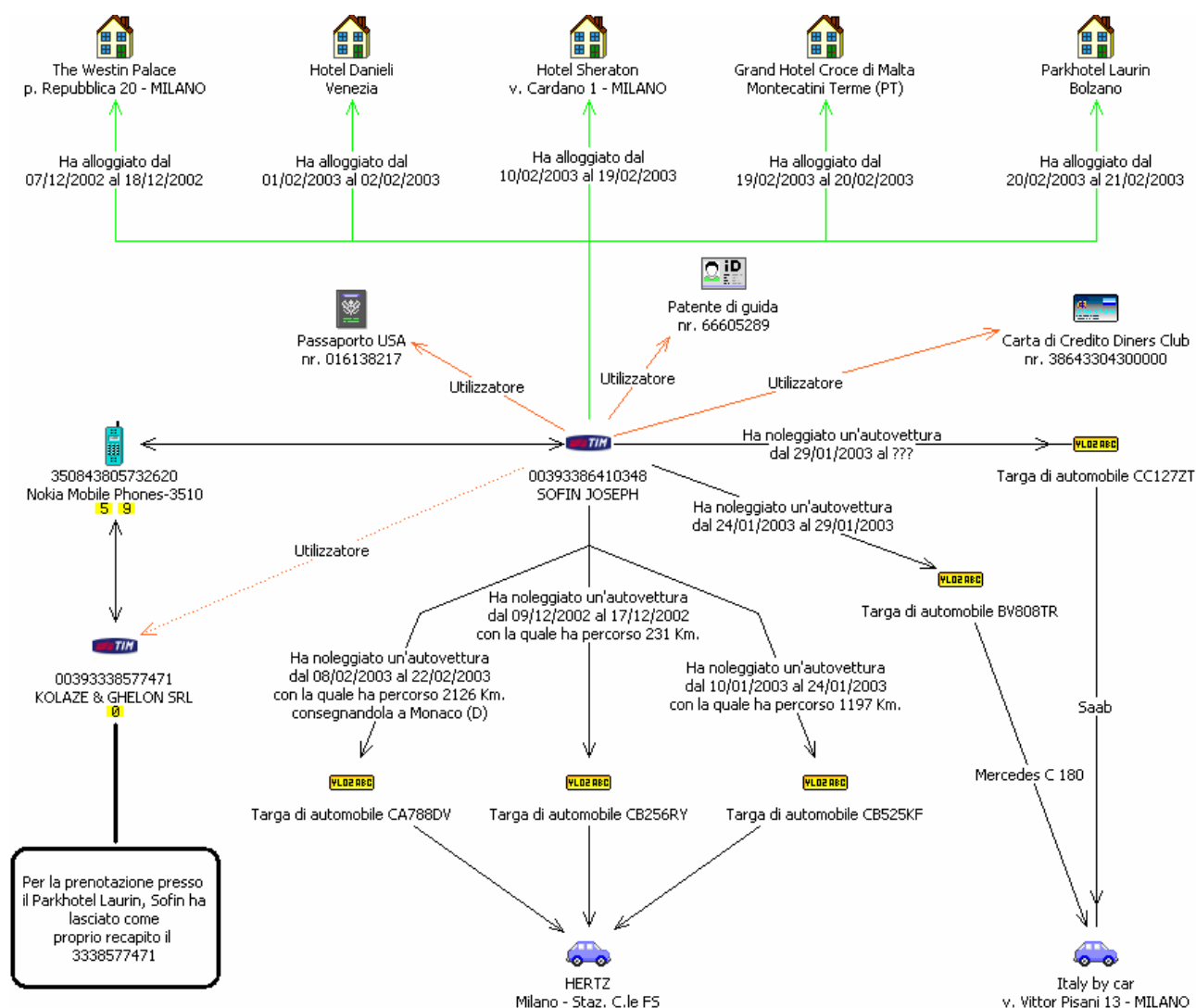
The phone in question has also activated chronologically the cells near the hotels where Purvis has slept, as per following table, which proves that he was the user of this phone:

HOTEL PRINCIPE DI SAVOIA. P. REPUBBLICA – MILAN	FROM JAN.25 TO FEB.1, 2003
JOLLY HOTEL DEL GOLFO – LA SPEZIA	FROM FEB.1 TO FEB.2, 2003
GRAND HOTEL BAGLIONI – FLORENCE	FROM FEB.2 TO FEB.3. 2003
HILTON – V. GALVANI 12 – MILAN	FROM FEB.3 TO FEB. 10, 2003
HOTEL WINDSOR – MILAN	FROM FEB.10, TO FEB 17, 2003
HOTEL MARRIOTT – V. WASHINGTON 66 – MILAN	FROM FEB.17 TO FEB.19, 2003

### 6) 3338577471 KOLAZE & GHELON SRL

this phone has been used by American citizen **Sofin Joseph**, d.o.b. Feb.13, 1953 in Moldavia, passport n° 016138217.

Following a graphic that shows elements regarding the user of this phone:



Several elements confirm that investigative hypothesis.

First of all, the above mentioned American citizen, at the moment of the booking of the room at the **Parkhotel Laurin** in Bolzano, has given as own phone number the following: **3338577471**. He stayed in this hotel with the American citizen **Logan Cynthia Dame** as from the 20<sup>th</sup> till the 21<sup>st</sup> of February 2003. **In this case, we have another evidence than the one made by comparing the stays in the hotels and the traffic of the cells and of the cell phone. And their common presence in the hotel in Bolzano, confirm the connection between SOFIN and LOGAN.**

Moreover the phone **3338577471** has activated cells perfectly compatible with the hotels where his user has stayed. Details as follow:

THE WESTIN PALACE MILAN	FROM DEC.7,2002 TO DEC.18, 2002
HOTEL DANIELI VENICE	FROM FEB.1 TO FEB.2, 2003
HOTEL SHERATON MILAN	FROM FEB.10 TO FEB. 19, 2003
GRAND HOTEL CROCE DI MALTA –	FROM FEB.19 TO FEB. 20, 2003

MONTECATINI TERME (PT)	
PARKHOTEL LAURIN BOLZANO	FROM FEB. 20 TO FEB. 21, 2003

### 7) 335436970 DE LUCCI DAVIDE

The phone in question has been certainly used by American citizen **Rueda Pilar Maria**, d.o.b. May 8, 1961 in California, passport USA n° 016518173.

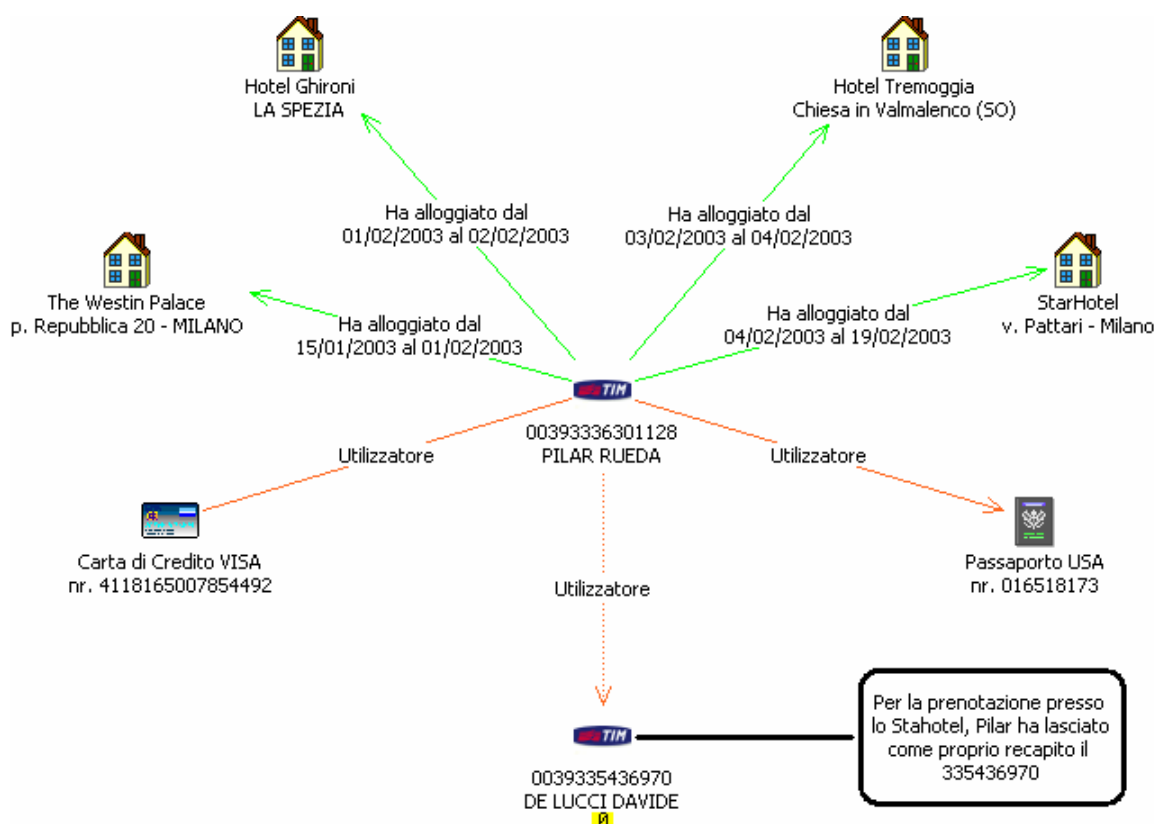
This confirmation has been proved by following investigative elements:

**Rueda Pilar**, at the moment she booked her room at the Starhotel in Milan, has left as her own cell phone number: **335436970**. And also in this case, we have another proof, added to the cross control between stays in hotels and cell traffic and cell phone traffic.

The phone **335436970**, according to the cell traffic, has left Milan on Feb.19, 2003 (last day of her booking at the Starhotel) going towards Switzerland (cells activated the next day) and ceasing its traffic on Feb. 20, 2003.

As from Feb.4 till Feb. 19, 2003 (period that **Rueda Pilar** stayed at the Starhotel in via Pattari), the phone **335436970** has almost always activated, in the evenings and mornings, the cell in via Larga 6 (cell at about 100 meters from the Starhotel of via Pattari).

Following please find a graphic that explains all investigative elements on the user of said phone:



- Moreover, the cells that have been activated by the phone correspond perfectly to the hotels where the American citizen stayed. Details as follow:

THE WESTIN PALACE – P. REPUBBLICA 20 – MILAN	FROM JAN.15 TO FEB.1 2003
HOTEL GHIRONI – LA SPEZIA	FROM FEB..1 TO FEB.2, 2003
HOTEL TREMOGGIA – CHIESA DI VALMALENCO (SO)	FROM FEB. 3 TO FEB. 4, 2003
STARHOTEL – VIA PATTARI – MILAN	FROM FEB. 4 TO FEB. 19, 2003

**8) 3386567958 JAUREGUI CRIBILLERO GISELLA MILAGROS**

*This phone has been used, as we have seen in point 4, by the American citizen Harbaugh Raymond, d.o.b. Jan.9, 1939 in the USA, passport n° 016136600.*

**9) 3389383879 AGOSTINI CARLA**

*We do not have enough elements that could lead us to the user of this phone.*

**10) 3398675142 LODI DONATELLA**

*We do not have enough elements that could lead us to the user of this phone.*

**11) 3343101143**

*We do not have enough elements that could lead us to the user of this phone.*

**3343099527 RIVA BENIAMINO E C. SNC**

*We do not have enough elements that could lead us to the user of this phone.*

**13) 3343176579 DISCOVERY SRL**

*We do not have enough elements that could lead us to the user of this phone.*

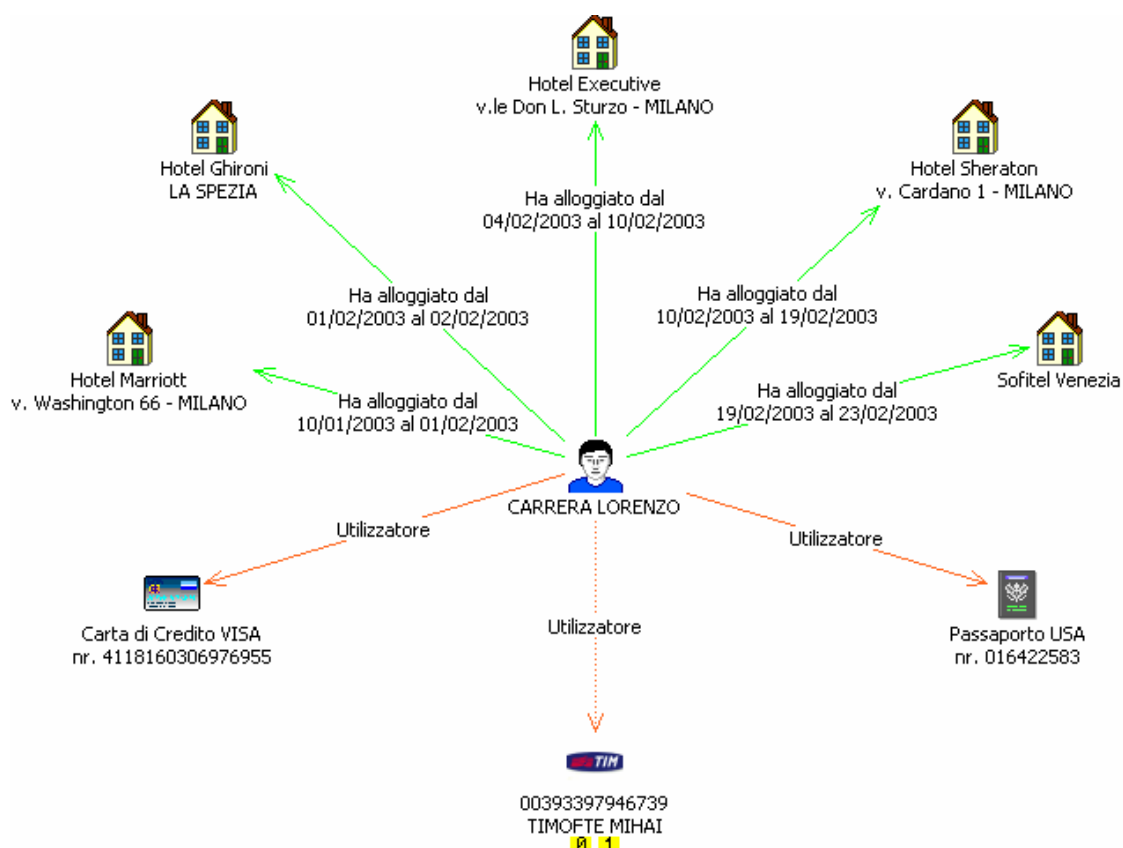
**14) 3343211730 RIVA BENIAMINO E C. SNC**

*We do not have enough elements that could lead us to the user of this phone.*

**15) 3397946739 TIMOFTE MIHAI**

*The phone has been used by the American citizen Carrera Lorenzo, d.o.b. Jan.29, 1971 in Texas, USA passport N° 016422583.*

*Following please find a graphic that explain all elements on user of the phone:*



*This hypothesis is based on following investigative elements:*

- *the cells that have been activated by the phone at the beginning and at the end of the day correspond perfectly with the hotels where **Carrera Lorenzo** stayed;*
- *the phone in question has also activated cells in a chronological succession that corresponds to the hotels where **Carrera** stayed, as per following table, which proves that he definitely was the user of this phone:*

<i>HOTEL MARRIOTT MILAN</i>	<i>FROM JAN.10 TO FEB.1, 2003</i>
<i>HOTEL GHIRONI LA SPEZIA</i>	<i>FROM FEB1 TO FEB. 2 2003</i>
<i>HOTEL EXECUTIVE MILAN</i>	<i>FROM FEB. 4 TO FEB. 10, 2003</i>
<i>HOTEL SHERATON MILAN</i>	<i>FROM FEB. 10, TO FEB. 19, 2003</i>
<i>SOFITEL VENICE</i>	<i>FROM FEB. 19 TO FEB 23, 2003</i>

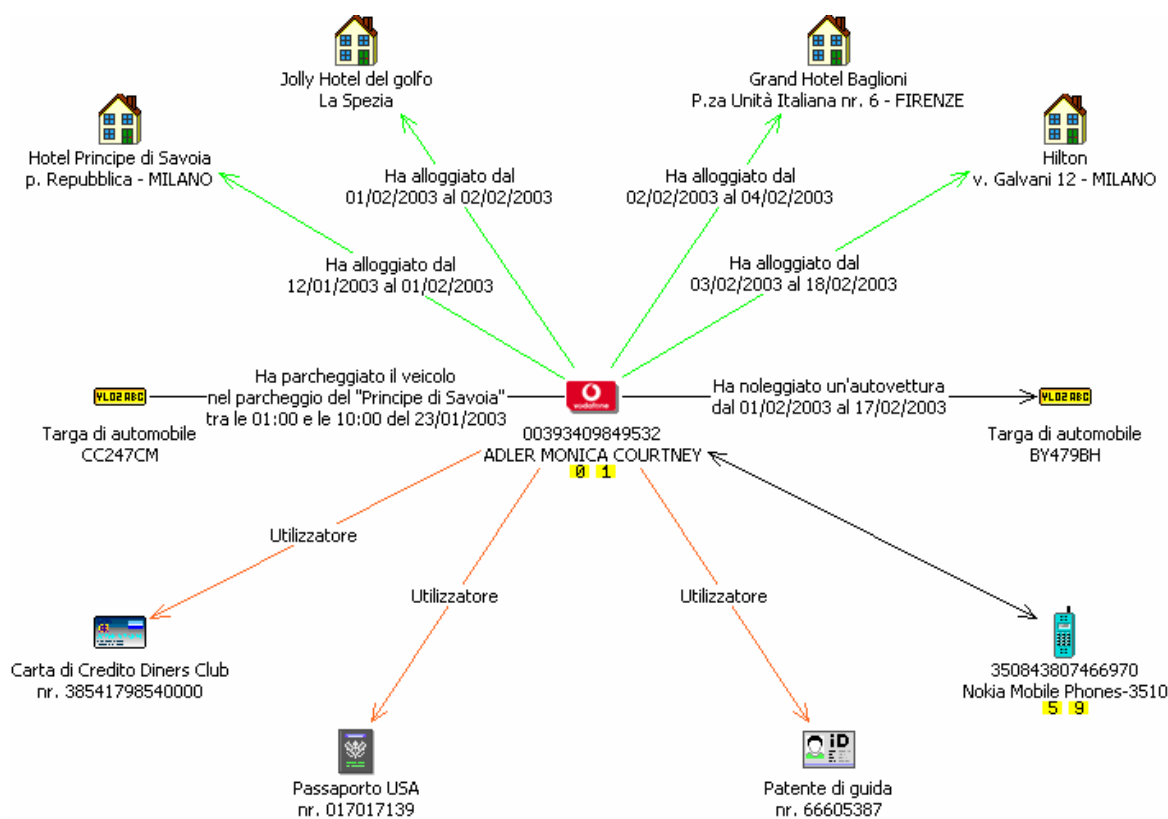
#### **16) 3398581994TIMOFTE MIHAI**

*We do not have enough elements that could lead us to the user of this phone*

#### **17) 3409849532 ADLER MONICA COURTNEY**

*This phone was registered under the name of the American citizen **Adler Monica Courtney** and was used by her.*

*Following a graphic that illustrates all investigative elements on the user of the phone.*



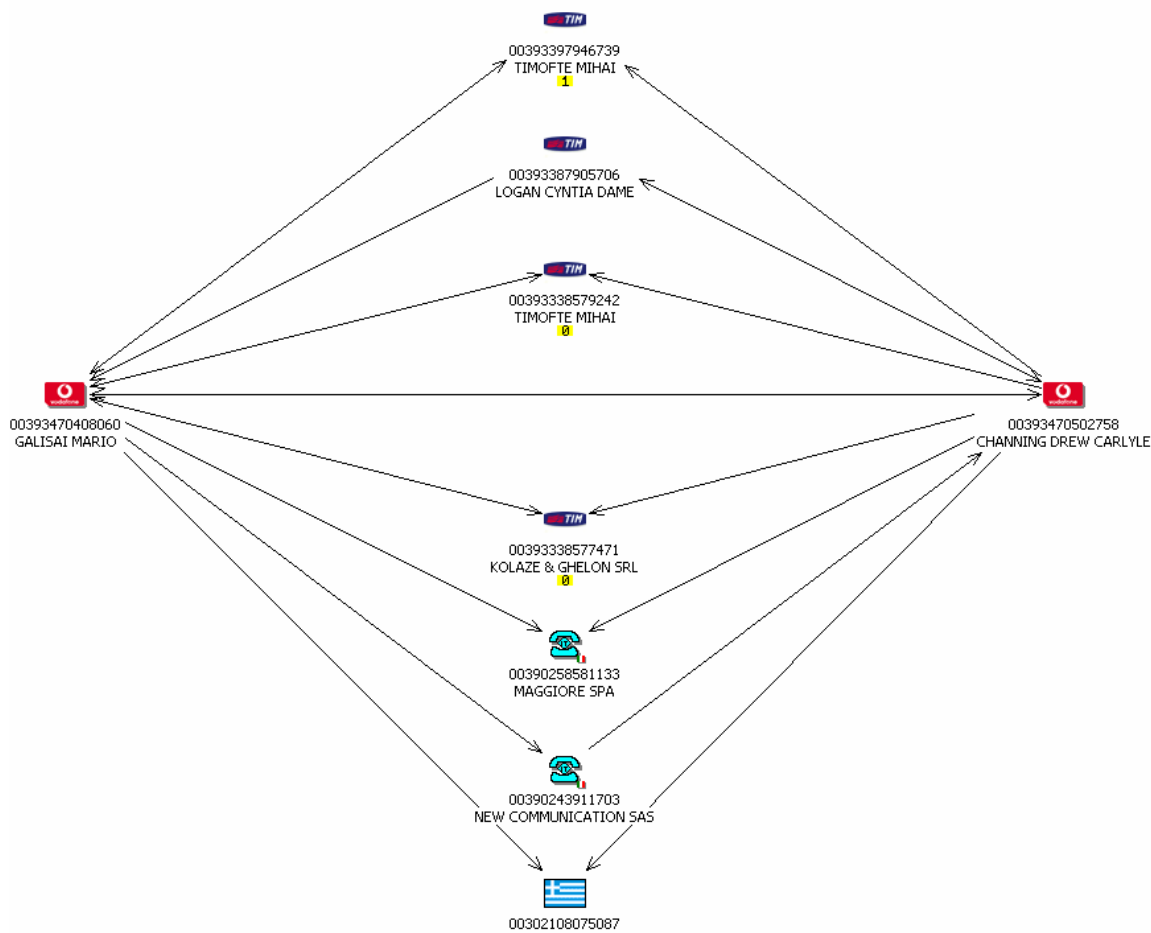
*This phone has also activated cells in a chronological succession compatible with the hotel stays of **Adler Monica Courtney** which are listed hereafter, which proves that the phone was in her possession:*

<i>HOTEL PRINCIPE DI SAVOIA – P. REPUBBLICA – MILAN</i>	<i>FROM JAN.12 TO FEB.1, 2003</i>
<i>JOLLY HOTEL DEL GOLFO – LA SPEZIA</i>	<i>FROM FEB.1 TO FEB. 2, 2003</i>
<i>GRAND HOTEL BAGLIONI – FLORENCE</i>	<i>FROM FEB. 2 TO FEB.3, 2003</i>
<i>HILTON – VIA GALVANI 12 MILAN</i>	<i>FROM FEB. 3 TO FEB. 18, 2003</i>

**18) VODAFONE 3470502758 registered under the name of CHANNING Drew Carlyle and VODAFONE 3470408060 registered under the name of GALISAI Mario**

*The above two phones were definitely used by the American citizens **Channing Drew Carlyle and Vasiliou Michalis**, even if we have not been able to ascertain who was the user of each phone because, as reported hereafter in the graphic, the traffic of those two phones had very similar characteristics:*





We made the following considerations:

- Both phones had been purchased by **Channing Drew Carlyle**. The first phone is registered under his name while the second, as we checked with the Vodafone company, is registered by mistake under **Galisai Mario**'s name. In fact, the documents we found in the archives show that the purchaser of the Sim card is **Channing Drew Carlyle**. It is logical to deduce that both cards were purchased at the same time by **Channing**.
- Both phones have travelled, immediately after the kidnapping, from Milan to Aviano. This information was obtained by the control on the traffic of the cells.
- By the traffic of the Sim cards, the two phones appear to be in contact together, so, obviously they were used by two different persons. Both have called the Greek phone **00302108075087**. **Vasiliou Michalis** is the only American of the group who has Greek origins.
- **Channing Drew Carlyle and Vasiliou Michalis** stayed only at the Hotel Marriott in Milan at the same period, from Feb.13 to Feb. 19, 2003.
- The phone **3470408060** has generated traffic as from Feb.13 to Feb. 20, 2003, and phone **3470502758** has generated traffic from Feb. 13 to Feb. 21, 2003. Almost and identical period and coinciding with the stay in Italy of the two foreigners, activating cells perfectly compatible with the stay of the two in Hotel Marriott.
- The two phones have almost always activated the same cells at the same moments. This makes us deduce that the users of those moved, except in rare moments, always together: on the road Milan-Aviano-Milan on Feb. 17, 2003 and on the road Verona-Bolzano-Austria-Germany on Feb.19, 2003 after that the two, that same morning, had left the Hotel Marriott.

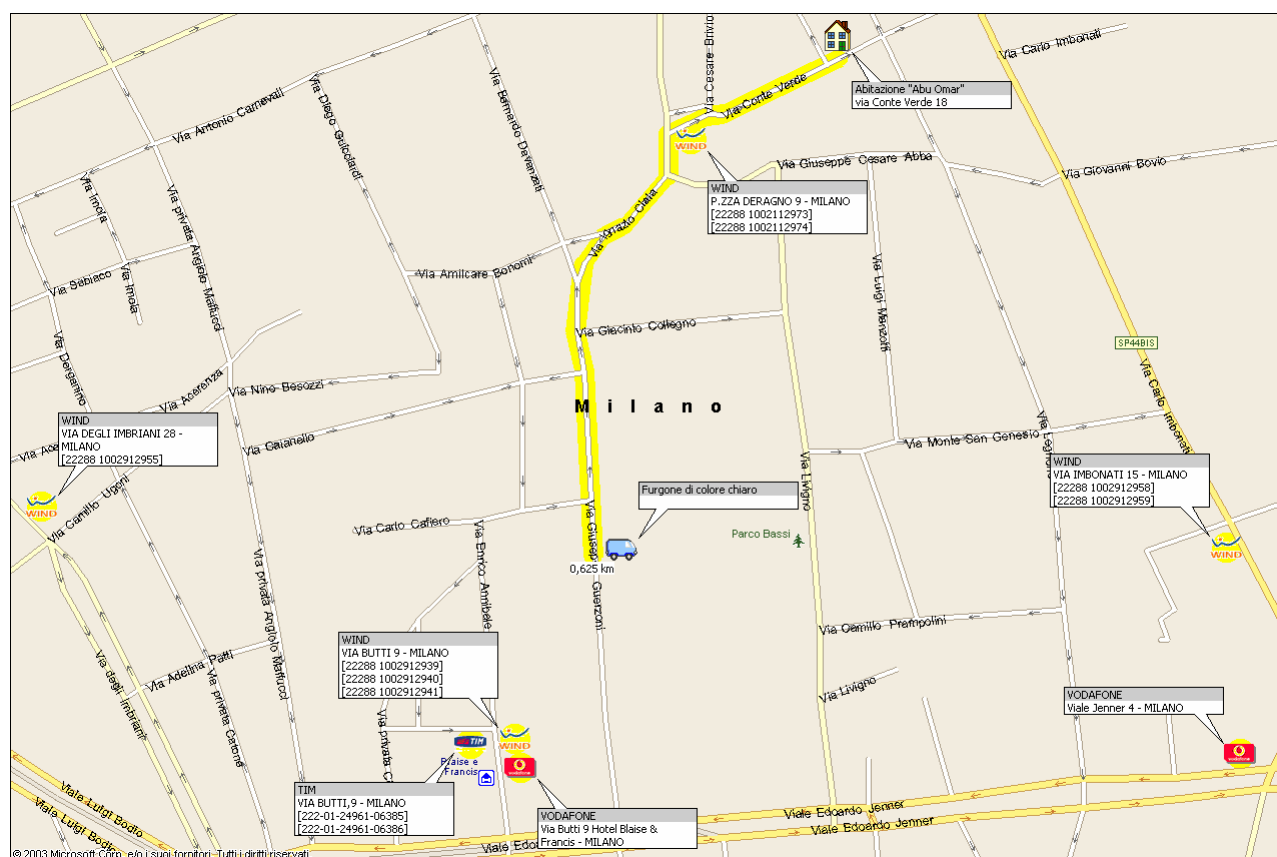
\*\*\*\*\*

## **I) RECONSTRUCTION OF THE EVENT AND ITS PREPARATIVE ACTIVITY BASED ON THE TRAFFIC OF THE CELL**

*(In this paragraph we will indicate the names of the real users of the phones and where they were during the various phases of the kidnapping, and also the numbers of those phones as per table 2 in paragraph “M”).*

*Basing ourselves on all investigative elements we can operate a reconstruction of the facts and their planning. Our study concerned the moves of all persons who used those cell phones we mentioned before. This was made possible by the analysis of the cells that each phone activates. Our study concerned also the days preceding the facts, to make us able to identify the persons who had studied the location and the moves of the victim.*

*Following, the graphic of the location of the radiobase cells that are along the way Abu Omar was walking on the day he disappeared.*



*In this case, our research has been extended to a period of two months preceding the event to verify if those same phones evidenced on Feb.17, 2003 had been on that spot, activating those same radiobase cells, also in preceding periods.*

*An identical research (two months before the kidnapping) have also been effected on the radiobase cells present north of Via Guerzoni, particularly in the zone between Milan and Cormano (MI).*

*That location attracted our attention because, the day of the kidnapping, some of the investigated phones were there, as if they were waiting, and immediately after the facts, they went to Aviano.*

*With this research and the results of the analysis of the traffic of the cells on Feb.17, 2003, we could obtain precise indications on the execution of the event.*

*It is evident that there are **two different groups**. The first one is around Via Guerzoni (activating the cells of via Butti), and this is the group that physically committed the kidnapping of **Abu Omar**. The second group positioned North of the spot of the facts (activating the cells between Milan and Cormano) that would have transported the victim in a van from Milan to the military base in Aviano.*

*Some of those persons have participated to both phases, like the user of number **3343101143** that could have been the link between the two groups.*

*Before we start analysing the moves in the days preceding the event, we would like to illustrate, using a graphic, the position of the users of the phones on Feb. 17, 2003, day of Abu Omar's kidnapping.*

*In the first map we report (see graphic 34 and Milan Digos report dated Feb.24, 2005) the phones that operated that same morning in the surroundings of via Guerzoni. We can verify that the cell of via Butti 9, that also covers the phone traffic of via Guerzoni, is activated by various phones (please note that the following numbers and names of users are as per table 2 that you will find in paragraph "M" in which are listed all 59 cell phones that appeared in this investigation):*

PHONE NUMBER	NUMBER TABLE 2	REGISTERED UNDER THE NAME OF	USER	TIME
335436970	7	De Lucci Davide	RUEDA P.	10.56.50AM
3387079723	3	Timofte Mihai	HARTY B.	10.57.20AM
3386567958	8	Jauregui Cribillero	HARBAUGH R.	11.00.15am
3389383879	9	Agostini C.	Unknown	11.21.17am
3343101143	11	NONE	UNKNOWN	11.39.51AM
3336364075	1	Riva Beniamino	Unknown	11.39.51am
3337642102	2	Timofte Mihai	ASHERLEIGH G.	11.40.05 AM
3388952825	4	Timofte Mihai	HARBAUGH R.	11.43.23 AM
3392161934	42	Zheng Lihuai	Unknown	11.46.54 am
3398675142	10	Lodi Donatella	Unknown	11.51.58 am
3338577471	6	Kolaze & Ghelon	SOFIN J.	12.15.46 PM

*The near by cell in via B. Crespi, 57, not far from via Guerzoni and via Conte Verde, where the victim lives, is activated by:*

***3409849532 n° 17, registered under the name of ADLER MONICA and used by her at 12.15.45 pm.***

*In the second map (see graphic 35 and Milan Digos report dated Feb. 24, 2005), we list the phones that were operative the morning of Feb.17, 2003 in the area between North Milan and Cormano. We concentrated especially on the cell of via Martinazzoli 3 in Milan which was activated by:*

3397946739	15	Timofte Mihai	CARRERA L.	11.06.28 AM
3343211730	14	Riva Beniamino	Unknown	11.15.54 am
3343101143	11	No name	Unknown	11.15.65 am
3387905706	27	Logan Cynthia Dame	LOGAN CYNTHIA DAME	12.27.06 PM

The cell of via Senigallia 6 in Milan, not very far from the previously mentioned one, was activated by the following phones:

3470408060	31	Galisai Mario		12.26.24 pm
3470502758	30	Channing Drew Carlyle		12.28.19 pm

The above two phones were used by **CHANNING Drew Carlyle** or by **VASILIOU Michailis**.

The cell of via Gramsci 56 in Cormano, near the access to the highway, has been activated by the following phones:

3387905706	27	Logan Cynthia Dame	Logan Cynthia Dame	10.44.48 am
3397946739	15	Timofte Mihai	Carrera L.	11.06.28 am
3343176579	13	Discovery Srl	Unknown	12.35.33 pm
3343101143	11	No name	Unknown	12.41.31 pm

The cell of Via Gazzoletti 10 in Milan has been activated by:

3337934123	35	No name	Unknown	11.18.26
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**THIS PHONE, AS INVESTIGATIONS WILL CONFIRM, WAS USED BY BETNIE MEDERO.**

It is interesting to analyse the moves of the user of the phone **3343101143 (n°11)**, who appears to be the one who coordinated the activity of the two groups.

In fact, we can notice that this person, starting 11.00 am and till almost the moment of the kidnapping, according to the reconstruction made between 12.00am and 12.30pm of Feb. 17, 2003, has been moving from North Milan to the spot of the event and then moving again towards North and unite to the other group and take the road to Pordenone. That phone is one of those who, immediately after the kidnapping have taken the highway till Aviano.

Following are the cells chronologically activated from the phone **3343101143, n° 11, no registration name, and user unknown:**

11.15.54 am	Cell Via Martinazzoli 3 – Milan
11.21.16 am	Cell Via L: Modignani – Milan
11.39.51 am	Cell of Via Butti 9 – Milan
11.46.33 am	Cell of Via Imbriani 40 – Milan

11.47.26 am	Cell of Via Pedroni 15 – Milan
12.17.19 pm	Cell of Via Bernina – Milan
12.16.26 pm	Cell of Via Imbonati 88 – Milan
12.20.23 pm	Cell of Via Pellegrino Rossi 46 – Milan
12.33.27 pm	Cell of Via G: Sand 28 – Milan
12.41.31 pm	Cell of Via Gramsci 56 – Cormano (MI)

We would like to add that the users of 9 cellular phones, immediately after **Abu Omar's** kidnapping, as showed by the traffic of the cells, have travelled from Milan to Aviano activating the cells present along the highway. They arrived to Aviano in about 5 hours. Among those:

3343101143	11	No name	User unknowm
3343176579	13	Discovery srl	Unknown
3343211730	14	Riva Beniamino	Unknown
3397946739	15	Timofte Mihai	Carrera Lorenzo
3337693263	34	No name	Unknown
3337934123	35	No name	Unknown
3387905706	27	Logan Cynthia Dame	Logan Cynthia Dame
3470408060	31	Galisai Mario	Channing Drew Carlyle
3470502758	30	Channing Drew Carlyle	Vasiliou Michailis

Nb: the users of the above last two numbers could be inverted as explained before.

**THE PHONES NUMBER 34 AND 35 OF TABLE 2 (333769263 AND 3337934123) WERE USED RESPECTIVELY BY VINCENT FALDO AND BETNIE MEDERO: THOSE TWO PERSONS, AS WE WILL ANALYZE HEREAFTER, WENT TO AVIANO IMMEDIATELY AFTER THE KIDNAPPING.**

A research has been made on phones that, in the period between December 1 2002 and February 16 2003 (the day before the facts) have activated the cell of Via Butti. There are 29 phones we have listed in table 2, with the number of times they have activated the cell, the date and the hour of the first and of the last time they have activated that cell.

We have evidenced in green the numbers belonging to the group of 17 numbers listed in table 1, present in the surroundings of via Guerzoni at the moment of the kidnapping, and in yellow the phones that headed, immediately after the facts, on the highway towards the province of Pordenone. The phone **3343101143** evidenced in violet and part of the group that went to Pordenone the day of the kidnapping, has travelled between the cell of via Butti and the North of Milan.

PHONES THAT HAVE ACTIVATED VIA BUTTI'S CELLS					
PHONE NUMBER			Number of connections	First connection – Date / hour	Last connection – Date / hour
3388952825	TIMOFTE MIHAI,	n. 4	95	23/01/2003 12.00.02	16/02/2003 12.51.56
Tabella 2					
335436970	DE LUCCI DAVIDE,	n. 7	86	16/01/2003 11.59.48	16/02/2003 12.57.36
Tabella 2					
3387079723	TIMOFTE MIHAI,	n. 3	78	23/01/2003	16/02/2003 12.48.06

<b>PHONES THAT HAVE ACTIVATED VIA BUTTI'S CELLS</b>			
<b>PHONE NUMBER</b>	<b>Number of connections</b>	<b>First connection – Date / hour</b>	<b>Last connection – Date / hour</b>
Tabella 2		12.36.37	
3389383879 AGOSTINI CARLA, n. 9	59	26/01/2003 10.59.33	16/02/2003 12.50.09
Tabella 2			
3338577471 KOLAZE & GHELON SRL, n. 6	48	11/01/2003 11.38.41	16/02/2003 12.51.56
Tabella 2			
3386567958 JAUREGUI CRIBILLERO, n. 8	47	31/01/2003 11.10.02	16/02/2003 12.58.26
Tabella 2			
3336364075 RIVA BENIAMINO, n. 1	27	31/01/2003 11.12.11	16/02/2003 12.48.53
Tabella 2			
3343170797 TIMOFTE MIHAI, n. 54	24	29/01/2003 11.21.25	09/02/2003 12.30.54
Tabella 2			
3409849532 ADLER MONICA C., n. 17	23	14/01/2003 12.25.27	16/02/2003 12.38.33
Tabella 2			
3343101143, intestat, sconosciuto, n. 11	22	31/01/2003 11.45.51	16/02/2003 12.26.39
Tabella 2			
3397946739 TIMOFTE MIHAI, n. 15	20	18/01/2003 10.01.50	12/02/2003 12.17.43
Tabella 2			
3387849290, intestat. sconosciuto, n. 49	18	12/12/2002 12.52.11	16/12/2002 12.54.16
Tabella 2			
3387570943 DUFFIN JOHN KEVIN, n. 25	18	18/01/2003 12.45.38	07/02/2003 12.31.50
Tabella 2			
3333504739 CASTALDO E., n. 26	18	18/01/2003 11.18.14	31/01/2003 11.49.12
Tabella 2			
3333026990 JENKINS ANNE LIDIA, n. 28	17	22/01/2003 12.41.40	08/02/2003 12.48.47
Tabella 2			
3386410348 SOFIN JOSEPH, n. 29	15	11/12/2002 12.14.12	16/12/2002 12.54.16
Tabella 2			
3498928671 HARBAUGH R., n. 39	12	14/12/2002 11.26.54	17/12/2002 12.42.10
Tabella 2			
3386432346 RUSSO Domenico, n. 44	11	13/12/2002 12.21.33	16/12/2002 11.44.07
Tabella 2			
3406958386 KIRKLAND JAMES R., n. 32	11	16/01/2003 10.48.20	09/02/2003 10.59.34
Tabella 2			
3387905706 LOGAN CYNTIA D., n. 27	10	24/01/2003 12.24.43	16/02/2003 12.57.36
Tabella 2			
3201166281 DUMMY CUSTOMER, n. 36	7	09/01/2003 12.51.56	19/01/2003 12.43.05
Tabella 2			
3397672462 KOLAZE & GHELON, n. 52	7	24/01/2003 12.10.39	11/02/2003 12.33.18
Tabella 2			
3387570941 CASTELLANO VICTOR, n. 24	7	25/01/2003 11.07.09	07/02/2003 12.31.50
Tabella 2			
3337642102 TIMOFTE MIHAI, n. 2	6	15/02/2003 11.29.49	16/02/2003 12.48.06
Tabella 2			

<b>PHONES THAT HAVE ACTIVATED VIA BUTTI'S CELLS</b>			
<b>PHONE NUMBER</b>	<b>Number of connections</b>	<b>First connection – Date / hour</b>	<b>Last connection – Date / hour</b>
3201166255 DUMMY CUSTOMER, n. 37 Tabella 2	5	09/01/2003 12.51.56	18/01/2003 12.19.27
3398675142 LODI DONATELLA, n. 10 Tabella 2	4	15/02/2003 11.46.03	16/02/2003 11.44.44
3338579242 TIMOFTE MIHAI, n. 5 Tabella 2	3	08/02/2003 11.47.29	08/02/2003 12.16.53
3383790897 IBANEZ BRENDA L., n. 40 Tabella 2	2	13/12/2002 12.24.30	15/12/2002 10.24.37
3397942963 TIMOFTE MIHAI, n. 57 Tabella n.2	1	15/2/2003 11:43:11	15/2/2003 11:43:11

That same research has been also made on the radiobase cells of via Guerzoni, particularly a Vodafone cell in Via Giovanni XXIII, 15 – scala B – Cormano and three TIM cells: in via Modignani L. 108/E; Via Martinazzoli 3 in Milan and Via Gramsci 56 in Cormano. All those cells are situated at about 4km distance from the spot of the facts.

(table pag 44)

<b>PHONES THAT HAVE ACTIVATED CELLS NORTH OF VIA GUERZONI</b>			
<b>Phone</b>	<b>Number of connections</b>	<b>First connection – date / hour</b>	<b>Last connection – Date / hour</b>
3343101143 intestat. sconosciuto, n. 11 Tabella 2	25	31/01/2003 12.45.17	16/02/2003 12.54.44
3343211730 RIVA BENIAMINO, n. 14 Tabella 2	18	05/02/2003 10.08.00	16/02/2003 12.52.26
3397946739 TIMOFTE MIHAI, n. 15 Tabella 2	10	22/01/2003 12.31.30	16/02/2003 12.54.29
3343176579 DISCOVERY SRL, n. 13 Tabella 2	7	26/01/2003 10.58.35	08/02/2003 12.57.57
3337934123, intestat. sconosciuto, n. 35 Tabella 2	7	29/01/2003 10.18.53	16/02/2003 12.56.46
3470502758 CHANNING DREW, n. 30 Tabella 2	1	16/02/2003 12.38.33	16/02/2003 12.38.33
3389383879 AGOSTINI CARLA, n. 9 Tabella 2	1	27/01/2003 11.46.27	27/01/2003 11.46.27
3387905706 LOGAN CYNTIA D., n. 27 Tabella 2	1	15/02/2003 11.17.53	15/02/2003 11.17.53
3387570941 CASTELLANO V., n. 24 Tabella 2	1	05/02/2003 12.15.36	05/02/2003 12.15.36
3338577471 KOLAZE & GHELON, n. 6 Tabella 2	1	17/01/2003 12.59.34	17/01/2003 12.59.34
3337693263 intestat. sconosciuto, n. 34 Tabella 2	1	27/01/2003 10.36.31	27/01/2003 10.36.31

The result of this research proves how lots of users of those phone we were investigating on, starting from the month of January, have effected almost every day controls in Via Guerzoni, and also in the North of Milan, around Cormano, to plan the details of the operation and the transportation of the victim.

The big number of connections of the phones under investigation that have activated the radiobase cells of the spot where the kidnapping was committed, and also in the cells near Cormano, near the access to highway for Genova, shows the **effort in the preparation of the kidnapping and the involvement in this phase of lots of persons we are investigating on** (and also other persons that are still unknown). Some of those persons would have participated to the execution of the kidnapping and to the transfer of the victim to Aviano, while others would have left Italy before the kidnapping.

The situation illustrated in the tables, referring to the days previous to the disappearance, shows the situation the day of the kidnapping and the division of the tasks between the members of the two groups.

\*\*\*\*\*

#### **L) Controls on the way Milan – Aviano**

In this paragraph we will examine all elements assembled by the Judicial Police on the users of the phones who, on Feb.17, 2003, have travelled from Milan to Aviano, as documented by the study of the cells.

We will also reconstruct the **verifications made with the company that administrates the highway we are interested in. Those verifications, through the payments of the tolls, will help us finalize and individuate the moves of the vehicles on the highway. We also want to check if among the vehicles that have transited on that highway we could find the van used for the transportation of the victim.**

In fact, according the statements, **Nasr Osama Mostafa Hassan @ Abu Omar** would have been compelled to get in a light coloured van that would have left the spot of the event at a high speed.

As we already said in the previous paragraphs, immediately after the kidnapping of the foreign citizen, between 12.00 and 12.30pm of Feb.17, 2003, **the users of nine cellular phones, listed hereafter, headed to Aviano (PN) on the highway Milan-Protogruaro, to the USAF base. Examining the hours of the phone calls and the relative cells that were activated, they arrived at the base around 4.30pm, transiting from Portogruaro's pay toll gate around 4.00pm.**

Following please find listed all phones that have travelled to Aviano, the names of the real users, as per paragraph "H", and their numbers as per table 2 of paragraph "M":

PHONE NUMBER	REGISTRATION NAME	USER	NUMBER IN TABLE 2
3343101143	NO NAME	UNKNOWN	11
3343176579	DISCOVERY SRL	UNKNOWN	12
3343211730	RIVA BENIAMINO	UNKNOWN	14
3397946739	TIMOFTE MIHAI	CARRERA LORENZO	15
3337693263	NO NAME	UNKNOWN	34
3337934123	NO NAME	UNKNOWN	35
3387905706	LOGAN CYNTHIA DAME	LOGAN CYNTHIA DAME	27
3470408060	GALISAI MARIO	CHANNING DREW OR VASILIOU M.	31
3470502758	CHANNING DREW CARLYLE	CHANNING DREW OF VASILIOU M.	32



We asked for the list of the transits registered in Portogruaro's pay toll gate between 3.45pm and 4.14pm. There were 64 vehicles.

First of all we analysed the Telepass and Viacard not prepaid but payable through a bank account, but we did not obtain any interesting information.

Then we studied the transits that paid with a Viacard and we concentrated on three cards that inform us that a car and a van went through the gate of Venice East at the same time (3.33pm) while another van transited at 3.42pm. All three vehicles went out of the highway at Portogruaro (VE) respectively at 4pm, 4pm and 4.07pm.

CODE OF VIACARD CARD	CLASS	PRICE	HOUR OF ENTRANCE AT EAST VENICE GATE	HOUR OF EXIT GATE OF PORTOGRUARO (VE)	CREDIT REMAINING ON CARD	ENTRY GATE	EXIT GATE
547093567	10	€3,10	3.33PM	4PM	€22.50	45	63
543343612	20	3,20	3.33PM	4.00.34PM	12.50	46	43
543344212	20	3.20	3.42PM	4,07.58PM	12.50	82	43

So, the moves of each Viacard are as follows:

- 1) the Viacard **547093567**, has been purchased in Milan (Direzione 2° Tronco di Milano). And it has been used as per following table:

DATE / HOUR ENTRY	STATION OF ENTRY	DATE / HOUR EXIT	STATION OF EXIT
	PORTOGRUARO (VE)	01.30.03 – 1.14PM	VENEZIA EST
01.30.03 – 1.27PM	VENEZIA MESTRE	01.30.03 – 3.49.16PM	MILANO EST
02.17.03 – 12.47PM	MILANO EST	02.17.03 – 3.18.22 PM	VENEZIA MESTRE
	VENEZIA EST	02.17.03 – 4.00 PM	PORTOGRUARO (VE)
	PORTOGRUARO (VE)	02.17.03 – 10.01 PM	VENEZIA EST
02.17.03 – 10.14 PM	VENEZIA MESTRE	02.17.03 – 10.21.55 PM	PADOVA EST
02.17.03 – 10.45 PM	PADOVA EST	02.18.03 – 12.22.42 AM	MILAN EST

- 2) The Viacard **543343612** has been purchased at Autogrill Spa – Centro Direzionale Milanofiori; and the card has been used as per following table:

DATE / HOUR ENTRY	STATION OF ENTRY	DATE / HOUR EXIT	STATION OF EXIT
02.17.03 – 12.46 PM	MILANO EST	02.17.03 – 3.18.02 pm	VENEZIA MESTRE
	VENEZIA EST	02.17.03 – 4 pm	PORTOGRUARO

- 3) The Viacard **543344212** has been purchased as above (Autogrill Spa) and has been used as per following table:

DATE	/	HOUR	STATION OF ENTRY	DATE / HOUR EXIT	STATION OF EXIT
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ENTRY			
02.17.03 – 12.54 pm	MILANO EST	02.17.03 – 3.26.27 PM	VENEZIA MESTRE
	VENEZIA EST	02.17.03 – 4.07 PM	PORTOGRUARO
	PORTOGRUARO (VE)	02.17.03 – 7.43 PM	VENEZIA EST
	VENEZIA MESTRE	02.17.03 – 8.15 PM	PADOVA EST

We can then ascertain that on Feb.17, 2003, the two vehicles have used the Viacard (points 1 and 2, car and van) and have travelled from Milano Est – Venezia Mestre – Venezia Est – Portogruaro at the same speed and close to each others, followed by the other van (Viacard point 3) which travelled at about 10 or 15 km distance.

The hours of entry and exit of the highway of those vehicles, as per the study of the Viacards, have been compared to the phone traffic of the phones that, at that same moment were travelling on that same road, from Milan to Aviano.

From that comparison, we noticed that the radiobase cells activated in that period of time by the Sim cards are perfectly compatible with the distance covered by the vehicles and we can then deduce that:

- On board of the van that travelled behind (Viacard 3) there probably was the user of phone **3337934123**. In fact, examining the cells of this phone we notice that this phone activated the cells ten minutes more or less after the other phones that have travelled along the same way;
- The user of the phone **3343101143** was probably on board of the vehicle of Viacard 1. In fact this phone has activated the cell of Via Tripoli 18 in Fossalta di Piave (VE) at 9.56.19. This cell is at about 50 km of the gate of Padova Est, and then it activated the cell of Via Tommaseo 60 in Padova (PD) at 10.32.02 pm. Successively, at 10.45 pm, the user of that same Viacard returns to Padova using the entrance of Padova Est and then that same exit at 12.22am of Feb.18, 2003 till Milano Est. The user of the phone has probably returned to Milan that same night. At 10.53.04 of Feb. 18, 2003 he activates the cell of Via Tonale 11 in Milan.
- The user of phone **3343211730** was probably on board of the vehicle with Viacard 3, that has covered the distance between Portogruaro to Padova Est, where it got out of the highway at 8.15pm. That phone had activated the cell of Via Molinella 5 in Mira (VE) at 7.53.17 pm at about 15 km from the highway gate of Padova Ovest, and the cell of Via Annibale Da Bassano Snc in Padova at 8.39.53 pm.

After further verifications we learned that that same day, the American citizen, **Medero Betnie**, d.o.b. 03.29.67 in the USA, has stayed in HOTEL GRAND ITALIA, in Padova, in c.so del Popolo, 81, where she produced passport n° 016051676.

Under the name of this person is registered number **3382329867** (under the name of **Medero Navedo Betnie Marie** with the same d.o.b.). That phone has been contacted twice (on June 11, 2002 at 7.32.56 pm and June 12 2002 at 2.20.57pm by phone **3483948952** used by American citizen **De Sousa Sabrina** we have mentioned in the previous paragraphs.

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**M) Definitive table listing all cellular phones that emerge from the inquiry (owners, users, contacts). TABLE 2. Moreover: the significant provenience of the SIM cards registered under fake names of without any registration name.**

*At this point, before we illustrate the investigations that brought us to the probable individuation of the plane that transported Abu Omar to Egypt, to the previous table that listed 17 phones under inquiry (all present on Feb.17, 2003 on the spot of Abu Omar's kidnapping), and their owners, if existing, and the period in which they were activated, we can add, documenting with graphics and other information, 42 other phones.*

**Following there is a long table, relative to 59 phones, the first 17 are the one of table 1, while the others emerged during the investigation that started after the analysis of the telephonic traffic that we took in consideration.**

**For each one of those phones, we will briefly give the most significant investigative details (date of activation, if available, registration name, real user, contacts with others phones and IMEI numbers).**

*We already mentioned this table in paragraphs "H", "I" and "L" and we will mention it again in paragraph "O", in which we will reconstruct the division of the tasks of the persons who took part at the planning or at the execution of the kidnapping:*

	PHONE	REGISTRATION NAME AND REAL USER	SIGNIFICANT PRESENCES	NOTES ON CONTACTS WITH OTHER PHONES
1	3336364075  active from 12.6.02 al 2.17.03	Registration name.: RIVA BENIAMINO E C. SNC  User: not identified	<i>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo). He is also present on the spot and at the moment of the kidnapping</i>	Between 12.16.02 and 02.17.03 he had contacts with phones 4,5,6,7,8,9,11,13,16 and 27.
2	3337642102  active from 12.30.02 al 2.21.03	Registration name.: TIMOFTE MIHAI  User: Asherleigh Gregory (see pages 81/83 report dated Feb.24,2003))	<i>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo). He is also present on the spot and at the moment of the kidnapping</i>	Between 12.30.02 to 2.21.03 he has had contacts with phones n. 3, 4, 6, 7, 10, 17 of the table and with hotels in Venice.  This phone has shared the IMEI number (and thus, the phone itself) with phones n°32 (as from 1.9.03 to 2.10.03) N° 39 (as from 7 to 18 Dec. 02) and n° 48

				(2.10.03)
3	3387079723  active from 11.9.02 to 2.23.03	Registration name.: TIMOFTE MIHAI.  User: <b>Harty Benamar</b> (see pag.83 and 84 report dated 2.24.03)	<b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo). He is also present on the spot and at the moment of the kidnapping</b>	Between 11.9.02 and 2.23.03 he has had contacts with phones n° 2, 4, 6, 7, 9, 10, 15, 17, 24, 25, 26, 27 and 28 and with Avis Rent a car. This phone has shared the IMEI number (and thus the phone itself) with n° 37 (as from 1.9 to 1.19.03), 40 (from 12.8 to 12.17.03) used by <b>H. Benamar</b> , and also with n° 58 (from 11 to 19 Sep. 04)
4	3388952825  Active from 1.8.03 to 2.23.03	R.N.: TIMOFTE MIHAI  <b>USER : Harbaugh Raymond</b> (see pag 84/86 report dated 2.24.03)	<b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo). He is also present on the spot and at the moment of the kidnapping</b>	On 1.23.03 he calls number 0229035388 of the American Consulate in Milan. Between Jan and Feb. 03 he called R.Lady Seldon's number, responsible of CIA in Milan. (see n° 18) Between 1.8.03 and 2.23.03 he had contacts with phones n° 1, 2, 3, 5, 6, 7, 10, 11, 15, 17, 18, 24, 25, 26, 27, 28, 31, 32 and 35 and also with Hotel Principe di Savoia and Jolly Touring in Milan. The phone has shared the IMEI number (and thus, the phone itself) with the phone 36 used by <b>Harbaugh Raymond</b> (from 1.9.03 to 1.20.03) and with phone 47 (from 10.9 to 10.16.02)
5	3338579242  active from 9.23.02 to 2.20.03	R.N.: TIMOFTE MIHAI  <b>USER : Purvis George</b> (See pages 86/87 report dated 2.24.03)	<b>He participated to preliminary investigations on the spot before the kidnapping (see pag.</b>	In February he had 3 contacts with R. Lady Seldon, responsible CIA in Milan. Between 9.23.02 and

			<p><b>79,80 of the Summary Memo).</b>  <b>He is also present on the spot and at the moment of the kidnapping</b></p>	<p>2.20.03 he has had contacts with numbers 1, 4, 6, 7, 10, 15, 16, 18, 24, 25, 32, 31 and 30 and also contacts with several hotels in Milan.</p> <p>Between Jan. and Feb. he calls land lines in Virginia (USA): n° 19, 20, 21 and 22. Two of those (n°20 and 22) are called 4 times each the day of the kidnapping between 4.48pm and 6.18pm. Last call at 11.31pm.</p>
6	<p><b>3338577471</b></p> <p><b>active from 12.21.03 to 2.22.03</b></p>	<p><b>R.N.: KOLAZE &amp; GHELON SRL</b></p> <p><b>USER : Sofin Joseph</b> (See pages (87/88 report dated 2.24.03)</p>	<p><b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b>  <b>He is also present on the spot and at the moment of the kidnapping</b></p>	<p>Between 12.21.02 and 2.22.03 he has had contacts with phones n° 1, 2, 4, 5, 7, 10, 15, 17, 25, 26, 27, 28, 29, 30, 31, 32 and also with several hotels in Milan, Florence and Venice, and with car rental agencies. He shared the IMEI n° (and so, the phone itself) with phone n°29 used by <b>Sofin Joseph</b> as from 12.9.02 to 1.24.03.</p>
7	<p><b>335436970</b></p> <p><b>active from 1.14.03 to 2.20.03</b></p>	<p><b>R.N.: DE LUCCI DAVIDE</b></p> <p><b>USER : Rueda Pilar Maria</b> (See page 88/89 report dated 2.24.03)</p>	<p><b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b>  <b>He is also present on the spot and at the moment of the kidnapping.</b>  <b>Used the day of the kidnapping by Rueda Pilar</b></p>	<p>Between 1.14.03 and 2.20.03 he has had contacts with phones 1, 2, 3, 4, 5, 6, 10, 15, 17, 24, 25, 26, 27, 28, 31 and 32 and also with hotels and car rental agencies in Milan, and with Lufthansa and United Airlines.</p>
8	<p><b>3386567958</b></p> <p><b>active from 8.8.02 to 2.18.03</b></p>	<p><b>R.N.: JAUREGUI CRIBILLERO GISSELLA MILAGROS</b></p> <p><b>USER : Harbaugh</b></p>	<p><b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary</b></p>	<p>On 1.31.03 he calls the number of the Us Consulate in Milan: 0229035388. Between 8.8.02 and</p>

		<i>Raymond (See pag. 84, 86 and 89 report dated 2.24.03)</i>	<i>Memo). He is also present on the spot and at the moment of the kidnapping</i>	2.18.02 he has had contacts with phones n° 1, 9, 10, 11, 16, 18, 56. Between Jan. and Feb. 03 he called R. Lady Seldon, responsible CIA in Milan. On Feb.17, 03 he called him 4 times after the kidnapping. This phone has shared the IMEI n° (and thus the phone itself) with phone 46 used by <b>Harbaugh Raymond</b> as from 10.9 to 10.16.02.
9	3389383879  active from 1.16.03 to 2.17.03	R.N.: AGOSTINI CARLA  USER : not identified	<i>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo). He is also present on the spot and at the moment of the kidnapping</i>	Between 1.16.03 and 2.17.03, he has had contacts with phones n° 1, 3, 8, 11, 12, 13, 14, 16, 17, 33.
10	3398675142  active from 1.11.03 to 2.20.03	R.N.: LODI DONATELLA.  User : not identified	<i>He participated to investigations on the spots before the kidnapping (see pag. 79,80 of the Summary Memo). He is also present on the spot and at the moment of the kidnapping</i>	Between 1.11.03 and 2.20.03 he has had contacts with phones n° 2, 3, 4, 5, 6, 7, 8, 17, 30, 27 and also with hotel Hilton in Milan.  This phone has shared the IMEI n° (and so the phone itself) with phone 26 (from 1.9.03 to 2.2.03) 44 (from 12.7.02 to 12.17.02) and 45 (from 9.9. to 9.28.04)
11	3343101143  active from 10.28.02 to 2.18.03	No Registration Name  User: Not identified	<i>He participated to investigations on the spots before the kidnapping (see pag. 79,80 of the Summary Memo). He is also present on</i>	Between October 8, 02 and Feb. 8, 03 he has had contacts with phones 1, 4, 8, 9, 12, 13, 14, 16, 25, 31 and with a German phone (see 57) present in the

			<p><b><i>the spot and at the moment of the kidnapping</i></b>  <b><i>He goes from Milan to Aviano on Feb.17, 03 e returns to Milano the night between Feb. 17 and 18, 03.</i></b>  <b><i>In that occasion, he probably is on board of a vehicle used by the kidnappers, that returns immediately to Milan getting out from the Milan est Gate at 12.22am (see inquiry on the transit of cars and vans on the highway pag.93/96 Digos report dated Feb.24, 05.</i></b></p>	<p>radiobase cell of the Usaf base of Aviano on the 26<sup>th</sup> and 27<sup>th</sup> of Jan. 03.</p>
12	<p><b>3343099527</b></p> <p><b><i>details of activation still unknown</i></b></p>	<p>R.N.: RIVA BENIAMINO E C. SNC</p> <p><b><i>User not identified</i></b></p>	<p><i>He is present, the day of the kidnapping, very near to spot of the event, at about 1km, and is in close contact with the other 11 phones also in the moments that preceded the action.</i></p>	<p><i>He has had contacts with phones 9, 11, 13, 14 and 33.</i></p>
13	<p><b>3343176579</b></p> <p><b><i>active from 12.6.02 to 2.18.03</i></b></p>	<p>R.N.: DISCOVERY SRL</p> <p><b><i>User not identified</i></b></p>	<p><b><i>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</i></b>  <i>He is present, the day of the kidnapping, very near to spot of the event, at about 1km, and is in close contact with the other 11 phones also in the moments that preceded the action. He goes from Milan to Aviano on Feb.17, 03</i></p>	<p><i>Between Jan.22, 03 and Feb.17, 03 he has had contacts with phones n° 1, 9, 11, 12, 14, 16, 30, 25 and 33. While going from Milan to Aviano, he calls three times col. Romano, Chief of Security USA at Aviano (phone 23) at 2.44pm, 4.13pm and 4.32pm.</i></p>
14	<p><b>3343211730</b></p> <p><b><i>active from 12.6.02 to 2.18.03</i></b></p>	<p>R.N.: RIVA BENIAMINO E C. SNC</p> <p><b><i>User not identified</i></b></p>	<p><b><i>He participated to investigations on the spots before the kidnapping (see pag. 79,80 of the Summary</i></b></p>	<p><i>Between 12.6.02 and 2.18.03 he has had contacts with phones 9, 11, 12, 13, 27, 30 and also with Marriott</i></p>

			<p><b>Memo).</b>  <i>He is present, the day of the kidnapping, very near to spot of the event, at about 1km, and is in close contact with the other 11 phones also in the moments that preceded the action. He goes from Milan to Aviano on Feb.17, 03, and then spends the night in Padova. In that occasion, he probably is on board of one of the vehicles used by the kidnappers that went out from Padova Ovest gate at 20.15 (see inquiry on cars and vans transit on the highway pag 93/96 and Digos report dated Feb.24, 05).</i></p>	<p><i>Grand Hotel Flora in Rome.</i></p>
15	<p><b>3397946739</b>  <i>active from 1.8.03 to 2.23.03</i></p>	<p><i>R.N.: TIMOFTE MIHAI</i>  <b>USER: Carrera Lorenzo</b>  <i>(see pages 90, 19 report dated Feb.24. 03)</i></p>	<p><b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b>  <i>He is present, the day of the kidnapping, very near to spot of the event, at about 1km, and is in close contact with the other 11 phones also in the moments that preceded the action. He goes from Milan to Aviano on Feb.17, 03 and then he immediately goes back to Milan where he arrives after 8.00pm</i></p>	<p><i>Between 1.8.03 and 2.23.03, he has had contacts with phones 3,4,5,6,7,17,24,25,26, 27,30,31,32 and with number 0220035388 which is the US Consulate's in Milan, and also with Hotel Principe di Savoia and Jolly Touring Hotel in Milan.</i>  <i>He shared the IMEI number with phone 50 (from 11.8.03 to 11.24.03) and 51 (from 12.4.03 to 12.17.03).</i></p>
16	<p><b>3398581994</b>  <i>active from 12.28.03 to</i></p>	<p><i>R.N. :</i>  <i>TIMOFTE MIHAI</i>  <b>User not identified</b></p>	<p><i>He is present, the day of the kidnapping, very near the spot of the event, at about 1km, and</i></p>	<p><i>Between 12.28.02 and 2.17.03 he has had contacts with phones 1, 5, 8, 9, 11, 13 and 33.</i></p>



	<b>2.17.03</b>		<i>is in close contact with the other 11 phones also in the moments previous to the action.</i>	<i>He has been called from two public phones (064746192 and 0667993506) that are in Via Vittorio Veneto 2 and in Via del Tritone 56, very near from the USA Embassy in Rome.</i>
<b>17</b>	<b>3409849532</b> <b>active from 1.11.03 to 2.18.03</b>	<b>R.N: ADLER MONICA COURTNEY</b>  <b>USER : Adler Monica Courtney</b> (See pag. 91/92 Digos report dated 2.24.03)	<b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b> <i>He is present, the day of the kidnapping, very near to spot of the event, at about 1km, and is in close contact with the other 11 phones also in the moments previous to the action.</i>	<i>From 1.11.03 to 2.18.03 he has had contacts with phones 2, 3, 4, 6, 7, 9, 10, 15, 30, 24, 25, 26, 27 and 28 and also with a car rental agency: Sicily by Car. This phone has shared the IMEI number with phone 49 from 12.9 to 12.17.02.</i>
<b>18</b>	<b>3480614737</b>	<b>R.N: Barbara Patricia Suddath, Usa embassy Rome</b>  <b>User : Robert Lady Seldon,</b> Responsible CIA Milan	<b>As from 2.22.03 till 3.15.03 he is present in Egypt, where receives two phone calls on 3.3.03.</b> <b>The phone was present, at evenings and nights, 270 times in base cell near to the Milan residence of Lady Seldon and 49 times in the base cell of his other house in Penango (AT)</b>	<i>He has had contacts with three phones present on the spot and at the moment of the kidnapping: phones n° 4, 5 and 8. He received 4 phone calls from phones 38 and 39 immediately after the kidnapping</i>
<b>19</b>	<b>0017033392 919</b>	<i>Land Line in Virginia (USA), owner unknown</i>		<i>Called several times between January and February by phone n° 5.</i>
<b>20</b>	<b>0017036092 915</b>	<i>Land Line in Virginia (USA), owner unknown</i>		<i>Called several times between January and February by phone n° 5. Called 4 times in the hours that followed the kidnapping.</i>
<b>21</b>	<b>0017036093 952</b>	<i>Land Line in Virginia (USA), owner unknown</i>		<i>Called several times between January and</i>

				<i>February by phone n° 5.</i>
22	<b>0017037291 152</b>	<i>Land Line in Virginia (USA), owner unknown</i>		<i>Called several times between January and February by phone n° 5. Called 4 times in the hours that followed the kidnapping.</i>
23	<b>3356121879</b>	<i>R.N.: 31^ Contracting Squadron (Base USAF- Aviano)  Lt. Col. Joseph L. III Romano, chief of the security Usa in Aviano base</i>	<i>He is present in Aviano base in the hours that followed the kidnapping and he received calls from phone 13</i>	<i>On 1.29.03 he has two contacts with phone 43, and he was present in Aviano on 2.17.03. Called three times by phone 13, while the latter is travelling, after the kidnapping on Feb. 17, 03, on the highway that goes from Milan to Aviano, at 2.244pm, 4.13pm and 4.32pm</i>
24	<b>3387570941</b>  <i>Active since December 2002</i>	<i>Registered and used by: Castellano Victor</i>	<i>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i>	<i>Between 1.20.03 and 2.9.03 he has had contacts with phones 5, 7, 3, 4, 15, 17, 25, 26, 28 and 32 and the land lines in Texas 00121102709515, 00121103928471, 00121106494202, 00121108842009</i>
25	<b>3387570943</b>  <i>Active since December 2002</i>	<i>Registered and used by: Duffin John Kevin</i>	<i>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.) This phone travels from Milan to Aviano on Feb.17, 2003.</i>	<i>He has had contacts, between 1.19.03 and 2.23.03 (very intense on Feb. 17, 03) with phones 3, 4, 5, 6, 7, 11, 13, 15, 20, 24, 27, 28, 30 and 32.</i>
26	<b>3333504739</b>	<i>Registered and used by: Eliaana Isabella Castaldo</i>	<i>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i>	<i>He has had contacts between 1.23.03 and 2.22.03, very intense on 2.17.03, with phones n. 3, 4, 6, 7, 14, 15, 17, 24 This phone has shared the IMEI number (and the phone) with phone 10 as from 1.9.03 to 2.2.03.</i>

27	3387905706	<b>Registered and used by: Logan Cyntia Dame</b>	<p><i>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i></p> <p><i>He is present on the morning of Feb.17, 03 on the way between North Milan and Cormano, particularly in the cell of via Martinazzoli 3 in Milan, near the Cormano entrance to the highway.</i></p> <p><i>On Feb.17, 2003 this phone travels from Milan to Aviano and back to Milan where he arrives after 8.00pm.</i></p>	<p><i>He has had contacts between 1.23.03 and 2.22.03, very intense on Feb. 17, 03, with phones number 1, 3, 4, 6, 7, 14, 15, 17, 24, 25, 28, 30, 31 and 32.</i></p>
28	3333026990	<b>Registered and used by: Jenkins Anne Lidia</b>	<p><i>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i></p> <p><i>The phone stops its activity on Feb.10, 03 when Ms Jenkins leaves Italy directed to Germany with the car rented by Sofin J.</i></p>	<p><i>He has had contacts between 1.21.03 and 2.10.03 with phones 3, 4, 6, 7, 17, 24, 25, 27 and 32.</i></p>
29	3386410348	<b>Registered and used by: Sofin Joseph</b>	<p><i>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i></p>	<p><i>He has had contacts with phones 6, 38, 39, 40, 41 and 49.</i></p> <p><i>This phone has used the same IMEI number and phone that phone 6 as from 12.9.02 and 1.24.03.</i></p>
30	3470502758	<p><b>R.N.: Channing Drew Carlyle</b></p> <p><b>USER : Channing Drew Carlyle or Vasiliou Michailis</b> (see pag. 92/93 Digos memo dated 2.24.03)</p>	<p><i>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i></p> <p><i>He is present the morning of Feb. 17, 03</i></p>	<p><i>He has had contacts between 2.15.03 and 2.19.03, very intense on 2.17.03, with phones 5, 6, 7, 10, 13, 14, 15, 17, 25, 27 and 31 and also with several American</i></p>

			<p>in the cell of via Senigallia in Milan. On Feb.17, 03, the phone travels from Milan to Aviano and back to Milan where he arrives after 8.30pm.</p>	<p>phone land lines, one British, and two Greek (among which 00302108075087 also called by phone 31) on which we are still investigating.</p>
31	3470408060	<p><b>R.N.: Galisai Mario</b> (By mistake), <b>but purchased by Channing Drew Carlyle</b></p> <p><b>User : Channing Drew Carlyle or Vasiliou Michailis</b> (see pag. 92/93 Digos Memo dated 2.24.03)</p>	<p>He is present in the morning of Feb.17, 03 in the cell of via Senigallia in Milan. On Feb.17, 03 the phone travels from Milan to Aviano, and after passing by Padova, back to Milan that same evening.</p>	<p>He has had contacts between 2.13.03 and 2.20.03, very intense on Feb. 17, 03, with phones 4, 5, 6, 7, 11, 15 and with the Greek phone land line 00302108075087, and also with Maggiore rent a car and with New Communication in Milan, a telecom shop.</p>
32	3406958386	<p><b>Kirkland James Robert</b></p>	<p>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</p>	<p>Between 1.15.03 and 2.10.03 he has had contacts with phones number 4, 5, 6, 7, 15, 17, 24, 25, 27 and 28 and also with several American phone land lines. This phone has shared the same IMEI number, and the phone, with phone 2 as from 1.9 to 2.10.03.</p>
33	3291242728	<p>R.N.: <b>Roling Maria Irlei</b> (Probably fake registration name)</p> <p>User unknown</p>		<p>He has had contacts with phones 9, 12, 13, 16, 34, 35 and 42. He shared the IMEI number with phone 43</p>
34	3337693263	<p>No registration name. User unknown</p>	<p>The user is probably the same user than phone 35. He participated to investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.) On Feb.17, 03 the phone travels from Milan to Aviano. He results having activated the radiobase cell of Aviano.</p>	<p>He has had contacts, between 1.23.03 and 2.18.03, very intense on Feb.17, 03, with phones 1, 9, 11, 14 and 33.</p>

35	3337934123	No registration name. User unknown.	<p>The user is probably the same than phone 34. He participated to investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</p> <p>On Feb. 17, 03 he is present in via Fazzoletti 10's cell in Milan, next to the entrance to the highway.</p> <p>On Feb.17, 03 he travels from Milan to Aviano, and he probably is on board of a van used by the kidnappers (see investigation on cars and vans transit on the highway, pag 93/96 Digos report dated 2.24.05)</p> <p>He results having activated the radiobase cell in Aviano.</p>	<p>He has had contacts between 1.23.03 and 2.18.03, very intense on Feb.17.03, with phones 1, 9, 11, 14 and 33.</p>
36	3201166281	<p>No registration name. Used only for 10 days (contract that allows the purchaser not to declare his own identity)</p> <p><b>User: Harbaugh Raymond</b> (see pages 84/86 Memo dated 2.24.03)</p>	<p>He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</p>	<p>He has had contacts between 1.11.03 and 1.20.03 with phones 6, 7, 14 and 17.</p> <p>The phone has shared the same IMEI number, and thus the same phone, with phone 4 (as from 1.9 till 1.20.03)</p>
37	3201166255	<p>No registration name. Used only for 10 days (contract that allows the purchaser not to declare his own identity)</p> <p><b>User: Harty Benamar</b> (see pages 83 and 84 memo dated 2.24.03)</p>	<p>He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</p>	<p>He has had contacts with phones 6,7,14, and 17.</p> <p>The phone has shared the IMEI number, and thus the phone, with phone 3 as from 1.9 to 1.19.03.</p>
38	3498928668	<b>Registered and used by: Harty Benamar</b>		Has had contacts with phone 29
39	3498928671	<b>Registered and used by: Harbaugh Raymond</b>	He participated to preliminary planning investigations on the	He shared the same IMEI number, and thus the same phone, with

			<i>spot of the kidnapping (see pages 79,80 Memo Digos.)</i>	<i>phone 2 as from 12.7.02 to 12.18.02. He has had contacts with phone 29.</i>
40	3383790897	<b>Registered and used by: Ibanez Brenda Liliana</b>	<i>He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i>	<i>He shared the same IMEI number, and thus the same phone, with phone 3 as from 12.8 to 12.17.02. He has had contacts with phone 29.</i>
41	3336301128	<b>Registered and used by: Pilar Rueda</b>		<i>Has had contacts with phone 29.</i>
42	3392191934	<b>R.N. ZHENG LIHUAI User unknown.</b>	<b><i>He is present on the spot and at the moment of the kidnapping.</i></b>	<i>He has had contacts between 1.26.03 and 2.17.03, very intense on 2.17.03, with phones 4, 5, 8, 9, 11, 13, 16 and 33 and also with the Us Consulate in Milan.</i>
43	3387570929 <b>Active since December 2002</b>	<i>No registration name. User unknown.</i>	<b><i>Present in Aviano as from 1.27.03 till 2.17.03.</i></b>	<i>On 2.17.03, he is in contact with phone 11 and on 1.29.03 with phone 23. He shared the IMEI number with phone 33.</i>
44	3386432346	<b>R.N.: Russo Domenico  User unknown</b>	<i>He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i>	<i>He has shared the IMEI number with phone 10 as from 12.7 to 12.17.02.</i>
45	3474032314	<b>Registered and used by: Reynolds Yun Kerry</b>		<i>Has shared the IMEI number, and thus the phone with phone 10 only in September 2004.</i>
46	3335037608	<b>Registered and used by: Harbaugh Raymond</b>		<i>He has shared the IMEI number, and thus the phone, with phone 8 as from 10.9 to 10.16.2002.</i>
47	3335029861	<b>Registered and used by: Drake James Patrick</b>		<i>He has shared the IMEI number, and thus the phone, with phone 4 as from 10.9 to 10.16.2002</i>
48	3397919344	<b>R.N. Timofte Mihai  User unknown</b>		<i>He has shared the IMEI number, and thus the phone, with phone</i>

				2 on 2.10.03.
49	3387849290	No registration name. User unknown	He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.) Present on the spot of the kidnapping? (see pag. 58 memo)	He results to be in contact with phone 29. He has shared the IMEI number, and thus the phone, with phone 17 as from 12.9.02 to 11.24.03.
50	3409072633	Registered and used by: Duffy Delphine		He has shared the IMEI number, and thus the phone, with phone 15 as from 11.8.03 to 11.24.03
51	3495259414	Registered and used by: Kirkland James Robert		He has shared the IMEI number, and thus the phone, with phone 15 as from 12.4.03 to 12.17.03.
52	3397672462	R.N.: Kolaze & Ghelon User unknown	He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)	Between 1.9.03 and 2.11.03 he has had contacts with phones 4, 6, 7, 15 and 17.
53	3397942963	R.N.: Timofte Mihai User unknown	He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)	Between 2.8 and 2.16.03 he has had contacts with phones 1, 11 and 13.
54	3343170797	R.N.: Timofte Mihai User unknown	He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)	He has had contacts with phones 3, 4, 5, 6, 15 and 17 as from 1.28.03 till 2.9.03.
55	3483948952	Registered and used by: De Sousa Sabrina D. Second Secretary at the US Embassy in Rome. Ex CIA agent at Milan Consulate.		Between 1.8.03 and 2.23.03, he has had contacts with phone 4 and between 11 and 12 June 02 he contacted phone 59.
56	0248008432	<b>Robert Lady Seldon,</b> Responsible CIA Milan		Between 8.8.02 and 2.18.03 he is in contact with phone 8

57	0049175435 9439	<b>German phone still not identified.</b>		Present in Aviano base the 26th and 27th of Jan. 03
58	3387024483	<b>Registered and used by: Lawrence Stephen</b>		He has shared the IMEI number, and thus the phone, with phone 3 as from 11 to 9.19.04.
59	3382329867	<b>Registered and used by: Medero Navedo Betnie</b>	<b>Present at the Grand Hotel of Padova the night between the 17th and 18th of February 2003.</b>	Has been called twice (6.11.02 and 6.12.02) by phone 55.

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To be able to demonstrate that there has effectively been a planned kidnapping organized by a group of persons connected together, we should schematise all information of Table 2, that reveal the identical methodology in the purchase of several phone cards without registration name or with a fake registration name **(that would often lead, as we have seen, to fake registration name or to companies that could not give us any explanations or documentation on their own commercial activity or to companies that had ceased their activity and whose owners are still unidentified by us):**

- ELEVEN CARDS registered at fake names have been sold by MI.BA. di Caspani Liliana & C. of Via Lorenteggio 25 in Milan. These are:
  - \* NINE PHONES: 2, 3, 4, 5, 15, 16, 48, 53, 54 all registered under the fake name of Timofte Mihai;
  - \* PHONE N° 8 registered under the fake name of Jauregui Cribillero Gisella Milagros;
  - \* PHONE 42, registered under the fake name of Zheng Lihuai;
- FOUR CARDS have been sold by company Riva Beniamino e C. registered under the name of the company, viale Giovanni XXIII in Molteno (LC), **even if some of those cards have been sold to company Penta srl of Piombino Dese (PD) or to Discovery srl, via Spartaco 16 in Milan. These are:**
  - \* Phones 1, 12 and 14 part of a lot of company PENTA srl of Piombino Dese (PD);
  - \* Phone 13 sold to Discovery srl.
- THREE CARDS registered under the name of Kolaze & Ghelon srl, Piazzale Baracca 4 in Milan. These are:
  - \* Phones 6 and 52 sold to Soraya Telefonía Mobile, P.le Lima 3 in Milan and phone 7.
- THREE CARDS sold by Technet of Via Pirelli 9 in Milan. These are:
  - \* Phones 24, 25 and 43 (sold to Soraya Telefonía Mobile of P. le Lima 3) in Milan.
- FIVE CARDS without any registration name **and we still ignore how they were activated. These are:**
  - \* Phones 11, 34, 35, 43 and 49.



Other cards sold “by” or registered under names of companies that have disappeared or which transactions are impossible to sketch (phones 9, 10, 11, 29 and 35): **but those cases (even if we are still investigating) are less interesting because each card belongs to a different company (see memo dated Feb. 19. 05 made by sovr.te Canil and Vice sovr.te D’Urso enclosed to Milan Digos report dated Feb. 25.05). The same can be said for cards 33 and 44 of table 2, which are also registered under fake names.**

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**N) The inquiries regarding the Aviano base and those finalized to individuate the plane with which ABU OMAR was illegally transferred to Egypt.**

**The inquiries made to individuate the plane used for the violent and illegal transportation of Abu Omar in Egypt, and also those relative to the organization of the flights, to their registration and to the centres (civil or military) through which it is possible to rebuild the “story” (departure, declared destination, route, etc...) have been directed directly by the Public Prosecutor with the collaboration of the staff of the Judicial Police of the II Zone of the Frontier Police for Lombardy, stationed at the Airport of Linate, who had a very difficult task but thanks to their know-how they made it possible to the PP to understand the field of civil and military aviation – also at an international level – and its complicated rules. And, in the final phases of the investigations, also the Carabinieri of the Compagnia Aeronautica of Vicenza (with commands depending from Aviano and Poggio Renatico) have also helped a lot with probative and interpretative elements in this field, and more specifically, in relation to information and circumstances regarding the Aeronautic Military Base, Italian and US, of Aviano.**

**The PP and the JP have effected direct visits to the following civil or military (Aeronautica and NATO) airports:**

- On 10.23.2004 **AT THE LINATE MILAN AIRPORT** (Documented by report dated 10.25.04 of the II Zone of the Frontier Police for Lombardy, herewith enclosed almost integrally, in which they gave us precious information on the organization of military and civil flights and on their control in Italy and Europe;
- On 2.23.05 **AT THE AIRPORT OF AVIANO**, obtaining collaboration and direct contribution to the inquiry from the Compagnia Carabinieri per l’Aeronautica Militare in Vicenza and from its depending Station of Carabinieri per l’Aeronautica Militare stationed at Aviano airport.
- On 3.16.05 **AT POGGIO RENATICO** (FE) where are stationed the COFA (commando Operativo Forze Aeree) and the CAOC 5<sup>^</sup> (combined Air Organization Center 5<sup>^</sup>) of the NATO.

**In the three above cases, the order of exhibition emanated by the PP, on 10.23.04 to the Direction ENAV-ACC (Ente Nazionale Assistenza Voli – Air Central Control) of Linate, on 2.23.05 to the Comando Italiano dell’Aeronautica of Aviano, and on 3.13.05 (accomplished on the 16<sup>th</sup> of that same month) to the Commandant of the COFA in Poggio Renatico, asked for the acquisition in copy – document and/or computer support – of any document or computer information, like information obtained with a radar (or similar), from which we could deduce if and how many planes, military or civil, had taken off from Aviano Italian and USA Military Base of Aviano between 5.00pm of Feb.17, 2003 (the timing has been individuated because compatible with the**

arrival of the victim of the kidnapping to Aviano) and 5.00pm of the successive day, Feb. 18<sup>th</sup>, 03 (at the Airport of Aviano, to be true, the investigation was extended also to Feb.19<sup>th</sup>, 2003), with specification of the hour of departure, the route and the destination of each plane.

**The staff of the II Zone of the Frontier Police for Lombardy, then, on the base of specific orders of exhibition dated 3 and 10 March 2005, has asked and obtained also from Eurocontrol of Brussels, through the ENAV of Linate, the same information.** We should precise now that Eurocontrol of Brussels is a kind of European capital of Civil Aviation, it is an organization that controls all the European Air Traffic (G.A.T. General Air Traffic) and that obviously coordinates all civil flight plans to avoid problems, but also controls the flight plans of military planes that travel abroad or fly in Italy according to the rules of General Flight. Actually, this company controls the availability and compatibility with the routes general traffic of civil and military planes that fly – and those are the majority – according the rules of General Flight.

**The results we have obtained allow us to confirm that,** given the time gone by, the above mentioned centres of control do not have any information or radar detection relative to the flights we are investigating on.

**But before we illustrate the conclusions reached thanks to documents, we should remember you that we could not obtain any radar information regarding flights we were interested in.**

**On that point, it is useful, for a better understanding of the controls we effected and their results, to report hereafter the most relevant parts of the report dated 10.25.04 issued by the II Zone of the Frontier Police for Lombardy, stationed at Linate Airport, regarding also the information obtained by Enav Acc of Milan and Padova.**

From the report dated 10.25.04 issued by the II Zone of the Frontier Police for Lombardy, stationed at Linate Airport:

**“In the airport system, the direction of the air traffic is held by three subjects:**

1) **ENAC (Ente Nazionale Aviazione Civile, head quarter in Rome)** that through the DCA (Direzioni Civili Aeroportuali) and its own secondary offices in more important airports and under the orders and direction of the “Director of the Airport”, that is responsible for control.

It is the most important organization for Airport control, with power of sanctions according to the Code of Navigation. In an airport, within this territory and for the activity realised in it, the Director emits orders and other binding measures on passengers, companies, airport organizations, etc...;

2) **ENAV (Ente Nazionale Assistenza al Volo, head quarter in Rome)** Technical organization, that operates through two secondary structures: SAAV (Sistema Aeroportuale Assistenza al Volo) and ACC (Air Control Centre) that assists the planes in all flight operations.

(a) actually, the **SAAV** which is obligatory in each airport, even the smallest, is the reference of all “control towers” that assist the plane in the moment of landing/parking and parking/take off. In the language of this sector, this is called “apron-ground” (direction on the ground) and is realized by the staff of the Enav that sit in the towers (tower men) that have an objective visibility of the airport.

(b) **ACC directs the planes in air.** At the moment of take off, at a certain height, the SAAV tower of control, in contact with the operative centre ACC, “remits” the direction of the flight to the staff of the ACC (Radar men) that are in the “radar room” and that keep “under control” that flight in air with special monitors (until

29.000 feet) until the plane passes to another territorial ACC. On the return, the same procedure at the contrary: ACC assists the flight in air until a point X before landing, where the contact between the two centres will allow the passage of the direction to the SAAV tower that will guide the plane till the parking in the airport. In the four ACC radar rooms there also is a stationing office of the Military Aeronautics that works as connection for “military flights” between the four ACC and the operative radar rooms of the Military Defence on the National Territory (Albenga, Poggio Renatico, etc...) denominated **SCCAM** (Servizio Coordinamento Controllo Aeronautica Militare). We would like to remind you that, usually, the Military Air Defence uses its own radars.

**3)Direction company** (a private society that lends all or part of airport services (check-in, handling, etc...))

*The SAAV towers are in every airport, but the ACC towers are only for and they check all the national area:*

- **ACC –PADOVA**, responsible Dr. Latrella – North East Italy till Yugoslavia;
- **ACC – MILANO**, responsible Dr. Verzicco – North West Italy, Borders with France, Switzerland, until East Bergamo, and South till Florence, Genova and Albenga;
- **ACC – ROMA** , responsible Dr. Corallo – Florence, Sardinia, Sicily and all this Tirrenian territori)
- **ACC – BRINDISI**, responsible Dr. Di Rocco – Marche, Abruzzi and Puglia.

So, from the above, we can conclude that only the 4 radar rooms (ACC) can survey the traces of planes during the flight while, the many towers of control present in the airports can only obtain information relative to the number of planes that have landed and taken off from/into that airport. In both cases, the information is kept on paper and in a computer but “only for limited periods of time”.

The ACC keeps the flight information for 30 to 90 days and only in exceptional events (quests of the A.G., accidents, etc...) they keep the information in the computer for a longer time.

This same procedure of conservation is applied also in the SAAV. The CDs “towers registrations” (conversations between pilots and operators of the tower) are kept for about 90 days and then cancelled.

All planes, up to an altitude of 29.000 feet are assisted by the territorial ACC but, in case a plane would be flying at a higher altitude, even in the air space of a territorial ACC, the controls goes immediately to ACC-ROMA.

Moreover, each territorial radar system should individuate a plane from altitude “0” to altitude “29.000 feet” but this does not always happens. The information – altitude “0” – can vary according to circumstances, and it is possible that when a planes flies really at a low altitude no radar, not even the military ones, can individuate the traces of the flight.

**The system of territorial air control described above directs the CIVIL air traffic in Italian airports and skies. The MILITARY system is different.**

**Military airplanes can fly:**

- in ordinary transfer;
- in mission (cd. “operative flight”). A Military plane that can be destined to operations, practice, particular transportation, etc...

***In the first case***, the military plane follows all rules followed by a “civil flight” and thus, has to present a plan of his flight (departure airport, destination, timings, staff, second destination in case of bad meteorological conditions or technical causes, etc...) and will apply all rules of the “General Air Traffic” and will be assisted by ACC like a civil plane;

***In the second case***, the plane is authorized to fly without any plan of his flight, and he will apply the rules “Operation Air traffic” and will be assisted only by Military radar rooms. In this case, the plane “in operation” can fly at an “ordinary altitude” or BQ/BBQ “low/very very low altitude”:

- a) if the plane flies at an ordinary altitude, without any flight plan, in VFR (visual Flight Rules) which means at sight (generally the pilots fly IFR (Instrument Flight Rules) which means that they use the instruments they have on board, the trip will be realized through a constant communication between the pilot and the operator of the military radar that will become the “eye of the pilot” that avoids him to crash against other planes during the flight. The trace, anyway, will be detected by the civil radar and also the military one, because the plane flies at an ordinary altitude;
- b) if the plane will fly at BQ/BBQ, without any flight plan in VFR, no military or civil radar will be able to detect it. Also in this case, the contact between the pilot and the operator of the military radar is determinant.

***The a) hypothesis is more common.*** If a thing like that would happen, any ACC could be able to “read” – if the plane transits in its territory – (and keep, even for a limited period of time) the trace of the flight in its own territorial Traffic Load. For example, in the Roman ACC (in which arrive all national information): system of memorizing of the effective flights that the radar could read. The system is connected directly with Brussels Eurocontrol that represents the European capital of Civil Aviation. The situation is absolutely not the same for the flights effected at BQ/BBQ.”

More explanations on the organization of the military flights have also been collected thanks to the statements of the **Gen. Of Air Squadron, Giampiero GARGINI, Commandant of the COFA in Poggio Renatico**, and also of the unity of the NATO in which he operates in **the Air Defence division, called CAOC5 (Combined Air Organization Centre 5)**:

“...I take note of the requirements of your Office and obviously I will give you my full collaboration. First I would like to tell you that in this centre we do two kinds of controls: the first one is the “air defence control” which is made in coordination with the NATO Commands in Poggio Renatico which is in contact with other NATO Commands in the world. The reason of this control is the national and other NATO countries’ defence. This means that the attention of our controls is concentrated on flights coming from countries “of military interest”.

When a flight comes from one of those countries, indicated by the NATO and the Italian government, we follow this flight since his entrance in our aerial territory that is under our competence. Competence, that, for international conventions, can extend also over the territorial waters. For your information, I give you a military map, not classified, called of “radionavigation” from which you can see the aerial territory which is under the competency of the F.I.R. (Flight Information Region) for the aerial defence. The flight that is of military interest comes monitored all along the flight and eventually until its destination if it is in our aerial territory, in other words, if the plane lands in national airports. Each flight is identified and its trace is kept for a period of time, I think up to 90 days, except in other cases of necessity like accidents, requests of the A.G., etc... I don’t think anyway that those information can be kept for years, because archives for us is not considered useful and necessary.

A part the necessity of controlling the flights that come from countries of military interest, we are also interested to have information about flights that come from other countries classified

by us as “friendly”. Those could also be civil flights. In that case, their transit is communicated to us but those flight are not followed with the same attention we use with the others. The system, anyway, keeps a trace of these flights, I don’t know for how long.

To explain better, the flight you are interested in, that has taken off from the Aviano airport, even if it is a military flight, would be classified “friendly” because it is taking off from an Italian base, a base of a NATO country.

I have illustrated the system of control for the aerial defence, and I will now explain the military operative flights.

The COFA of Poggio Renatico directs all the military operative activities, (that is the ones that have a military finality included training and observation) that do not follow the civil rules prescribed by the ICAO (International Civil Aviation Organization). The military flights can obviously be national or foreigners but authorized to operate in Italy according to specific agreements, as per example those with the USA and the 31<sup>st</sup> FW stationed in Aviano. The requests of authorization for operative flights are sent here by the interested commands the day before the mission. The command of Poggio R. examines such requests that are transmitted by computer; we verify if the flight has to cross areas eventually under restrictions, the possibility of actuation of the mission previously coordinated with eventual other activities, the availability of aerial helps, etc... When all those circumstances are valued, the authorization is accorded for the next day except in cases of motivated emergency. The normal military operative flights take place and are authorized in the national aerial territory except in cases of special agreements or circumstances. In other words, while usually the planes, also the military ones, that have to fly abroad, as I will explain thereafter, follow the civil rules of the ICAO, sometimes they ask also in this occasion the authorization for operative flights for reasons like the necessity of squad flights or necessity of fuel during the flight which are not usual situations of flights which apply to the rules of the ICAO. To go back to the authorizations accorded for the military operative flights, I repeat that they should be requested and issued from this centre. The information relative to the requests and the authorizations are all put in electronic archives and kept, part here in this command, and part at the base of Pratica di Mare, I ignore for how long they keep these information.

I also want to precise that there is the possibility that a military plane makes a flight following the “civil” rules of the ICAO that regulate the GAT, General Air Traffic. In that case, not being an operative flight, the details of the flights are communicated to us, but we do not have to issue any authorization; I will also add that I am not quite sure if those information are always communicated to us by all organizations to whom we have several times requested to send us such information. Anyway, those flights must always declare their own codes that are give by diplomatic authorizations when the planes are foreigners. Such authorizations are called “Diplomatic Clearance”. For this kind of flight the authorizations are issued by Eurocontrol in Brussels, which is a civil organization. I would like to precise that those are not really authorizations because Eurocontrol mainly verifies the compatibility and availability of the routes of those flights. For example, they act like a policeman stationed at a highly trafficked crossroads. Anyway even a non operative military flight which flies within the national frontiers, has to be compatible with the national routes which are crossed by international flights. This is the role and competency of Eurocontrol.

Question of PP: So, I understand that a flight which is not declared to be operative military, and which is flying from Italy to a foreign airport, has anyway to use to GAT system and follow the rules of Civil Aviation.

Answer: I would say yes.”

**And also the statements of Major Cristiano Turrin, Chief of Operative Aerial Defence Division of the COFA in Poggio Renatico, on March 16, 2005, were very clear and documented:**

*“We take note that Maj. Turrin produces two registers of internal use of the Division he directs, in which are noted all information given by the magnetic optical disks that are used for the registration of radar traces in the operative room of Aerial Defence, according to the competencies and aims illustrated before by Gen. Gargini.*

*Maj. Turrin declares: The rules of Air Forces state that the unities of aerial defence and responsible of the military aerial traffic have to keep the documentation in the following manner: the magnetic disks and the radio TBR (Land-Board\_Land) communications for 30 days usually. But paper documents are kept for 90 days.*

*Those limits obviously are extended if there is any particular necessity or relevant event, like a disposition of the A.G. or of the competent Commands. In such case, the information are kept until needed.*

*I have thus verified the registers relative to the conservation of such magnetic optical tapes verifying that in the period you are interested in (from the 17<sup>th</sup> to the 19<sup>th</sup> of Feb. 2003) no request whatsoever was made to keep those tapes. I produce a copy of the page of the relative register (that the office has entirely checked) in which you can verify that, at the dates you are interested in, no request has been made.*

*This copy is attached to the present declarations (All. 1)*

*Turrin: I have then verified another register (also entirely checked by the office) relative to the tapes that have been used of the registrations of information from the 17<sup>th</sup> to the 19<sup>th</sup> of Feb. 2003. From the first page, as per copy enclosed, it results that, as from 3.00am of Feb. 17, 03 till 00.02am of Feb. 20, 03, the disks used successively are n° 097/A, 098/A and 099. According to the second and third page of this same register, as per copies enclosed, you will be able to verify that those same disks previously indicated have been reused for the registrations of information relative to the period that goes from 00.00am of April 5, 03 to 11.45pm of April 7, 03.*

*The PP classifies and attaches those pages as All. 2, 3 and 4.*

*Turrin: With those documents I have produced, you will be able to deduce that, since there were no particular necessity to keep those information, and since more than 30 days from the first utilisation of those disks had passed, those same disks have been reused for other registrations, and so information relative to the period 17/19 February 2003 have been destroyed and are no more available.”*

*Such statements coincide perfectly with those of all other superior officers of the Aviation (of whom we will speak hereafter) and with what we have ascertained with the II Zone of the Frontier Police for Lombardy stationed at the ENAV.*

*In fact, in the memo dated Oct. 27, 04: “The Vice Questore Aggiunto Dr. Santini M. Grazia from this 2° zone and the Vice Questore Aggiunto Dr. Megale Bruno from the DIGOS of Milan, after a first meeting with the Director of the ENAV-ACC of Linate Airport, Mr Giorgio VERZICCO and his colleague, Responsible of the Aerial Security, Mr Gaetano LONGO, who explained technical information on the control of the aerial territory, have verified if the local TL, even after all this time, still contained information relative to civil and military flights effected on Feb. 17 and 18, 2003. Mr Longo has produced a list of three flights (one on Feb.17 and two on the 18<sup>th</sup>). Then, opening the safe which is located at the same floor than the meeting room, we noted that there was no computer support regarding the period 17/18 Feb. that has been kept as per copy from the ENAV register produced to Dr Santini by Mr Longo and kept in the above mentioned safe.”*

*The controls have then concentrated on the possibility of acquisition of documents stating the list of planes which have taken off from Aviano between Feb. 17 and 19, with all relative characteristics.*

*Through the II Zone of the Frontier Police we obtained such documents issued by Padova ENAV which contents coincided with those of Aviano and of Poggio Renatico.*

*The contents of those documents are the statements in Aviano on Feb. 23, 05 of the **Col. Rosario Scarpolini, Commandant of the military airport of Aviano**, who was heard by the PP:*

*“...The airport of Aviano, called “Aeroporto Pagliano e Gori” is exclusively a military airport. It is an Italian airport, which, according to agreements between the Italian and the USA governments that started in 1954, is used by the USA. Since 1994 (before, the base was used by transiting squads) the airport is the headquarters of the 31<sup>st</sup> Fighter Wing of the USA Aviation. The squad is commanded by an American general, actually it is Gen. Philip Breedlove, that is in charge since June 18, 2004. Before, during the period including February 2003, the commandant of the base was Gen. R. Mike Worden. In the base, there are about 3.500 American soldiers, to which you must add about 5,000 American citizens, civil dependants and families of the soldiers and of the civil staff.*

*Beside the American citizens, there are about 500 Italians that live or work in the base, among those about 250 soldiers of the Military Aviation with their families.*

*As commandant of the base, I am also responsible of the security of the installations, of the activities of flights relative to our base, of the service, the air traffic and the relations with the local authorities.*

*Obviously I also have to guarantee the Italian sovereignty on the airport even if the airport is used by the Americans. All relations between American and Italian military forces in the base, are ruled by bilateral agreements signed in 1993.*

*I take note that your office is proceeding to an investigation relative to a kidnapping that took place in Milan on 2.17.03, which victim was an Egyptian citizen.*

*I would like to say that I had obviously read an article published last week on La Repubblica and also by Il Messaggero...For this reason, I discussed this fact with Lt. Cavallera, Commandant CC.AM of Vicenza, to which Aviano is subordinated, and we both thought, to collaborate, to effect controls. The Lt. Asked me information that I gave him and that I will obviously produce to your attention. I know that Lt Cavallera wanted to inform the AG and so, in this prospect, I gave him a list of the flights that arrived to and left from Aviano on Feb. 17, 18 and 19 2003. Those are the information I would like to give you.*

*PP: Col., I would like you to take note that, as per the measure issued by this office this morning and notified to you by luogoten. La Marca, we would also need a copy of a list of all flights that have left Aviano airport as from the afternoon of Feb. 17 till Feb. 18.*

*Answer: I give you three pages relative respectively to planes that landed at and taken off from Aviano on Feb. 17, 18 and 19 (All. 5, 6 and 7). I illustrate the meaning of the notes situated above each of the eight columns of which each daily scheme is composed.*

*The first column at the left: “Call Signs” indicates the name of each mission (I must though precise that each mission the plane has to effect has a different name, but sometimes a mission consists of several flights but they are all classified under the same name); proceeding towards right, the second column “Nr/Type ACFT” indicates the number and the type of plane relative to the flight, in other words, the first number of this initials indicates how many planes of this type effect this flight; the third column “NAT” indicates the nationality of the plane; the fourth “From” indicates the provenience of the flight; the fifth “ATA/Z” (Actual time arrival) indicates the time of landing, Greenwich timing, indicated conventionally by the initial Z (for Zulu) which is the reference timing in the aeronautic system. In relation to Feb. 2003, such timing is one hour before the local Italian timing; the column six “TO” indicates the airport of destination; column seven “ATD/Z” (actual time departure) indicates the hour of departure with the same references as above; column eight “NOTE” states eventual remarks relative to the quality or operative activity of the flight.*

*In the prospects I give you, you will sometimes note that the timetable of the departing flights are not in chronological succession, for the simple reason that they sometimes refer to planes*

*that have landed and taken off, so the information we keep for the succession of the notes is the hour of landing.”*

*Successively, Col. Scarpolini, producing a copy of the relatives technical information, explained to the PP the type and characteristics of each plane that had taken off from Aviano (and landed between Feb. 17 and 19, 2003): the indications of interest have been noted near each flight that figures in the list of those compatible with the hour of arrival to Aviano of the kidnapped Abu Omar.*

***About destinations of flights listed in column six, the PP asked Col. Scarpolini: “The destinations of departing flights listed in column six are only declared in the flight plans or they are also controlled with the radar?”***

*Answer: “The radar control is made by our installations of Aviano only on the territory of our competency, that is the C.T.R. of Aviano (Control Terminal Region), that extends for about 30 miles. So, our flight plan is written by pilots and given to the operations office of the Aviano base that is co-directed but is exclusively under the Italian national responsibility. At the moment of the departure, before taking off, the flight plan is confirmed by the tower of control through the release of the clearance. Generally it confirms the flight route planned except in cases there would be changes due to reasons of aerial traffic that the tower of control would communicate directly to the pilot. The planes that leave from Aviano are controlled by our installations: we check the effective coincidence with the flight plan until the frontier of our CTR. Over this frontier, our installations “lose” the flight that is from that moment followed by the installations of other aerial territories that the plane successively crosses during its trip. The classification of such aerial territories is complex, because not all are CTR. Anyway, I repeat, the route is followed by the installations of each area relative to the various competent control organizations. This is obviously made due to the necessity to control the flight and eventual emergencies that could occur.*

*PP: If, then, in relation to a whatsoever destination indicated in the sixth column of each of the three pages you gave me, I would like to control the its effectiveness, I should ask each organization of aerial territories that are situated along the route to produce their information?*

*Answer: Yes. I must precise that, regarding the operative military activity, Italian and foreign, the information relative to flights can be centralized at the Comando Operativo delle Forze Aeree, COFA, of Poggio Renatico (Ferrara). It is a military command of the Italian Aeronautics – not interforce – but the information in their possession is relative only to the military operative activity in national space territories, even if effected by foreign flights. Obviously, the radars see any kind of plane but the COFA controls the military operative activity. I ignore for how long those information are kept at the COFA.*

*Question: Is there, on an international level, an organization that would have a similar function to COFA's?*

*Answer: Eurocontrol in Brussels controls all the European traffic, GAT, General Air Traffic, and obviously coordinates all civil flight plans to avoid any problem, but also controls the flight plans of military flights that travel abroad or in Italy following the rules of the general flight.*

*In other words: the flights indicated in the three pages are ruled by the GAT, and thus are under the competency of Eurocontrol. I cannot specify for how long this organization keeps the information.*

*PP: Can the destinations vary during the flight?*

*Answer: Yes, and in this case the pilot should communicate it to the control organization he is in contact with at that moment.*



PP: Please precise the destinations or proveniences of some flights indicated in column four and six.

Answer: Atlanta in Georgia (USA); Langley in Virginia (USA); Sigonella (Sicily); Ramstein is one of the main American Air bases in Europe, located in Germany and much bigger than Aviano; Mildenhall is in Great Britain; Gjakova is in Kossovo; Bishek Manas is in Afghanistan; Kuwait International is in Kuwait City; Savanna is in the USA; Istrana is in Italy near Treviso; Izmir is in Turkey; Charleoi in Belgium; Rota in Spain; Stuttgart in Germany; Al-Khar in Saudi Arabia.

PP: In the last column at the right "NOTE", there are some remarks I would like you to explain.

Answer: the note "Haz. Cargo Us..." means that the flight transports "special" material for which a special authorization is necessary for landing because it could be eventually dangerous; the note "Navy" means that the flight is from the American Military Navy; "Divert for I engine off" means that the plane landed because of problems in the engine; "HC Divert due to crew duty day limits" means that the pilots of the flight had to interrupt it so they would not exceed the permitted limits of their duty; "Vip on board" means that the flight is transporting an important person; and on the following line "divert from Sarajevo" means that he had to go to Sarajevo but he landed in Aviano due to bad weather.

PP: In relation to the note "Vip on board" of for example this flight at 10.08/Z for Ramstein or in relation to other similar notes, is there a list of those important persons which were transported?

Answer: Usually I know who are those important persons in transit because generally I welcome them for obvious formal reasons. In this case I do not remember something particular, also because two years have already gone by since then, I will ask to my American colleagues and I will transmit to you the eventual information I would receive.

PP: The flight plans relative to the flights listed in the three pages of flights of Feb. 17, 18 and 19 2003, are still in your possession? And also other documents or information relative to such flights, that is the stripes, the station registers and the messages relative to the flight, the traces registered by the radar, the registration of the land-to-land and land-air conversations in the DAT system? (the second part of the question, after authorization of the PP, has been made by Dr Santini)

Answer: Regarding the flight plans, I do not think because we keep the magnetic tape for thirty days and the papers for ninety. The stripes (flight progression) are kept for ninety days, as the station registers and the messages. So we do not have them actually. There is no record system of the traces registered by the radar, but there is a registration of the communications land-to-land and land-air (i.e. the ones between the tower of control and planes on land or other vehicles that move on land; or between tower of control and planes in flight) but for our internal rules such registrations are kept with a digital system for only thirty days; those are registrations kept by the American colleagues and that will not be given to us, in case of necessity, after a period of thirty days. I think that the tapes are reused for other registrations.

I will verify if, in case, we had asked the Americans to provide us with those registrations regarding the three days you are interested in. In that case, maybe we still have those registrations. I will communicate it to you even if at the moment I do not remember any reason that would have us induced to do such request to the Americans and to custody, successively, the registrations.

PP: So we can declare that besides the flights indicated in the three pages you remitted to me, there were no other departing flights from Aviano between 5.00pm of Feb. 17 and 00.00 of Feb. 18?

Answer: The pages I remitted you contain the flights that have arrived or left made by planes that are not permanently stationed in Aviano airport, i.e., they are not planes part of the

*American squad of this base. Surely, there were no other flights on the 17<sup>th</sup>, not even of planes stationed in Aviano. There have been other registered flights during the 18<sup>th</sup> of February, indicated in the other page I remit to you (All. 14): it is about thirteen missions of F16 airplanes that flew in squads of three and twice in squads of four; anyway, according to the number and the hours indicated in the page. But it can be airplanes that took off and landed in the same day in Aviano often for very short flights (one hour).*

*I enclose also the page (all. 15) relative to the same kind of flights, F16, of the 19<sup>th</sup> of February 2003: there were 17 flight missions, that always started and terminated in Aviano during the same day.*

*The difference between the timings indicated in the four columns relative to the timings are relative to estimated time of departure, the actual time of departure, the estimated time of arrival and the actual time of arrival. The military plane F16 usually flies only with one pilot, or with the instructor and the student pilot.*

*Here we conclude the statements released by Col. Scarpolini regarding the organization of the control of departing from and arriving to Aviano, to their registration, to the signification of the notes marked in each document remitted to this Office.*

***We must specify, that following to the statement of the Feb. 23, 05, the Station of CC. Aeronautica of Aviano, with a report dated March 3. 2005, has answered the questions made also to Col. Scarpolini:***

- ***there are no registration DAT tapes kept regarding the communications T/B/T and telephone communications between the tower of control and planes in the period of investigative interest;***
- ***The USA command of the 31° FW in Aviano does not know the names of the important persons on board of planes that left Aviano on February 18<sup>th</sup>, 2003 (one of those, as we will illustrate hereafter, could be the one that has transported Abu Omar to Egypt).***

***On March 15, 2005, at Poggio Renatico, the Lt. Col. Andrea Scarabotto, Chief of the COFA Current Areas Operations Division in Poggio Renatico declare to the PP:***

*“....Personally, I have made a research relative to the flights you are in interested in, in the electronic archives of the data base system of the Air Forces of Poggio Renatico (SICCAM). In this electronic archives are kept all information that are communicated by military airports from where airplanes we are interested in take off or land. According to Gen. Gargini declarations, when the communication is about the military operative flights (OAT) for which we are asked an authorization for the mission, we always answer through computer giving the clearance. In other cases, some communications are sent to us, the ones relatives to GAT flights, that do not need our authorization and thus do not require any further activity from our part.*

*I produce ten pages of our electronic archives regarding arrivals (the first six) and departures in Aviano airport the 17, 18 and 19 February 2003.*

*I also produce, 4 pages from that same archive, regarding arrivals and departures in Sigonella's airport the 17, 18 and 19 February 2003.”*

*Those documents are enclosed to the present document: the six pages regarding Aviano are all. 4 and the four pages regarding Sigonella are all.6.*

***Also those declarations coincided with those released by the ENAV of Padova and Aviano, and also by Eurocontrol of Brussels. The documents obtained from COFA and Eurocontrol come from an electronic archive. The documents obtained from Eurocontrol, according requests of the PP on 2.3.05 and 3.10.05 made to Eurocontrol through Linate Enav. This information has been obtained and it has been possible, as referred by the II Zone of the Frontier Police for Lombardy in their report dated 3.18.05.***

*According to their declarations, we have to suppose that, eliminating the F16 (that can transport maximum 2 persons) **the following American airplanes, that took off from Aviano on the 17<sup>th</sup> (in one case) and on the 18<sup>th</sup> of Feb. 2003 (in all other cases), could have been used for the transportation of Abu Omar to Egypt** (obviously, the victim would have been transferred to another intermediate base located abroad):*

- 1) **PLANE LJ35, flight “Spar 92” departed at 6.20pm local time of Feb. 17, 2003 with declared destination Ramstein in Germany**, without any declaration regarding the purpose of the mission and without any note at this regard, (according to Col. Scarpolini’s statements and technical information produced by him it is an executive plane that can transport up to ten persons); this plane landed in Aviano that same day, 02.17.03, at 5.14pm local time, coming from Ramstein (destination for which he left after only one hour and six minutes from his arrival in Aviano); **for the reasons we will list hereafter, the PP has individuated this plane as the one used for the first phase of the transportation of Abu Omar to Egypt;***
- 2) **PLANE C5, flight RCH7039, departed at 8.37am local time of 02.18.03 from Aviano** with declared destination Mildenhall in Great Britain, without any declaration regarding the purpose of the mission (according to Col. Scarpolini’s statements and technical information produced by him, this is effectively a jumbo jet, that could transport up to 500 persons and that is normally used for transportations of passengers and as cargo for transportation of goods);*
- 3) **PLANE LJ35, Flight Doboy 09, departed at 11.08am local time of 02.18.03** with declared destination Ramstein in Germany, purpose of the mission: “VIP on board” but the American authorities said they ignored the identity of this person or any other information (this is an executive plane like the one in point 1); this plane has landed in Aviano the day before, 02.17.03, at 1.14pm local time, coming from Naples;*
- 4) **PLANE LJ35, flight Doboy 10, departed at 3.47pm local time of 02.18.03** with declared destination Ramstein in Germany, without any declaration regarding the purpose of the mission (same kind of plane that in point 1);*
- 5) **PLANE B-763, flight RCH 676, departed at 5.50pm local time of 02.18.03** with declared destination Kuwait Intl. Purpose of the mission: “H:C. US-EF 03/03” (According to Col. Scarpolini’s statements and the technical information he produced, the B763 is a Boeing used for civil transportation, and also for military purposes, that can transport about 300 persons);*
- 6) **PLANE DC-9, flight E-1062, departed at 6.52pm local time of 02.18.03** with declared destination Ramstein in Germany, purpose of the mission not declared. (According to Col. Scarpolini’s statements, the DC9 is quite well known and used by Alitalia, it can transport about 120 persons). This plane results to have landed in Aviano the same day, 02.18.03 at 5.19pm local time, coming from Istrana, near Treviso.*

*There are other planes that departed the next day, 02.19.03, from Aviano, among them 2 Jets executive LJ35, but the probabilities that Abu Omar would have been transported in Egypt on the 19<sup>th</sup>, are logically quite slight.*

*So, in a first analysis six planes were selected in the investigation regarding the plane which was used by the kidnappers to transport Abu Omar away from Italy. **But in consecutive controls with Eurocontrol in Brussels, made by the II Zone of the Frontier Police for Lombardy** (see report dated March 18, 2005 and attached documents) **we can declare that the plane in question has been the Jet Executive LJ35, flight “Spar 92” departed at 6.20pm local time on Feb.17. 03 from Aviano directed to Ramstein.***

***The time of departure, flight and landing in Ramstein of this jet reveals a significant and not casual coincidence and compatibility with:***

- ***the moment Abu Omar arrived to Aviano (around 4.30/5.00pm)***
- ***the time of the departure from Ramstein American base of another plane, the Jet Executive Gulfstream N85VM departed towards Cairo: actually this plane departed from Ramstein destination Cairo at 8.31pm local time, 50 minutes after the arrival at Ramstein of the Jet executive departed from Aviano at 6.20pm (that jet stayed in Aviano only one hour and six minutes: it had landed that same day, 2.17.03, at 5.14pm local time coming from Ramstein).***

*At this point, the PP would like to evaluate the compatibility of this conclusion with the statements made by Elbrady Mohamed Reda and other elements in our possession:*

***It is useful to repeat what Elbrady Mohamed Reda told the PP on 6.15.04 about the flights and the transfer in Egypt of Abu Omar:***

*“...Abu Omar had not seen the direction taken by the plane. But thanks to his clock he noticed that the trip by car lasted about 5 hours (we already talked of the compatibility of this declaration with the distance between Milan and Aviano, where anyway all phones used by the kidnappers (and thus, the kidnappers themselves) were detected)...*

*He only told me that all along the trip there was a tape on his mouth and it was taken off only at his arrival...The two kidnappers delivered Abu Omar to other persons inside a military base that Abu Omar thought it was American because he clearly saw American planes...with the American flag on it...He told me he had been beaten...tortured...questioned...at dawn they put him on an American military plane on which he travelled for about one hour...he told me that for the duration of the trip and the size of the airport he landed in and the city he had seen from the window...he had the sensation to have been transported in an airport in Rome...The plane stopped, inside this big airport, in a reserved area, maybe military...Abu Omar was brought down from the plane and boarded on another American military plane...he left...immediately...Those were American planes...the second plane landed in an American military base in Egypt on the Red Sea...Abu Omar saw other planes with the American flag...From this base...with another plane we was taken to an Airport in Cairo certainly Egyptian and military...they closed his eyes and in a car, on board of which there were Egyptian persons, he was taken to a building of the secret services in Cairo...”*

***Elbrady Mohamed Reda, in another occasion, on 2.27.05 spontaneously declared to the PP regarding the flight:***

*“...I would like to precise something about the flight departed from the American base in Italy that brought Abu Omar to Egypt. I can precise this fact because I told Abu Omar’s wife to ask him more questions about his trip by plane. Ghali Nabila, after a conversation she had in November with her husband, told me that he told her, ( something I did not properly understood and previously referred to you) that the plane that had left the American base with Abu Omar had gone directly to Egypt without any further stop in Rome or in any other place. Besides, when I had spoken of an intermediate stop of the plane, I had said that the plane could have stopped in Rome or in any other big airport. Personally, I can explain this fact because probably I did not understood or remembered properly what Abu Omar told me about the plane trip. I was more concentrated on the fact that he had been tortured than on those details. Mrs Ghali had this conversation with her husband in the period he was kept in a Police office in Alexandria. He had been taken out of jail by the judges but not freed by the police. So, as far as I know, he could not go out from this police office.*

*Question: Can you please repeat what Abu Omar told you about the time of departure of the plane from the American base?*

*Answer: He told me that after a trip of about five hours in a van he arrived in this American base where he had been questioned and tortured until 3.00am and then he left by plane. This is what Abu Omar told me, but obviously I cannot precise if this means that the plane had left at 3.00am or that, the tortures and the “questioning” finished at 3.00am, and the plane left later, hours after the end of the violence. He certainly left on the 18<sup>th</sup>, though.*

*Question: Can you be more precise about what he told you on the airport he arrived to?*

*Answer: I can precise the following: Abu Omar told me that he had been taken first in a military base on the Red Sea and then at the military airport in Cairo. The circumstance that the first plane was in Egypt is a deduction of Abu Omar that comes from the fact that, once he had arrived there, he had been left with Egyptians that flew with him to Cairo. On the other side, the first airport he arrived to was certainly an American base because Abu Omar had seen other American planes. Personally I can add that I know that the biggest American base on the Red Sea on the Egyptian territory is the one of “Ras Bana” even if I think that there are other American bases in Saudi Arabia on the other side of the Red Sea.”*

*The two versions delivered to the PP by Elbrady Mohamed Reda, whose good faith is not to be discussed, he refers facts he had learned from other persons and this is why there could be some contradictions respect to the conclusions that the PP stated above:*

- a) in the first version he said that he knew that the flight of Abu Omar’s transportation to Egypt was divided in three trips: Aviano/other airport, Other airport/American base on the Red Sea, American base on the Red Sea/Cairo; while in the second he speaks of two trips: Aviano/American Base on the Red Sea, American base on the Red Sea/Cairo.*
- b) In the first version, he said he learned that the departure of Abu Omar from Aviano was after the tortures, at dawn, and in the second he says it happened after 3.00am (hour when the tortures were finished), and anyway on Feb. 18.*

***There could be many reasons to those contradictions:***

- We have to say that anyway **Elbrady Mohamed Reda refers circumstances he learned from third persons and he referred to the PP the versions he heard from two different persons:** in the first case directly from Abu Omar (after about 14 months from the facts) and in the second from the wife of this latter that talked with her husband in jail ( in this case the declaration of Elbrady Mohamed Reda is a “third hand” declaration) about 18 months after the facts;*
- Elbrady Mohamed Reda has also declared that he listened the story of Abu Omar concentrating more on the description of the physical tortures the man had to suffer than on the details relative to the trip that transported him to Egypt; this could also have happened while Abu Omar talked with his wife (declarations of Elbrady Mohamed Reda on 2.27.05).*

***On the other side, some details of the statements of Elbrady coincide with other elements of our investigation:*** The details of Elbrady’s first version are confirmed: in the phase of landing in the first airport he stopped in after he left Aviano, after one hour flight. Abu Omar saw lots of lights and so he thought he was in a big city’s airport (he thought he could be in Rome) and that, as soon as he landed, he was transported on another American plane that departed immediately. This coincides with the fact that **the plane LJ35, flight “Spar 92” departed at 6.20pm of 02,17,03 from Aviano, arrived certainly, after a flight of about one hour, in Ramstein, at the biggest American base in Europe, very near from Frankfurt** (and this could explain all the city lights). And another

*coincidence would be the fact that Abu Omar was immediately transferred on another plane, the Jet Executive Gulfstream N85VM that took off from Ramstein destination Cairo at 8.31pm local time.*

*Some final considerations in relation to the flights that illegally transported Abu Omar from Italy to Egypt:*

- *it is clear that all contradictions can be solved and each doubt cleared only if it could be possible to collect Abu Omar's statements, as per art. 195 cpp, but the PP, after a formal request to the Egyptian authorities (see paragraph "C") who did not reply (nor to the second solicitation) **but at the moment there is no possibility to talk to Abu Omar who is considered not available;***
- *we have to then define the kidnapping, the immediate transportation to Aviano and then to Egypt (where, a few days after the kidnapping, arrived also the responsible of the CIA in Milan, Robert Lady Seldon);*
- *the transportation to Aviano was obviously finalized to the transfer of Abu Omar abroad on board of a plane of the American or the CIA aeronautics (since the authors of the kidnapping are all members or related to the CIA);*
- *It seems logical that, once Abu Omar is transferred to Aviano, the authors of the kidnapping wanted to take him out and far from Italy as soon as possible (since they have committed a very serious illegal action): this is how we can explain the use of an executive jet that arrived from Ramstein to Aviano at 5.00pm of 2.17.02, and left again for Ramstein around 6.20pm that same day (about two hours after the arrival of Abu Omar to Aviano on board of a van);*
- *The time – about two hours – in which Abu Omar stayed in Aviano is compatible with the possibility that, he had been first tortured in Aviano;*
- *From the documents collected from particularly the Military Aeronautics (Aviano airport), **no remark figures regarding the purpose of the trip of the Ljet executive, a plane destined to the transportation of ten persons, that departed from Aviano at 6.20pm of 02.17.03,***
- ***When the jet landed in Ramstein, Abu Omar was immediately transferred on the GulfStream N85VM that departed around 8.30pm for Cairo, final destination of Abu Omar. Means that already in the afternoon of 02.17.03 that same executive plane had travelled from Ramstein to Cairo and back;***
- *This circumstance results confirmed thanks to the documents released by the Eurocontrol of Brussels to the II Zone of the Frontier Police for Lombardy: in this same way, it is also confirmed that **no other plane left from Ramstein for Cairo the next day, 02.18.03.***

*For all the above reasons, the PP, in accordance with the conclusions of the II Zone of the Frontier Police for Lombardy, and with all the effected controls, thinks that **Abu Omar, violently kidnapped in Milan around 12.00-12.15pm of 02.17.03, has been immediately transferred by van (in a convoy with other vehicles) in the American part of the aeronautical base of Aviano, from which, on board of the plane LJ35, flight "Spar 92", departed at 6.20pm of that same day, he has been taken to Ramstein in Germany. From that airport he has been transported to Cairo, on another plane, the Jet Executive GulfStream N85VM departed from Ramstein at 8.30pm about of 02.17.03.***

*On the 03.21.05, the II Zone of the Frontier Police for Lombardy transmitted to the PP an article published on 03.20.05 on the USA CHICAGO TRIBUNE. This is the text of the informative letter:*

*"Following to our letter of 03.18.05 regarding the inquiries made to individuate the plane or the planes used for the transfer of Abu Omar in Egypt (inquiries that made us make the hypothesis that Abu Omar was first transported from Aviano to Ramstein with flight LJ35, call sign SPAR32, departed from Aviano at 6.20pm local time of 02.17.03 and then from Ramstein*

to Cairo on flight GulfStream4, call sign N85VM, departed from Ramstein at 8.31pm local time that same 02.17.03), please find enclosed a copy of an article published yesterday 03.20.05 on the well-known American CHICAGO TRIBUNE. In this article, the authors, referring to their own investigations, formulate the hypothesis that the flight coming from Ramstein has been used for the transportation of Abu Omar to Cairo. They then give other information regarding the property and rental of the airplane in question: what we had referred on the use of the plane by the team BOSTON RED SOX, finds a confirmation in the photo we enclosed to our letter dated 03.18.03.”

**We also enclose an article written by Gordon Edes published on 03.21.05 by the Boston Globe, that says that Philip Morse, a minor partner of the Boston Red Sox, and also owner of the previously mentioned airplane, has declared to the press to know that his plane was rented by the CIA, through a government agency.**

Obviously, those two articles, even if written by professionals, are mentioned here not as a proof, but to illustrate the directions taken by the press investigations in the USA: there is no doubt that it can help the PP with further elements.

And to individuate the plane used for the transfer of Abu Omar in Egypt, the PP on the 11.29.04, had also taken **Stephen Grey's** affirmation (a London Sunday Times' journalist), that was the first on that same paper on 11.14.04, to write an article titled: “US accused of torture flights” in which he reconstructed the “rendition” that the CIA used for various years – and intensified after 9.11.01 – that consists in kidnapping alleged terrorists in various parts of the world and bring them back against their will in their native country. The journalist, that claimed his information came from confidential sources (ex-CIA agents), had made investigations on two planes (one of them was a GulfStream) that, according to him, were used by the CIA for those illegal transportations mentioned above, but – according to further investigations made by the II Zone of the Frontier Police for Lombardy – those planes did not land nor departed from Italy in the dates we are interested in (see report dated 2.14.05), but in other dates. So, Stephen Grey could not provide information directly in reference with Abu Omar's kidnapping, even if he mentioned other cases of citizens of Arabic origin who were submitted to such “procedures” and remembered the declarations made by George Tenet, ex director of the CIA, in front of the American Congress and during an audition, when he mentioned the use of rendition, i.e., the transfer of alleged terrorists out of the normal and regular extradition procedures.

We would like to add that, even if those are not proofs nor indicial elements, we have various articles published on the US press (and also the declarations of Tenet) that refer to the use of rendition.

Going back to controls made in Aviano, we also wanted to ascertain the possibility that Abu Omar might have been brought into Aviano base clandestinely, without informing the Italian authorities. **In fact, the access to the base is submitted to very rigid controls, for example if the Italian military men had registered the fact on any document or if there had been a video registration, the PP could have had further elements. Actually, in his letter dated 2.23.2005, the Comandant of the Compagnia CC Aeronautica di Vicenza had referred on that point: “..eventual entrances through the gates reserved to the USAF Staff do not have any registration, all you need is to exhibit your own badge and the men of the security have no power and cannot make further controls, even if on board of the car there are other persons.”**

**Same words in the information given by the previously mentioned Col. Rosario Scarpolini on 2.23.05:**

*“PP. Before we talk of those elements, I want to show you an order of appearance given this morning to Lugoten. La Marca, relative to information eventually noted on registers, or other, regarding the entrance in the base of any kind of vehicles.*

*COL. SCARPOLINI: according to your request, I give you first of all a copy of the Rules of Security and Control of Aviano airport (all. 2) Jan. 2000, and also the rules for internal circulation (all.3) which I personally wrote, after a previous coordination with the American colleagues. In January 2000 I was not stationed in Aviano and I ignore if – as I presume – also the previous rules were made after a previous agreement between the Italian and Us commands.*

*The airport of Aviano has four entrances, one is exclusively national (Gate Logistic Zone) and other three (gates 7, 8 and 10) controlled by American and Italian soldiers. The four entrances are located each on one side of the base whose perimeter is more or less rectangular. The entrances allow to everybody to enter the airport which total area is not divided in delimited zones. Only three internal areas, where are parked the F16 American planes, are delimited with gates that can be crossed only by the persons in charge of the F16, and also (among the Italians) me, Chief of the Operational Office for the Italian Military Aeronautics and the Carabinieri. In the zone where the other planes land and park, the access is not restricted.*

*At the Italian entrance (Logistic Gate) the Control staff is Italian and as I told you, at this gate all visitors and staff are registered, actually any person who enters, which does not belong to the base and does not have a pass, is registered.*

*For the other gates, numbers 7, 8 and 10, the entrance is controlled by two American soldiers and by an Italian Aviation soldier. The persons who enter are given a temporary pass that is given back at the exit, while the counterfoil of the pass is conserved. I ignore if the counterfoils of the period interested by the investigation have been conserved, I will investigate and inform the Carabinieri. There are no registers, there are only those counterfoils. I ignore if the form regarding the vehicles entered in the base were compiled. **But I am sure that there is no registration of entrance or exit of persons who possess a pass or of any cars they would be driving.***

*COL. SCARPOLINI: I would like to specify that till now we talked only of the accesses relative to the airport area, where are the planes and the air strips, called area “F”. But there also are other areas reserved to other services, mainly logistic, like schools, hospitals, dormitories, mess, gym. **The entrances relative to all those areas, except area “D” (barbecue, etc) that is normally closed, are controlled only by American soldiers. Also in the Infirmary area “A1”. In February 2003 there were no video cameras at the entrances of the airport. We did not have videos and we still don’t.***

***So, the kidnappers of Abu Omar had the possibility to enter or in Aviano airport or through the service area which were both controlled by American soldiers, without any obstruction; there was no control, nor any video registration.***

***In this case, we have to specify that, after the exam of 02.23.05, the Station CC Aeronautica di Aviano, in date 3.3.05, has referred the results of the further controls asked also to Col. Scarpolini:***

- The American authorities have not kept copies of the forms used to permit to strangers to enter into Aviano base through gates 7, 8 and 10 the day we are interested in (We are talking to the forms mentioned by Col. Scarpolini which are not necessary for the persons who own a pass).***



***The third aim of the investigation made on Aviano was to individuate the accomplice or the accomplices (the accomplices were obviously more than one) of the kidnappers inside the Aviano base.***

***The presence of accomplices inside the Aviano base is not only a hypothesis but it is also proved by the controls made by the Digos on cellular phones used in occasion of the kidnapping.***

***In fact, as we will mention in the next paragraph, the TIM phone 3343176579, used by one of the kidnappers (as we will hereafter demonstrate) has called, while it was nearing Aviano, the SIM card 33561211879 registered under the name of 31<sup>^</sup> Contracting Squadron – Base Usaf Aviano as per following table:***

<b>CALLING NUMBER</b>	<b>CALLED NUMBER</b>	<b>DATE / HOUR</b>	<b>DURATION</b>
<b>00393343176579</b>	<b>00393356121879</b>	<b>02.17.03 – 2.44.14PM</b>	<b>0.00.35</b>
<b>00393343176579</b>	<b>00393356121879</b>	<b>02.17.03 – 4.13.03PM</b>	<b>0.00.19</b>
<b>00393343176579</b>	<b>00393356121879</b>	<b>02.17.03 – 4.32.02PM</b>	<b>0.00.14</b>

***The phone 3356121879, registered under the name of 31<sup>^</sup> Contracting Squadron – Base Usaf Aviano has been intercepted as from December 30, 2004 till January 13, 2005 and we could verify that it was a service phone used in the military base actually assigned to Lt. Col. John Quattrone, Official of the American MP, Commandant of the Military Police, responsible of the access and the control of the base, etc...who is not involved in our investigation since he has been stationed at Aviano base after the happening of the facts (see Milan Digos report dated 1.17.05).***

***In further controls made by the PP on 2.24.05, we knew that the phone in question was assigned, and used by at the moment of the facts, Lt. Col. Joseph L. III Romano, Commandant of the 31<sup>^</sup> SFS (Security Forces Squadron) Usaf, that is the highest responsibility of the Security of Aviano airport for the control of the accesses to the airport. After the facts, Col. Romano, who had been responsible since 7.6.2001 till 7.7.2003, was stationed at Pentagon 31P in Washington DC (USA). (see Compagnia Carabinieri Aeronautica of Vicenza report dated 2.25.2003).***

***In a following report dated 3.15.05, the CC Aeronautica of Vicenza has referred the following further information regarding the role of Lt. Col. Joseph Romano:***

- *As commandant of the 31<sup>^</sup> SFS Usaf, he was at the moment of the facts the responsible of the security of the airport for the American presence, and about 400 soldiers were at his orders;*
- *He used to make the controls at the gates of the base with the agents of the Security Police;*
- *The squad he commanded (SFS) is self sufficient under the logistic and administrative point of view;*
- *The Commandant of the 31<sup>^</sup>SFS depends directly from the Commandant of the 31<sup>^</sup> Support Group (which is the highest military grade in Aviano airport);*
- *An officer and two sub officers of that same squadron must follow all matters regarding terrorism and demonstrations against military installations.*

***In a report dated 3.21.05, Milan Digos has communicated that that phone used by Joseph Romano has had two contacts on 1.29.03 with phone 3387570929 (n° 43 table 2 in paragraph “M”) that has always been present in Aviano area as from 1.27.03 till 2.17.03, included that last day (date of the kidnapping and transportation of Abu Omar to Aviano). The phone 3387570929 has used the identifying code of the cell phone 332319350102950 (IMEI) that has been used from the 22<sup>nd</sup> to the 26<sup>th</sup> of January 2003 by phone 3291242728 registered under the fake name of roling Maria Irlei (see 33 table 2 in paragraph M).***

*It is obvious that, seen the kind of illegal mission that the kidnappers were committing and the necessity to have a solid help inside Aviano airport (from which Abu Omar had to be transferred), the “commando” was guaranteed against any obstacle or risk that could have happened at the entrance in the base or during the stay of Abu Omar in it. It is likely that in Aviano base there were other accomplices, not only Romano, but we collected proves regarding his direct contact with the kidnappers, from which he received three phone calls while they were arriving to Aviano base. As we will further say, the PP does not think that such elements would be sufficient to justify a request for judicial measures.”*

### **SERIOUS CIRCUMSTANTIAL PROVES OF GUILT**

*On the basis of all above evidenced circumstances it is possible to assert that:*

*On 2.17.2003 between 11.30am and 12.30pm Abu Omar was kidnapped in Via Guerzoni by two persons that obliged him to get into a white van though he tried to escape and called for help; The van, probably in convoy with another similar vehicle and by a car (see controls with Highway company), has entered the highway Milan – Venice in Cormano and went out at Pordenone, near the Aviano Usaf base; that last destination has been individuated because it is the only American base in Italy that is at the distance mentioned by the victim (about five hours drive from Milan); From there, Abu Omar transiting also at the American base in Ramstein, Germany, has been transported by plane to Egypt where he was kept in prison until April 2004 and heavily tortured; in April 2004 he has been released and then jailed again in an Egyptian prison (where it seems that his wife could have with him regular contacts). Since February 2005 we have no more news about Abu Omar.*

*The technical investigations permitted us to reach the conclusion that Abu Omar’s kidnapping had been effected by a group of American citizens identified like the users of the cell phones present on 02.17.03 on the spot of the kidnapping and near the highway, at Cormano; those persons have always been in close and constant contact one with another and some of them, after the kidnapping, headed to Aviano. The road had been verified through controls on phones which were present on the spot of the kidnapping and in the surroundings and have activated during the trip radio base cells located all along the highway.”*

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**Those are the existing circumstantial proves at the moment of the issue of the first ordinance of cautious custody.**

**The following inquiries have, on one side, allowed to identify – following the same method already illustrated – three more persons, that were part of the group that kidnapped Abu Omar; and on the other side, allowed us to validate very important verifications of our investigative hypothesis.**

In this document, we report in part, the quest of the Public Prosecutor that illustrates in a very clear and analytic way the development of the technical investigations that permitted to identify Medero Betnie, Faldo Vincent and Harbison James Thomas as the users of phones: 3337934123, 3337693263, 3408155937 and 3392191934 and to ascertain that those persons have participated to the execution of Abu Omar’s kidnapping.

*“And now, after further investigations ordered by the PP, we will refer to the contents of Milan Digos report dated 14.9.05, in which the elements that prove the culpability of those three persons are described.*

But first, we should specify the following: **to be able to identify all the persons responsible of the kidnapping, we had to rely on the phone traffic** of several cellular phones, which analysis have been clearly documented by the Judicial Police (Milan Digos report dated 24.2.05) and brought the PP to order the taking into custody those charged persons on 3.23.05. **The PP had made a table in which all 59 numbers were listed with notes regarding their activity, moves and other details like date of activation, owner, user, significant presence, contacts with other numbers or IMEI numbers.** You will find this table on page 142 and following, and on page 177 and following of the GIP's ordinance dated 6.22.05.

**We think it is useful**, after analysing the new elements that emerged from the investigations (Milan Digos report dated 9.14.05) **to make an up-to-date version of the table above mentioned**, because we will be using it as reference in the following pages in which the position of the three new charged persons will be explained (Medero B., Faldo V. and Harbisson J.T.)

Following **the table relative to 65 phones that appeared to be important in the preliminary investigations, the first 17 are the one that became known in the first phase** (those were all phones present on the "scene of the kidnapping") **while the others appeared after, thanks to the analysis of the phone traffic.**

We will report briefly the most significant investigative elements regarding each phone (owner, user, significant presence, contacts with other numbers or IMEI numbers).

The following table will be used as reference from now on, each time we will have to talk about one phone mentioned in that table:

	PHONE	REGISTRATION NAME AND REAL USER	SIGNIFICANT PRESENCES	NOTES ON CONTACTS WITH OTHER PHONES
1	3336364075  active from 12.6.02 al 2.17.03	Registration name.: RIVA BENIAMINO E C. SNC  User: not identified	<b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b> <b>He is also present on the spot and at the moment of the kidnapping</b>	Between 12.16.02 and 02.17.03 he had contacts with phones 4,5,6,7,8,9,11,13,16 and 27.
2	3337642102  active from 12.30.02 al 2.21.03	Registration name.: TIMOFTE MIHAI  User: Asherleigh Gregory (see pages 81/83 report dated Feb.24,2003))	<b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b> <b>He is also present on the spot and at the moment of the kidnapping</b>	Between 12.30.02 to 2.21.03 he has had contacts with phones n. 3, 4, 6, 7, 10, 17 of the table and with hotels in Venice.  This phone has shared the IMEI number (and thus, the phone itself)

				with phones n°32 (as from 1.9.03 to 2.10.03) N° 39 (as from 7 to 18 Dec. 02) and n° 48 (2.10.03)
3	3387079723  <i>active from 11.9.02 to 2.23.03</i>	Registration name.: <i>TIMOFTE MIHAI.</i>  <i>User: Harty Benamar (see pag.83 and 84 report dated 2.24.03)</i>	<i><b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b></i> <i><b>He is also present on the spot and at the moment of the kidnapping</b></i>	<i>Between 11.9.02 and 2.23.03 he has had contacts with phones n° 2, 4, 6, 7, 9, 10, 15, 17, 24, 25, 26, 27 and 28 and with Avis Rent a car.</i> <i>This phone has shared the IMEI number (and thus the phone itself) with n° 37 (as from 1.9 to 1.19.03), 40 (from 12.8 to 12.17.03) used by <b>H. Benamar</b>, and also with n° 58 (from 11 to 19 Sep. 04)</i>
4	3388952825  <i>Active from 1.8.03 to 2.23.03</i>	R.N.: <i>TIMOFTE MIHAI</i>  <i><b>USER : Harbaugh Raymond (see pag 84/86 report dated 2.24.03)</b></i>	<i><b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b></i> <i><b>He is also present on the spot and at the moment of the kidnapping</b></i>	<i>On 1.23.03 he calls number 0229035388 of the American Consulate in Milan.</i> <i>Between Jan and Feb. 03 he called R.Lady Seldon's number, responsible of CIA in Milan.</i> <i>(see n° 18)</i> <i>Between 1.8.03 and 2.23.03 he had contacts with phones n° 1, 2, 3, 5, 6, 7, 10, 11, 15, 17, 18, 24, 25, 26, 27, 28, 31, 32 and 35 and also with Hotel Principe di Savoia and Jolly Touring in Milan.</i> <i>The phone has shared the IMEI number (and thus, the phone itself) with the phone 36 used by <b>Harbaugh Raymond</b> (from 1.9.03 to 1.20.03) and with phone 47 (from 10.9 to 10.16.02)</i>
5	3338579242	R.N.: <i>TIMOFTE MIHAI</i>	<i><b>He participated to preliminary</b></i>	<i>In February he had 3 contacts with R. Lady</i>

	<b>active from 9.23.02 to 2.20.03</b>	<b>USER : Purvis George</b> (See pages 86/87 report dated 2.24.03)	<b>investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b> <b>He is also present on the spot and at the moment of the kidnapping</b>	<b>Seldon, responsible CIA in Milan.</b> <b>Between 9.23.02 and 2.20.03 he has had contacts with numbers 1, 4, 6, 7, 10, 15, 16, 18, 24, 25, 32, 31 and 30 and also contacts with several hotels in Milan.</b> <b>Between Jan. and Feb. he calls land lines in Virginia (USA): n° 19, 20, 21 and 22. Two of those (n°20 and 22) are called 4 times each the day of the kidnapping between 4.48pm and 6.18pm. Last call at 11.31pm.</b>
<b>6</b>	<b>3338577471</b>  <b>active from 12.21.03 to 2.22.03</b>	<b>R.N.: KOLAZE &amp; GHELON SRL</b>  <b>USER : Sofin Joseph</b> (See pages (87/88 report dated 2.24.03)	<b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b> <b>He is also present on the spot and at the moment of the kidnapping</b>	<b>Between 12.21.02 and 2.22.03 he has had contacts with phones n° 1, 2, 4, 5, 7, 10, 15, 17, 25, 26, 27, 28, 29, 30, 31, 32 and also with several hotels in Milan, Florence and Venice, and with car rental agencies.</b> <b>He shared the IMEI n° (and so, the phone itself) with phone n°29 used by Sofin Joseph as from 12.9.02 to 1.24.03.</b>
<b>7</b>	<b>335436970</b>  <b>active from 1.14.03 to 2.20.03</b>	<b>R.N.: DE LUCCI DAVIDE</b>  <b>USER : Rueda Pilar Maria</b> (See page 88/89 report dated 2.24.03)	<b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b> <b>He is also present on the spot and at the moment of the kidnapping.</b> <b>Used the day of the kidnapping by Rueda Pilar</b>	<b>Between 1.14.03 and 2.20.03 he has had contacts with phones 1, 2, 3, 4, 5, 6, 10, 15, 17, 24, 25, 26, 27, 28,31 and 32 and also with hotels and car rental agencies in Milan, and with Lufthansa and United Airlines.</b>
<b>8</b>	<b>3386567958</b>	<b>R.N.: JAUREGUI CRIBILLERO GISELLA</b>	<b>He participated to investigations on the</b>	<b>On 1.31.03 he calls the number of the Us</b>

	<b>active from 8.8.02 to 2.18.02</b>	<b>MILAGROS</b>  <b>USER : Harbaugh Raymond</b> (See pag. 84, 86 and 89 report dated 2.24.03)	<b>spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b> <b>He is also present on the spot and at the moment of the kidnapping</b>	Consulate in Milan: 0229035388. Between 8.8.02 and 2.18.02 he has had contacts with phones n° 1, 9, 10, 11, 16, 18, 56. Between Jan. and Feb. 03 he called R. Lady Seldon, responsible CIA in Milan. On Feb.17, 03 he called him 4 times after the kidnapping. This phone has shared the IMEI n° (and thus the phone itself) with phone 46 used by <b>Harbaugh Raymond</b> as from 10.9 to 10.16.02.
<b>9</b>	<b>3389383879</b>  <b>active from 1.16.03 to 2.17.03</b>	<b>R.N.: AGOSTINI CARLA</b>  <b>USER : not identified</b>	<b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b> <b>He is also present on the spot and at the moment of the kidnapping</b>	Between 1.16.03 and 2.17.03, he has had contacts with phones n° 1, 3, 8, 11, 12, 13, 14, 16, 17, 33.
<b>10</b>	<b>3398675142</b>  <b>active from 1.11.03 to 2.20.03</b>	<b>R.N.: LODI DONATELLA.</b>  <b>User : not identified</b>	<b>He participated to investigations on the spots before the kidnapping (see pag. 79,80 of the Summary Memo).</b> <b>He is also present on the spot and at the moment of the kidnapping</b>	Between 1.11.03 and 2.20.03 he has had contacts with phones n° 2, 3, 4, 5, 6, 7, 8, 17, 30, 27 and also with hotel Hilton in Milan.  This phone has shared the IMEI n° (and so the phone itself) with phone 26 (from 1.9.03 to 2.2.03) 44 (from 12.7.02 to 12.17.02) and 45 (from 9.9. to 9.28.04)
<b>11</b>	<b>3343101143</b>  <b>active from 10.28.02 to</b>	No Registration Name User: Not identified	<b>He participated to investigations on the spots before the kidnapping (see pag.</b>	Between October 8, 02 and Feb. 8, 03 he has had contacts with phones 1, 4, 8, 9, 12,

	<b>2.18.03</b>		<p><b>79,80 of the Summary Memo).</b></p> <p><b>He is also present on the spot and at the moment of the kidnapping</b></p> <p><b>He goes from Milan to Aviano on Feb.17, 03 e returns to Milano the night between Feb. 17 and 18, 03.</b></p> <p><b>In that occasion, he probably is on board of a vehicle used by the kidnappers, that returns immediately to Milan getting out from the Milan est Gate at 12.22am (see inquiry on the transit of cars and vans on the highway pag.93/96 Digos report dated Feb.24, 05.</b></p>	13, 14, 16, 25, 31 and with a German phone (see 57) present in the radiobase cell of the Usaf base of Aviano on the 26 <sup>th</sup> and 27 <sup>th</sup> of Jan. 03.
12	<b>3343099527</b>  <b>details of activation still unknown</b>	<p>R.N.: RIVA BENIAMINO E C. SNC</p> <p><b>User not identified</b></p>	<p>He is present, the day of the kidnapping, very near to spot of the event, at about 1km, and is in close contact with the other 11 phones also in the moments that preceded the action.</p>	<p>He has had contacts with phones 9, 11, 13, 14 and 33.</p>
13	<b>3343176579</b>  <b>active from 12.6.02 to 2.18.03</b>	<p>R.N.: DISCOVERY SRL</p> <p><b>User not identified</b></p>	<p><b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b></p> <p>He is present, the day of the kidnapping, very near to spot of the event, at about 1km, and is in close contact with the other 11 phones also in the moments that preceded the action.</p> <p>He goes from Milan to Aviano on Feb.17, 03</p>	<p>Between Jan.22, 03 and Feb.17, 03 he has had contacts with phones n° 1, 9, 11, 12, 14, 16, 30, 25 and 33.</p> <p>While going from Milan to Aviano, he calls three times col. Romano, Chief of Security USA at Aviano (phone 23) at 2.44pm, 4.13pm and 4.32pm.</p>
14	<b>3343211730</b>	<p>R.N.: RIVA BENIAMINO E C. SNC</p>	<b>He participated to investigations on the</b>	Between 12.6.02 and 2.18.03 he has had

	<b>active from 12.6.02 to 2.18.03</b>	<b>User not identified</b>	<p><b>spots before the kidnapping (see pag. 79,80 of the Summary Memo).</b></p> <p><i>He is present, the day of the kidnapping, very near to spot of the event, at about 1km, and is in close contact with the other 11 phones also in the moments that preceded the action. He goes from Milan to Aviano on Feb.17, 03, and then spends the night in Padova. In that occasion, he probably is on board of one of the vehicles used by the kidnappers that went out from Padova Ovest gate at 20.15 (see inquiry on cars and vans transit on the highway pag 93/96 and Digos report dated Feb.24, 05).</i></p>	<p><i>contacts with phones 9, 11, 12, 13, 27, 30 and also with Marriott Grand Hotel Flora in Rome.</i></p>
<b>15</b>	<p><b>3397946739</b></p> <p><b>active from 1.8.03 to 2.23.03</b></p>	<p><b>R.N.: TIMOFTE MIHAI</b></p> <p><b>USER: Carrera Lorenzo (see pages 90, 19 report dated Feb.24. 03)</b></p>	<p><b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b></p> <p><i>He is present, the day of the kidnapping, very near to spot of the event, at about 1km, and is in close contact with the other 11 phones also in the moments that preceded the action. He goes from Milan to Aviano on Feb.17, 03 and then he immediately goes back to Milan where he arrives after 8.00pm</i></p>	<p><i>Between 1.8.03 and 2.23.03, he has had contacts with phones 3,4,5,6,7,17,24,25,26, 27,30,31,32 and with number 0220035388 which is the US Consulate's in Milan, and also with Hotel Principe di Savoia and Jolly Touring Hotel in Milan.</i></p> <p><i>He shared the IMEI number with phone 50 (from 11.8.03 to 11.24.03) and 51 (from 12.4.03 to 12.17.03).</i></p>



16	<b>3398581994</b> <b>active from</b> <b>12.28.03 to</b> <b>2.17.03</b>	<b>R.N. :</b> <b>TIMOFTE MIHAI</b>  <b>User not identified</b>	<i>He is present, the day of the kidnapping, very near the spot of the event, at about 1km, and is in close contact with the other 11 phones also in the moments previous to the action.</i>	<i>Between 12.28.02 and 2.17.03 he has had contacts with phones 1, 5, 8, 9, 11, 13 and 33. He has been called from two public phones (064746192 and 0667993506) that are in Via Vittorio Veneto 2 and in Via del Tritone 56, very near from the USA Embassy in Rome.</i>
17	<b>3409849532</b> <b>active from</b> <b>1.11.03 to</b> <b>2.18.03</b>	<b>R.N: ADLER MONICA COURTNEY</b>  <b>USER : Adler Monica Courtney</b> (See pag. 91/92 Digos report dated 2.24.03)	<b>He participated to investigations on the spot before the kidnapping (see pag. 79,80 of the Summary Memo).</b> <i>He is present, the day of the kidnapping, very near to spot of the event, at about 1km, and is in close contact with the other 11 phones also in the moments previous to the action.</i>	<i>From 1.11.03 to 2.18.03 he has had contacts with phones 2, 3, 4, 6, 7, 9, 10, 15, 30, 24, 25, 26, 27 and 28 and also with a car rental agency: Sicily by Car. This phone has shared the IMEI number with phone 49 from 12.9 to 12.17.02.</i>
18	<b>3480614737</b>	<b>R.N: Barbara Patricia Suddath, Usa embassy Rome</b>  <b>User : <b>Robert Lady Seldon</b>, Responsible CIA Milan</b>	<b>As from 2.22.03 till 3.15.03 he is present in Egypt, where receives two phone calls on 3.3.03.</b> <b>The phone was present, at evenings and nights, 270 times in base cell near to the Milan residence of Lady Seldon and 49 times in the base cell of his other house in Penango (AT)</b>	<i>He has had contacts with three phones present on the spot and at the moment of the kidnapping: phones n° 4, 5 and 8. He received 4 phone calls from phones 38 and 39 immediately after the kidnapping</i>
19	<b>0017033392 919</b>	<i>Land Line in Virginia (USA), owner unknown</i>		<i>Called several times between January and February by phone n° 5.</i>
20	<b>0017036092 915</b>	<i>Land Line in Virginia (USA), owner unknown</i>		<i>Called several times between January and February by phone n° 5. Called 4 times in the</i>

				<i>hours that followed the kidnapping.</i>
21	<b>0017036093 952</b>	<i>Land Line in Virginia (USA), owner unknown</i>		<i>Called several times between January and February by phone n° 5.</i>
22	<b>0017037291 152</b>	<i>Land Line in Virginia (USA), owner unknown</i>		<i>Called several times between January and February by phone n° 5. Called 4 times in the hours that followed the kidnapping.</i>
23	<b>3356121879</b>	<b><i>R.N.: 31^ Contracting Squadron (Base USAF- Aviano)</i></b>  <b><i>Lt. Col. Joseph L. III Romano, chief of the security Usa in Aviano base</i></b>	<i>He is present in Aviano base in the hours that followed the kidnapping and he received calls from phone 13</i>	<i>On 1.29.03 he has two contacts with phone 43, and he was present in Aviano on 2.17.03. Called three times by phone 13, while the latter is travelling, after the kidnapping on Feb. 17, 03, on the highway that goes from Milan to Aviano, at 2.244pm, 4.13pm and 4.32pm</i>
24	<b>3387570941</b>  <b><i>Active since December 2002</i></b>	<b><i>Registered and used by: Castellano Victor</i></b>	<i>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i>	<i>Between 1.20.03 and 2.9.03 he has had contacts with phones 5, 7, 3, 4, 15, 17, 25, 26, 28 and 32 and the land lines in Texas 00121102709515, 00121103928471, 00121106494202, 00121108842009</i>
25	<b>3387570943</b>  <b><i>Active since December 2002</i></b>	<b><i>Registered and used by: Duffin John Kevin</i></b>	<i>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.) This phone is present in Milan the morning of 2.17.03, then goes to Verona and from there joins the convoy of the kidnappers until Aviano. Comes back to Milan that same evening and on 2.19.03 leaves Italy and goes to Switzerland.</i>	<i>He has had contacts, between 1.19.03 and 2.23.03 (very intense on Feb. 17, 03) with phones 3, 4, 5, 6, 7, 11, 13, 15, 20, 24, 27, 28, 30 and 32.</i>

26	3333504739	<b>Registered and used by: Eliana Isabella Castaldo</b>	<i>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i>	<i>He has had contacts between 1.23.03 and 2.22.03, very intense on 2.17.03, with phones n. 3, 4, 6, 7, 14, 15, 17, 24 This phone has shared the IMEI number (and the phone) with phone 10 as from 1.9.03 to 2.2.03.</i>
27	3387905706	<b>Registered and used by: Logan Cyntia Dame</b>	<i>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.) He is present on the morning of Feb.17, 03 on the way between North Milan and Cormano, particularly in the cell of via Martinazzoli 3 in Milan, near the Cormano entrance to the highway. On Feb.17, 2003 this phone travels from Milan to Aviano and back to Milan where he arrives after 8.00pm.</i>	<i>He has had contacts between 1.23.03 and 2.22.03, very intense on Feb. 17, 03, with phones number 1, 3, 4, 6, 7, 14, 15, 17, 24, 25, 28, 30, 31 and 32.</i>
28	3333026990	<b>Registered and used by: Jenkins Anne Lidia</b>	<i>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.) The phone stops its activity on Feb.10, 03 when Ms Jenkins leaves Italy directed to Germany with the car rented by Sofin J.</i>	<i>He has had contacts between 1.21.03 and 2.10.03 with phones 3, 4, 6, 7, 17, 24, 25, 27 and 32.</i>
29	3386410348	<b>Registered and used by: Sofin Joseph</b>	<i>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i>	<i>He has had contacts with phones 6, 38, 39, 40, 41 and 49. This phone has used the same IMEI number and phone that phone</i>

				6 as from 12.9.02 and 1.24.03.
30	3470502758	<p><b>R.N.: Channing Drew Carlyle</b></p> <p><b>USER : Channing Drew Carlyle or Vasiliou Michailis</b> (see pag. 92/93 Digos memo dated 2.24.03)</p>	<p>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</p> <p>He is present the morning of Feb. 17, 03 in the cell of via Senigallia in Milan. On Feb.17, 03, the phone travels from Milan to Aviano and back to Milan where he arrives after 8.30pm.</p>	<p>He has had contacts between 2.15.03 and 2.19.03, very intense on 2.17.03, with phones 5, 6, 7, 10, 13, 14, 15, 17, 25, 27 and 31 and also with several American phone land lines, one British, and two Greek (among which 00302108075087 also called by phone 31) on which we are still investigating.</p>
31	3470408060	<p><b>R.N.: Galisai Mario (By mistake), but purchased by Channing Drew Carlyle</b></p> <p><b>User : Channing Drew Carlyle or Vasiliou Michailis</b> (see pag. 92/93 Digos Memo dated 2.24.03)</p>	<p>He is present in the morning of Feb.17, 03 in the cell of via Senigallia in Milan. On Feb.17, 03 the phone travels from Milan to Aviano, and after passing by Padova, back to Milan that same evening.</p>	<p>He has had contacts between 2.13.03 and 2.20.03, very intense on Feb. 17, 03, with phones 4, 5, 6, 7, 11, 15 and with the Greek phone land line 00302108075087, and also with Maggiore rent a car and with New Communication in Milan, a telecom shop.</p>
32	3406958386	<b>Kirkland James Robert</b>	<p>He participated to preliminary investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</p>	<p>Between 1.15.03 and 2.10.03 he has had contacts with phones number 4, 5, 6, 7, 15, 17, 24, 25, 27 and 28 and also with several American phone land lines.</p> <p>This phone has shared the same IMEI number, and the phone, with phone 2 as from 1.9 to 2.10.03.</p>
33	3291242728	<p><b>R.N.: Roling Maria Irlei</b> (Probably fake registration name)</p> <p>User unknown</p>		<p>He has had contacts with phones 9, 12, 13, 16, 34, 35 and 42. He shared the IMEI number with phone 43</p>
34	3337693263	<p>No registration name.</p> <p>User : <b>Faldo Vincent</b></p>	<p>He participated to preliminary investigations on the</p>	<p>He has had contacts, between 1.23.03 and 2.18.03, very intense</p>

			<p>spot of the kidnapping (see pages 79,80 Memo Digos.)</p> <p>On Feb.17, 03 the phone travels from Milan to Aviano.</p> <p>He results having activated the radiobase cell of Aviano.</p>	<p>on Feb.17, 03, with phones 1, 9, 11, 14 and 33.</p>
35	3337934123	<p>No registration name.</p> <p>User: <b>Medero Betnie</b></p>	<p>He participated to investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</p> <p>On Feb. 17, 03 he is present in via Fazzoletti 10's cell in Milan, next to the entrance to the highway.</p> <p>On Feb.17, 03 he travels from Milan to Aviano, and he probably is on board of a van used by the kidnappers (see investigation on cars and vans transit on the highway, pag 93/96 Digos report dated 2.24.05)</p> <p>He results having activated the radiobase cell in Aviano.</p>	<p>He has had contacts between 1.23.03 and 2.18.03, very intense on Feb.17.03, with phones 1, 9, 11, 14 and 33.</p>
36	3201166281	<p>No registration name. Used only for 10 days (contract that allows the purchaser not to declare his own identity)</p> <p>User: <b>Harbaugh Raymond</b> (see pages 84/86 Memo dated 2.24.03)</p>	<p>He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</p>	<p>He has had contacts between 1.11.03 and 1.20.03 with phones 6, 7, 14 and 17.</p> <p>The phone has shared the same IMEI number, and thus the same phone, with phone 4 (as from 1.9 till 1.20.03)</p>
37	3201166255	<p>No registration name. Used only for 10 days (contract that allows the purchaser not to declare his own identity)</p> <p>User: <b>Harty Benamar</b> (see pages 83 and 84 memo dated 2.24.03)</p>	<p>He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</p>	<p>He has had contacts with phones 6,7,14, and 17.</p> <p>The phone has shared the IMEI number, and thus the phone, with phone 3 as from 1.9 to</p>

				1.19.03.
38	3498928668	<b>Registered and used by: Harty Benamar</b>		Has had contacts with phone 29
39	3498928671	<b>Registered and used by: Harbaugh Raymond</b>	He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)	He shared the same IMEI number, and thus the same phone, with phone 2 as from 12.7.02 to 12.18.02. He has had contacts with phone 29.
40	3383790897	<b>Registered and used by: Ibanez Brenda Liliana</b>	He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)	He shared the same IMEI number, and thus the same phone, with phone 3 as from 12.8 to 12.17.02. He has had contacts with phone 29.
41	3336301128	<b>Registered and used by: Pilar Rueda</b>		Has had contacts with phone 29.
42	3392191934	<b>R.N. ZHENG LIHUI</b> User. Harbison James Thomas	<b>He is present on the spot and at the moment of the kidnapping.</b>	He has had contacts between 1.26.03 and 2.17.03, very intense on 2.17.03, with phones 4, 5, 8, 9, 11, 13, 16 and 33 and also with the Us Consulate in Milan.
43	3387570929 <b>Active since December 2002</b>	No registration name. User unknown.	<b>Present in Aviano as from 1.27.03 till 2.17.03.</b>	On 2.17.03, he is in contact with phone 11 and on 1.29.03 with phone 23. He shared the IMEI number with phone 33.
44	3386432346	<b>R.N.: Russo Domenico</b>  User unknown	He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)	He has shared the IMEI number with phone 10 as from 12.7 to 12.17.02.
45	3474032314	<b>Registered and used by: Reynolds Yun Kerry</b>		Has shared the IMEI number, and thus the phone with phone 10 only in September 2004.
46	3335037608	<b>Registered and used by: Harbaugh Raymond</b>		He has shared the IMEI number, and thus the phone, with phone 8 as from 10.9 to 10.16.2002.

47	3335029861	<b>Registered and used by: Drake James Patrick</b>		<i>He has shared the IMEI number, and thus the phone, with phone 4 as from 10.9 to 10.16.2002</i>
48	3397919344	<b>R.N. Timofte Mihai User unknown</b>		<i>He has shared the IMEI number, and thus the phone, with phone 2 on 2.10.03.</i>
49	3387849290	<b>No registration name. User unknown</b>	<i>He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.) Present on the spot of the kidnapping? (see pag. 58 memo)</i>	<i>He results to be in contact with phone 29. He has shared the IMEI number, and thus the phone, with phone 17 as from 12.9.02 to 11.24.03.</i>
50	3409072633	<b>Registered and used by: Duffy Delphine</b>		<i>He has shared the IMEI number, and thus the phone, with phone 15 as from 11.8.03 to 11.24.03</i>
51	3495259414	<b>Registered and used by: Kirkland James Robert</b>		<i>He has shared the IMEI number, and thus the phone, with phone 15 as from 12.4.03 to 12.17.03.</i>
52	3397672462	<b>R.N.: Kolaze &amp; Ghelon User unknown</b>	<i>He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i>	<i>Between 1.9.03 and 2.11.03 he has had contacts with phones 4, 6, 7, 15 and 17.</i>
53	3397942963	<b>R.N.: Timofte Mihai User unknown</b>	<i>He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i>	<i>Between 2.8 and 2.16.03 he has had contacts with phones 1, 11 and 13.</i>
54	3343170797	<b>R.N.: Timofte Mihai User unknown</b>	<i>He participated to preliminary planning investigations on the spot of the kidnapping (see pages 79,80 Memo Digos.)</i>	<i>He has had contacts with phones 3, 4, 5, 6, 15 and 17 as from 1.28.03 till 2.9.03.</i>
55	3483948952	<b>Registered and used by: De Sousa Sabrina D. Second Secretary at the US Embassy in Rome.</b>		<i>Between 1.8.03 and 2.23.03, he has had contacts with phone 4 and between 11 and 12</i>

		<i>Ex CIA agent at Milan Consulate.</i>		<i>June 02 he contacted phone 59.</i>
56	0248008432	<b>Robert Lady Seldon,</b> <i>Responsible CIA Milan</i>		<i>Between 8.8.02 and 2.18.03 he is in contact with phone 8</i>
57	0049175435 9439	<b>German phone registered under the name of Communications Squadron SCXR – Geb. 2103, Flugplatz – Ramstein – 66877 Ramstein</b>	<b>Present in Aviano Base on the 26<sup>th</sup> and 27<sup>th</sup> of Jan 03.</b>	<i>Has had contacts with phones 11, 62 and 64.</i>
58	3387024483	<b>Registered and used by: Lawrence Stephen</b>		<i>He has shared the IMEI number, and thus the phone, with phone 3 as from 11 to 9.19.04.</i>
59	3382329867	<b>Registered and used by: Medero Navedo Betnie</b>	<b>Present at the Grand Hotel of Padova the night between the 17th and 18th of February 2003.</b>	<i>Has been called twice (6.11.02 and 6.12.02) by phone 55.</i>
60	3408155937	<b>Registered and used by: Harbison James Thomas</b>		<i>On 2.18.03 between 10.17am and 5.32pm he called three times the phone 18. On 2.18.03 he has been called by phone 61. He has shared once the IMEI number with phone 42. On 2.18.03, at 5.04pm he calls phone 64. On 2.20.03 at 9.01am he activates German radiobase cells.</i>
61	3356227429	<b>Registered under the name of: Timofte Mihai</b> <b>User: Unknown</b>		<i>On 2.18.03 he called phone 60 and also phones 13,14 and 42. He has been called by the Greek number: 00306946981369</i>
62	0049170854 6993	<b>German number. Till now registration name and user unknown</b>		<i>On 2.17.03 at 6.26pm he is called by phone 23. He has had contacts with phone 57.</i>
63	0049170066 4696	<b>German number. Till now registration name and user unknown</b>		<i>On 2.13.03 at 4.42pm he is called by phone 23</i>



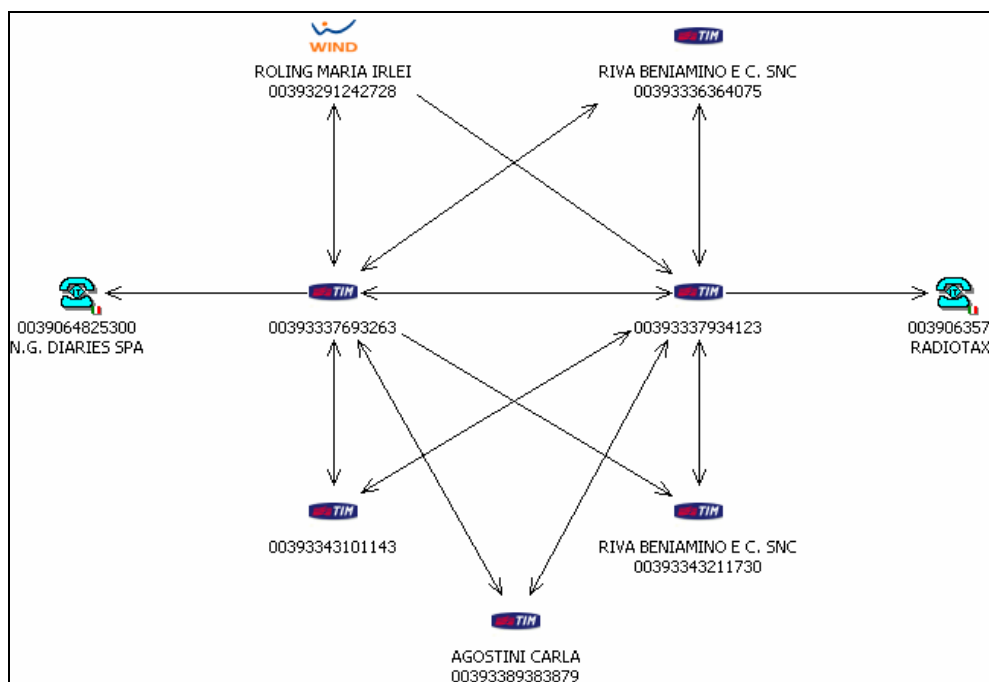
64	0049177013 3182	German number. Till now registration name and user unknown.		He has had contacts with phone 57 and on 2.18.03 he has been called at 5.04pm by phone 60
65	0049696977 0	German number. Till now registration name and user unknown.		On 2.10.03 at 9.06pm and 9.32pm he calls phone 3.

*We can go back at this point to the contents of Milan Digos report dated 9.14.05, and examine all elements regarding the three charged persons for whom we request to issue an ordinance for custody.*

### **Position of Medero Betnie and Vincent Faldo.**

*We started the analysis of the position of those two indicted persons from the traffic produced by two phones, which the PP already mentioned in his ordinance of custody in jail dated 3.23.05; those phones are the TIM numbers 3337693263 and 3337934123, numbers 34 and 35 of the above table, both without registration name, and we couldn't at that moment individuate the users. Both phones were used by persons who had personally participated to the kidnapping of the Egyptian citizen **Abu Omar**: in fact, they were part of this group of persons that converged from Milan to Aviano (PN) immediately after the kidnapping. Those Sim cards kept in touch as we can note from **graphic 1** here below, with other phones which were used by the other members of this same executive group.*

*Grafico nr. 1*



*The user (who, as we will further see, has been identified as **Vincent FALDO**) of the SIM card 3337693263, without any registration name, has:*

- **participated on 1.27.03 to preliminary scouting on the spot of the kidnapping** (see pag. 79 and 80 Milan Digos report dated 2.24.05 and pag. 135 and following of request of PP dated 3.23.05);
- **gone, on 2.17.03, after the kidnapping, from Milan to Aviano, activating its radiobase cell**;
- **had contacts between 1.23.03 till 2.18.03, very intense on 2.17.03, with the following phones** indicated with the progressive numbers of the above table: n.1 (one of the authors of the kidnapping. Not identified), 9 (another author of the kidnapping. Not identified), 11 (other author of the kidnapping, who also went to Aviano. Not identified), 14 (another author of the kidnapping who also went to Aviano. Not identified), 33 (unknown user, in contact with the other indicted persons but not directly involved in the kidnapping).

**On the other side, the user (who, as we will further see, has been identified as **Betnie MEDERO**) of the SIM card 3337934123, without any registration name, :**

- **has participated at least seven times, as from 1.29.03 to 2.16.03, to preliminary scouting on the spot of the crime**(see pag. 79 and 80 Milan Digos report dated 2.24.05 and pag. 135 and following of request of the PP dated 3.23.05)
- **on 2.17.03 he is present in the radio base cell of Via Gazzoletti 10 in Milan, near the access to the highway, activated by the “convoy” of kidnappers at the beginning of the trip during which they transported the victim to Aviano;**
- **has had contacts as from 1.23.03 till 2.18.03, very intense on 2.17.03 with the following phones numbered as in the above table:** 1 (one of the authors of the kidnapping. Not identified), 9 (one of the authors of the kidnapping. Not identified), 11 (author of the kidnapping who also went to Aviano. Not identified), 14 (author of the kidnapping who also went to Aviano. Not identified), 33 (user unknown, in contact with the others indicted but not directly involved in the kidnapping).

While examining the traffic generated by the two TIM phones **3337693263 and 3337934123**, that was formally requested, we noted several interesting elements that needed more investigation like:

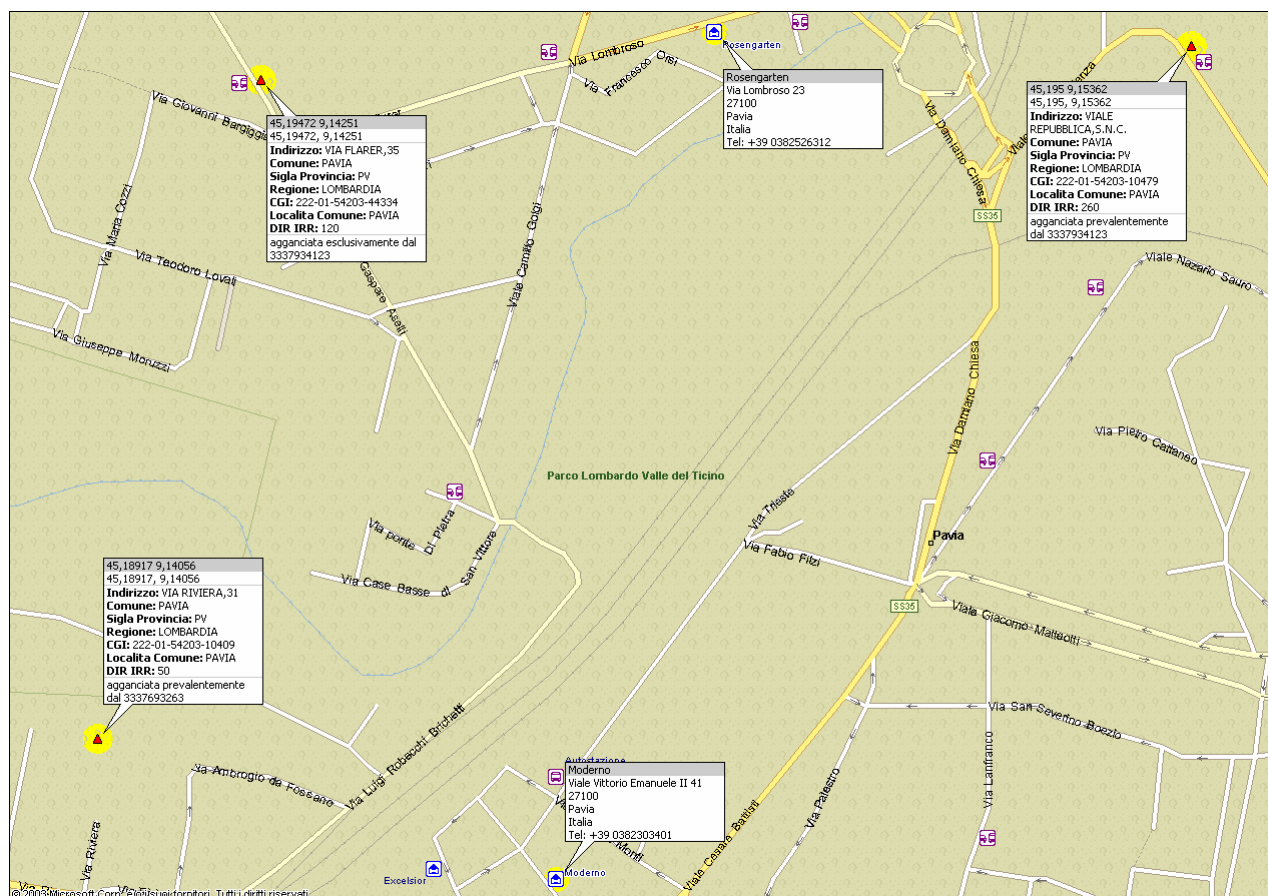
- the two phones have had the same contacts;
- during the period of activation they had activated almost always the same radio base cells, as if they were used by persons that moved together, going to the same places,
- both phones activated, towards the end of Jan. 03, **radio cell bases located in the commune of Pavia**, and then, the first ten days of Feb. 03, **radio base cells located in the commune of Lecco**, which proves that the users of the phones have lived for short periods in the above mentioned locations.

This fact has been extremely important for the identification of the real users of those phones. In fact, controlling the cells activated by the cellular phone **3382329867**, registered under the name of the American citizen **Medero Betnie**, phone that has already appeared at the beginning of the investigations (see n. 59 of the above table and pag. 157 of the PP request dated 3.23.05), and comparing the results with the controls made in hotels located in the same places where the two phones had stayed, we obtained elements that brought us to identify the users of the above mentioned phones: **Vincent Faldo and Medero Betnie**.

For an easier comprehension of those elements, based on already used controls and technical methods (see report assistant Sabatino, attached to report dated 9.14.05), following you will find useful illustrations of the geographical areas in which those elements have been detected.

## ANALYSIS OF THE CELLS LOCATED IN THE COMMUNE OF PAVIA

The following map reports the area of the Commune of Pavia in which the radio base cells were activated by the above mentioned phones, and also the hotels positioned near those cells.



### Comune di Pavia

Hereafter you will find a table where are indicated the cells activated by the user of the phone TIM 3337934123 during the period of his stay in the Commune of Pavia.

Address of the cell	First connection	Last connection	Connections with the cell
VIA FLARER,35 - PAVIA (PV) LOMBARDIA [PV11D2]	01/27/2003 9.01.04pm	01/30/2003 5.51.46pm	10
VIALE REPUBBLICA,S.N.C. - PAVIA (PV) LOMBARDIA [PV59D3]	01/26/2003 4.10.56pm	01/31/2003 6.14.57pm	7
VIA RIVIERA,31 - PAVIA (PV) LOMBARDIA [PV42D2]	01/26/2003 1.07.08pm	01/31/2003 6.42.17pm	3
VIA FLARER,35 - PAVIA (PV) LOMBARDIA [PV11D1]	01/28/2003 10.56.39am	01/28/2003 10.56.39am	1

The American citizen **Medero Betnie** (d.o.b. 3.29.1967 in the USA, American passport N° 016051676 issued on 4.27.1998) has stayed, as from 01.24.2003 (we could not get from the hotel the date of the check out) at Hotel **Rosengarten** in Pavia, Via Lombroso 23. This hotel is

located at about 400 meters from the cells in Pavia (via Flarer and Via Repubblica) which have been activated by phone **3337934123**.

Similar considerations are made for phone **TIM 3337693263** whose user, during his stay in Pavia (towards end Jan. 2003), has activated mainly the cell in Via Riviera as per above table, contrarily to the other phone which has activated the cell of Via Flarer.

<i>Address of the cell</i>	<i>First connection</i>	<i>Last connection</i>	<i>Connections with the cell</i>
VIA RIVIERA,31 - PAVIA (PV) LOMBARDIA [PV42D2]	01/26/2003 2.00.40pm	01/31/2003 3.55.07pm	13
VIA RIVIERA,31 - PAVIA (PV) LOMBARDIA [PV42S2]	01/26/2003 2.05.39pm	01/26/2003 2.05.39pm	1
VIALE REPUBBLICA,S.N.C. - PAVIA (PV) LOMBARDIA [PV59D3]	01/31/2003 6.14.57pm	01/31/2003 6.14.57pm	1

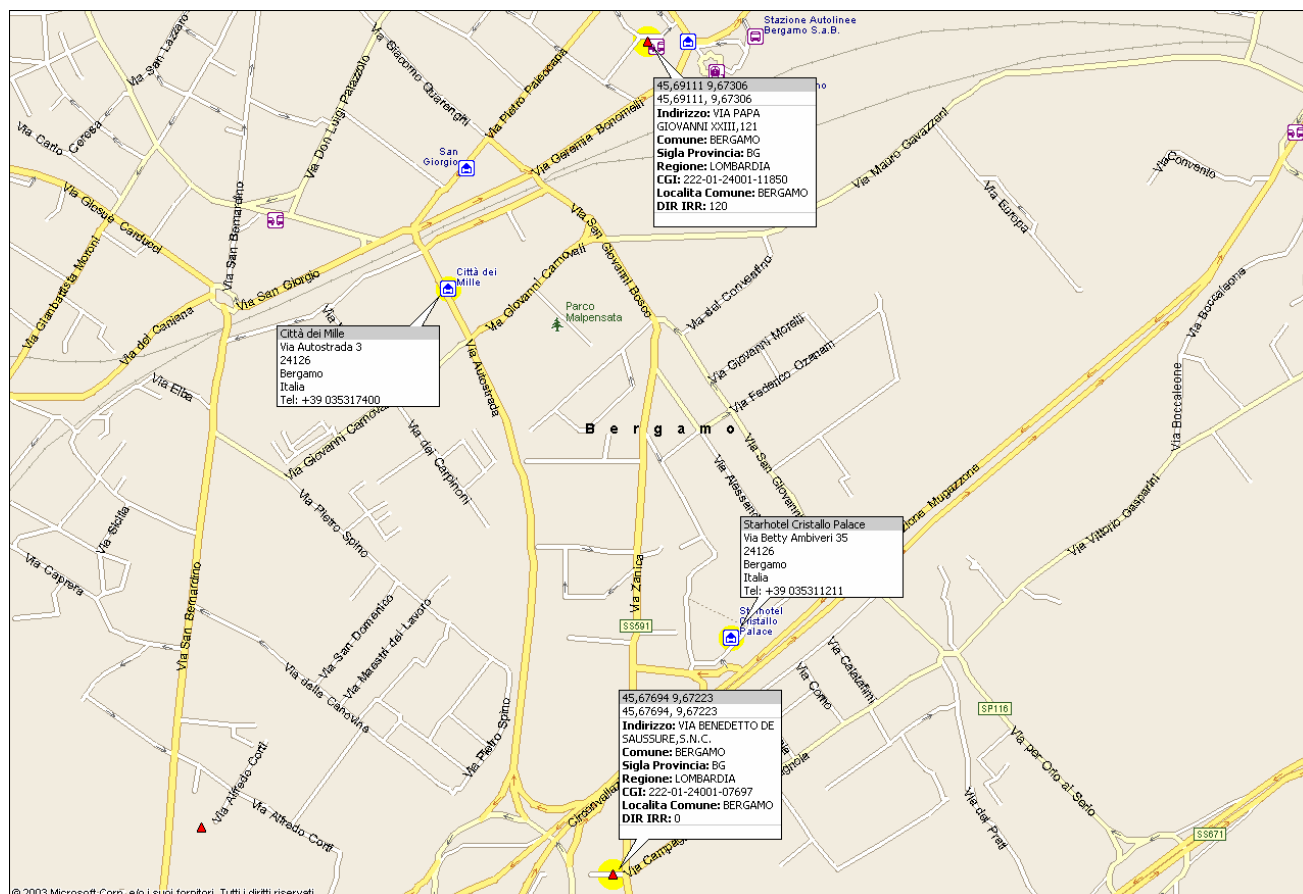
We also requested the list of the guests that, as from 01.20.03 to 02.20.03 have stayed at **Hotel Moderno** in Pavia. In the period we are interested in, about 30 American citizens stayed there. That list and further investigations made at the **Starhotel** in Bergamo and at the **Jolly Hotel** in Lecco, as we will better explain hereafter, have permitted to individuate the supposed user of phone **3337693263: Faldo Vincent** (d.o.b. 11/01/1950 in Massachussetts (USA), USA passport N° 1020260001 issued in Boston on 06.07.00.

Furthermore, the booking of his room in **Hotel Moderno** in Pavia, has been made by phone on 01.15.03 from number **06/54531** which is the number of **Hotel Sheraton** in Rome, v.le del Pattinaggio, 100.

The bill of the **Hotel Moderno**, which was paid with a VISA credit card (we are still waiting to get the number of this card), was 972€. **Faldo**, who stayed in this hotel as from 01.24.03 till 02.01.03 has effected from his room a phone call he paid €22 but we have not been able to find out the number he has called.

#### **- Analysis of the cells located in the Commune of Bergamo**

Starting from 02.04.03, the TIM phone **3337934123** and **3337693263** have moved to the Commune of Bergamo activating principally the cell in VIA BENEDETTO DE SAUSSURE SNC BERGAMO as detailed in the following map:



*In the following tables you will find details of the cells respectively activated by phones 3337934123 and 3337693263 during their stay in that Commune.*

### **BERGAMO CELLS ACTIVATED BY NUMBER 3337934123**

<b>Address Of the Cell</b>	<b>First connection</b>	<b>Last Connection</b>	<b>Number of Connections with the cell</b>
<b>VIA BENEDETTO DE SAUSSURE,S.N.C. – BERGAMO (BG) LOMBARDIA [BG04D1]</b>	02/04/2003 6.03.36pm	02/09/2003 5.03.58pm	7
<b>VIA PAPA GIOVANNI XXIII,121 – BERGAMO (BG) LOMBARDIA [BG82D3]</b>	02/05/2003 4.45.28pm	02/05/2003 4.45.28pm	1

### **BERGAMO CELLS ACTIVATED BY NUMBER 3337693263**

<b>Address of the cell</b>	<b>First connection</b>	<b>Last Connection</b>	<b>Number of Connections with the cell</b>
<b>VIA BENEDETTO DE SAUSSURE,S.N.C. - BERGAMO (BG) LOMBARDIA [BG04D1]</b>	02/04/2003 6.21.46pm	02/09/2003 3.20.49pm	4

<i>VIA PAPA GIOVANNI XXIII, 121 – BERGAMO (BG) LOMBARDIA [BG82D2]</i>	<i>02/04/2003 6.03.36pm</i>	<i>02/05/2003 8.44.49am</i>	<i>2</i>
<i>VIA BENEDETTO DE SAUSSURE, S.N.C. - BERGAMO (BG) LOMBARDIA [BG04D2]</i>	<i>02/14/2003 1.51.16pm</i>	<i>02/14/2003 1.51.16pm</i>	<i>1</i>

*In this circumstance too we noted the presence in the Province of Bergamo, in the same period, of the above mentioned American citizens who stayed in hotels located near the radio base cells.*

*By investigations made at **Hotel Città dei Mille** (see Bergamo map) we could certify the presence there of **Madero Betnie** as from 02.04.03 to 02.10.03 (room 504). This lady is to be considered the user of phone **3337934123**.*

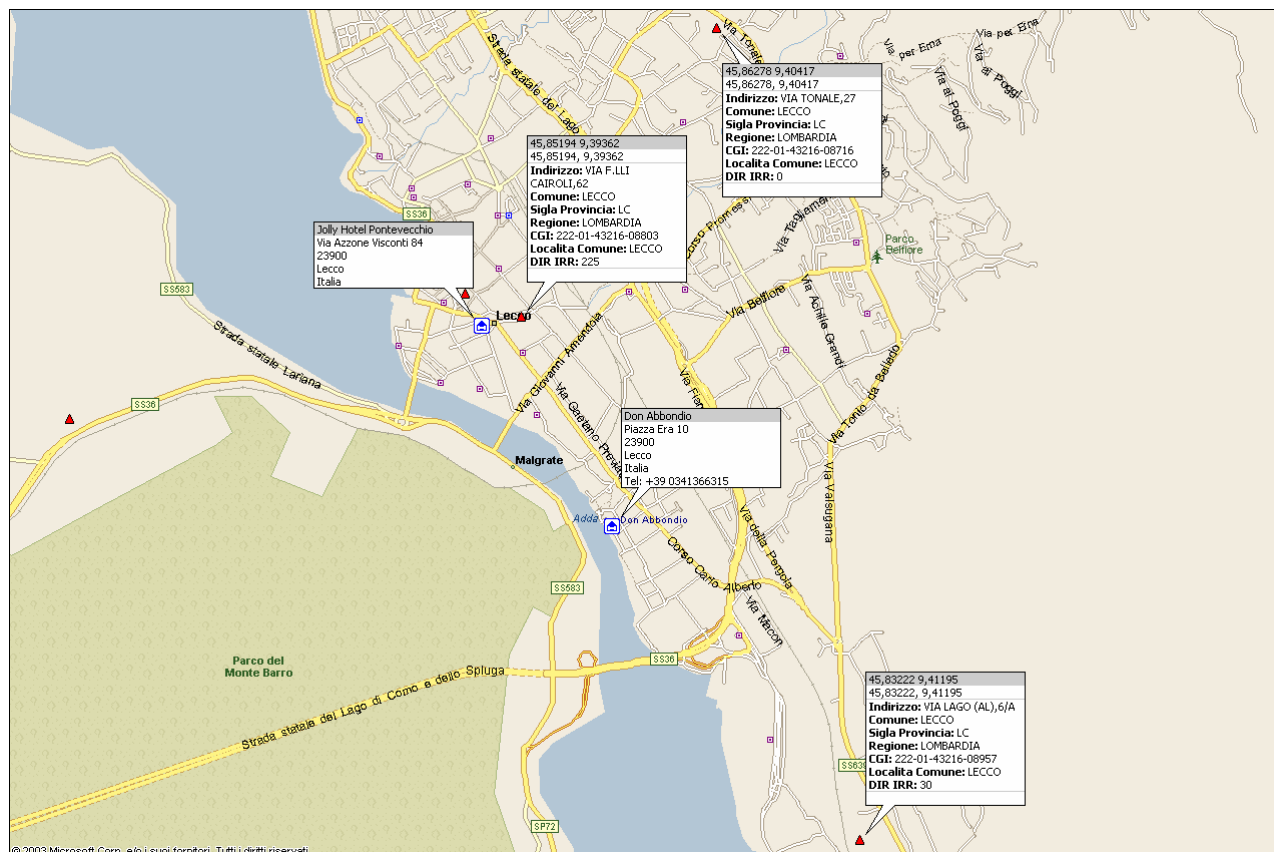
*Investigating at **Starhotel Cristallo Palace** (located at about 500 meters from the cell of Via BENEDETTO DE SAUSSURE (see Bergamo map), controlling the list of clients who stayed there as from 02.01 till 02.20.03 and comparing this list with Pavia's **Hotel Moderno**'s list of client, we could ascertain that **Faldo Vincent** stayed in both hotels. He stayed in Bergamo as from the 4<sup>th</sup> till the 10<sup>th</sup> of Feb. 2003.*

*During his stay at the **Starhotel Cristallo** in Bergamo, the latter has used the garage of the hotel but we could not individuate the car he used. His hotel bill amounted to €869,12 he paid with VISA credit card n° 4356220002483267 valid till 05/2005. **Vincent Faldo** is to be considered the user of phone **3337693263**.*

**- Analysis of the cells located in the Commune of Lecco**

*As from the 10<sup>th</sup> to the 20<sup>th</sup> of Feb. 2003, the phones **3337934123** and **3337693263** have moved to the Commune of Lecco activating principally the cells in VIA F.LLI CAIROLI 62 LECCO and VIA TONALE 27 LECCO as detailed in following tables:*





## Comune di Lecco

*More, in detail:*

### Cells activated by number 3337934123

Address of the cell	First connection	Last connection	Number of connections with the cell
VIA F.LLI CAIROLI,62 - LECCO (LC) LOMBARDIA [CO24D3]	02/14/2003 3.51.48pm	02/15/2003 9.44.07am	4
VIA F.LLI CAIROLI,62 - LECCO (LC) LOMBARDIA [CO24D2]	02/14/2003 5.26.06pm	02/14/2003 9.51.01pm	2
VIA TONALE,27 - LECCO (LC) LOMBARDIA [CO02D3]	02/14/2003 3.32.00pm	02/14/2003 7.11.19pm	2

### Cells activated by number 3337693263

Address of the cell	First connection	Last connection	Number of connections with the cell
VIA TONALE,27 - LECCO (LC) LOMBARDIA [CO02D3]	10214/2003 3.51.48pm	02/14/2003 5.32.02pm	3
VIA LAGO (AL),6/A - LECCO (LC) LOMBARDIA	02/14/2003	02/15/2003	3

[CO63D3]	9.56.11pm	6.05.26pm	
VIA F.LLI CAIROLI,62 - LECCO (LC) LOMBARDIA	02/14/2003	02/15/2003	2
[CO24D3]	3.31.59pm	9.44.07am	

Investigations made in hotels of Lecco have permitted to verify the presence, at the same period, of **Medero Betnie and Vincent Faldo**.

Ms Medero has stayed at hotel DON ABBONDIO in Lecco as from 02.14.2003 till 02.17.2003. This hotel is located in the surroundings of the radio base cell activated by the cellular phones. When she booked her room, she gave her phone number: **063311545** which is the USA Embassy's in Rome, via della Mendola 25.

We are still investigating to find out where Ms Medero lived, seemingly in a rented flat.

**Faldo Vincent** stayed at the JOLLY HOTEL in Pontevicchio di Lecco as from 02.14.2003 till 02.18.2003. When he checked out from the hotel, at 1.43pm of 02.18.2003, he paid his bill amounting to €573,91 with a VISA card n° 4356220002483267 valid till 05/2005.

At this point, it seems quite possible to deduce that the TIM phones **3337934123 and 3337693263** were used by **Medero Betnie and Vincent Faldo**, whose moves in the above mentioned localities match perfectly with the moves of the cellular phones under investigation, which were verified through the radio base cells which were activated.

So, those two persons are to be considered part of the operative group that accomplished **Abu Omar's** kidnapping. The two phones **3337934123 and 3337693263**, in fact, as we said before, were part of this group of phones that, immediately after the kidnapping, headed towards Aviano (PN) with the hostage.

Another significant element that confirms our investigative thesis, specially for **Medero's** position, is given by the analysis of the phone traffic of phone TIM **3382329867** (in previous Digos reports and in the PP's request for custodial measures, this phone, still active and registered under the name of Ms **Medero**, has been contacted twice, on 06.11.2002 at 7.32.56 and 06.12.2002 at 2.20.57pm, by phone **3483948952** used by **De Sousa Sabrina**), registered under her name, **that confirms the presence also of this phone in the communes of Brescia, Pavia, Bergamo, Lecco and Padova perfectly matching with the moves of the American citizen and her stays in hotels of the above mentioned communes.**

Following, please find a final table of the hotel where Medero stayed, some of those information have also been confirmed by the S.D.I. data base:

<b>Hotel Alabarda – Brescia</b>	<b>from 01/08/2003 till 01/20/2003</b>
<b>Hotel Rosengarten – Pavia</b>	<b>from 01/24/2003 till ???</b>
<b>Hotel Città dei Mille – Bergamo</b>	<b>from 02/04/2003 till 02/10/2003</b>
<b>Hotel Don Abbondio – Lecco</b>	<b>from 02/14/2003 till 02/17/2003</b>
<b>Hotel Grand'Italia – Padova</b>	<b>from 02/17/2003 till 02/18/2003</b>



Regarding **this last night in the hotel of Padova**, we would like to remind you that, already in the request of custodial measures dated 3.23.05, the PP had already pointed out this fact which occurred few hours after the violent and illegal transfer of NASR Osama from Milan to Aviano Base.

Please also take note that in HOTEL ALABARDA of Brescia, at the same period than Ms Medero, that had produced her Consular ID N° 78263, stayed another American citizen: **Russomando Ralph Henry** d.o.b. 10.24.1950 in the USA, US passport n° 016487529 issued on 05.05.2000.

This foreign person, which never appeared before in our investigation, on 03.29.2001 was part of the diplomatic staff of the US Embassy in Rome where he was stationed since 08.02.2000 (information given by Milan Digos, on the Ministry of Foreign Affairs website).

Similar considerations can also be made on the position of **Vincent Faldo**, whose moves, perfectly match with the user of the cellular phone TIM 3337693263, as per following table:

<b>Hotel Moderno – Pavia</b>	<b>from 01/24/2003 till 02/01/2003</b>
<b>Starhotel Cristallo Palace – Bergamo</b>	<b>from 02/04/2003 till 02/10/2003</b>
<b>Jolly Hotel Pontevicchio – Lecco</b>	<b>from 02/14/2003 till 02/18/2003</b>

**Ms MEDERO's criminal behaviour's gravity comes from her formal position at Rome's Us Embassy:** the Service Director for the Information and Democratic Security – SISDE (note dated 07.22.05), as well as the Service Director for the Information and Military Security – SISMI (note dated 07.26.05), in the letter they sent to the present office (that needed information that eventually the above mentioned Services had, regarding 21 American citizens, but the answer was that only Ms Medero's name – and also LADY Robert Seldon's- were known. The SISMI confirmed that Ms Medero entered in Italy on 10.16.2001, while the **SISDE also précised that Ms Medero was also Second Secretary at the US Embassy in Rome and the procedure of the Diplomatic entry visa in Italy was notified to her on 8.21.2001 by the MAE at the Italian Embassy in Quito (Ecuador).**

**The strange thing though, is that, with a memo dated 3.17.2005, the Carabinieri Command of the Foreign Affairs Ministry – Security Department, communicated to us that the name of MEDERO Betnie was unknown and did not appear as part of the staff of the US Diplomatic and Consular offices in Italy.**

### **Position of Harbison James Thomas**

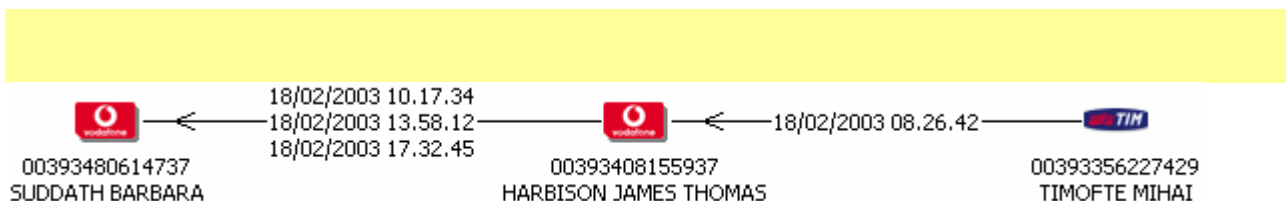
In Milan Digos report dated August 2, 2005 they had prospected to the PP the procedural position of the American citizen **Harbison James Thomas**, d.o.b. 12.15.1948 in the USA, that, on the basis of investigations evidences, is also to be considered part of the operative group responsible of **Abu Omar's** kidnapping.

Following you will find all elements regarding this American citizen.

His name emerged for the first time in the inquiry regarding all contacts of the **Vodafone phone registered under the name of Suddath Barbara (phone 18) which, as we demonstrated, was used by LADY ROBERT SELDON.**

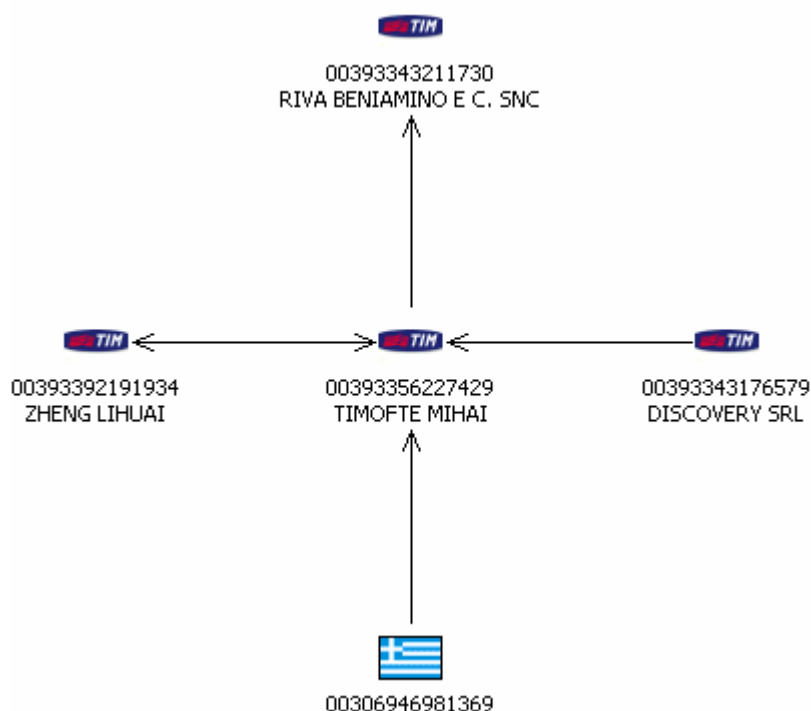
The above mentioned phone, in fact, on Feb. 18, 2003, and that is the day after the execution of the kidnapping, has been contacted three times by another Vodafone phone, the number **3408155937 (Phone 60)** registered under the name of the American citizen **Harbison James Thomas**, d.o.b. 12.15.1948 in the USA, that declared at the moment of the purchase, that his address in Milan was Via Mac Mahon 109.

The calls are detailed in the following graphic:



This Vodafone phone, registered under the name of **Harbison**, that same morning, had received a call from a TIM phone n° **3356227429**, registered under the fake name of **Timofte Mihai (phone 61)** which, during the investigations, phone traffic has been requested by the PP because in use by the members of the same operational group.

Following a graphic that shows the contacts between the TIM phone **3356227429** registered under the fake name of **Timofte Mihai**, useful to understand immediately the relations of this user.



The three TIM phones called by phone **3356227429**, registered under the fake name of **Timofte Mihai**, were, as specified in the previous Digos reports, on the spot of the kidnapping or were in contact with other phones which were present on the location.

The users of the TIM phones **3343211730 (PHONE 14)** and **3343176579 (PHONE 13)** till now not identified, immediately after the kidnapping of the Egyptian citizen, headed to Aviano as evidenced by the phone traffic.

The TIM phone **3392191934 (phone 42)** registered under the fake name of **Zheng Lihuai**, was used as confirmed by investigative elements that will be explained further on, by **Harbison**.

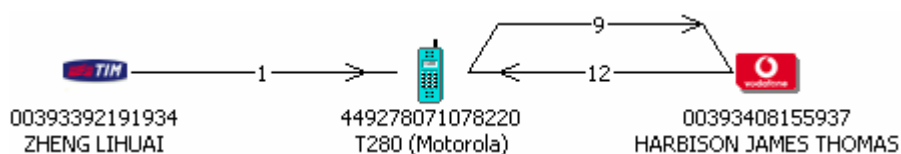
The first important evidence came out from verifications made with hotels in Milan that allowed us to follow the presence of the foreigner in the period we are interested in.

In fact, **Harbison James Thomas** stayed at the JOLLY HOTEL in Milan as from 01/25/2003 till 02/20/2003, thus the period of time necessary for preparation and execution of the abduction.

Thanks to those elements and to the analysis of the phone traffic of the Vodafone phone registered under the name of **Harbison**, other important elements emerged regarding the involvement of Harbison in the crime. Details as follows:

Studying attentively the traffic of **PHONE 60: 3408155937**, registered under the name of the American citizen **Harbison James Thomas**, we noticed that this phone has been associated exclusively to the phone which IMEI code was **449278071078220**.

That phone, in one circumstance, precisely on 02/01/2003 at 10.06.21pm, has been used by TIM card **3392191934 (phone 42)**, phone that we already mentioned, registered under the fake name of **Zheng Lihuai**.



That TIM phone **3392191934** was present near Via Guerzoni at the moment of Abu Omar's abduction. On 02/17/2003, at 12.54.42pm, he has received a call that lasted 5 seconds from the TIM phone **3343101143 (phone 11)**. In this circumstance, both phones had activated the cell in VIA DEI CHIOSI of CAVENAGO DI BRIANZA (MI), and immediately after, the user of phone **3343101143** travelled towards Venice arriving to Aviano (PN), while the user of the phone **3392191934** has not produced any traffic anymore. The phone **3343101143**, without any registration name, and whose user's identity is still unknown, as per Milan Digos report dated 02.25.05, was used by the coordinator of the two operational groups that executed the abduction of the Egyptian citizen. This number, is part of the group of phones that, immediately after Abu Omar's kidnapping went towards Pordenone.

Comparing the traffic produced by phone **3408155937**, registered under the name of **Harbison James Thomas**, phone 60, with the one produced by phone **3392191934**, registered under the name of **Zheng Lihuai**, phone 42, several elements made us deduce that this latter phone might have been used by **Harbison James Thomas**.

This hypothesis is based on the following elements:

- as said before, the number **3392191934 (Zheng)** has used, only once, the IMEI **449278071078220** which was afterwards used by number **3408155937 (Harbison)**;
- **the phone 3392191934 (Zheng)** has started to produce traffic on 01/25/2003 AT 7.47.18PM (a call to number 4916 – Tim Card Service), and that same day **Harbison** arrived to JOLLY HOTEL TOURING in via Tarchetti 2;
- the two phones never called each other;
- the cells activated by the two phones match perfectly with the period (as from 01/25/03 till 02/20/03) **Harbison** stayed at the JOLLY HOTEL TOURING in via Tarchetti 2;
- Harbison has left the Jolly Hotel at 03.49am paying his bill with a credit card. Then he went to Germany as evidenced by his Vodafone phone, that on 02.20.03, at 09.01.34am, activated German radio base cells.

*Apart being present on the spot of the abduction, the day and the moment it happened, we have to point out that phone 3392191934 (Zheng) used by Harbison, has had contacts, the period going from 01.26.03 till 02.17.03, very intense on 02.17.03, with the following phones indicated with their progressive numbers as per table of “phones involved in the investigation”: 4, 5, 8, 9, 11, 13, 16 (all used by executors of the 02.17.03 abduction), 33 (not involved in the abduction, but has been in contact with seven phones used by executors of the kidnapping) and with the number of the American Consulate in Milan.*

*Hereafter, we will talk about another connection between HARBISON and the user of a German phone (phone 64), which is very interesting under the investigative aspect because this latter phone has been in contact with phone 57 which was present in Aviano base on 01.27.03.*

### **Analysis of the computer material seized to Lady Robert Seldon**

*We already talked about the significant contacts between the phones Vodafone 3408155937 registered under the name of the American citizen Harbison James Thomas and 3480614737 registered under the name of Suddath Barbara (phone 18), **but used by Lady Robert Seldon, the C.I.A. man in Milan, until that moment, and from the PP’s information, the main element of the chain of responsibilities individuated till this moment.***

*To support the present request, but also to confirm the solidity of all the evidence that demonstrate that the abduction was executed by the C.I.A. of whom Lady Robert Seldon was an important man in Italy, it is necessary to point out other important proves that we have requested.*

*Already during the Appeal, (when the PP on 07.01.05 and in the consequent ordinance of Milan Court dated 07.20.05, to consent to the Appeal itself, ordered the capture and custodial measures for six indicted persons), we had pointed out that we had seized in Lady’s Penango home, searched on 06.23.05: a list of hotels, guesthouses and residences in Milan, all having special agreements with the USA Consulate, that the indicted had taken from a website on Internet – and printed – on 01.08.03, probably for all abductors which were going to arrive to Milan.*

*In that same perquisition, on 06.23.05, in execution to the relative decree issued by this PP, in the house of the indicted **Robert Lady Seldon** located in Penango (AT) in via Don Bosco 40, a big quantity of computer material was seized. Its analysis is still under study by the Judicial Police and their consultants, and their final analysis will be communicated to the PP, but in the meanwhile, in a memo dated 09/14/2005, the Digos expose the following:*

*Thanks to the mail of the indicted **Robert Lady Seldon** contained in the hard disk (number 7 of seized evidence) we could get the following material:*

- **Getmsg[1].html** created on 02.20.03 at 11.20.48pm. It is an e-mail sent on 02.20.03 by onlinesupport@nbportal.com to rslady01@hotmail.com, referring to: “AllRez. COM (travel Reservation System) Confirmation n° 99880747 ASTOR HOTEL, in which there is a confirmation for a booking made at the name of Robert S: Lady for a single room for Feb. 23 at the ASTOR HOTEL in Zurich (all.1);
- **Getmsg[3].html** created on 02.22.03 at 10.57.37pm. It is an e-mail sent on 02.21.03 by contactus@swiss.com to rslady01@hotmail.com, referring to: “Your reservation at SWISS.com” in which there is the confirmation for the **booking nr VKJ7LY made under the name of Robert S Lady on flight LX236 SWISS Zurich Cairo 09.45am / Feb. 24<sup>th</sup>, and LX237 SWISS Cairo Zurich 04.10pm / March 7<sup>th</sup>.** Please also note that the web page crossair\_w\_passengerdc0e5c1c[1].html dated 02.21.2003 at 2.40.42pm containing the details relative to the above mentioned flight booking (all. 2).

**The above two mails confirm that Robert Lady Seldon, on 02.24.03, went to Cairo via Zurich, staying in the Egyptian capital till the 7<sup>th</sup> of March 03. This element coincides with the statements of the PP in the request for custodial measures (see pages 87 and 180) about the importance, as a proof, of the presence in Cairo of Lady Robert Seldon, few days after the abduction and for a quite long period, during which, as it results from the witnesses' statements, NASR Osama has been also physically tortured.**

**From the analysis of this same material we noticed the following:**

- some files, image type, have been examined and in particular we point out 365 files taken from the website www.expedia.it on the 23<sup>rd</sup> and 24<sup>th</sup> Jan 2003. There are road maps of itineraries in Milan, Viale Jenner and Via Guerzoni in Aviano, Aviano AFB (file n. 35097 agent[2].dll, file 35339 agent[1].dll and file 35408 agent[1].dll), and from Milan to Moena Val di Fassa (file 35342 agent[1].dll, and other maps of streets in Milan. Some files bear the same name but are on different locations on the disk. (all.3 limited to itineraries Milan-Aviano)

**In fact, LADY Robert Seldon, on the 23<sup>rd</sup> and 24<sup>th</sup> of Jan. 03, has consulted one or more websites on Internet to know and study the best and most convenient itinerary from the location of the foreseen abduction (via Guerzoni in Milan) to the destination (Aeronautic Base in Aviano):**  
**There is no need for further comments.**

The disk (n° 286) contains the following material:

286 contains the files “#1.doc”: those are files containing the photo of Nasr Osama Mustafa Hassan and the following words written under it: “12:25 HOURS 14 JAN 2003 VIA GIUSEPPE GUERZONI NEAR MEDICAL PARK” and “WRD0000.tmp” which is a temporary Windows file which contents are illegible. (all. 4)

**The photo has been certainly shot on 01.14.03 by those who were studying the location of the foreseen abduction and the victim's habits:** we therefore confirm the reason of the presence of various indicted persons charged by the restrictive measures requested, since January 2003 at least, in the area where the Egyptian citizen **Nasr Osama Mustapha Hassan** used to live and move.

The documents relative to the confirmation of the flight booking of Lady R. Seldon to Cairo, to the study of the itinerary from Via Guerzoni to Aviano and the photo of the victim shot while he was followed, are all attached to report dated 09.14.05 and constitute further responsibility elements not only against LADY Robert Seldon, but – of course – against also other indicted persons, included the three persons for which is presented this request.

The analysis of the seized material is still going on.

**Elements that connect the persons responsible of the abduction and users of German phones, and the relations with German locations.**

**In a separate report dated 09.14.03, made on request of the Chief Prosecutor of Zweilbruecken, Dr Eberhard BAYER (The German territorial competent Judicial Authorities, in fact, because of the confirmed transit of the abducted in Ramstein base, has decided to open an autonomous investigation on this sombre fact), Milan Digos has described the confirmed connection elements between the authors of the kidnapping and the users of some German phones, and also the relations that came into view with German locations where some of the authors of the kidnapping went after the operation.**

*Following are the contents of this report.*

*In their report dated 10.26.04, the Milan Digos requested the record of the phone traffic relative to the German cellular phone number **00491754359439** which has been in contact with an Italian cellular phone number **3343101143**, believed to be used (see report dated 02.24.05) by the coordinator of the operative group author of **Abu Omar**'s abduction.*

*This German phone (phone 57) was, at the period of the facts, in roaming in Italy and on the 26<sup>th</sup> and 27<sup>th</sup> of Jan. 03, he activated the cell corresponding to the USAF base in Aviano.*

*And, this phone, as recently communicated by the German authorities is registered under the name of “**835° Communications Squadron SCXR – Geb. 2103 Flugplatz Ramstein – 66877 Ramstein**”. This further element confirms the already made reconstruction of the facts and, particularly, the individuation of Ramstein base as the location where **NASR Osama** was taken with a jet departed from Aviano and from where he took off with another jet that brought him to Cairo.*

*In the period of time above mentioned the phone has had contacts with the following German phones:*

0049696997157
0049696998504
0049699696090
00491701075623
00491704319256
<b>00491708546993</b>
00491708546996
00491726696152
00491754359439
00491770133182
00491803302202
00496312015331
00496313505386
00496363994641
00496371472338
00496371476212
00496371477432
00496371479292
00496372995935
00496374801220
00496975352580
004916098422686
004969969609114
004969969609119

*Among those phones, the number **00491708546993 (phone 62)** has been called on 02.17.03 at 6.26.52pm by number **3356121879 (Phone 23)** which is registered under the name of the 31<sup>st</sup> Contracting Squadron (Base USAF Aviano) and the address is: “Pagliano E Gori Snc Airport” and we could confirm that this phone, at the period of the abduction, was used by **Lt. Col. Joseph L. III Romano**, a head officer, Chief of the USA Security in Aviano base.*

***So, the phone of Lt. Col. Romano, that has also called the German number 00491700664696 (phone 63) on 02.13.2003 at 4.42.24pm,:***

- *has been called by the user of number 3343176579 who was present on the spot and at the moment of the abduction, and then went to Aviano with the hostage (see PHONE 13): and exactly when getting near to Aviano, the kidnapper that used this number calls Col. Romano, responsible also of the American accesses to Aviano base;*
- *calls, also on 02.17.03 at 6.26.52pm (few minutes after the jet that carried the hostage from Aviano took off) the German phone n° 62 which at his turn, calls phone 57, registered under the name of one the American military Aviation Squadrons stationed in Ramstein.*

***We will have to wait for further investigations of the German authorities, but it is obvious that Col. Romano was informed (while the kidnappers get nearer to Aviano) of the imminent arrival of the hostage and informed one of his correspondents in Germany of the departure of the jet that transported NASR Osama from Aviano to Ramstein.***

*The Digos has then communicated that, in that same investigational context, other German phones came into sight: 00496969770 (phone 65) and 00491770133182 (phone 64). The first one has called twice on 02.10.03 (at 9.06.42pm and 9.32.34pm) the number 3387079723 (phone 3) used by HARTY Benamar, one of the abductors, while the second has been called on 02.18.03 at 5.04.32pm by number 3408155937 (phone 60) used by HARBISON James Thomas, who also participated to the execution of the abduction. This element indirectly confirms that HARBISON was also part of the swarming group of kidnappers.*

*Other elements that bring us back to Germany emerged from the analysis of the cells that have been activated by the phones involved in our investigations and from the verifications made on the cars rented by the indicted persons. Details as follows:*

- *the phone 3408155937 (phone 60) used by HARBISON James Thomas, has activated German cells since the morning of 02.20.03, which obviously means that he left Italy and directed to Germany;*
- *the phones 3470408060 and 3470502758 (respectively phones 31 and 30), used by CHANNING Drew Carlyle and VASILIOU Michalis, on 02.19.03, have travelled from Milan through Verona, Bolzano and Austria with Germany as final destination. As an evidence to the above, VASILIOU has returned in Munich the Alfa Romeo 156 car matriculated CA109FJ rented on 02.13.03 at the Maggiore rental agency in Malpensa Airport.*
- *The indicted SOFIN Joseph, who rented on 02.08.03 a car matriculated CA788DV at Hertz in Milan Railway Station, returned the car on 02.22.03 in Munich;*
- *The indicted RUEDA Pilar Maria, who rented on 02.06.03 the VW Passat matriculated CC578EE at the Maggiore in Milan Railway Station, returned the car on 02.22.03 in Munich;*
- *The indicted JENKINS Anne Lidie, who rented on 02.01.03 a car matriculated CC482PJ at Hertz in Milan Railway Station, returned the car on 02.11.02 in Frankfurt.*

*The above elements make us think that mainly all kidnappers had relations on the German territory or went there immediately after the kidnapping or – as in Jenkins's case – immediately after her participation to the preparatory stage of the abduction."*

*The contents of the technical investigations, that follows exactly the same scheme that has been analytically illustrated in the ordinance of custody measures dated 6.22.2005, allows us to establish that on 02.17.03, Medero Betnie, Faldo Vincent and Harbison James Thomas were present in via Guerzoni and in the surroundings at the moment of Abu Omar's abduction, to which execution they*

certainly participated. Moreover, immediately after the kidnapping, Medero Betnie and Faldo Vincent, went with the hostage to Aviano base from which, via Ramstein in Germany, he has been taken in Egypt where he probably still is.

On the basis of all above mentioned considerations, we can assert that also **MEDERO Betnie, FALDO Vincent and HARBISON James Thomas** are considered guilty and charged.

**The proves allow us, because of their consistence and provenience from reliable and trustworthy sources, to foresee that those will be able to demonstrate the responsibility of the above mentioned persons.**

**It seems difficult to suppose that there could be any changes in the process situation or anyway other emergency elements that could offer different interpretations of the facts that we have reconstructed or a different reconstruction of those facts.**

**The juridical qualification of the facts made by the PP, appears, at the moment, correct: there effectively is all the grounds of the crime ex. art. 605 c.p., since, as we fully documented, Abu Omar was deprived from his personal freedom by force, he has been captured and put on board of a van, transported first to Aviano and then to Egypt, where he has been kept in state of “detention”. And this state of detention cannot legitimate the whole action, as all the first part of the facts, executed on the Italian territory, constitutes a very serious violation to the national sovereignty that cannot absolutely be justified.**

**We must also put in evidence that the victim has not only been deprived from his personal freedom but he also was tortured, to force him to reveal information he might have known on the milieu of Islamic terrorists. After his liberation, on the condition not to reveal anything of what happened to anybody, he has been captured again because he did not respect that condition.**

**The felony has been committed on the Italian territory and none of the persons involved in this procedure actually belong to any official Diplomatic or Consular Corps who are protected by the guarantees of the Convention of Vienna that rules diplomatic and consular relations.**

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**As for custody measures, we should consider art.274 lett.c, pcc.**

**The extreme gravity of the facts, executed without absolutely taking in consideration the Italian national sovereignty, the remarkable organisation capacity of the involved persons and the immense economic and technological means in their possess, make us believe that there is a concrete danger that those persons involved in our case could commit other crimes similar to the one of this procedure (for which jail is sentenced for at least 4 years) or other crimes in which they would use weapons or other means that could cause personal violence.**

**From the behaviour of those involved persons, there are concrete elements for a valuation in this direction, like the cause of this fact and the way action was executed (time, place, means).**

**And also according to art.274 lett.a and b. pcc:**



The connection of the persons involved with foreign security services, as we previously said, with particular operative capacity and economic and technological means, makes it evident that we should prevent that the knowledge of the investigation elements could make them destroy or alter the proves also by using the menaces and violence that they have previously demonstrated . We should not neither underestimate the circumstance that many of those involved persons have not yet been identified, this identification could be compromised by the state of freedom of those involved persons for whom the request of the PP has been granted.

The circumstance that the involved persons are foreign citizens without any stable contact with the territory and with solid connections with foreign countries, makes the danger of escape extremely concrete, since there could be a sentence for more than two years of detention.

The above described custody measures can be satisfied only by custody in jail. We do not think that domiciliary arrest can be an adequate measure, since there are no domiciles in Italy, and cannot guarantee that the involved persons, who have contacts all over the world and could maintain relations with persons we still have not identified.

The custody in jail seems proportional to the entity of the facts and to the sanction that could be applied.

We also should not forget, while determining the sentence, the lack of extenuating circumstances.

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There are no justification or state of no punishment for the facts which were committed.

There are no causes of extinction of the crime or of the sentence.

There are no elements of the defence, at the moment, to be examined.

We will not proceed to the translation of the present in English, since all involved persons, even if of foreign nationality, know the Italian language: in fact, the two persons that have obliged Abu Omar to get on board of the van spoke a perfect Italian.

For Those Reasons

According to articles 272 and following ccp.

Applies

For:

- 1) MEDERO Betnie, d.o.b. 3.29.1967 in the USA, US passport nr. 016051676, issued on 4.27.1988;
- 2) FALDO Vincent, d.o.b. 11.1.1950 in Massachussetts (USA), US passport nr 102026001 issued in Boston on 6.7.2000;
- 3) HARBISON James Thomas, d.o.b. 12.15.1948 in the USA.

Custodial measures for the crime indicated above and thus,

**o r d e r s**

to the officials and the agents of the Judicial Police to capture immediately the indicted persons and conduce them to a custody institute to remain at the disposition of the Juridical authority.

**According to articles 293 and following ccp,**

**Provides**

To transmit the present to the Publica Prosecutor so he can execute it.

The official or agent that is in charge to execute the order has to:

- **deliver a copy of the procedure to the involved person, acknowledging him of his right to nominate a lawyer, and according to art.94 att pcc to the director of the penitentiary;**
- **inform immediately the defence lawyer eventually nominated or the lawyer appointed by the Court according to art. 97 ccp,**
- **make a report of those effected operations;**
- **transmit this report to the PP and to the judge that emitted the order;**
- **make a report, in case the wanted person should be missing, indicating specifically the investigations that were made, without any delay to the judge that emitted the order.**

**After the execution, the present order has to:**

- **be deposited at the chancellery together with the request of the PP and the deeds presented with it. Such action should be also notified to the Defence attorney;**
- **be communicated, by the chancellery, to the computer service ex art. 97 att. Ccp,**

**Milan, September 27, 2005**

**The judge  
Dr. Chiara Nobili.**

**The present warrant, consisting in 226 pages, was translated into English by Alessandro Bygate and Nicole Hazzan, two language consultant and Interpreters, acting on assignment as appointed by the undersigned Deputy Public Prosecutor, dr. Armando Spataro  
Milano, November,5 2005**