

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SALEH ABDULLA AL-OCHAN, *et al.*,)
Petitioners,)
v.)
BARACK H. OBAMA, *et al.*,)
Respondents.)

)

Civil Action No. 05-0520 (RMU)

DECLARATION BY WHITNEY DOUGHERTY RUSSELL, ESQ.

Pursuant to 28 U.S.C. § 1746, I, Whitney Dougherty Russell, hereby declare the following:

1. I am an associate at the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, located at 2001 K St. NW, Washington DC 20006. I am counsel for Petitioner Abdul Rahman Shalabi and offer this Declaration in support of Petitioner's Reply in Support of His Motion for Injunctive Relief.

2. Attached as Exhibit A is a true and correct copy of an English translation of a letter counsel for Petitioner received from Petitioner. This letter is unclassified.

3. Attached as Exhibit B is a true and correct copy of a certificate of translation by Masud Hasnain.

I declare, under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 2 day of November, 2009
Washington DC



Whitney Dougherty Russell, Esq.

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EXHIBIT A

~~UNCLASSIFIED~~

In the Name of God, the Most Merciful, the Most Gracious

To the professor Julia and the other lawyers,

I write this letter to you and I am in very bad health condition. After doctor Crosby and the lawyers left in Ramadhan, I asked the doctor who is responsible for feeding that they prepare the food in my presence [in front of me], as this is my right, the doctor and the lawyers have said so. However, the doctor refused and said that this is not an order from the court to fill food in front of you. He threatened me that if I don't take the food then he will use (FC) i.e. emergency response force [or military police] to force feed me, by tying me to the chair.

They forced me to take food and I am not sure exactly what they gave me, and they started harassing me a lot and making my life difficult. For example, they would have a guard watch me while I use the toilet and this is not permissible in my religion and even in humanity, even as a human being I have a right to use the toilet in comfort. I was not allowed to bathe for five days. They continued force feeding me and I felt that my intestines will explode as a result of those pains, I was unable to sleep. I refused to feed myself and I told them go ahead and do what you want to do. They brought me an "isomat" and a blanket and told me that I must keep my head and neck exposed. There is still a guard there watching me when I use the toilet.

As you know, I am still complaining about my nose inflammation which affects my eyes. I am unable to look at direct light which creates severe headache and pain in the eyes. The previous food doctor [illegible could be "Ann Price"] knew about this and had informed the colonel, who in turn issued an order to place a cover between me and the light source. Therefore, they put a blanket and two "isomats". The colonel came himself and saw the arrangement and said "good" and agreed to that arrangement. Then the official came after that whose number is (25), and he also said "good". This continued for a while. However, after the lawyers left in Ramadhan, a new OIC [Officer In Charge] came to the camp, his rank was lower than a colonel or a major, his rank was captain. He did not know that the colonel and the major had agreed to this arrangement. When he saw the cover, he told the guards to remove it; therefore they removed it and left one "isomat". However, that is not enough as the light source is very strong which makes my eyes tired and creates a headache and nose inflammation and throat problems from the severe cold, which complicated the problem even more. As a result of this, my condition had deteriorated to very bad.

While I am writing this letter, my body temperature is not normal. I made three attempts to write this letter because of the headaches, until I was able to write it. When I tell them that I am sick, my eyes are hurting me, resolve this problem, they respond by saying that they cannot do this as these are the orders from the colonel. I tell them that the colonel himself gave permission to me for this, they do not respond to me. I know this is an intentional effort by the captain "OIC". They do not want to contradict his statement;

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they know it is my right. I talked to the guards, and the guard chief, the nurses, and the doctor; all of them say, yes you are right, however we cannot do anything.

I am sick, I am sick, what should I do, the pain is severe, and headache is severe, my nose is having inflammation, so what should I do. I am in the hospital, if the doctor is unable to make a decision or manage the hospital, so who can do that. There are provocations, and harassment that continue day and night. When I talk to the doctor or the officials, they respond by saying, cooperate and eat. They don't care about anything else. All they do is insert a tube in my nose and fill my stomach with Ensure. This is torture, and you know that if a human is fed with 100 cans of Ensure, even if he was under psychological pressure or was sick, then his weight will not increase. Note: Last time they measured my weight, it was (108) pounds. My weight has dropped from sadness and provocations, daily humiliations and harassments and the sickness.

Currently, I am sick and my condition is very bad and nobody wants to help me. If you are indeed lawyers who represent me and who are concerned about me, then please deal with these criminals and help me as soon as possible. I am a human who is being treated like an animal.

Sender: Abdul Rahman Shalabi

26 September 2009

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EXHIBIT B

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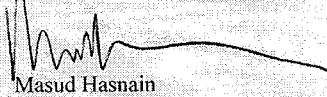
Civil Action No. 05-0520 (RMU)

DECLARATION OF MASUD HASNAIN

1. I Masud Hasnain hereby certify that I am a member of American Translators Association, member No. 235800; a member of National Association of Judiciary Interpreters and Translators, member No. 7041, and a member of National Capital Area Translators Association, member No. 39-1409. The following information is true and correct to the best of my information, knowledge, and belief. If called as a witness in this case, I could and would testify to the matters, facts, and opinions set forth herein.
2. I am a citizen of the United States. I speak Arabic fluently. I have extensive experience performing interpretation and translation from Arabic into English and vice versa, as detailed in my resume, which can be provided upon request.
3. Petitioner's counsel have asked me to translate the attached document. I have translated it to the best of my ability.
4. I further certify that I am neither counsel for, related to the parties involved. I have no financial or other interest in the outcome of any action related to this translation..

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on Oct 28, 2009


Masud Hasnain