

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

MOHAMMED ABDULMALIK, et al.,)	
)	
<i>Petitioners/Plaintiffs,</i>)	
)	Civ. No. 08-1440 (CKK)
v.)	
)	Misc. No. 08-442 (TFH)
BARACK OBAMA, et al.,)	
)	
<i>Respondents/Defendants.</i>)	
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DECLARATION OF CORI A. CRIDER

I, Cori A. Crider, hereby declare pursuant to 28 U.S.C. § 1746:

1. I am counsel for Petitioner Mohamed Abdulmalik and a Staff Attorney at Reprieve, a London-based organization that represents over thirty prisoners in Guantánamo Bay. I am licensed in the State of New York.
2. According to our records, Reprieve counsel have met with Mohamed Abdulmalik four times in Guantánamo. He has never refused a visit; he always greets us cheerfully; he instructs us during meetings; and he asks us at the end of the visit when he will see us next.
3. Mr. Abdulmalik has orally authorized us to proceed with this petition.
4. For various reasons, however, we have yet to ask Mr. Abdulmalik to sign a representation form.
5. One reason is that it is poor practice, absent an extraordinary demonstration of trust, to ask Guantánamo petitioners to sign documents early in the attorney-client relationship. I tend not to force the issue unless and until it is necessary.
6. Another is that Mr. Abdulmalik’s case had a somewhat unusual posture and was not governed by the standard rules for the first three of these four visits. Counsel had filed a DTA petition for Mr. Abdulmalik (this was after the Military Commissions Act, but before *Boumediene* reinstated habeas), but the government would not consent to entry of the DTA Protective Order.
7. The reason Respondent offered for this, when we requested to see Mr. Abdulmalik in spring 2008, was that the government had not gotten around to conducting Petitioner’s CSRT. Mr. Abdulmalik had been in prison for over a year

at that point. We vociferously objected, remarking that a year in prison was too long for a represented petitioner to await any status determination whatsoever, and *certainly* to wait to see his lawyer. We stated we intended to file a motion to compel if we were not allowed access to our client.

8. In response, the government offered access on the basis of an *ad hoc* agreement. In essence, Reprieve counsel were permitted to see Mr. Abdulmalik only if we signed a promise to abide by the terms of the DTA Protective Order with various modifications—namely, we could not send Mr. Abdulmalik privileged mail, and the Privilege Team would not process our presumptively classified notes.
9. Both myself and my co-counsel, Zachary Katznelson, signed these agreements. In practice, this meant that counsel has had no access, outside the Secure Facility, to our own visit notes and could not write to Petitioner. This hampered counsel from working on Mr. Abdulmalik’s case in ways that will be obvious.
10. Yet this was the arrangement until the post-*Boumediene* era. On August 19, 2008, Reprieve counsel filed this habeas petition.
11. The Protective Order was entered in this case on Sept. 11, 2009. However, the earlier Order from this Court in 08-mc-442 of July 29, 2008—requiring signed authorizations or a substitute declaration from counsel—was never entered on the docket for Mr. Abdulmalik. (It *was* separately entered for Ismail Mohamed, the other petitioner counsel represents whose habeas petition was filed in 2008; counsel filed a signed authorization before the deadline set forth in that case).
12. In any event, I will undertake to have Mr. Abdulmalik sign an authorization form during my upcoming visit to Guantánamo Bay. I anticipate no difficulties in this regard.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and recollection.

Executed in London, UK, this 5th day of February, 2009.



Cori A. Crider