

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

**MOHAMMED AHMED SAEED HIDAR,
a/k/a MOHAMMED AHMED SAID
HAIDEL (ISN #498),**

Petitioner,

v.

BARACK H. OBAMA, et al.,

Respondents.

Civil Action No. 05-cv-2386 (RBW)

IN RE:

**GUANTANAMO BAY
DETAINEE LITIGATION**

Misc. No. 08-0442 (TFH)

**DECLARATION OF COUNSEL CONCERNING
AUTHORIZATION FOR REPRESENTATION**

I, Peter B. Ellis, declare and say as follows:

1. I am a member of the Bar of the Commonwealth of Massachusetts and the State of New York, as well as the Bars of the United States Supreme Court and numerous federal appellate and district courts. I was first admitted to the bar in 1967, and have never been the subject of any disciplinary proceedings in any jurisdiction.

2. For most of my professional life, I was a partner at Foley Hoag LLP (formerly Foley, Hoag & Eliot), 155 Seaport Boulevard, Boston, MA 02138, where I specialized in complex litigation matters. Although I am now largely retired, I still consult with the firm from time to time and also volunteer to work on *pro bono* matters such as this case.

3. In late July 2008, I was asked by the Center for Constitutional Rights (CCR) to take on the representation of Petitioner Hidar in this matter. At that time, CCR provided me with a copy of a “next friend” authorization signed by Mr. Hidar’s father. A copy of that authorization is attached hereto.

4. In mid-December 2008, I and two other attorneys from Foley Hoag (Andrew Loewenstein and Usha-Kiran Ghia) visited the detention facilities at Guantánamo Bay, Cuba, together with a qualified interpreter. When we met with Mr. Hidar, we explained the status of this case and our proposed defense strategy. We inquired whether he wished us to proceed, and whether he would consent to sign a written authorization form confirming the authorization previously provided by his father.

5. Mr. Hidar stated that he did not want to sign any legal forms. He expressed gratitude, however, for our having undertaken what he referred to as a “good” or “righteous” effort on his behalf and indicated that although he had some reservations about meeting with us at the time, we should continue to proceed with his case.

Signed under penalties of perjury, this 13th day of February, 2009.

/s/ Peter B. Ellis
Peter B. Ellis