

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

IN RE:

GUANTANAMO BAY  
DETAINEE LITIGATION

Misc. No. 08-442 (TFH)

ABDUL RAHMAN AL QYATI, *et al.*,

Petitioners,

Civil Action No. 08-cv-2019 (RBW)

v.

BARACK H. OBAMA, *et al.*,

Respondents.

**DECLARATION OF DAROLD W. KILLMER REGARDING ABDUL RAHMAN  
AL QYATI (ISN 461)**

Darold W. Killmer declares as follows pursuant to 28 U.S.C. § 1746:

1. I am an attorney licensed to practice law in the state of Colorado. I am a partner in the law firm of KILLMER, LANE & NEWMAN, LLP and I represent five clients who remain detained at Guantanamo Bay, including Abdul Rahman Al Qyati (ISN 461).

2. Abdul Rahman Al Qyati (ISN 461) filed his Petition for Habeas Corpus on November 18, 2008. KILLMER, LANE & NEWMAN, LLP was authorized to represent Mr. Al Qyati by a valid authorization from a “next friend” pursuant to 28 U.S.C. § 2242. Petitioner’s “next friend,” Sami al-Hajj, was a fellow detainee knowledgeable about Mr. Al Qyati’s situation.<sup>1</sup>

<sup>1</sup> Mr. al-Hajj submitted an updated Declaration on April 21, 2009 detailing his continued willingness to act as Mr. Al Qyati’s “next friend.” See Doc. 85-2.

3. My partner, Mari Newman, and I have traveled to Guantanamo Bay four times to meet with our clients, beginning in August 2007. During our first visit in August 2007 Mr. Al Qyati agreed to meet with us but was at that time unwilling to sign any document or specifically authorize our representation of him.

4. During the next two trips to Guantanamo Bay -- in March 2008 and January 2009 -- Mr. Al Qyati refused to meet with us.

5. Following a hearing on the Government's Motion to Stay Proceedings Pending Evidence of Direct Authorization of Representation, this Court entered an Order Granting Petitioners' Counsel An Expeditious, Unobstructed, Face-To-Face Visit With Petitioners Saad Masir Mukbl Al Azani (ISN 575) And Abdul Rahman Umir Al Qyati (ISN 461).

6. My partner and I again traveled to Guantanamo Bay the week of June 8, 2009 to meet with our clients. On June 10, 2009 we were able to secure a face-to-face meeting with Mr. Al Qyati. During this meeting undersigned counsel fully informed Mr. Al Qyati of his right to representation and of all of the actions undersigned counsel had taken on his behalf and in his interest, both in the above-captioned habeas corpus proceeding and out of court in the efforts to secure his release and repatriation to Yemen or another suitable county. Mr. Al Qyati consented to our continued legal representation of him in these and other efforts.


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

DATED this 22<sup>nd</sup> day of June 2009.

  
Darold W. Killmer

STATE OF COLORADO )  
COUNTY OF Denver ) ss.

Subscribed and sworn to before me by Darold W. Killmer this 22 day of June 2009. Witness my hand and official seal:

  
Notary Public

4.20.10  
Commission Expires

