

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

IN RE:

**GUANTANAMO BAY
DETAINEE LITIGATION**

Misc. No. 08-442 (TFH)

Civil Action No. 05-2185 (JR)

NOTICE OF AUTHORIZATION

Pursuant to the Court's July 29, 2008 Order (misc. no. 08-442, dkt. no. 210), counsel for Petitioner Hussain Al-Mudafari ("Petitioner") and his next friend Salieh Hussain Ali Al-Mudafari respectfully submit this notice of authorization of counsel.

Pursuant to 28 U.S.C. § 2242, counsel is authorized to represent Petitioner by his next friend. His next friend is Petitioner's brother, has a significant relationship with him, and is truly dedicated to his best interests.

In lieu of written authorization, we submit the declaration of Jennifer R. Cowan, which is attached hereto as Exhibit 1.

September 29, 2008

Respectfully submitted,

DEBEVOISE & PLIMPTON LLP

/s/ Jennifer R. Cowan

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*Counsel for Petitioners Abdu Al-Qader
Hussain Al-Mudafari and Next Friend Salieh
Hussain Ali Al-Mudafari*

EXHIBIT 1

**UNITED STATES DISTRICT COURT
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Civil Action No. 05-2185 (JR)

DECLARATION OF JENNIFER R. COWAN

I, Jennifer R. Cowan, pursuant to 28 U.S.C. § 1746, declare the following:

1. I am counsel with the law firm of Debevoise & Plimpton LLP. Debevoise provides *pro bono* representation to several men who are detained by the United States at the United States Naval Base at Guantanamo Bay, Cuba (“Guantanamo”), including Petitioner Abdu Al-Qader Hussain Al-Mudafari (“Petitioner”) and his brother and next friend Salieh Hussain Ali Al-Mudafari (“Salieh”).
2. Petitioner has been detained by the United States at Guantanamo for more than six years.
3. In June 2005, Petitioner’s brother, Salieh Hussain Ali Al-Mudafari, executed a next friend authorization on behalf of Petitioner (attached hereto as Exhibit A) which, among other things, authorized the Center for Constitutional Rights (“CCR”) and any person assigned by the Center for Constitutional Rights to act on Petitioner’s behalf.
4. CCR assigned Debevoise to act as counsel for Petitioner and his next friend.
5. In November 2005, Debevoise and CCR filed a petition for habeas corpus on behalf of Petitioner on the basis of that authorization, which was attached as Exhibit A to that petition.

6. In December 2005, several of my colleagues and I traveled to Yemen and met with Salieh and other members of Petitioner's family. During that meeting, Salieh orally authorized Debevoise to represent Petitioner in all court proceedings connected to his imprisonment at Guantanamo.

7. Debevoise is authorized to represent Petitioner based on his next friend authorization, pursuant to 28 U.S.C. § 2242. Salieh is Petitioner's brother, has a significant relationship with him, and is truly dedicated to his best interests.

8. My colleagues and I have traveled to Guantanamo on numerous occasions to meet with our clients who are detained there.

9. When we have requested a meeting with Petitioner, we have been told by the United States military that Petitioner did not wish to meet with us.

10. On information and belief, every detainee at Guantanamo has been subjected to numerous interrogation sessions.

11. I do not know what the United States military has told Petitioner about our requests to meet with him, but other clients have told me that they did not know they were being transported to a meeting with their lawyers until they entered the meeting room.

12. Upon information and belief, endless years of arbitrary detention have taken a considerable toll on the mental health of a number of detainees at Guantanamo.

13. Because my colleagues and I have not met with Petitioner, we have not been able to assess his mental health.

14. The United States military has not provided us with any information regarding Petitioner's mental health.

15. I believe that Petitioner's refusal to meet with my colleagues and me may be a result of his prolonged isolation and detention by the United States military and the consequent distrust of Americans.

16. It is necessary for Petitioner's habeas action to proceed on the basis of his brother Salieh's next friend authorization because upon information and belief, Petitioner is unable to proceed himself due to the toll that years of arbitrary detention have had on him.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 29, 2008.

/s/ Jennifer R. Cowan
Jennifer R. Cowan

EXHIBIT A

To the Petition for Issuance of a Writ of *Habeus Corpus*

On Behalf of Petitioner,

ABDU AL-QADER HUSSAIN AL-MUDAFARI



GEOTEXT
Translations, Inc

STATE OF NEW YORK)
)
) ss
COUNTY OF NEW YORK)

CERTIFICATION

This is to certify that the attached translation is, to the best of my knowledge and belief, a true and accurate translation from Arabic into English of a Next Friend Authorization for Salieh Hussain Ali Al-Mudafari, dated June 17, 2005.

Randon Burns, Vice President
Geotext Translations, Inc.

Sworn to and subscribed before me

this 10th day of October, 2005

Robert A. Adler Jr.
Notary Public, State of New York
No.01AD6007048
Qualified in Kings County
Commission Expires August 16, 2007

[See original for text in English.]

I am *Salieh Hussain Ali Al-Mudafari* , and I have had the concept of 'next friend' explained to me in my native language. I wish to act as next friend for my *brother*, who is a prisoner being held in Guantanamo Bay, and whose name is *Abdu Al-Qader Hussain Al-Mudafari* (the prisoner).

[See original for text in English.]

Salieh Hussain Ali Al-Mudafari

Next Friend

[See original for text in English.]

Date: June 17, 2005

Authorization

I am Salih Hussain Ali Al Mudafani ~~سليح حسين علي المدافني~~ and I have had the concept of 'next friend' explained to me in my native language. I wish to act as next friend for my ~~next friend~~ Abu Ab ~~سليح حسين علي المدافني~~ (the 'prisoner'), who is a prisoner being held in Guantanamo Bay, and whose name is ~~Abu Ab~~ ~~سليح حسين علي المدافني~~ (the 'prisoner'). I hereby authorize Tina Foster (and the Center for Constitutional Rights), as well as Clive Stafford Smith (and Justice In Exile), and any person assigned by these lawyers, to act on my behalf and on the prisoner's behalf, to secure any documents and information concerning the prisoner that are necessary for his defense, and to seek whatever redress they believe to be in his best interests, in the courts of the United States, and in any other legal forum available. I am sure that he would want me to assert these rights. He is a citizen of Yemen.

Next Friend ~~سليح حسين علي المدافني~~

Witnessed: En M. M.

Print Name: Abdu Al Qader Hussain Al Mudafani