

# EXHIBIT A

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

|                            |   |  |
|----------------------------|---|--|
| <b>IN RE:</b>              | ) |  |
|                            | ) |  |
| <b>GUANTÁNAMO BAY</b>      | ) | <b>Misc. No. 08-442 (TFH)</b>            |
| <b>DETAINEE LITIGATION</b> | ) |  |
|                            | ) | <b>Civil Action No. 05-CV-2384 (RWR)</b> |
|                            | ) |  |

**DECLARATION OF PATRICIA A. BRONTE**

The undersigned, Patricia A. Bronte, attorney at law, declares and states as follows:

1. I am one of the attorneys who has represented Mohammed Zahrani in this matter.
2. I have not yet been able to meet with Mr. Zahrani for the following reasons:
  - a. I was scheduled to meet with Mr. Zahrani on June 10, 2006. On that morning, members of the Staff Judge Advocate’s office informed me that no habeas counsel would be permitted to meet with their clients that day. Later in the day, I learned that three prisoners had died and, as a result, the prison camp was closed.
  - b. My partner, David J. Bradford, attempted again to meet with Mr. Zahrani on the morning of August 2, 2006. The military escort informed him that Mr. Zahrani refused this meeting. Neither Mr. Bradford nor his translator was permitted to see Mr. Zahrani to confirm his wishes regarding the meeting.
  - c. On January 2, 2007, I submitted a Freedom of Information Act (“FOIA”) request to the Department of Defense, seeking various unclassified documents relating to a number of my clients, including Mr. Zahrani. The Department of Defense failed to produce any documents in response to the FOIA request until I filed suit on October 2, 2007.

d. On May 12, 2008, the Department of Defense produced to me a number of documents, including a log of interactions between Mr. Zahrani and his guards on August 1 and 2, 2006. (Attached as Exhibit 1.) The log contains four (4) entries for August 1, 2006 and nine (9) entries for August 2, 2006, reporting events such as “received sheet,” “returned sheet,” “exchanged library books,” “refused shower,” and “refused breakfast.” Not one of the entries for those days indicates that Mr. Zahrani refused to meet with counsel. Indeed, none of the entries suggests that Mr. Zahrani was even informed that counsel had traveled to Guantánamo to meet with him.

e. On October 1, 2008, I attempted again to meet with Mr. Zahrani. The military escort informed me that Mr. Zahrani refused this meeting. I then wrote a message to Mr. Zahrani on a form provided by the escort. My translator translated the message into Arabic. At the bottom of the form is the question “Do you wish to meet with your habeas attorney?” followed by “yes” and “no” boxes and a space for the client’s signature. Copies of the English and Arabic versions of the form and message are attached as Exhibit 2.

f. At 9:30 a.m., the escort gave the English and Arabic forms to three attorneys from the Staff Judge Advocate’s Office (the “SJAs”). The SJAs initially objected to the content of my message, but ultimately agreed to deliver it to Mr. Zahrani in his cell at Camp 6. At 9:40 a.m., the SJAs informed me that Mr. Zahrani told them, through a military interpreter, “I don’t have an attorney and I don’t want to read your paper.” Mr. Zahrani did not sign the form, nor did he check either the “yes” or “no” box beside the question “Do you wish to meet with your habeas attorney?”

g. I informed the SJAs that Mr. Zahrani had not met with a civilian attorney during his six-year confinement at Guantánamo, which could explain his belief that he does not

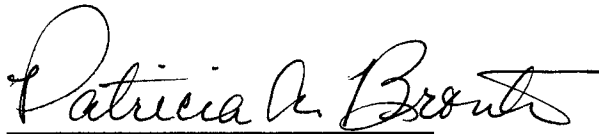
have an attorney. I asked the SJAs to permit me and my translator to see Mr. Zahrani to confirm his wishes regarding the meeting. The SJAs refused. I then asked the SJAs to permit my translator to see Mr. Zahrani to confirm his wishes regarding the meeting and to ensure that Mr. Zahrani understood I was his civilian attorney. The SJAs also refused this request.

3. The SJAs informed me that Mr. Zahrani is being held in Camp 6. I am informed and believe that all prisoners in Camp 6 are held in solitary confinement in steel and concrete cells, where the prisoners remain isolated from fresh air, sunlight, and any contact with fellow prisoners or other persons except guards and interrogators.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 4, 2008.

Signed,

A handwritten signature in cursive script that reads "Patricia A. Bronte". The signature is written in black ink and is positioned above a horizontal line.

Patricia A. Bronte

EXHIBIT 1  
to  
EXHIBIT A

~~SECRET // NOFORN~~

|         |                       |                      |   |  |
|---------|-----------------------|----------------------|---|--|
| (S//NF) | 8/4/2006 5:00:00 AM   | 00-Detainee Note     | ISN#000713. [REDACTED]                    | RETURNED SHEET   |
| (S//NF) | 8/4/2006 4:25:00 AM   | 02-Refused Medicines | ISN#000713. APPROX 0420                   | REFUSED MEDS @   |
| (S//NF) | 8/3/2006 10:00:00 PM  | 00-Detainee Note     | ISN#000713. ISSUE                         | RECEIVED SHEET @ SHEET                                     |
| (S//NF) | 8/3/2006 7:40:00 PM   | 00-Detainee Note     | ISN#000713. CELL SEARCH @ 1900            | TOOK SHOWER, MCF UPON                                      |
| (S//NF) | 8/3/2006 7:20:00 PM   | 00-Detainee Note     | ISN#000713. 1939 -HRS                     | WENT TO REC PEN : 1838-                                    |
| (S//NF) | 8/3/2006 5:00:00 AM   | 00-Detainee Note     | ISN#000713.                               | RETURNED SHEET   |
| (S//NF) | 8/3/2006 12:10:00 AM  | 00-Detainee Note     | ISA#000713.                               | EXCHANGED PANTS, SHIRT, AND WASHCLOTH AT UNIFORM EXCHANGE. |
| (S//NF) | 8/2/2006 10:45:00 PM  | 02-Refused Medicines | ISA#000713. APPROX 1830                   | REFUSED MEDS @   |
| (S//NF) | 8/2/2006 10:25:00 PM  | 00-Detainee Note     | ISA#000713.                               | MCF UPON CELL SEARCH.                                      |
| (S//NF) | 8/2/2006 10:00:00 PM  | 00-Detainee Note     | ISN#000713. ISSUE.                        | RECEIVED SHEET @ SHEET                                     |
| (S//NF) | 8/2/2006 8:00:00 PM   | 00-Detainee Note     | ISN#000713.                               | DETAINEE EXCHANGED LIBRARY BOOKS.                          |
| (S//NF) | 8/2/2006 7:48:00 PM   | 02-Refused Medicines | ISN#000713 [REDACTED] APPROX 1830         | REFUSED MEDS @   |
| (S//NF) | 8/2/2006 4:00:00 PM   | 00-Detainee Note     | ISN#000713. MCF                           | CONDUCTED CELL SEARCH                                      |
| (S//NF) | 8/2/2006 1:15:00 PM   | 00-Detainee Note     | ISN#000713. @ 1040 - 1150, REFUSED SHOWER | DETAINEE TO REC PEN ?                                      |
| (S//NF) | 8/2/2006 6:52:00 AM   | 00-Detainee Note     | ISN#000713. CHOW                          | REFUSED BREAKFAST  |
| (S//NF) | 8/2/2006 5:00:00 AM   | 00-Detainee Note     | ISN#000713.                               | RETURNED SHEET   |
| (S//NF) | 8/1/2006 10:00:00 PM  | 00-Detainee Note     | ISN#000713                                | RECEIVED SHEET   |
| (S//NF) | 8/1/2006 9:30:00 PM   | 00-Detainee Note     | ISA#000713 [REDACTED]                     | MOVED TO REC PEN ; AT 1621 RETURNED TO CELL AT 1716        |
| (S//NF) | 8/1/2006 5:30:00 PM   | 00-Detainee Note     | ISA#000713. [REDACTED]                    | REFUSED SHOWER @ 1716 AND NO CONTRABAND FOUND @ 1435       |
| (S//NF) | 8/1/2006 5:00:00 AM   | 00-Detainee Note     | ISA#000713                                | RETURNED SHEET   |
| (S//NF) | 7/31/2006 10:00:00 PM | 00-Detainee Note     | ISA#000713                                | RECEIVED SHEET   |
| (S//NF) | 7/31/2006 9:45:00 PM  | 00-Detainee Note     | ISA#000713.                               | TOOK SHOWER AT 2031  |

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~~SECRET // NOFORN~~

EXHIBIT 2  
to  
EXHIBIT A

SH  
# 713

NON-PRIVILEGED COMMUNICATION

JTF-GTMO Habeas Attorney Refusal Communication

Date: ~~Sept.~~ Oct. 1, 2008

Time: 8:35 am

From: Patricia Bronte

(please print)

To: Mohammed Zahrani

(please print)

ISN 713

JTF Witness:

(Print name after delivery to detainee)

English version

Mr. Zahrani,

The military authorities have told me that you refused to see me. They told me the same thing in August 2006, but I later learned that they never told you I had come to see you. So I would very much appreciate it if you would see me, only if it is just to tell me in person that you do not want to meet with me.

Thank you very much. Eid Mubarak.

PAT BRONTE  
ATTORNEY

Do you wish to meet with your habeas attorney?

Yes

No

Detainee Signature:



SN # 713

JTF-GTMO Habeas Attorney Refusal Communication

Date: اکتوبر ۱ ۲۰۰۷

Time: \_\_\_\_\_

From: پتريشيا بروني  
(please print)

To: محمد زهراني  
(please print)

JTF Witness: \_\_\_\_\_  
(Print name after delivery to detainee)

Translation

عزیزای محمد،  
السلطات الامكرام تزكرت اليا انك قد رفضت  
التقابل ~~معنا~~ التقابل هس . لقد تزكروا اليا  
نفس الشئ في شهر ۸ من ۲۰۰۷ ، ولكني اکتشف  
تسيا به انهم لم ~~ت~~ يذكروا اليا اني حضرت  
للتقابل معك . سوت اكون مقدر للقاء لو تقابلت  
مع ، حتى لو حضر منتلا لاخطا اى شخصيا ، انك لا تزحم  
في المقابل .

اشكرک جزيلآ ، وعيد مبارک .

پتريشيا بروني  
الکامه صحیح

هل ترغب في التقابل مع الکامه؟

لا (No)  
نعم (Yes)

توقيع: ~~محمد زهراني~~ اکتوبر ۱ ۲۰۰۷