

# EXHIBIT 1

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

IN RE:	)		Misc. No. 08-442 (TFH)
GUANTANAMO BAY	)		
DETAINEE LITIGATION	)		Civil Action No. 05-1592-UNA
	)		

**DECLARATION OF DAVID H. REMES  
CONCERNING AUTHORIZATION TO REPRESENT  
PETITIONER HASSAN BIN ATTASH (ISN 1456)**

I, David H. Remes, declare:

1. I am legal director of Appeal for Justice, a not-for-profit human rights and civil liberties litigation firm incorporated in the District of Columbia. Until August 1, 2008, when I left the firm to form Appeal for Justice, I was a partner at Covington & Burling LLP, a Washington, D.C. law firm. I am a member of the bar of the District of Columbia admitted to practice in this Court. My home address is 1106 Noyes Drive, Silver Spring, Maryland 20910.

2. I am counsel to Petitioner, Hassan bin Attash, to whom the military sometimes refers as ISN 1456. Mr. Attash is one of seventeen Guantánamo prisoners for whom I am counsel in habeas corpus actions in this Court. I was in charge of these actions while I was with Covington & Burling LLP. I now share responsibility for the action with Kecker & Van Nest, LLP, along with other counsel who have made an appearance in this action.

3. This declaration responds to the Court’s order of July 29, 2008 (Misc. No. 08-442, Doc. 210) directing counsel to file “a signed authorization from the petitioner to pursue the action or a declaration by counsel that states that the petitioner directly authorized counsel to pursue the action and explains why counsel was unable to secure a signed authorization.” I was in Guantánamo meeting with clients from September 22, 2008 through October 3, 2008, which is why I am providing this declaration to the Court today.

4. On August 9, 2005, I filed in this Court a next-friend petition for a writ of habeas corpus for Mr. Attash, Civ. No. 05-1592. The next friends were Benjamin Mohammed Al Habashi and A'amer Shaker, fellow prisoners at Guantánamo. Thereafter, we have met with Mr. Attash several times and sent him legal mail.

5. Mr. Attash has not provided us with signed authorization to pursue this action. However, Mr. Attash has orally authorized our representation. Notes of our meeting with Mr. Attash on April 17, 2006 reflect Mr. Attash's direct oral authorization to represent him in any fair court proceedings. Such hearings are now underway. Mr. Attash's oral authorization, as recorded in our notes, provides direct authorization under the Court's order of July 29, 2008 to pursue this action now.

6. Several factors may explain why Mr. Attash has not provided us with signed authorization to pursue this action. The habeas petition for Mr. Attash alleges in paragraph 14 (page 3):

On information and belief, Mr. Attash was seized in 2002 from his home in Karachi, Pakistan, when he was 17 years old. He was held in a Karachi prison for four days, then transferred to a prison near Kabul, Afghanistan operated by U.S. forces, where he was subjected to torture and held until September, 2002. Then he was transferred by U.S. authorities to Jordan, where he was imprisoned for sixteen months and suffered abuse and torture at the hands of his captors. During his imprisonment in Jordan, Mr. Attash was, for a period of three months, tortured for twelve hours per day. In early 2004, he was transferred and held throughout that year in U.S. prison facilities in Bagram and Kabul, Afghanistan, where he suffered abuse that left him with, among other things, a shattered eardrum and damaged throat. In early 2005, he was transferred to Guantánamo.

7. In addition, prisoners sometimes refuse to provide signed authorization out of fear that signing anything may have harmful repercussions that they cannot foresee. Prisoners also sometimes refuse to provide signed authorization out of disgust with the glacial pace of these proceedings, the failure of these proceedings to produce any concrete results, or pressure from fellow prisoners or punishment meted out, or conditions imposed by, the prison authorities for having counsel.

8. With the fair court hearings now underway, it is appropriate to consider Mr. Attash's oral statement, as recorded in our notes of the April 17, 2006, meeting to be direct authorization to pursue this action under the Court's order of July 29, 2008.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on October 7, 2008 in Silver Spring, Maryland.

/s/  
DAVID H. REMES