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June 3, 2008

**VIA OVERNIGHT DELIVERY**

Terry Henry, Esq.  
 Andrew Warden, Esq.  
 U.S. Department of Justice  
 Civil Division, Federal Programs Branch  
 20 Massachusetts Ave., NW, Room 6120  
 Washington, DC 20530

**Re: Sufyian Barhoumi (ISN 694)**  
***Barhoumi v. Bush*, No. 05-cv-1506 (D.D.C.) (RMC) (AK)**  
***Barhoumi v. Gates*, No. 07-1402 (D.C. Cir.)**

Dear Messrs. Henry and Warden:

We write to inform you of serious medical problems plaguing our client, Sufyian Barhoumi, and to request that the United States immediately provide Mr. Barhoumi with adequate medical attention. The information in this letter has been deemed unclassified by the Privilege Team that reviewed our notes reflecting our April 2008 meeting with Mr. Barhoumi. Additionally, Mr. Barhoumi has provided us with an updated authorization of representation, a copy of which (along with a translation and certification), is attached to this letter.

In April 2008 we had our first visit with Mr. Barhoumi. During our visit, we learned that he suffers from numerous physical ailments that are making it unnecessarily difficult for him to carry out daily activities and at least one of which is interfering with his ability to abide by the requirements and practices of his religion. Even more disturbing than learning of the ailments themselves was the realization that at least one of his injuries was caused by mistreatment while he has been imprisoned. Further, these medical problems have previously been brought to the attention of medical personnel at Guantanamo; yet Mr. Barhoumi still continues to suffer.

Specifically, Mr. Barhoumi has the following medical issues that need to be addressed immediately:

- Injured left hand. Mr. Barhoumi is missing all but one finger of his left hand, which makes it incredibly difficult for him to perform daily activities. Additionally, as a Muslim, Mr. Barhoumi is prohibited from using his right hand

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for personal hygiene, but his injury leaves him little choice. We understand that the medical staff at Guantanamo are aware of this problem and that a doctor previously ordered a prosthetic for Mr. Barhoumi. However, he was never given the prosthetic, ostensibly because it contained metal parts.

Please ensure that Mr. Barhoumi is fitted for and provided with an appropriate prosthetic as soon as possible. Given the fact that there is no evidence that Mr. Barhoumi poses any threat to himself or the United States merely by being provided with a needed prosthetic limb, concerns about metal within the device seem absurd. Nonetheless, if the United States refuses to allow him to use a prosthetic that contains metal, then one made from plastic or some other "suitable" material should be provided immediately.

Somewhat related to the foregoing, at one point Mr. Barhoumi was confined in Camp 4, where his fellow detainees could help him with some of the day-to-day functions that we take as routine, such as clipping his finger nails and washing his right hand. We do not know why he was moved from Camp 4 to Camp 5; but reassigning him to Camp 4 would help alleviate some of the problems caused by the injury to his left hand.

- Bone growth on left ankle. Mr. Barhoumi's left ankle contains a larger-than-ping-pong-ball-sized bone growth that is quite painful. This injury was caused during Mr. Barhoumi's interrogations approximately 4-5 years ago. At the time, Mr. Barhoumi's ankle was encircled by an unpadded heavy metal shackle that had a rough edge in side and was attached to a metal chain. The resulting injury caused the bone growth.

At one point during his captivity, Mr. Barhoumi was provided with a special shoe that helped alleviate some of the discomfort from the bone growth. That shoe has since been taken away from him and medical staff at Guantanamo have refused to allow Mr. Barhoumi to have another special shoe.

Mr. Barhoumi should immediately be provided with another shoe to help with the discomfort of the bone growth. Then, as soon as possible, the bone growth should be removed. There is no need for Mr. Barhoumi to continue to suffer from this interrogation-induced injury.

- Infection in right thumb. Approximately two years ago, Mr. Barhoumi developed an infection in his right thumb. A doctor at Guantanamo provided him with a thumb brace, but the infection has not resolved. Because he is unable to use his left hand, it is essential that he receive proper treatment for the infection; along with appropriate follow-up treatment.

- o Ulcer. Mr. Barhoumi suffers from an ulcer that is severe enough to have caused blood in his stool. He was previously prescribed medication for two weeks. However, he was denied a diet that would help clear up the ulcer. Mr. Barhoumi's request to see a civilian doctor about the ulcer was also denied. Mr. Barhoumi needs access to adequate medical personnel and the medication and diet necessary for his ulcer to be properly treated.

The United States must take the steps necessary to provide Mr. Barhoumi with adequate medical care so that he is not forced to continue to live in conditions made more miserable than necessary. Regardless of the merits or not of his detention, he deserves humane treatment. Please contact us at your earliest convenience to discuss what action will be taken to alleviate Mr. Barhoumi's continued suffering. We trust that it will not be necessary to bring this matter to the attention of the court.

Very truly yours,



William Murane

WM/drv

٢٧ ابريل ٢٠٠٨

الابري صوي - فيان اصرع - هذا الكا صين  
 من مكتب هولاند ومارت للامانة ومن ضمن  
 وليم يورين و تربلت ما كنتوش ان ميثلوني  
 في مسائل ~~بعضها~~ بتعلقه ~~ب~~ بصحتي  
 وعامله مع الحكومة اجزاكويه وعاملات كاتويه  
 امام الحكيم اللويكيه



23 April 2008

I, Sufyan Barhoumi, hereby permit the lawyers of the law firm of Holland and Hart, including William Murane and Triplett Mackintosh, to represent me in issues and matters related to my health, in dealing with the Algerian government, and in legal proceedings at United States courts.

[signature]

## DECLARATION OF FUAD YAHYA

I, Fuad M. Yahya, declare as follows:

1. I am fluent in both the English and Arabic languages, and am fully qualified to translate written documents from Arabic to English.
2. I have translated a handwritten note by Sufyan Barhoumi, dated April 23, 2008, allowing the law firm of Holland and Hart to represent him, from Arabic to English, based on an electronic copy furnished to me by Holland and Hart.
3. The translation is true and accurate English translation of the Arabic text, with the following observations about the original Arabic note:
  - a. The name of Mr. Sufyan Barhoumi is written "Barhoumi Sufyan," following the Algerian custom of writing the family name before the first name.
  - b. The name of Mr. William Murane is misspelled.
  - c. The note is written with poor syntax and no punctuations.

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

Executed this 15<sup>th</sup> day of May, 2008.

By: \_\_\_\_\_

Fuad M. Yahya