

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

ABU RAWDA, a/k/a AHMED ADNAN
AHJAM, ISN 326, *et al.*

Petitioners,

v.

GEORGE W. BUSH, *et al.*,

Respondents.

Misc. No. 08-0442 (TFH)

Civil Action No. 05-cv-2386 (RBW)

AFFIDAVIT OF DAVID S. MARSHALL SHOWING AUTHORIZATION

STATE OF WASHINGTON)

County of King)

David Marshall, being first duly sworn upon oath, deposes and says:

I represent Abu Rawda, a/k/a Ahmed Adnan Ahjam, ISN 326, in this case. I make this affidavit to comply with the court's order of July 29, 2008 that I file a signed authorization from petitioner to pursue this action, or a declaration by myself stating that petitioner has directly authorized me to pursue the action and explaining my inability to secure a signed authorization.

I have made three visits to Abu Rawda at Guantanamo over a period of 17 months, most recently at the beginning of October. In our meeting October 6, I explained to him the

court's July 29, 2008 order. He listened carefully and said he would consider whether to sign an authorization.

When we met again two days later, Abu Rawda told me that he wanted me to continue working for him and that he did not want to do anything that would damage the efforts I have made for him so far. He said, though, that he was unwilling to sign anything.

He did not give a clear reason for refusing to sign an authorization. It appeared to me that he was unwilling to sign anything because of a general distrust of Americans and the American legal system—a likely consequence of his treatment over the past six and a half years. He may well have feared, for example, that his signature would be transferred fraudulently to another document and used by the United States for propaganda purposes, perhaps to create the appearance that he had made some sort of confession.

From my dealings with Abu Rawda, I believe his refusal to sign was also motivated in part by a deep skepticism that American courts have the power to make American political leaders do anything they don't want to do.

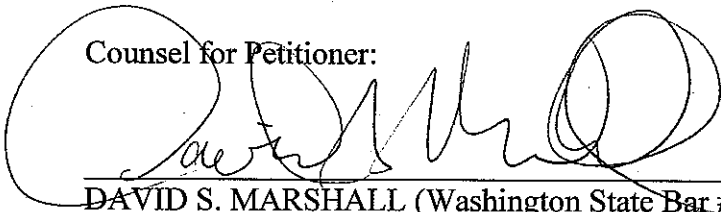
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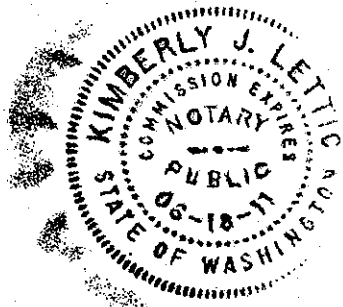
SIGNED this 28th day of October, 2008.

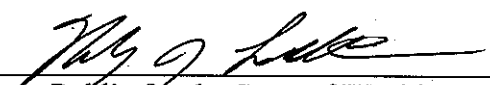
Counsel for Petitioner:



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SUBSCRIBED AND SWORN TO me before this 28th day of October, 2008.





Notary Public for the State of Washington
Commission Expires: 6/18/11