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# EXHIBIT B

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**DECLARATION OF  
LIEUTENANT COMMANDER STEPHEN C. REYES, JAGC, USN**

1. I am Lieutenant Commander (LCDR) Stephen C. Reyes. I am an active duty member of the United States Navy, Judge Advocate General's Corps, and I am currently assigned to the Office of the Chief Defense Counsel (Office of Military Commissions) as a defense counsel.
2. On July 7, 2008, the Chief Defense Counsel, Colonel Steven H. David, U.S. Army, detailed me as the Detailed Defense Counsel for Abdu Rahim Al-Nashiri, ISN 10015. Mr. Al-Nashiri has been confined at the United States Navy Base in Guantanamo Bay, Cuba since 2006.
3. Upon being detailed, I was informed of Mr. Scott Fenstermaker's claim that he represents Mr. Al-Nashiri before the Military Commissions and Federal Courts.
4. As detailed counsel, I met with Mr. Al-Nashiri on numerous occasions in Guantanamo Bay, Cuba. During these meetings we discussed his counsel rights and choices. We also discussed Mr. Fenstermaker's claim that he represents Mr. Al-Nashiri. At these meetings, Mr. Al-Nashiri made it clear that he does not desire Mr. Fenstermaker's assistance and does not authorize Mr. Fenstermaker to make an appearance or file any pleadings on his behalf in any jurisdiction.
5. On July 25, 2008, Mr. Al-Nashiri signed a written document outlining who he authorizes to represent him and in what jurisdictions. Mr. Al-Nashiri intentionally excluded Mr. Fenstermaker from this list.
6. On September 2, 2008, after discovering that Mr. Fenstermaker continued to make claims that he represented Mr. Al-Nashiri, I wrote an e-mail and sent a written letter to Mr. Fenstermaker informing him that the client does not desire his assistance as counsel and notifying Mr. Fenstermaker that under his state bar rules he is prohibited from communicating to Mr. Al-Nashiri about the subject of my representation.

FURTHER THE DECLARANT SAITH NOT.

  
STEPHEN C. REYES  
LCDR, JAGC, USN

SEP. 3, 2008  
Date

NOTARY

I TRAVIS J. DWENIS the undersigned official do hereby certify that on this 3RD day of September, 2008, personally appeared, LIEUTENANT COMMANDER STEPHEN C. REYES, JAGC, USN, and who is known to me to be a United States Armed Forces member on active duty, and to be the identical person who is described herein, whose name is subscribed to, and who signed and executed the foregoing instrument and having first made known to him the contents thereof, he personally acknowledged that he signed the same, on the date it bears as his true, free and voluntary act and deed or uses, purposes and considerations therein set forth. I do further certify that I am, at the date of this certificate, a commissioned officer in the U.S. NAVY in the rank or grade on this certificate, that by statute no seal is required, and same is executed by me in that capacity.

  
NAME

LCDR, JAGC, USN  
RANK, BRANCH, POSITION

OFFICE OF MILITARY COMMISSIONS  
COMMAND/ORGANIZATION

3 SEP 08  
DATE

Authority: Title 10, United States Code, sections 936 and 1004a.

NO SEAL REQUIRED.

My Commission Does NOT EXPIRE.