## Exhibit 5

Page 1

## UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF WASHINGTON

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SULEIMAN ABDULLAH SALIM,

MOHAMED AHMED BEN SOUD, OBAID

ULLAH (as Personal

Representative of GUL RAHMAN),

Plaintiffs, Civil Action No.

vs.

2:15-CV-286-JLQ

JAMES ELMER MITCHELL and

JOHN "BRUCE" JESSEN,

Defendants.

VIDEOTAPED DEPOSITION OF SULEIMAN ABDULLAH SALIM

VOLUME I

March 14, 2017

Reported by:

Jane M. Borrowman, RPR, CSR

Job no: 18303

the deposition. I said if there's a time when you don't understand the question, just tell meyou don't understand the question, just tell a me and I'll repeat it or rephrase it?  A. Yes.  MR. HOFFMAN: Objection. You can answer.  THE WITNESS: I've told you right now.  MR. HOFFMAN: Objection. You can answer.  THE WITNESS: I've told you right now.  MR. HOFFMAN: Objection. You can answer.  THE WITNESS: For sure, I don't remember the year. I — and I remember going twice.  BY MR. SMITH:  Q. Okay. So tell me, you were interviewed two times by US officials in connection with getting a visa?  Q. Was it this year?  A. I think it was last year, but I'm not sure.  Q. Was it this year, but I'm not sure.  Q. Q. Okay. Where, what country?  A. I can't remember.  Q. Was, Where, what country?  A. I come where?  A. I come where?  A. I come where?  A. To come to America.  Q. Okay. And did the US officials at the American embassy issue a visa?  A. They said they were going to talk to my lawyer.  A. They said they were going to talk to my lawyer.  A. They said they were going to talk to my lawyer.  A. They did not tell me.  Q. Okay. And they tell you why?  A. They said they were going to talk to my lawyer.  A. They did not tell me.  Q. Okay. And they tell you why they wouldn't is see a visa to you?  A. They did not tell me.  Q. Okay. And they tell you why?  A. They said they were going to talk to my lawyer.  A. They did not tell me.  Q. Okay. And they tell you why they wouldn't is see a visa to you?  A. They did not tell me.  Q. Okay. And they tell you why they wouldn't is see a visa to you?  A. They did not tell me.  Q. Okay. And they were going to talk to my lawyers, why you couldn't get into the United States with a visa the second time you applied?  You couldn't get time, the United States with a visa the second time you applied?  You couldn't get time the United States with a visa the second time you applied?  You op to have any understanding other than through communications with your lawyers, why you couldn't get into the Uni		Page 62		Page 64
you don't understand the question, just tell me and I'll repeat it or rephrase it? A. Yes. C. Why didn't you ask me to repeat it or rephrase it? MR. HOFFMAN: Objection. You can answer. MR. HOFFMAN: Objection. You can answer. THE WITNESS: I've told you right now. THE WITNESS: For sure, I don't remember going twice. BY MR. SMITH: They did not. Q. Okay. So sitting here today, do you have any understanding why you can't get a visa into the United States? MR. HOFFMAN: Objection. The WITNESS: I've told you right now. The Witness as a visa? A. I farnazania. The WITNESS: I've told you right now. The Witness as a visa? A. I did not get a visa. Q. Okay. And you were trying to get a visa to  Page 63  Page 65  THE WITNESS: Fine. BY MR. SMITH: Q. Okay. And did the US officials at the American embassy issue a visa? A. I did not get a visa. Q. Okay. And did the US officials at the American embassy issue a visa? A. I did not get a visa. Q. Okay. Did they tell you why? A. They said they were going to talk to my lawyer. Q. Okay. Did they tell you why? A. They did not tell me. Q. Okay. And was that this year? A. I can't remember. Q. Okay. So sit was either this varied again at the same American embassy issue a visa? A. I ramican embassy issue a visa to you? A. They did not tell me. Q. Okay. And was that this year or last A. I ramican embassy in Tanzania? A. I ramican embassy in Tanzania? A. I ramican embassy in Tanzania? A. I ramican	1	the deposition. I said if there's a time when	1	BY MR_SMITH:
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4 A. Yes. 5 Q. Why didn't you ask me to repeat it or rephrase it? 7 MR. HOFFMAN: Objection. You can answer. 9 THE WITNESS: I've told you right now. 10 BYMR. SMITH: 11 Q. Okay. So tell me, you were interviewed two times by US officials in connection with getting a visa? 12 Q. When was the first time? 13 think it was last year, but I'm not sure. 14 Q. Was it this year? 15 A. I can't remember. 16 Q. Okay. Where, what country? 17 A. In Tanzania. 18 Q. Okay. And you were trying to get a visa to  Page 63 1 come where? 2 A. To come to America. 3 Q. Okay. And you were trying to get a visa to  Page 65 1 come where? 2 A. To come to America. 3 Q. Okay. And did the US officials at the American embassy is sus a visa. 4 Q. Did they tell you why? 5 A. I did not get a visa. 6 Q. Did they tell you why they wouldn't is as a visa to you? 1 A. They said they were going to talk to my lawyer. 9 Q. Okay. And when you tried again at the same lawyer. 9 Q. Okay. And was that this year? 11 A. They did not tell me. Q. Okay. And was that this year? 12 A. To cam to America. 13 Q. Okay. Okay. And then you tried again at the same lawyer. 9 Q. Okay. Okay. And was that this year? 14 A. They did not tell me. 15 A. They did not tell me. 16 Q. Okay. And was that this year? 17 A. They did not tell me. 18 YMR. HOFFMAN: Objection. 18 YMR. HOFFMAN: Objection. 19 MR. HOFFMAN: Objection. 10 Q. Okay. So it was either this year or last year? 11 A. They were just Somali. 12 Q. Okay. So it was either this year or last year? 13 A. The Somali. 14 Q. Okay. Were they warlords? 15 A. Tid didn't take long from the first time! asked for the visa. 16 Q. Okay. So it was either this year or last year? 17 A. They were just Somali. 18 THE WITNESS: For sure, I don't take member the peat: I — and I remember going twice. 18 Year. 19 A. I think it was last year wish. 20 Colay. So it was either this year or last year? 21 Colay out dentify why our can't get a visa into the United States with a visa the second time, did the United States with a visa the was a visa to you or w		•		
5 Q. Why didn't you ask me to repeat it or rephrase 6 it? 7 MR. HOFFMAN: Objection. You can 8 answer. 9 THE WITNESS: I've told you right 10 now. 11 BY MR. SMITH: 12 Q. Okay. So tell me, you were interviewed two 13 times by US officials in connection with 14 geting a visa? 15 A. Yes. 16 Q. When was the first time? 17 A. I can't remember. 18 Q. Was it this year? 19 A. I think it was last year, but I'm not sure. 20 Q. And where did the interview take place? 21 A. Inside American embassy. 22 Q. Okay. Where, what country? 23 A. In Tanzania. 24 Q. Okay. And you were trying to get a visa to  Page 63 1 come where? 2 A. To come to America. 3 Q. Okay. And did the US officials at the 4 American embassy issue a visa? 4 A. They said they were going to talk to my 2 lawyer. 9 Q. Okay. Objection. You can answer. 10 THE WITNESS: For sure, I don't remember the year. I — and I remember going twice. BY MR. SMITH: Q. Okay. The second time, did the United States embassy issue a visa? A. They did not. Q. Do you know why? A. I don't know. Q. Okay. So sitting here today, do you have any understanding why you can't get a visa into the United States? A. They did not. Understanding why you can't get a visa into the United States? A. They did not tell you on that subject.  Page 65  THE WITNESS: For sure, I don't remember the year. I — and I remember going twice. BY MR. SMITH: Q. Okay. The second time, did the United States embassy issue a visa? A. They did not. Q. Do you know why? A. I don't know. Q. Okay. So sitting here today, do you have any understanding why you can't get a visa into the United States? A. They did not. that to the extent that it asks you to testify about anything that your lawyers have to that to the extent that it asks you to testify about anything that your lawyers have to that to the extent that it asks you to testify about anything that your lawyers have to that to the extent that it asks you to testify about anything that your lawyers have to that to the vent that it asks you to testify about anything that your la			1	
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answer. THE WITNESS: I've told you right now.  THE WITNESS: I've told you right now.  BY MR. SMITH: CO, Oxay. So tell me, you were interviewed two times by US officials in connection with getting a visa?  A. Yes. CO, When was the first time? A. I can't remember. COMBAY. A. I chink it was last year, but I'm not sure. CO, Oxay. Where, what country? CO, Oxay. Where, what country? CO, Oxay. And did the US officials at the American embassy issue a visa? A. I clain to membassy issue a visa? A. I chink it was last year, but I'm not sure. CO, Oxay. Where, what country? CO, Oxay. And you were trying to get a visa to  Page 63  Page 63  Page 65  THE WITNESS: Fine.  Page 65  A. I clain tremember the year, I and I remember going twice. BY MR. SMITH: CO, Oxay. The second time, did the United States embassy isse a visa? A. I don't know. CO, Oxay. So sitting here today, do you have any understanding why you can't get a visa into the United States? MR. HOFFMAN: Oxay. And I'll object to that to the extent that it asks you to testify about anything that your lawyers have told you. So you can only testify about things that your lawyers did not tell you on that subject.  Page 65  THE WITNESS: Fine.  Page 65  THE WITNESS: I don't remember the year, but it didn't take long from the first time I asked for the visa. CO, Oxay. So it was either this year or last year? MR. HOFFMAN: Oxay. And then won tried again at the same American embassy in Tanzania? A. They did not. CO, Oxay. And the cunter's tried again at the same American embassy in Tanzania? A. They did not. CO, Oxay. And the cunter's tried again at the same American embassy in Tanzania? A. They did not. CO, Oxay. And then the interviewed the question. CO, Oxay. And then the interviewed the question. CO, Oxay. And then they iteration the United States with a visa the second time, did the United States of the visa to the United States. CO, Oxay. And then the interviewed the question. CO, Oxay.			1	
THE WITNESS: I've told you right now.  10 now. 11 BY MR. SMITH: 12 Q. Okay. So tell me, you were interviewed two times by US officials in connection with 13 times by US officials in connection with 14 getting a visa? 15 A. Yes. 16 Q. When was the first time? 17 A. I can't remember. 18 Q. Was it this year? 19 A. I think it was last year, but I'm not sure. 19 Q. And where did the interview take place? 20 Q. And where did the interview take place? 21 A. Inside American embassy. 22 Q. Okay. Where, what country? 22 Q. Okay. And you were trying to get a visa to 24 Q. Okay. And you were trying to get a visa to 25 A. To come to America. 26 Q. Okay. And did the US officials at the 27 A. They said they were going to talk to my 28 lawyer. 29 Q. Okay. Did they tell you why? 20 A. They said they were going to talk to my 21 I sisue a visa to you? 21 A. They did not. 22 D. Okay. Where, what country? 23 A. In Tanzania. 24 Q. Okay. And you were trying to get a visa to 25 A. Trea remember. 26 A. Trea remember. 27 A. Trea visa to you? 28 A. Trea visa the 29 A. Timber did not tell me. 30 A. Trea visa to you? 31 A. They did not. 32 Q. Okay. Did they tell you why? 33 Q. Okay. Did they tell you why? 44 A. Trea visa to you? 55 A. Trea visa to you? 56 A. Trea visa to you? 57 A. They said they were going to talk to my 58 lawyer. 59 Q. Okay. Did they tell you why they wouldn't issue a visa to you? 50 Q. Okay. So it was either this year? 51 Q. Okay. So it was either this year? 52 Q. And was that this year? 53 A. Trea visa to you? 54 A. Trea visa to you? 55 Q. And was that this year? 56 Q. And was that this year? 57 A. They said they were going to talk to my 58 lawyer. 59 Q. Okay. Did they tell you why? 50 Q. Okay. So it was either this year or last year? 51 Q. Okay. So it was either this year or last year? 51 Q. Okay. So it was either this year or last year? 52 Q. Okay. So it was either this year or last year? 53 A. Trea visa to you? 54 A. Trea visa to you? 55 A. They were just Somali. 56 Q. Okay. So it was either this year? 57 A. Trea wi		· ·	1	
10 now. 11 BY MR. SMITH: 12 Q. Okay. So tell me, you were interviewed two times by US officials in connection with getting a visa? 13 times by US officials in connection with getting a visa? 14 Q. Do you know why? 15 A. Yes. 16 Q. When was the first time? 16 Q. Was it this year? 17 A. I can't remember. 18 Q. Was it this year? 19 A. I think it was last year, but I'm not sure. 19 Q. And where did the interview take place? 20 Q. And where did the interview take place? 21 A. Inside American embassy. 22 Q. Okay. Where, what country? 22 Q. Okay. Where, what country? 23 A. In Tanzania. 24 Q. Okay. And you were trying to get a visa to  Page 63  1 come where? 2 A. To come to America. 3 Q. Okay. And did the US officials at the American embassy issue a visa? 4 A. They said they were going to talk to my lawyer. 9 Q. Okay. Did they tell you why? 4 A. They said they were going to talk to my lawyer. 9 Q. Okay. Did they tell you why they wouldn't issue a visa to you? 10 Q. Nay. And then you tried again at the same American embassy in Tanzania? 11 A. They did not. 12 Q. Okay. And then you tried again at the same American embassy in Tanzania? 13 A. They did not. 14 Q. Okay. And where did the interview take place? 15 Q. Okay. And then you tried again at the same American embassy in Tanzania? 16 Q. Okay. And then you tried again at the same American embassy in Tanzania? 17 Q. Okay. And then you tried again at the same American embassy in Tanzania? 18 Q. Who arrested you? 19 A. I can't remember. 10 Q. Okay. So it was either this year or last year? 11 Q. Okay. So you can only testify about things that your lawyers, why you couldn't get into the United States with a visa the second time you applied? 19 A. No. 20 Q. Now, you said you were arrested in 2003? 21 A. They did not tell me. 22 Q. Who arrested you? 23 A. They did not tell me. 24 Q. Can you identify who from Somalia arrested you? 25 Q. Who arrested you? 26 A. They were just Somali. 27 Q. Were they Somali police? 28 INTERPRETER: Warlords? 29 Q. Let me withdraw the question. 20				•
11 BY MR. SMITH: 12 Q. Okay. So tell me, you were interviewed two 13 times by US officials in connection with 14 getting a visa? 15 A. Yes. 16 Q. When was the first time? 17 A. I can't remember. 18 Q. Was it this year? 19 A. I think it was last year, but I'm not sure. 20 Q. And where did the interview take place? 21 A. Inside American embassy. 22 Q. Okay. Where, what country? 23 A. In Tanzania. 24 Q. Okay. And you were trying to get a visa to 25 Page 63 26 Come where? 27 A. To come to America. 28 Q. Okay. And did the US officials at the 29 A. Tidin to get a visa. 29 A. I did not get a visa into the United States with a visa the same lawyer. 29 A. They said they were going to talk to my lawyer. 20 Q. Okay. Did they tell you why? 21 A. They did not tell me. 22 Q. Okay. And then you tried again at the same American embassy in Tanzania? 29 Q. Okay. And then you tried again at the same American embassy in Tanzania? 30 Q. Okay. And then you tried again at the same American embassy in Tanzania? 31 A. They did not tell me. 32 Q. Okay. And then you tried again at the same American embassy in Tanzania? 31 Q. Okay. And then you tried again at the same American embassy in Tanzania? 32 Q. Okay. Okay. And then you tried again at the same American embassy in Tanzania? 33 Q. Okay. Okay. And then you tried again at the same American embassy in Tanzania? 4 A. Yes. 4 A. They did not tell me. 4 A. They did not tell me. 5 Q. Okay. Okay. And then you tried again at the same American embassy in Tanzania? 5 Q. Okay. So sit it was either this year or last year? 5 Q. Okay. So sitting here today, do you know why? 6 A. I ton't know. 6 Q. Okay. So sitting here today, do you have any understanding why you can't get a visa into the United States. 6 MR. HOFFMAN: Okyou to the tient wis at subject to that to the extent that it asks you to testify about anything that your lawyers have told you. So you can only testify about things that your lawyers did not tell you on that subject.  7 Page 65  THE WITNESS: Fine. 8 PYMR. SMITH: 8 PYMR. SMITH: 9 Q		• •	1	
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14 getting a visa? 15 A. Yes. 16 Q. When was the first time? 17 A. I can't remember. 18 Q. Was it this year? 19 A. I think it was last year, but I'm not sure. 20 Q. And where did the interview take place? 21 A. Inside American embassy. 22 Q. Okay. Where, what country? 23 A. In Tanzania. 24 Q. Okay. And you were trying to get a visa to  Page 63  1 come where? 2 A. To come to America. 3 Q. Okay. And did the US officials at the 4 American embassy issue a visa? 4 A. I did not get a visa. 6 Q. Did they tell you why? 7 A. They said they were going to talk to my lawyer. 9 Q. Okay. Did they tell you why they wouldn't issue a visa to you? 1 A. They did not tell me. 1 Q. Okay. And then you tried again at the same American embassy in Tanzania? 1 A. Yes. 1 Q. Okay. So sitting here today, do you have any understanding why you can't get a visa into the United States? 1 to that to the extent that it asks you to testify about anything that your lawyers have told you. So you can only testify about anything that your lawyers have told you. So you can only testify about anything that your lawyers have told you. So you can only testify about anything that your lawyers have told you. So you can only testify about anything that your lawyers have told you. So you can only testify about anything that your lawyers have told you. So you can only testify about anything that your lawyers have told you. So you can only testify about anything that your lawyers have told you. So you can only testify about anything that your lawyers have told you. So you can only testify about anything that your lawyers have told you. So you can only testify about anything that your lawyers have told you. So you can only testify about anything that your lawyers have told you. So you can only testify about anything that your lawyers have told you. So you can only testify about anything that your lawyers have told you. So you can't get a visa in the United States?  1 THE WITNESS: Fine.  2 Thy With a visa the second time understanding only the purple wild to tha				•
15 A. Yes.  16 Q. When was the first time?  17 A. I can't remember.  18 Q. Was it this year?  19 A. I think it was last year, but I'm not sure.  19 Q. And where did the interview take place?  20 Q. And where did the interview take place?  21 A. Inside American embassy.  22 Q. Okay. Where, what country?  23 A. In Tanzania.  24 Q. Okay. And you were trying to get a visa to  25 Page 63  26 Come where?  27 A. To come to America.  28 Q. Okay. And did the Us officials at the  29 A. They said they were going to talk to my  20 I day. Did they tell you why?  21 A. They did not tell me.  22 Q. Okay. And then you tried again at the same  23 A. They did not tell me.  24 Q. Okay. And then you tried again at the same  25 A. They did not tell me.  26 Q. Okay. And then you tried again at the same  27 A. They did not tell me.  28 A. They did not tell me.  29 Q. Okay. So it was either this year or last year?  20 Q. Okay. So it was either this year or last year?  21 A. They were just Somali.  22 Q. Okay. Were they warlords?  23 Inside American embassy.  24 D. Okay. And then you before I wenth back  25 A. I don't know.  26 Q. Okay. So itting here today, do you have any the sain to the United States?  26 MR. HOFFMAN: Okay. And I'll object to that to the extent that it asks you to testify about anything that your lawyers have told you. So you can only testify about things that your lawyers did not tell you on that subject.  26 Page 65  27 THE WITNESS: Fine.  28 YMR. HOFFMAN: Okyay. And I'll object to that to the extent that it asks you to testify about anything that your lawyers have told you. So you can only testify about things that your lawyers did not tell you on that subject.  28 YMR. HOFFMAN: Okyay. The WITNESS: Fine.  29 Page 65  20 A. To come to America.  21 THE WITNESS: Fine.  22 BY MR. SMITH:  23 Q. Are you unable to answer the question.  24 A. Pive already answered the question.  25 Q. Doyou have any understanding, other than through communications with your lawyers, why you couldn't get into the United States with a visa		· · · · · · · · · · · · · · · · · · ·		•
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Q. Okay. And did the US officials at the American embassy issue a visa?  A. I did not get a visa. Q. Did they tell you why? A. They said they were going to talk to my lawyer. Q. Okay. Did they tell you why they wouldn't issue a visa to you? A. They did not tell me. Q. Okay. And then you tried again at the same American embassy in Tanzania? A. Yes. Q. And was that this year? A. I can't remember. Q. Okay. So it was either this year or last year? MR. HOFFMAN: Objection. MR. HOFFMAN: Objection. THE WITNESS: I don't remember the year, but it didn't it didn't take long from the first time I asked for the visa. I just it didn't take long from the first time I asked for the visa. I just it didn't take long before I went back  A. I vealready answer the question? A. I've already answered the question. Q. Do you have any understanding, other than through communications with your lawyers, why you couldn't get into the United States with a visa the second time you applied? A. No. Q. Now, you said you were arrested in 2003? A. The Somali. A. Yes. Q. Who arrested you? A. The Somali. Q. Can you identify who from Somalia arrested you? A. They were just Somali. Q. Were they Somali police? INTERPRETER: Warlords? INTERPRETER: Warlords? U. Let me withdraw the question. Do you know the identity of the people who arrested you in Somalia, who these			1	
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	23	just it didn't take long before I went back	23	· · · · · · · · · · · · · · · · · · ·
,	24		24	Somalians were?

	Page 90		Page 92
1	interrogated me when I was in Somali.	1	while you were in Djibouti?
2	Q. At the airport?	2	A. Yes.
3	A. Yes, at the airport.	3	Q. Okay. And you stayed there for some hours?
4	Q. And that's those same individuals took you	4	A. Yes.
5	to the airport in Kenya?	5	Q. Where did you stay?
6	A. They are the one that handed me to Kenyans	6	A. I think it was just within the airport.
7	and, then, the Kenyans handed me to the same	7	Q. Okay. Where within the airport?
8	people that handed me back to Kenyans.	8	A. It was just at the airport.
9	Q. Okay. So when you got to the Kenyan airport,	9	Q. Okay. But was it at a hotel at an airport,
10	were you taken back to Somalia?	10	was it in a conference room at an airport, do
11	A. Yes.	11	you remember?
12	Q. Okay. And who took you back to Somalia?	12	A. I was not seeing anything. I was tied.
13	A. The Americans.	13	Q. Okay. All right. Did anything happen to you
14	Q. Okay. And what happened to you after you got	14	while you were at this airport?
15	back to Somalia?	15	A. Yes.
16	A. I remember being interrogated by one Somali.	16	Q. Do you have a memory of what happened to you?
17	Q. Where did that interrogation take place?	17	A. Yes.
18	A. It was just like a house.	18	Q. What happened?
19	Q. Where in Somalia?	19	A. I was raped.
20	A. Bossasso.	20	Q. And who raped you?
21	Q. Okay. So you were the Americans brought	21	A. The Americans.
22	you to a house where you were interrogated by	22	Q. Were these American soldiers?
23	Somali officials?	23	A. I don't know.
24	MR. HOFFMAN: Objection. You can	24	Q. How do you know they were Americans?
	Page 91		Page 93
1	answer, if you can.	1	A. They were the people who got me from Kenya to
2	THE WITNESS: Yes.	2	Somali and their voices were just the same.
3	BY MR. SMITH:	3	Q. Did you ever see their faces?
4	Q. Okay. How long did that interrogation last?	4	A. I saw one.
5	A. It was just a short period.	5	Q. Okay. And was it more than one of these
6	Q. Okay. And during that interrogation by the	6	Americans who raped you?
7	Somalis, were you beaten?	7	A. I think it was just one.
8	A. No.	8	Q. Okay. Do you know if this American was a CIA
9	Q. And what happened after that interrogation?	9	agent?
10	A. I was taken to Djibouti.	10	A. I don't know.
11	Q. By whom?	11	Q. And can you describe this individual who raped
12	A. The Americans.	12	you?
13	Q. And what happened at Djibouti?	13	A. I don't remember.
14	Let me withdraw the question.	14	Q. Okay. Did anyone observe this?
15	Mr. Salim, when you were taken to	15	MR. HOFFMAN: Objection, but you can
16	Djibouti, were you turned over you were	16	answer.
17	taken there by Americans, correct?	17	THE WITNESS: I don't know.
18	A. Yes.	18	BY MR. SMITH:
19	Q. And were you turned over to others?	19	Q. Okay. And you were taken from that airport to
20	A. No.	20	where?
21	Q. How long did you stay in Djibouti?	21	A. Afghanistan.
22	A. It was just hours.	22	Q. Where in Afghanistan?
23	Q. Hours. Okay.	23 24	A. I don't know.
24	And you were in custody by the US	Z <del>'</del>	Q. Who took you there?

	Page 94		Page 96
1	A. The same people.	1	Q. Two months.
2	Q. Okay. And when you got to Afghanistan, where	2	And where were you taken to after
3	did you go?	3	that?
4	A. "The Darkness."	4	A. From there, I was taken to a place known as
5	Q. Can you tell me what you mean by that?	5	"salt pit."
6	A. It's a jail, darkness jail.	6	Q. Do you know where this salt pit was located?
7	Q. Okay.	7	A. I don't know exactly, but it was not too far
8	A. Yeah.	8	away from "The Darkness."
9	Q. In Afghanistan?	9	Q. Okay. Do you think salt pit was also located
10	A. Yes.	10	in Afghanistan?
11	Q. How do you know that you were in Afghanistan,	11	A. I think so.
12	did someone tell you?	12	Q. And how were you transferred from darkness to
13	A. At the end, I knew.	13	salt pit?
14	Q. So, originally, when you got there, you didn't	14	A. By car.
15	know where you were?	15	Q. Okay. And how long were you kept at salt pit?
16	A. Yes.	16	A. About a year and something.
17	Q. Okay. And did you do you have a memory of	17	Q. A year and several months?
18	when you arrived at this place in Afghanistan?	18	A. One year and several months.
19	A. No, I don't remember.	19	Q. Okay. And after salt pit, where were you
20	Q. But it was in 2003?	20	taken to?
21	A. Yes.	21	A. Bagram.
22	Q. Okay.	22	Q. And what did you understand Bagram to be?
23	MR. HOFFMAN: Is this a good time to	23	A. Can you ask again?
24	break?	24	Q. You said that you were taken to Bagram.
	Page 95		Page 97
1	MR. SMITH: Sure. We're going to	1	A. Yeah.
2	break for lunch. Go off the record.	2	Q. Where is that located?
3	VIDEOGRAPHER: Time is 12:41. We're	3	A. In Afghanistan.
4	off the record.	4	Q. And did you understand this to be a prison of
5	(Lunch break.)	5	some sort?
6	VIDEOGRAPHER: We're back on the	6	A. It's like prison.
7	record. The time is 1:29.	7	Q. Okay. And how long were you kept there?
8	BY MR. SMITH:	8	A. I think four years and some months.
9	Q. Mr. Salim, are you ready to proceed?	9	Q. And you were released from Bagram when?
10	A. I'm ready.	10	A. About 2008.
11	Q. Okay. Mr. Salim, just before the lunch break,	11	Q. Okay. And what did you do when you were
12	you testified about being transferred to what	12	released from Bagram?
13	you later came to know as Afghanistan.	13	A. I went home.
14	Do you remember that?	14	Q. And where was home then?
15	A. Yes.	15	A. Zanzibar.
16	Q. And you were taken to a place that you refer	16	Q. Okay. And have you left well, strike that.
17	to as darkness. Do you remember that?	17	Do you have any memory of being
18	A. Yes.	18	interrogated by either American military
19	Q. And, Mr. Salim, do you now know that place to	19	officials or CIA agents, or both, while you
20	be also referred to as Cobalt?	20	were being detained?
21	A. No, I don't.	21	A. Yes.
22	Q. How long were you kept at this place that you	22	Q. I'm going to hand to you what we've marked in
23	refer to as darkness?	23	the case as Salim Exhibit No. 1.
24	A. Not very sure, but I think about two months.	24	Have you seen this document before

	Page 114		Page 116
1	MR. HOFFMAN: Objection. You can	1	Q. For how long?
2	answer.	2	A. About six months.
3	THE WITNESS: I went to Afghanistan,	3	Q. And that was in 1993 or 1994?
4	but I want to tell you how I went.	4	A. I'm not sure. It's around '93 or '94.
5	BY MR. SMITH:	5	Q. Okay. How did you get to Afghanistan?
6	Q. I'm going to get to that, but my question is,	6	A. I left Tanzania, I went to India. From India,
7	did you train in Afghanistan with Fahid	7	I went to Pakistan. Then, from Pakistan, I
8	Mohamed Ally Msalam, as it says in this	8	went to Afghanistan.
9	government document?	9	Q. Who paid for you to fly to or to travel to
10	MR. HOFFMAN: Same objection. You	10	Afghanistan?
11	can answer, if you can.	11	A. Myself.
12	INTERPRETER ODANGA: He never	12	Q. Okay. And where did this training take place?
13	trained with him.	13	MR. HOFFMAN: Objection, again, but
14	BY MR. SMITH:	14	you can answer.
15	Q. Did you ever train in Afghanistan?	15	THE WITNESS: Afghanistan.
16	MR. HOFFMAN: Same objection.	16	BY MR. SMITH:
17	THE WITNESS: Yes.	17	Q. Where in Afghanistan?
18	BY MR. SMITH:	18	A. I don't know the place.
19	Q. When did you train in Afghanistan?	19	Q. Well, you traveled to the place, didn't you?
20	A. I'm not sure, but it was between 1993 or 1994.	20	A. Yes.
21	Q. And how long did you train in Afghanistan?	21	Q. Did you travel by automobile, by plane? How
22	MR. HOFFMAN: Same objection. He	22	did you get to this place?
23	can answer.	23	MR. HOFFMAN: Objection.
24	THE WITNESS: I got trained only	24	THE WITNESS: By car.
	Page 115		Page 117
1	once.	1	BY MR. SMITH:
2	BY MR. SMITH:	2	Q. Who drove the car?
3	Q. How long did you train in Afghanistan?	3	A. The driver.
4	MR. HOFFMAN: Same objection. You	4	Q. What was the driver's name?
5	can answer.	5	A. I don't remember name.
6	THE WITNESS: Training or the whole	6	Q. Okay. How did you come in contact with the
7	stay?	7	driver?
8	BY MR. SMITH:	8	A. I don't know him.
9	Q. Mr. Salim, you testified that you trained in	9	Q. How did you come in contact with him to enable
10	Afghanistan. Do you recall that?	10	you to get into his car?
11	MR. HOFFMAN: Objection.	11	A. It was a passenger car.
12	THE WITNESS: But I told you I got	12	Q. Okay. How did you come in contact with this
13	trained one time.	13	driver such that he could take you to this
14	BY MR. SMITH:	14	place?
15	Q. Okay. But let's stay with my questions.	15	A. I wasn't by myself, I was with other people.
16	How long did you train in	16	We would go to take by public means and, then,
17	Afghanistan?	17	we go to where we were going.
18	INTERPRETER ODANGA: How long did	18	Q. Who were the other people that you were with?
19	you stay in Afghanistan?	19	A. I don't know the other ones, I only know one.
20	MR. SMITH: Did you train in	20	Q. What's that person's name?
21	Afghanistan.	21	A. Al-Fani.
22	MR. HOFFMAN: Objection, again.	22	Q. And did these people travel with you from, I
23	THE WITNESS: One time.	23	guess, Zanzibar to Afghanistan?
24	BY MR. SMITH:	24	MR. HOFFMAN: Objection.

	Page 118		Page 120
1	THE WITNESS: One person came with	1	answer.
2	me from Dar es Salaam, but not Zanzibar.	2	THE WITNESS: I don't know him.
3	BY MR. SMITH:	3	BY MR. SMITH:
4	Q. From Jerusalem. Okay.	4	Q. Well, was there an organization that sponsored
5	And you departed from where?	5	this training?
6	INTERPRETER ODANGA: Dar es Salaam.	6	MR. HOFFMAN: Same objection. You
7	MR. HOFFMAN: Dar es Salaam.	7	can answer.
8	MR. SMITH: I'm sorry?	8	THE WITNESS: I know it was a group.
9	MR. HOFFMAN: Dar es Salaam.	9	BY MR. SMITH:
10	INTERPRETER ODANGA: Dar es Salaam.	10	Q. What was the name of the group?
11	MR. SMITH: Oh, Dar es Salaam.	11	A. Harakati Ansari.
12	Thank you.	12	
13	BY MR. SMITH:	13	<ul><li>Q. Can you spell that, please.</li><li>A. H-A-R-A-K-A-T-I. Then, the other one is</li></ul>
14		$\begin{vmatrix} 1 & 3 \\ 1 & 4 \end{vmatrix}$	A. H-A-R-A-R-I. Then, the other one is  A-N-S-A-R-I.
15	<ul><li>Q. You departed from where to Afghanistan?</li><li>A. Dar es Salaam.</li></ul>	15	1 17
16			(Discussion between Interpreter
	Q. Okay. Okay. Now, when you got to this	16	Odanga and witness.)
17	training facility, your testimony is you don't	17	INTERPRETER ODANGA: Oh, there's no
18	know where it was located in Afghanistan?	18	"I" at the end. It's just "R" at the end.
19	MR. HOFFMAN: Objection. You can	19	Q. Is that one person or two people?
20	answer.	20	A. What?
21	THE WITNESS: I didn't know.	21	Q. Harakati Ansar, is that the name of a person
22	BY MR. SMITH:	22	or a group?
23	Q. Okay. And you were there at this place for	23	A. Group.
24	six months?	24	Q. And what was the purpose of this group?
	Page 119		Page 121
1	A. Something like that, I think.	1	MR. HOFFMAN: Objection. You can
2	Q. Describe this place for me.	2	answer.
3	A. I remember a big place, a big hilly place.	3	THE WITNESS: All I knew was that we
4	Q. Where did you sleep?	4	were going to fight Kashmir.
5	A. We had we would sleep in the bushes	5	MR. HOFFMAN: There may be a
6	sometimes and sometimes in the in the	6	translation issue here.
7	tents.	7	INTERPRETER KENDAGOR: I think what
8	(Witness speaking.)	8	what
9	INTERPRETER ODANGA: Oh, sorry.	9	(Translation discussion by
10	Like the mosque. They would sleep on a	10	Interpreter Kendagor.)
11	mosque, not bushes, mosques or tents.	11	INTERPRETER KENDAGOR: Yeah. What
12	BY MR. SMITH:	12	he means is that that group was going to fight
13	Q. And what were you training to do while you	13	in Kashmir, but he didn't know that the group
14	were there?	14	was going to fight in Kashmir.
15	A. The training was how to do how to exercise.	15	COURT REPORTER: I'm having trouble
16	We were exercising, we were learning how to	16	hearing you.
17	shoot, and that's	17	INTERPRETER ODANGA: I did not hear
18	Q. I'm sorry?	18	where he said he didn't know, so I don't know
19	INTERPRETER ODANGA: He said	19	where you got he didn't know
20	"that's." He was learning how to shoot and	20	INTERPRETER KENDAGOR: Okay. Maybe
21	just doing exercises.	21	explain
22	BY MR. SMITH:	22	INTERPRETER ODANGA: but I heard
23	Q. Okay. Who sponsored this training?	23	you asking if he knew.
24	MR. HOFFMAN: Objection. You can	24	MR. SMITH: Wait a minute. Wait a

	Page 142		Page 144
1	A. No.	1	knew two Al-Qaeda operatives in Mogadishu?
2	Q. Never discussed it with him?	2	MR. HOFFMAN: Objection. You can
3	A. Never.	3	answer.
4	Q. And when you left the camp, you returned to	4	THE WITNESS: No.
5	Tanzania?	5	BY MR. SMITH:
6	A. Yes.	6	Q. Mr. Salim, have you reviewed any of the
7	Q. To do what?	7	documents that have been turned over by the
8	A. That's my home.	8	United States government in connection with
9	Q. Okay. What did you do there?	9	this case?
10	A. I did not have any job. I was just sitting at	10	A. I have not.
11	my friend's store.	11	Q. Are you aware that there are documents that
12	Q. Friend's?	12	have been produced in this case that indicate
13	INTERPRETER ODANGA: The friend had	13	that you had direct or indirect links to
14	a store so he would just sit at the store.	14	members of Al-Qaeda?
15	Q. Okay. And how long did you sit at the store	15	7
16	in Tanzania before you got a job?	16	MR. HOFFMAN: I'll object to that
17	A. Not too long.	17	question to the extent that it asks him to
18	<u> </u>	18	respond based on attorney/client
19	Q. And did you ever have any other training other		communications. So you can only answer that
	than what you've told me about so far?	19	question if you have information other than
20	MR. HOFFMAN: Objection. You can	20	what you got from your lawyers.
21	answer.	21	THE WITNESS: I don't know.
22	THE WITNESS: Never.	22	MR. SMITH: Okay. So your lawyer
23	BY MR. SMITH:	23	has requested that we take a break, so why
24	Q. Mr. Salim, what is your understanding of	24	don't we take a break. It's about 11 minutes
	Page 143		Page 145
1	Al-Qaeda?	1	till three. What time would you like to
2	A. I don't I don't understand anything.	2	resume?
3	Q. Your testimony is that you have no	3	MR. HOFFMAN: Just 10 minutes or 15
4	understanding of Al-Qaeda, is that correct?	4	minutes.
5	MR. HOFFMAN: Objection. You can	5	MR. SMITH: Okay.
6	answer.	6	VIDEOGRAPHER: The time is 2:49.
7	THE WITNESS: Like what?	7	We're off record.
8	BY MR. SMITH:	8	(Brief pause.)
9	Q. Like your understanding.	9	VIDEOGRAPHER: Back on the record.
10	MR. HOFFMAN: Objection. You can	10	The time is 3:02.
11	answer.	11	BY MR. SMITH:
12	THE WITNESS: I know they are bad	12	Q. Mr. Salim, are you ready to go forward?
13	people. They bomb. That's what I understand.	13	A. Fine.
14	BY MR. SMITH:	14	Q. Mr. Salim, you said that you had a drug
15	Q. Do you understand that it's a group that is	15	addiction problem around or about the time
16	committed to trying to do injury to the United	16	that you left for Pakistan and, ultimately,
17	States?	17	Afghanistan. Do you recall that?
18	A. That one, I don't understand.	18	A. Yes.
19	Q. You don't. Do you know anyone that's	19	Q. This was in 1993 or 1994, right?
20	affiliated with Al-Qaeda?	20	A. Something like that.
21	A. I don't know.	21	Q. Now, tell me about this drug addiction
22	Q. Did you ever?	22	problem. What was the drug that you were
23	A. No.	23	addicted to?
24	Q. Did you ever admit to US officials that you	24	A. I was using tablets, scorpion, marijuana. I

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1	MR. HOFFMAN: Objection. You can	1	the period of time that you were taken to what
2	answer.	2	you refer to as darkness.
3	THE WITNESS: Repeat again.	3	A. Okay.
4	MR. SMITH: Will the court reporter	4	Q. You were held there, at this facility that you
5	read it back.	5	call darkness, for approximately two months?
6	(Whereupon, the record was read back	6	INTERPRETER ODANGA: I'm sorry. I
7	by the court reporter as follows:	7	translated years instead of months. I'm
8	"Did you ever seek any medical	8	sorry.
9	advice about the impact on your body	9	(Translating.)
10	of being a drug addict for almost 20	10	A. Yeah. Yes. I'm not very sure, but it was
11	years?")	11	around two months.
12	THE WITNESS: There was no impact on	12	Q. Okay. Now, during that period of time, who
13	my body.	13	controlled this facility that you refer to as
14	BY MR. SMITH:	14	darkness?
15	Q. Who told you that there was no impact on your	15	MR. HOFFMAN: Objection. You can
16	body?	16	answer.
17	MR. HOFFMAN: Objection. You can	17	THE WITNESS: Americans.
18	answer.	18	BY MR. SMITH:
19	THE WITNESS: I knew myself.	19	Q. Okay. And what's the basis for you to make
20	BY MR. SMITH:	20	that statement?
21	Q. Did you ever receive any medical treatment for	21	A. They told me.
22	any injuries of any kind prior to the time	22	Q. Okay. So the people who you communicated with
23	that you were taken into detention by the	23	said that they were Americans?
24	Somalia government that you testified to	24	A. Yes.
	Page 151		Page 153
1	earlier?	1	Q. And did they tell you whether or not they were
2	MR. HOFFMAN: Objection. You can	2	these Americans were affiliated with the
3	answer.	3	United States government?
4	THE WITNESS: No.	4	A. No, they didn't tell me.
5	BY MR. SMITH:	5	Q. Did you have any understanding of whether or
6	Q. Were you ever strike that.	6	not these Americans who ran this facility that
7	Were you ever arrested by any	7	you call darkness were affiliated with the
8 9	authorities related to your drug abuse?	8	United States government? A. Yes.
10	<ul><li>A. Never.</li><li>Q. Were you ever a victim of any violent crimes?</li></ul>	10	MR. SMITH: Could you read back the
11	MR. HOFFMAN: Objection. You can	11	question, madam court reporter.
12	answer.	12	(Whereupon, the last question was
13	THE WITNESS: Never.	13	read back by the court reporter.)
14	BY MR. SMITH:	14	BY MR. SMITH:
15	Q. Have you ever used heroin?	15	Q. What was your understanding?
16	INTERPRETER ODANGA: Heroin?	16	INTERPRETER ODANGA: He's just
17	MR. SMITH: Heroin, the drug,	17	asking that I repeat the whole question.
18	heroin.	18	MR. SMITH: Sure.
19	(Translating.)	19	INTERPRETER ODANGA: Okay. Let me
20	A. No.	20	read.
21	Q. You were released from prison in 2008. At any	21	(Translating.)
22	time thereafter, have you used illicit drugs?	22	THE WITNESS: I knew them as CIAs.
23	A. No.	23	BY MR. SMITH:
24	Q. I want to direct your attention, sir, back to	24	Q. And what was the basis for your belief that

	Page 154		Page 156
1	they were CIA agents?	1	answer.
2	A. They told me.	2	THE WITNESS: Another room.
3	Q. Did any of them tell you their names?	3	BY MR. SMITH:
4	A. No.	4	Q. Okay. So they would escort you into another
5	Q. Now, during the period of time that you were	5	room?
6	held at this facility called darkness, were	6	A. Yes.
7	you interrogated by the CIA agents?	7	Q. Do you know what the room looked like?
8	A. Yes.	8	A. I can remember one, it was just a big place
9	Q. And do you have any memory of those	9	like this.
10	interrogations?	10	Q. Okay. And were there lights, no lights?
11	A. Questions like where are you from, where were	11	MR. HOFFMAN: Objection. You can
12	you born, things like that.	12	answer.
13	Q. Anything else that you remember?	13	THE WITNESS: Not too much light.
14	A. I don't remember.	14	BY MR. SMITH:
15	Q. How many times do you think you were	15	Q. Okay. And how many people would be in there
16	interrogated during the period of time that	16	in addition to yourself?
17	you were held at the facility that you call	17	A. I don't understand.
18	darkness?	18	Q. Well, you would go into this room to be
19	A. I cannot recall how many times, but it was	19	interrogated, how many people in addition to
20	almost for two months.	20	yourself were in the room?
21	Q. Almost for two months?	21	MR. HOFFMAN: Objection. You can
22	A. All the days that I was in there, they	22	answer.
23	interrogated me.	23	THE WITNESS: There were a lot of
24	Q. So your memory is every day or almost every	24	people.
	Page 155		Page 157
1	day, you were interrogated?	1	BY MR. SMITH:
2	A. It was almost every day.	2	Q. A lot of people.
3	Q. Okay. And can you describe for me what would	3	A. Sometimes just one person.
4	happen during these interrogations?	4	Q. Okay. So it would depend upon which day it
5	MR. HOFFMAN: Objection, but you can	5	was?
6	answer.	6	A. Yeah, it depends.
7	THE WITNESS: How?	7	Q. Okay. So can you describe for me, when you
8	BY MR. SMITH:	8	were taken into the room, what occurred during
9	Q. Well, you were taken into a room, I take it,	9	the interrogation?
10	right?	10	MR. HOFFMAN: Objection. You can
11	MR. HOFFMAN: Objection. You can	11	answer.
12	answer.	12	THE WITNESS: So many things
13	THE WITNESS: Which room?	13	happened, so I don't know where to start.
14	BY MR. SMITH:	14	BY MR. SMITH:
15	Q. When you were in darkness, were you kept in a	15	Q. Okay. So tell me what your best recollection
16	cell?	16	is. And if different things happened on
17	A. Like a room.	17	different days, then just describe for me what
18	Q. Okay. Were other people kept in the room,	18	you remember on any given day.
19	too, or were you kept there alone?	19	MR. HOFFMAN: Objection. You can
20	A. Myself.	20	answer.
21	Q. Okay. And when these CIA people would come to	21	THE WITNESS: I remember being put
22	interrogate you, did they interrogate you in	22	in a box. I remember being hanged.
23 24	that room or in another room?	23	(Gesturing.)
4	MR. HOFFMAN: Objection. You can	24	I remember being naked and a big

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1	light they put a light on my face.	1	consciousness, did you suffer any effects from
2	I remember being put on the ground	2	the injection?
3	in a plastic bag and water is being poured on	3	A. I can't remember.
4	me. And there was a plastic jug, plastic	4	Q. And did you ever learn what you were injected
5	water jug being put they were knocking my	5	with?
6	rectal area with it.	6	A. No.
7	I remember being put on a table and,	7	Q. How many times were you put on plastic and
8	then, I was tied around while being taken	8	water was poured on you?
9	around.	9	A. Can't remember.
10	I remember there were two boxes,	10	Q. Was it more than once?
11	they were there's one that was being put on	11	A. Yes.
12	the ground and there was one that was also	12	Q. Okay. But you just don't know beyond that?
13	standing position.	13	A. Yes.
14	I remember being tied on the wall,	14	Q. Okay. And did you suffer any injuries from
15	handcuffed to the wall. I couldn't go up or	15	being put on the ground in this plastic and
16	come down. I also remember being handcuffed	16	this water poured on you?
17	and naked in the room with not any clothes on.	17	A. Yes.
18	I remember being put on something	18	Q. What injuries did you suffer?
19	like a hospital bed, my my hands tied to	19	A. My chest was my chest, my heart was beating
20	both sides of bed. They put something like an	20	so fast, my jaws were shaking, and that was
21	injection on me and I lost my conscious.	21	causing a lot of pain.
22	I remember, also, them putting a	22	Q. Okay.
23	cloth around tying a cloth around my neck	23	A. My I had I already had a fracture on my
24	and, then, they were punching me on the wall,	24	finger, but because of the torture that they
	Page 159		Page 161
1	punching.	1	were doing, it made it more painful.
2	At the present time, I can't recall	2	Q. Did you suffer any long-term injuries as a
3	anything; if I do, I will let you know.	3	result of being put in this plastic with water
4	BY MR. SMITH:	4	poured on you?
5	Q. Okay. Now, what you just described, did these	5	A. I don't know.
6	occur in the interrogation room or in the cell	6	Q. Did you suffer any injuries as a result of the
7	that you were being detained or both?	7	injections?
8	MR. HOFFMAN: Objection, but you can	8	A. I don't know.
9	answer.	9	Q. Sir, you said that you were put on a table and
10	THE WITNESS: Being tied on the wall	10	tied to a table and spun around. Do you
11	was at the dark room, the room where I was	11	remember that?
12	staying. The other ones, it was different	12	A. Yes.
13	places, but the same place, another room.	13	Q. How many times did that happen?
14	BY MR. SMITH:	14	A. Just one time.
15	Q. Where the interrogations took place?	15	Q. Okay.
16	A. They were doing it in different rooms. At the	16	A. But it was just for a little time.
17	interrogation place was where they were	17	Q. Okay.
18	putting lights on my face.	18	A. For a short time.
19	Q. Okay. And where did these other things happen	19	Q. And did you suffer any injuries as a result of
20	to you, sir?	20	that?
21	A. Different rooms.	21	A. Yes.
22	Q. How many times were you injected?	22	Q. What injuries did you suffer?
23	A. I can't remember whether it was once or twice.	23	A. Dizziness.
24	Q. And when you recovered, when you regained your	24	Q. Okay. And did you suffer any long-term

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1	injuries as a result of that dizziness?	1	me there and sometimes they just leave me
2	A. Yes.	2	there.
3	Q. What are the long-term injuries?	3	Q. So you're saying that the CIA agents beat you,
4	A. I still have dizziness.	4	as well?
5	Q. And what is the basis for you to believe that	5	A. When they were interrogating me, I don't know
6	your dizziness, presently, is as a result of	6	if they are the one that were interrogating me
7	being spun on that table?	7	or not.
8	A. Because they had tortured me a lot, I was very	8	Q. Who beat you?
9	weak and I had no strength. I could not I	9	A. Somebody.
10	didn't have any strength. I did not eat	10	Q. Was it an American?
11	anything. And ever since that happened, I've	11	A. Yes.
12	been experiencing the dizziness.	12	Q. Okay. Was it a CIA agent?
13	Q. Tell me about the dizziness.	13	A. I don't know.
14	A. Like what?	14	Q. How many times were you beaten?
15	Q. Were you dizzy today?	15	A. Ever since I was there, it was totally.
16	A. No.	16	Q. But I'm trying to understand in greater
17	Q. When is the last time you experienced a dizzy	17	detail. We're on your the period that you
18	event?	18	were in this what you call darkness for two
19	A. I can't remember.	19	months. Are you with me?
20	Q. Now, you said that you were put in a box. Do	20	A. Yes.
21	you remember that?	21	Q. And is it your testimony that you were beaten
22	A. Yes.	22	on a daily basis?
23	Q. And as I appreciate what you said, sir, one	23	A. Not every day.
24	box was vertical and one box was horizontal,	24	Q. Okay. But, periodically, you were beaten by
	Page 163		Page 165
1	is that right?	1	whoever these people were?
2	A. Yes.	2	MR. HOFFMAN: Objection, but you can
3	Q. How many times were you put in a box and laid	3	answer.
4	in the box horizontally?	4	THE WITNESS: Yes.
5	INTERPRETER ODANGA: Horizontal is	5	BY MR. SMITH:
6	this? (Gesturing.)	6	Q. Okay. Can you describe for me what you
7	MR. SMITH: Horizontal would be that	7	endured in these beatings?
8	way, yeah.	8	A. I already told you.
9	A. I can't remember.	9	Q. I don't think you did.
10	Q. Was it more than once?	10	A. I told you that they tied a cloth on my neck
11	A. I can't remember.	11	and they were punching me.
12	Q. How many times were you put in a box where you	12	Q. Okay.
13	stood up vertically?	13	A. They were putting me down and they were
14	A. I can't remember.	14	putting me down and kicking me.
15	Q. How long did you stay in the box where you	15	Q. Okay. And you don't remember how many times
16	were put in vertically?	16	this happened while you were in darkness?
17 18	A. I'm just thinking that it was about 30	17	MR. HOFFMAN: Objection. You can
19	minutes.	18 19	answer. THE WITNESS: I don't remember.
20	Q. And how long did you stay in the box when you were in a horizontal position?	20	BY MR. SMITH:
21	A. It was a little more, but I can't remember.	21	Q. And where did they punch you?
22	Q. Less than an hour?	22	MR. HOFFMAN: Objection.
23	A. At times, they would put me there, then they'd	23	(Witness gesturing.)
24	go and beat me, and then they'd come and put	24	BY MR. SMITH:
<u> </u>	50 and boat me, and then they a come and pat	1	DI MIN DIMITI.

1 Q. In the chest? 2 A. (Gesturing.) 3 MR. HOFFMAN: He's pointing at the stomach. 5 BY MR. SMITH: 1 A. The cell where I was kept. 2 Q. Okay. And can you describe for were shackled or tied to the wall? 4 A. So this is the wall. (Gesturing.) 5 Q. Yes.	me how you
2 A. (Gesturing.) 3 MR. HOFFMAN: He's pointing at the stomach. 2 Q. Okay. And can you describe for were shackled or tied to the wall? 4 A. So this is the wall. (Gesturing.)	me how you
3 MR. HOFFMAN: He's pointing at the 4 stomach. 3 were shackled or tied to the wall? 4 A. So this is the wall. (Gesturing.)	me now you
4 stomach. 4 A. So this is the wall. (Gesturing.)	
6 Q. Where did they kick you, sir? 6 A. There's something tied to it, like	a ring
7 A. Tummy. 7 Q. Yes.	a mig.
8 Q. Okay. Same place that they punched you? 8 A. My hand is handcuffed.	
9 A. The kicking was more on the lower abdomen. 9 Q. Yes.	
10 Q. Okay. All right. Now, you also said that 10 A. They come and tie it to that ring.	
during this period you were hanged.  11 (Gesturing.) It's something that w	
12 Do you remember that? 12 let me sit down or cannot let me st	
13 A. Yes. 13 Q. How many times, while you were	
14 Q. Was that in your cell? 14 facility that you call darkness, were	
15 A. No. 15 to the wall like that?	ie you neu
16 Q. It was in the interrogation room?  16 A. I can't recall how many times.  17 A. No.  18 Q. Did you suffer any injuries as a recommendation of the comments of the comment	equit of it?
	esuit of it?
	ing ama?
Q. Okay. And can you describe for me how you 20 A. My waist. My the pain in my to 31	inigers
21 were hanged?  21 intensified.	
A. (Gesturing.) There was like a pipe up there, 22 Q. Anything else?	
then I was handcuffed, and then it was tied 23 A. I can't remember.	
there and I was standing. 24 Q. Do you presently have any injurice.	es to your
Page 167	Page 169
1 Q. Okay. And how long strike that. 1 waist as a result of being tied to the	ne wall,
2 How many times were you hanged like 2 as you described?	
3 that by the pipe? 3 A. Yes.	
4 A. I can't remember. 4 Q. And what are those injuries?	
5 Q. Okay. Was it more than once? 5 A. It's painful.	
6 A. Yes. 6 Q. Can you describe for me the pain	1?
7 Q. Okay. And what happened to you while you were 7 A. I can't describe how painful it was	
8 hanging by the pipe? 8 Q. Do you presently experience the	pain?
9 A. A lot of pain in my arms, a lot of pains in my 9 A. Yes.	
back and around my waist. 10 Q. Can you describe for me the pain	that you feel
11 Q. And did anyone beat you while you were hanging   11 presently?	
from that pipe? 12 A. Maybe I need to tie you here so the	
13 A. I can't remember. 13 one hour so you can feel the pain,	if you want
Q. Okay. And did you suffer any permanent damage 14 to know the pain.	
as a result of being hanged by that pipe, 15 MR. HOFFMAN: Can we ta	ake a break?
permanent injury? 16 MR. SMITH: We can take a	
17 A. Yes. 17 VIDEOGRAPHER: The time	ne is 3:45.
Q. Can you describe for me what the injuries are? 18 We're off the record.	
19 A. My back. My waist. 19 (Brief pause.)	
20 Q. Now, you said that you were also tied to a VIDEOGRAPHER: We're b	oack on the
wall. Do you remember that? 21 record. The time is 4:01.	
22 A. Yes. 22 BY MR. SMITH:	
23 Q. Was this a wall in your cell where you were 23 Q. Mr. Salim, are you able to go for	ward?
24 kept or some other place? 24 A. I'm fine.	

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1	Q. Okay. And as I said to you off the record,	1	remember they gave me the eyeglasses in
2	sir, I don't mean to be insensitive and I hope	2	Bagram.
3	you understand I have a job to do.	3	Q. And do you have any memory of a doctor telling
4	And if you find yourself moving to a	4	you what exactly your problem was with your
5	point where you want to take a break, just	5	eye?
6	wave your hands or tell me, we'll go off the	6	Is it one eye or both eyes, by the
7	record and we'll figure out how to avoid these	7	way?
8	moments for you, if we can. All right?	8	A. Both.
9	A. Fine.	9	Q. And do you remember what the doctor telling
10	Q. Okay. Now, Mr. Salim, before we went off the	10	you the problem was with both eyes?
11	record, I was trying to understand if you have	11	A. I don't remember.
12	any present injuries as a result of being	12	Q. Okay. Do you presently wear eyeglasses?
13	shackled to the wall, as you describe.	13	A. I don't.
14	A. Yes.	14	Q. Why did you stop wearing them?
15	Q. Okay. Can you describe for me what the	15	A. I don't want to.
16	present injuries are?	16	Q. Why not?
17	A. I feel like we should not go too much into	17	A. I don't want to.
18	that because it's going to remind me of other	18	Q. Is it because you don't like them on your
19	things.	19	face? What's the reason why you don't want to
20	Q. Okay. So why don't we see if there's a time	20	wear them?
21	later today or tomorrow that we can pick that	21	A. I just think it will make the problem, it will
22	up.	22	worsen the problem.
23	A. That is good.	23	Q. Did anyone tell you that wearing eyeglasses
24	Q. Okay. Mr. Salim, the other matter that you	24	would worsen the problem with your eyes?
	Page 171		Page 173
1	described during the period of time that you	1	A. Nobody.
2	were at darkness was that you were brought	2	Q. Okay. Now, have you told me about all of the
3	into an interrogation facility naked and a	3	things that happened to you while you were in
4	light was shined in your face while you were	4	custody at this place that you call darkness
5	asked questions.	5	for approximately two months?
6	Do you remember you told me about	6	MR. HOFFMAN: Objection, but you can
7	that?	7	answer.
8	A. Yes.	8	THE WITNESS: Yes.
9	Q. How many times did that happen?	9	BY MR. SMITH:
10	A. The one with the light was once.	10	Q. Now, do you know a man named Dr. James Mitchell?
11 12	Q. And did you sustain any injuries as a result of that?	11 12	A. I don't know him.
13	A. I have eye problem.	13	Q. Have you ever heard that name before?
14	Q. Okay. And did anyone ever tell you that the	$\begin{vmatrix} 1 & 3 \\ 1 & 4 \end{vmatrix}$	A. I don't remember.
15	eye problem that you have is related to that	15	Q. Do you know a man named Dr. Bruce Jessen?
16	event that occurred to you that you described	16	A. I don't know him.
17	in darkness?	17	Q. Had you ever heard that name before today?
18	A. Nobody.	18	A. I don't remember.
19	Q. Okay. Did you ever seek treatment from a	19	Q. Did anyone ever tell you, in words or
20	doctor for this eye problem?	20	substance, that Dr. Mitchell or Dr. Jessen had
21	A. Yes.	21	anything to do or were in any way responsible
22	Q. And did the doctor tell you what exactly your	22	for the conditions and the circumstances that
23	problem is with your eyes?	23	you confronted while you were being held in
24	A. I did not know English that very well, but I	24	custody in the facility that you identified as

	Page 190		Page 192
1	by the court reporter as follows:	1	COMMONWEALTH OF MASSACHUSETTS.)
2	"Do you have any factual information	2	SUFFOLK, SS: )
3	that Drs. Jessen or Mitchell had	3	,
4	anything to do with the	4	I, JANE M. BORROWMAN, Registered
5	interrogations that occurred while	5	Professional Reporter and Notary Public in and
6	you were at salt pit?")	6	for the Commonwealth of Massachusetts, do
7	THE WITNESS: My lawyer will answer	7	hereby certify that on March 14, 2017,
8	that question.	8	Suleiman Abdullah Salim, the witness whose
9	BY MR. SMITH:	9	deposition is hereinbefore set forth, was duly
10	Q. And what does that mean, your lawyer relies	10	sworn by me and that such deposition is a true
11	(sic) on that question?	11	record of the testimony given by the witness.
12	A. Because I don't know when it comes to I	12	I further certify that I am neither
13	don't I don't know I don't know more	13	related to or employed by any of the parties
14	about the law. They do know.	14	in or counsel to this action, nor am I
15	Q. And, Mr. Salim, do you understand I'm not	15	financially interested in the action.
16	asking you about the law. I'm just asking you	16	In witness whereof, I have hereunto
17	about the factual information. Do you	17	set my hand and seal this 28th day of March
18	understand that?	18	2017.
19	A. And that's why I answered you that my lawyer	19	2017.
20	will answer the question.	20	Notary Public
21	Q. Mr. Salim, let's go back to Exhibit No. 8 for	21	RPR No. 001420
22	a second. Am I to understand, sir, that you	22	KI K 100. 001420
23	have never looked at this document before	23	My commission expires:
24	today?	24	7 December 2023
24	•	24	
	Page 191		Page 193
1	MR. HOFFMAN: Objection.	1	*** ERRATA SHEET *** TRANSPERFECT DEPOSITION SERVICES
2	THE WITNESS: Yes.	2	216 E. 45th Street, Suite #903
3	BY MR. SMITH:		NEW YORK, NEW YORK 10017
4	Q. Have you ever looked at any parts of this	3 4	(212) 400-8845
5	document?	4	CASE: SULEIMAN ABDULLAH SALIM et al. v. MITCHELL DATE: MARCH 14, 2017
6	A. I don't remember.	5	WITNESS: SULEIMAN ABDULLAH SALIM REF: 18303
7	Q. Have you ever I'm going to direct your	6	PAGE LINE FROM TO
8	attention to starting on page 32, paragraph 71	7 8	
9	through 116. Have you ever looked at any	9	
10	document that contained this information?	10	
11	A. I've never.	11 12	
12	Q. Did you ever tell your lawyers that the	13	
13	information in paragraph 71 through 116 was	14	
14	true?	15	
15	A. I don't know what it's saying.	16 17	
16	Q. All right. Mr. Salim, what do you say we quit	18	
17	for today and we'll start tomorrow morning.	19	
18	A. What you think is okay.	20	
19	MR. SMITH: Okay. Go get some rest.	21	SULEIMAN ABDULLAH SALIM
20	We'll start tomorrow morning. Let's go off		Subscribed and sworn to before me
21	the record.	22	this day of 20
22	VIDEOGRAPHER: The time is 4:51.	23	this day of
23	We're off the record in the deposition.		
24	(Time: 4:51 p.m.)	24	Notary Public

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## UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF WASHINGTON

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SULEIMAN ABDULLAH SALIM,

MOHAMED AHMED BEN SOUD, OBAID

ULLAH (as Personal

Representative of GUL RAHMAN),

Plaintiffs, Civil Action No.

vs.

2:15-CV-286-JLQ

JAMES ELMER MITCHELL and

JOHN "BRUCE" JESSEN,

Defendants.

VIDEOTAPED DEPOSITION OF SULEIMAN ABDULLAH SALIM

VOLUME II

March 15, 2017

Reported by:

Jane M. Borrowman, RPR, CSR

Job no: 18304

	Page 239		Page 241
1	Times in Dubai, is that your testimony?	1	MR. SMITH: No. I'm quoting from
2	MR. HOFFMAN: Objection.	2	the document.
3	(Translating.)	3	MR. HOFFMAN: Oh. Well, but the way
4	MR. HOFFMAN: Objection.	4	you asked it, it made it sound like that was a
5	(Translating.)	5	quote.
6	MR. HOFFMAN: Objection, but you can	6	MR. SMITH: Maybe it sounded that
7	answer.	7	way to you, but that's not what I said. I
8	THE WITNESS: Yes.	8	said "do you see where it says, quote."
9	BY MR. SMITH:	9	THE WITNESS: I don't remember
10	Q. Now, during the strike that.	10	saying it.
11	Who set this meeting up with James	11	BY MR. SMITH:
12	from the New York Times?	12	Q. So that was going to be my next question. Did
13	MR. HOFFMAN: Objection, but you can	13	you tell Mr. Risen, Mr. James Risen, that you
14	answer.	14	were "a plaintiff in a lawsuit against two CIA
15	THE WITNESS: I don't know.	15	contractors who helped devise and run the
16	BY MR. SMITH:	16	brutal interrogation program" for which you
17	Q. Who told you about it?	17	were a part, did you say that to him?
18	MR. HOFFMAN: Objection, but you can	18	A. I don't remember.
19	answer.	19	Q. Who were the two CIA contractors that are
20	THE WITNESS: About what?	20	referenced there, do you know?
21	BY MR. SMITH:	21	MR. HOFFMAN: Objection, but you can
22	Q. About the meeting.	22	answer.
23	A. Repeat your question.	23	THE WITNESS: I don't know them.
24	Q. Who told you about the meeting with James in	24	BY MR. SMITH:
	Page 240		Page 242
1	Dubai?	1	Q. Do you have any factual basis for the
2	A. My lawyer.	2	proposition that two CIA contractors helped
3	Q. And who paid for you to come to Dubai to be	3	devise and run the interrogation program that
4	interviewed by James?	4	you were subjected to?
5	MR. HOFFMAN: Objection, but you can	5	MR. HOFFMAN: Objection. You can
6	answer.	6	answer.
7	THE WITNESS: I don't remember.	7	THE WITNESS: No.
8	BY MR. SMITH:	8	BY MR. SMITH:
9	Q. You didn't pay for it, did you?	9	Q. Do you know if it was your lawyers who set up
10	A. No.	10	this interview with you with Mr. Risen, James
11	Q. Now, during the course of this interview, do	11	Risen?
12	you recall if you were asked questions about	12	MR. HOFFMAN: Objection. You can
13	my clients, Drs. Mitchell and Jessen?	13	answer.
14	A. I don't remember.	14	THE WITNESS: I don't know.
15	Q. Turn, if you would, to the last page of	15	BY MR. SMITH:
16	Exhibit No. 18. Do you see where it says on	16	Q. Do you know if the purpose of this interview
17	the top of the page, first paragraph, quote:	17	was to generate publicity about the lawsuit
18	"He is now a plaintiff in a lawsuit against	18	that had been filed against my clients?
19	two CIA contractors who helped devise and run	19	MR. HOFFMAN: Objection. You can
20	the brutal interrogation program of which he	20	answer.
21	was a part."	21	THE WITNESS: I don't know.
	•	22	
22	Do you see that, sir?	22	BY MR. SMITH:
22 23	Do you see that, sir? MR. HOFFMAN: Well, I'll object to	23	Q. Did you ever speak to James again after the
		1	

	Page 287	Page 289
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	questions of the witness.  MR. HOFFMAN: Okay. Do we have a protocol for signing and time and all that stuff? I assume the usual stipulations.  MS. ALEXANDER: No, we didn't have them previously. I mean  MR. SMITH: You guys have been reading and signing, haven't you?  MR. WATT: Yeah. We have.  (All parties speaking at once.)  MR. SMITH: No, but we're not there's no waiving reading, signing?  MR. HOFFMAN: No. No. No.  COURT REPORTER: Are we off the record? Are we off the record here?  MR. SMITH: Sorry, we're off the record.  VIDEOGRAPHER: The time is 12:25.  We're off the record.  (End of proceedings: 12:25 p.m.)	1
23 24		Notary Public
21	Page 288	24 Notary Fublic
2 SU 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 My	OMMONWEALTH OF MASSACHUSETTS ) FFOLK, SS:  I, JANE M. BORROWMAN, Registered Professional Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that on March 15, 2017, Suleiman Abdullah Salim, the witness whose deposition is hereinbefore set forth, was duly sworn by me and that such deposition is a true record of the testimony given by the witness.  I further certify that I am neither related to or employed by any of the parties in or counsel to this action, nor am I financially interested in the action.  In witness whereof, I have hereunto set my hand and seal this 28th day of March 2017.  Notary Public RPR No. 001420	