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**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON  
AT SPOKANE**

SULEIMAN ABDULLAH SALIM, *et al.*

Plaintiffs,

vs.

JAMES ELMER MITCHELL and  
JOHN "BRUCE" JESSEN,

Defendants.

NO. 2:15-CV-286-JLQ

**DECLARATION OF BRIAN S.  
PASZAMANT IN SUPPORT OF  
DEFENDANTS' RESPONSE TO  
MOTION TO EXTEND CERTAIN  
DEADLINES**

DECLARATION OF BRIAN S.  
PASZAMANT  
NO. 2:15-CV-286-JLQ

Betts  
Patterson  
Mines  
One Convention Place  
Suite 1400  
701 Pike Street  
Seattle, Washington 98101-3927  
(206) 292-9988

1 I, Brian S. Paszamant, hereby certify under penalty of perjury, that the  
2 following is true and correct and within my personal knowledge:

3 1. I am over the age of 18, have personal knowledge of all facts  
4 contained in this declaration, and am competent to testify as a witness to those  
5 facts.  
6

7 2. I am one of the attorneys representing Defendants James Elmer  
8 Mitchell and John “Bruce” Jessen (collectively, “Defendants”) in the above-  
9 captioned action.

10 **Depositions of Plaintiffs Salim and Soud**

11 3. After this Court ruled that the depositions and medical examinations  
12 of Plaintiffs Salim and Mohamed Ahmed Ben Soud must take place within 3,000  
13 miles of Washington, DC, the parties engaged in extensive negotiations.  
14 Eventually, the parties agreed each Plaintiff would be deposed and have their  
15 medical examinations conducted on the island of Dominica during the week of  
16 January 30.  
17

18 4. Travel to Dominica imposed significant burdens on Defendants and  
19 their three medical experts who had to substantially revise their pre-existing  
20 schedules.  
21

22 5. Now, Plaintiffs’ counsel have represented to Defendants that Plaintiff  
23 Salim cannot travel to any locations within 3,000 miles of Washington, DC. Based  
24 on this representation, Defendants have agreed to conduct Plaintiff Salim’s  
25  
26

27 DECLARATION OF BRIAN S.  
28 PASZAMANT  
NO. 2:15-CV-286-JLQ

1 deposition and medical examinations in South Africa—a location that Plaintiffs  
2 previously suggested and Defendants declined. Specifically, Plaintiff Salim’s  
3 medical examinations will occur on March 10-13; and his deposition will occur  
4 over a two-day period between March 13 and 15.

5  
6 **Declarations of Rodriguez and Rizzo**

7 6. The depositions of Jose Rodriguez (“Rodriguez”) and John Rizzo  
8 (“Rizzo”) were initially scheduled to occur on January 23 and 24.

9 7. Plaintiffs then informed me that they were unavailable on January 23  
10 and 24.

11 8. As a result, I asked Mr. Bennett for alternative dates to conduct the  
12 depositions.

13 9. Mr. Bennett advised that he and/or his clients were unavailable before  
14 the week of January 23, and he proposed January 26 and 27.

15 10. I then proposed January 26 and 27 to Plaintiffs’ counsel. Plaintiffs’  
16 counsel informed me they were available on those dates and the depositions were  
17 scheduled.

18 11. I also had numerous discussions with Plaintiffs’ counsel regarding the  
19 time of questioning. Specifically, I agreed that counsel for Plaintiffs would be  
20 afforded 2-2.5 hours to question Rodriguez and Rizzo.

21 12. Defendants received signed declarations from Rodriguez and Rizzo on  
22 January 24, 2016.

23  
24  
25  
26  
27 DECLARATION OF BRIAN S.  
28 PASZAMANT  
NO. 2:15-CV-286-JLQ



**CERTIFICATE OF SERVICE**

I hereby certify that on the 2<sup>nd</sup> day of February, 2017, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

|  |  |
|--|--|
| Emily Chiang<br><a href="mailto:echiang@aclu-wa.org">echiang@aclu-wa.org</a><br>ACLU of Washington Foundation<br>901 Fifth Ave, Suite 630<br>Seattle, WA 98164   | Paul Hoffman<br><a href="mailto:hoffpaul@aol.com">hoffpaul@aol.com</a><br>Schonbrun Seplow Harris & Hoffman, LLP<br>723 Ocean Front Walk, Suite 100<br>Venice, CA 90291  |
| Andrew I. Warden<br><a href="mailto:Andrew.Warden@usdoj.gov">Andrew.Warden@usdoj.gov</a><br>Senior Trial Counsel<br>Timothy A. Johnson<br><a href="mailto:Timothy.Johnson4@usdoj.gov">Timothy.Johnson4@usdoj.gov</a><br>Trial Attorney<br>United States Department of Justice<br>Civil Division, Federal Programs Branch<br>20 Massachusetts Ave NW<br>Washington, DC 20530  | Steven M. Watt, admitted <i>pro hac vice</i><br><a href="mailto:swatt@aclu.org">swatt@aclu.org</a><br>Dror Ladin, admitted <i>pro hac vice</i><br><a href="mailto:dladin@aclu.org">dladin@aclu.org</a><br>Hina Shamsi, admitted <i>pro hac vice</i><br><a href="mailto:hshamsi@aclu.org">hshamsi@aclu.org</a><br>ACLU Foundation<br>125 Broad Street, 18th Floor<br>New York, NY 10007 |
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By           s/ Shane Kangas            
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