

Exhibit 00

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.

- - - - - x

VIDEOTAPED DEPOSITION OF SULEIMAN ABDULLAH SALIM

VOLUME I

March 14, 2017

Reported by:
Jane M. Borrowman, RPR, CSR
Job no: 18303

1 were doing, it made it more painful.

2 Q. Did you suffer any long-term injuries as a
3 result of being put in this plastic with water
4 poured on you?

5 A. I don't know.

6 Q. Did you suffer any injuries as a result of the
7 injections?

8 A. I don't know.

9 Q. Sir, you said that you were put on a table and
10 tied to a table and spun around. Do you
11 remember that?

12 A. Yes.

13 Q. How many times did that happen?

14 A. Just one time.

15 Q. Okay.

16 A. But it was just for a little time.

17 Q. Okay.

18 A. For a short time.

19 Q. And did you suffer any injuries as a result of
20 that?

21 A. Yes.

22 Q. What injuries did you suffer?

23 A. Dizziness.

24 Q. Okay. And did you suffer any long-term

1 injuries as a result of that dizziness?

2 A. Yes.

3 Q. What are the long-term injuries?

4 A. I still have dizziness.

5 Q. And what is the basis for you to believe that
6 your dizziness, presently, is as a result of
7 being spun on that table?

8 A. Because they had tortured me a lot, I was very
9 weak and I had no strength. I could not -- I
10 didn't have any strength. I did not eat
11 anything. And ever since that happened, I've
12 been experiencing the dizziness.

13 Q. Tell me about the dizziness.

14 A. Like what?

15 Q. Were you dizzy today?

16 A. No.

17 Q. When is the last time you experienced a dizzy
18 event?

19 A. I can't remember.

20 Q. Now, you said that you were put in a box. Do
21 you remember that?

22 A. Yes.

23 Q. And as I appreciate what you said, sir, one
24 box was vertical and one box was horizontal,

1 is that right?

2 A. Yes.

3 Q. How many times were you put in a box and laid
4 in the box horizontally?

5 INTERPRETER ODANGA: Horizontal is
6 this? (Gesturing.)

7 MR. SMITH: Horizontal would be that
8 way, yeah.

9 A. I can't remember.

10 Q. Was it more than once?

11 A. I can't remember.

12 Q. How many times were you put in a box where you
13 stood up vertically?

14 A. I can't remember.

15 Q. How long did you stay in the box where you
16 were put in vertically?

17 A. I'm just thinking that it was about 30
18 minutes.

19 Q. And how long did you stay in the box when you
20 were in a horizontal position?

21 A. It was a little more, but I can't remember.

22 Q. Less than an hour?

23 A. At times, they would put me there, then they'd
24 go and beat me, and then they'd come and put

1 me there and sometimes they just leave me
2 there.

3 Q. So you're saying that the CIA agents beat you,
4 as well?

5 A. When they were interrogating me, I don't know
6 if they are the one that were interrogating me
7 or not.

8 Q. Who beat you?

9 A. Somebody.

10 Q. Was it an American?

11 A. Yes.

12 Q. Okay. Was it a CIA agent?

13 A. I don't know.

14 Q. How many times were you beaten?

15 A. Ever since I was there, it was totally.

16 Q. But I'm trying to understand in greater
17 detail. We're on your -- the period that you
18 were in this what you call darkness for two
19 months. Are you with me?

20 A. Yes.

21 Q. And is it your testimony that you were beaten
22 on a daily basis?

23 A. Not every day.

24 Q. Okay. But, periodically, you were beaten by

1 Q. In the chest?

2 A. (Gesturing.)

3 MR. HOFFMAN: He's pointing at the
4 stomach.

5 BY MR. SMITH:

6 Q. Where did they kick you, sir?

7 A. Tummy.

8 Q. Okay. Same place that they punched you?

9 A. The kicking was more on the lower abdomen.

10 Q. Okay. All right. Now, you also said that
11 during this period you were hanged.

12 Do you remember that?

13 A. Yes.

14 Q. Was that in your cell?

15 A. No.

16 Q. It was in the interrogation room?

17 A. No.

18 Q. Where were you hanged?

19 A. Another room.

20 Q. Okay. And can you describe for me how you
21 were hanged?

22 A. (Gesturing.) There was like a pipe up there,
23 then I was handcuffed, and then it was tied
24 there and I was standing.

1 Q. Okay. And how long -- strike that.

2 How many times were you hanged like
3 that by the pipe?

4 A. I can't remember.

5 Q. Okay. Was it more than once?

6 A. Yes.

7 Q. Okay. And what happened to you while you were
8 hanging by the pipe?

9 A. A lot of pain in my arms, a lot of pains in my
10 back and around my waist.

11 Q. And did anyone beat you while you were hanging
12 from that pipe?

13 A. I can't remember.

14 Q. Okay. And did you suffer any permanent damage
15 as a result of being hanged by that pipe,
16 permanent injury?

17 A. Yes.

18 Q. Can you describe for me what the injuries are?

19 A. My back. My waist.

20 Q. Now, you said that you were also tied to a
21 wall. Do you remember that?

22 A. Yes.

23 Q. Was this a wall in your cell where you were
24 kept or some other place?

1 A. The cell where I was kept.

2 Q. Okay. And can you describe for me how you
3 were shackled or tied to the wall?

4 A. So this is the wall. (Gesturing.)

5 Q. Yes.

6 A. There's something tied to it, like a ring.

7 Q. Yes.

8 A. My hand is handcuffed.

9 Q. Yes.

10 A. They come and tie it to that ring.

11 (Gesturing.) It's something that would not
12 let me sit down or cannot let me stand.

13 Q. How many times, while you were in this
14 facility that you call darkness, were you tied
15 to the wall like that?

16 A. I can't recall how many times.

17 Q. Did you suffer any injuries as a result of it?

18 A. Yes.

19 Q. Can you tell me what those injuries are?

20 A. My waist. My -- the pain in my fingers
21 intensified.

22 Q. Anything else?

23 A. I can't remember.

24 Q. Do you presently have any injuries to your

1 waist as a result of being tied to the wall,
2 as you described?

3 A. Yes.

4 Q. And what are those injuries?

5 A. It's painful.

6 Q. Can you describe for me the pain?

7 A. I can't describe how painful it was.

8 Q. Do you presently experience the pain?

9 A. Yes.

10 Q. Can you describe for me the pain that you feel
11 presently?

12 A. Maybe I need to tie you here so that -- for
13 one hour so you can feel the pain, if you want
14 to know the pain.

15 MR. HOFFMAN: Can we take a break?

16 MR. SMITH: We can take a break.

17 VIDEOGRAPHER: The time is 3:45.

18 We're off the record.

19 (Brief pause.)

20 VIDEOGRAPHER: We're back on the
21 record. The time is 4:01.

22 BY MR. SMITH:

23 Q. Mr. Salim, are you able to go forward?

24 A. I'm fine.

1 Q. Okay. And as I said to you off the record,
2 sir, I don't mean to be insensitive and I hope
3 you understand I have a job to do.

4 And if you find yourself moving to a
5 point where you want to take a break, just
6 wave your hands or tell me, we'll go off the
7 record and we'll figure out how to avoid these
8 moments for you, if we can. All right?

9 A. Fine.

10 Q. Okay. Now, Mr. Salim, before we went off the
11 record, I was trying to understand if you have
12 any present injuries as a result of being
13 shackled to the wall, as you describe.

14 A. Yes.

15 Q. Okay. Can you describe for me what the
16 present injuries are?

17 A. I feel like we should not go too much into
18 that because it's going to remind me of other
19 things.

20 Q. Okay. So why don't we see if there's a time
21 later today or tomorrow that we can pick that
22 up.

23 A. That is good.

24 Q. Okay. Mr. Salim, the other matter that you

1 described during the period of time that you
2 were at darkness was that you were brought
3 into an interrogation facility naked and a
4 light was shined in your face while you were
5 asked questions.

6 Do you remember you told me about
7 that?

8 A. Yes.

9 Q. How many times did that happen?

10 A. The one with the light was once.

11 Q. And did you sustain any injuries as a result
12 of that?

13 A. I have eye problem.

14 Q. Okay. And did anyone ever tell you that the
15 eye problem that you have is related to that
16 event that occurred to you that you described
17 in darkness?

18 A. Nobody.

19 Q. Okay. Did you ever seek treatment from a
20 doctor for this eye problem?

21 A. Yes.

22 Q. And did the doctor tell you what exactly your
23 problem is with your eyes?

24 A. I did not know English that very well, but I

1 remember they gave me the eyeglasses in
2 Bagram.

3 Q. And do you have any memory of a doctor telling
4 you what exactly your problem was with your
5 eye?

6 Is it one eye or both eyes, by the
7 way?

8 A. Both.

9 Q. And do you remember what the doctor telling
10 you the problem was with both eyes?

11 A. I don't remember.

12 Q. Okay. Do you presently wear eyeglasses?

13 A. I don't.

14 Q. Why did you stop wearing them?

15 A. I don't want to.

16 Q. Why not?

17 A. I don't want to.

18 Q. Is it because you don't like them on your
19 face? What's the reason why you don't want to
20 wear them?

21 A. I just think it will make the problem, it will
22 worsen the problem.

23 Q. Did anyone tell you that wearing eyeglasses
24 would worsen the problem with your eyes?

1 were -- oops.

2 MR. SMITH: You need two minutes?

3 Let's go off the record.

4 VIDEOGRAPHER: The time is 4:21.

5 We're off the record.

6 (Brief pause.)

7 VIDEOGRAPHER: We're back on the

8 record. The time is 4:29.

9 BY MR. SMITH:

10 Q. Mr. Salim, are you able to go forward?

11 A. Yes.

12 Q. Okay. Mr. Salim, during the period of time
13 that you were in custody at salt pit, or what
14 you refer to as salt pit, were you
15 interrogated?

16 A. Yes.

17 Q. And who interrogated you?

18 A. Americans.

19 Q. And do you know who these Americans -- well,
20 let's strike that.

21 Do you know if these Americans were
22 FBI agents, CIA agents, military personnel?

23 MR. HOFFMAN: Objection. You can
24 answer.

1 THE WITNESS: Some of them were
2 telling me they were FBI, some of them were
3 telling me they were CIA.

4 BY MR. SMITH:

5 Q. Okay. And you were there for some 14 months
6 or so, is that right?

7 A. I only know it was a year and some months.

8 Q. Okay. I thought you approximated it at a year
9 and two months, is that correct, or am I
10 wrong?

11 A. I didn't say the correct one, but I just said
12 it was one year and some months.

13 Q. Okay. All right. Now, during that period
14 that you were at salt pit, were you kept in a
15 -- in some sort of a cell?

16 A. It was a room.

17 Q. It was a room?

18 A. Uh-huh.

19 Q. Okay. Were any other detainees kept with you
20 in the room?

21 A. In one room?

22 Q. Yes.

23 A. One time.

24 Q. So one night, he shared the room?

1 A. I remember like three or four days.

2 Q. Okay. And other than that, you were kept
3 alone in this room?

4 A. Yes.

5 Q. Can you describe the room for the record?

6 A. I can recall a little.

7 Q. I'm sorry?

8 A. I can recall a little bit.

9 Q. Tell me what you recall.

10 A. It was a room like from this wall up to the
11 table there, up to there. (Gesturing.)

12 Q. Okay. So can we approximate to say 10 feet by
13 8 feet, does that sound right?

14 A. I don't know anything to do with feet.

15 Q. Okay. What about 4 centimeters by 2-1/2
16 centimeters?

17 I'm sorry. I said centimeters. I
18 meant meters. Four meters by 2-1/2 meters.
19 Sorry about that.

20 MR. HOFFMAN: That's very small.

21 MR. SMITH: See if you guys were all
22 paying attention.

23 THE WITNESS: I don't know about
24 meters. I can just estimate what I've shown

1 should I keep going?

2 INTERPRETER ODANGA: Sure.

3 MR. SMITH: Go ahead.

4 (Translating.)

5 BY MR. SMITH:

6 Q. "He is unaware of any facts that would
7 establish the defendants' responsibility for
8 that injury and, accordingly, does not here
9 pursue damages for this injury."

10 A. I don't know. I just know that I was
11 persecuted. I don't know if they were
12 involved in it. My lawyers can answer that.
13 Through my lawyers investigation, they can
14 know.

15 Q. So are you aware, Mr. Salim, that you have
16 conceded that there are no facts that
17 establish the defendants' responsibility for
18 this rape that you contend?

19 A. I can't, myself, I can't know who was
20 responsible. My lawyers, through their
21 investigation, can answer that.

22 Q. I understand, but I'm asking the witness if he
23 is aware that his lawyers have conceded that
24 there are no facts to establish the

1 defendants' responsibility.

2 MR. HOFFMAN: Objection. You can
3 answer it.

4 THE WITNESS: I don't know.

5 BY MR. SMITH:

6 Q. Is today the first day you're hearing about
7 it?

8 MR. HOFFMAN: Objection. You can
9 answer.

10 THE WITNESS: Yes.

11 BY MR. SMITH:

12 Q. Okay. And is -- well, strike that.

13 Mr. Salim, I want to change subject
14 matters. After you left the salt pit, where
15 were you taken to?

16 A. Bagram.

17 Q. Who sent you to Bagram?

18 INTERPRETER ODANGA: Who sent?

19 MR. SMITH: You to Bagram.

20 A. I don't know him.

21 Q. How were you taken there?

22 A. Through a helicopter or airplane.

23 Q. Did you see the people who actually took you
24 on the helicopter or the airplane?

1 A. I did not.

2 Q. Were you able to hear anything while you were
3 taken from the salt pit to Bagram?

4 A. I did not.

5 Q. Do you remember the conditions under which you
6 were transported?

7 A. Yes.

8 Q. Can you describe them for me?

9 A. Two people came into the room where I was and
10 they first took my pictures when I was naked.
11 After that, I was able -- I put on my clothes
12 and then some people came to the room, very
13 forceful, they handcuffed me and also my legs.
14 They covered my face. I had some speakers,
15 they put some speakers and glasses, then they
16 took me.

17 Q. Okay. And how did you know that you were
18 taken to Bagram?

19 A. I didn't know where I was going. So, because
20 up till living there, that's when I became
21 aware that I was in Bagram.

22 Q. Okay. Now, when you arrived at Bagram, where
23 were you taken?

24 A. It was like a room.