

Exhibit TT

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

DEPOSITION OF MOHAMED AHMED BEN SOUD

VOLUME I

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Reported by:

Jane M. Borrowman, RPR, CSR

Job no: 17957

1 leg and there was no -- there wasn't any of
2 those that were at the first stage.

3 Q. And what about stage three at Cobalt, were you
4 subjected to any of the conditions that you
5 described as stage three at Cobalt while you
6 were detained for these four months?

7 A. It was the loud music that continued,
8 shackling, darkness, a continuous
9 interrogation, that continued.

10 Q. And is it your contention that the conditions
11 that you were exposed to during these four
12 months were part of this program prepared by
13 Drs. Mitchell and Jessen?

14 A. I don't think.

15 Q. Why don't you think?

16 A. Because I did not suffer -- I was not exposed
17 to those methods of torture that I was exposed
18 to in Cobalt.

19 Q. So who do you think was making the decisions
20 about your treatment while you were at this
21 facility for four months?

22 A. It's those with whom I was detained. I was
23 detained by the CIA.

24 Q. So at least during this period of four months,

1 you think that the CIA was making decisions
2 without any input from Drs. Mitchell and
3 Jessen, is that correct?

4 MS. SHAMSI: Objection. You may
5 answer.

6 THE WITNESS: I don't know whether
7 there was any communication between the CIA
8 and Dr. Mitchell or there was any
9 coordination, I don't know.

10 BY MR. SMITH:

11 Q. You have no evidence of any communication or
12 coordination, isn't that correct?

13 MS. SHAMSI: Objection. You may
14 answer.

15 THE WITNESS: I don't know.

16 BY MR. SMITH:

17 Q. Okay. Now, after these four months, sometime
18 in August of 2004, you were moved from this
19 facility, is that correct?

20 A. Yes.

21 Q. And you were turned over to Libyan
22 authorities?

23 A. Yes. I was handed over to the Gaddafi regime,
24 yes.

1 Q. And that was in August of 2004?

2 A. Yes.

3 Q. Who made the decision to release you to the
4 Libyan authorities?

5 A. I was not released. I was handed over to the
6 Gaddafi regime to go into Gaddafi prisons and
7 I don't know who took the decision.

8 Q. Do you have any evidence that Dr. Jessen or
9 Dr. Mitchell was in any way involved in the
10 decision to hand you over to the Libyan
11 authorities?

12 A. I don't know.

13 Q. Do you have any evidence that Dr. Mitchell or
14 Dr. Jessen even knew that you had been turned
15 over to the Gaddafi regime?

16 A. I don't know.

17 Q. So what happened to you after you were turned
18 over to the Libyan officials?

19 A. One of the days, someone who were -- who was
20 there in that place came and the guards took
21 me forcibly and very cruelly and they started
22 to -- they started the proceed -- the process
23 where they cut, ripped my clothes, till I
24 became naked, totally naked, and they dressed

1 me in other clothes and took me to a car.

2 The car started to move erratically,
3 very quickly, very fast, then stopped, then
4 very fast, then stopped, till I got dizzy and
5 I threw up.

6 Then, I was taken to what we call a
7 container. Then, the proceeds for travel
8 started with ripping my clothes till I became
9 completely bare, and shackles were put to my
10 hands and my legs, and my eyes were blinded
11 and my ears, and I was hooded.

12 I was forcibly shoved to the plane
13 ladder, steps. They made me sit on one of the
14 seats in the plane, then the plane took off,
15 and after a long time, the duration of the
16 journey, we reached another place.

17 MS. SHAMSI: Jim, Bashar is raising
18 his hand.

19 MR. ALHALABI: Jim.

20 MR. SMITH: Yes.

21 MR. ALHALABI: Also, I was shackled
22 to the seat.

23 INTERPRETER: Okay. Omission by the
24 interpreter for "I was shackled to the seat on

1 the plane."

2 (Translation.)

3 BY MR. SMITH:

4 Q. Where did the plane land?

5 A. The plane landed in an airport. After that,
6 after a short while of that, I learned that
7 this place was one of the Libyan airports.

8 Q. And then what happened when you got off the
9 plane?

10 A. We were handed over to the Libyan intelligence
11 and immediately myself and two others were
12 shoved in a car, in the back hatch, the back
13 hatch of a car, and -- of one of the cars.
14 After that, I was transferred to another
15 place. I learned after that that this was the
16 prison of Tajora.

17 Q. Spell that, please.

18 INTERPRETER: T-A-J-O-R-A. Tajora.

19 THE WITNESS: Tajora.

20 INTERPRETER: Tajora. T-A-J-O-R-A.

21 BY MR. SMITH:

22 Q. Mr. Soud, at the time that you landed on that
23 plane in Libya, did you still have the present
24 intention and desire to kill Gaddafi and

1 anyone associated with his regime?

2 MS. SHAMSI: Objection. You may
3 answer.

4 THE WITNESS: Up till that time, the
5 moment that I stepped down in Libya, and still
6 my affiliation is to the LIFG, which aims at
7 overturning Gaddafi and his regime.

8 BY MR. SMITH:

9 Q. Mr. Soud, did you still have the present
10 intention when you landed that day in Libya to
11 kill Gaddafi and members of his regime?

12 MS. SHAMSI: Objection. You may
13 answer.

14 THE WITNESS: Yes.

15 BY MR. SMITH:

16 Q. Would you have killed him that day if you had
17 the opportunity?

18 A. Gaddafi, yes.

19 Q. Now, how long did you remain in the prison
20 Tajora?

21 A. Several months.

22 Q. Several months?

23 A. Several months.

24 Q. Okay. When were you moved from Tajora?

1 Q. Can someone tell me what the witness is
2 saying?

3 A. As well, a mark about the -- it caused me an
4 injury to my leg or foot. It could be a cut.
5 Then, there was an addition that caused blood
6 to gush out of my foot. So it's a cut.

7 Q. So the bodily injury that you told us about at
8 Cobalt was a cut to your foot, Mr. Soud?

9 A. It was because of the iron shackle. So when
10 the guard stood over the iron shackle that was
11 on my foot, I suffered from an injury. It was
12 not a cut, it was an internal injury.

13 MR. ALHALABI: Did not say
14 "internal."

15 INTERPRETER: Yeah. I mean --

16 MR. ALHALABI: Okay. When you say
17 -- I'm sorry. Can I explain? When you say "a
18 cut," it was perceived as a complete cut, like
19 when you cut something.

20 Now, in English, a cut is when you,
21 basically, cut your skin. The skin broke, if
22 you would. So I believe that's what's going
23 on.

24 You may clarify.

1 INTERPRETER: The interpreter
2 understood that it was not an apparent cut,
3 but it was like a dig into the flesh of the
4 skin. We can ask the -- the interpreter would
5 like to ask for a clarification, please.

6 MR. SMITH: Sure.

7 (Translation discussion.)

8 THE WITNESS: It was a cut that
9 blood gushed out of it.

10 BY MR. SMITH:

11 Q. All right. Did you sustain any bodily
12 injuries while you were maintained as a
13 prisoner in the other facility after you left
14 Cobalt?

15 A. No.

16 Q. Now, in 2006, April of 2006, you were
17 transferred to another prison in Libya called
18 "Abu Salim"?

19 A. Yes.

20 Q. How long did you stay there?

21 A. Till I was released from prison in 2011.

22 Q. When in 2011 were you released?

23 A. January.

24 Q. So you were a prisoner for almost five years

1 at Abu Salim?

2 A. Yes.

3 Q. Before we break, where do you live presently,
4 Mr. Soud?

5 A. In the city of Misrata.

6 Q. Could you spell that, please.

7 INTERPRETER: M-O-U-S-T-R-A-T-A.

8 (Sic.)

9 Q. And where is that?

10 A. It is a city, Misrata is a city that is
11 located in the western/northern part, and it's
12 by the seaside, which is a way, 200 kilometers
13 to the west -- no, to the east from Tripoli.

14 Q. How long have you lived there?

15 A. I lived since I was released up till today.

16 Q. And who pays for your -- your expenses
17 associated with living there?

18 A. I live in a house with my mother and I work.
19 As I have mentioned to you, I work at one of
20 the companies.

21 Q. Okay. What's the name of the company that you
22 work at?

23 A. Tibisti Company for alabaster and granite.

24 Q. Spell it, please.