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18 UNITED STATES DISTRICT COURT
19 FOR THE EASTERN DISTRICT OF WASHINGTON

20 SULEIMAN ABDULLAH SALIM,
21 MOHAMED AHMED BEN SOUD, OBAID
22 ULLAH (AS PERSONAL
23 REPRESENTATIVE OF GUL RAHMAN),

24 Plaintiffs,

25 v.

26 JAMES ELMER MITCHELL and JOHN
"BRUCE" JESSEN

Defendants.

2:15-CV-286-JLQ

**DECLARATION OF DR.
SONDRA CROSBY IN
SUPPORT OF
PLAINTIFFS'
OPPOSITION TO
DEFENDANTS' MOTION
TO EXCLUDE EXPERTS**

1 I, Dr. Sondra Crosby, declare under penalty of perjury as follows:

2 1. I am over the age of 18, of sound mind, and have personal knowledge
3 of the facts stated in this declaration.
4

5 2. I am a licensed physician in the Commonwealth of Massachusetts and
6 am board certified in internal medicine. I am an Associate Professor of
7 Medicine and Public Health at the Boston University Schools of Medicine and
8 Public Health. I maintain a clinical practice focused on the assessment and care
9 of asylum seekers and refugees, most of whom have suffered war trauma,
10 dislocation, torture, and/or sexual and gender-based violence. I also serve as a
11 Lieutenant Commander in the United States Naval Reserves.
12
13

14 3. In this case, I performed a physical and psychological assessment of
15 Plaintiff Suleiman Abdullah Salim on behalf of Plaintiffs. I submitted my
16 expert medical opinion in a report on November 21, 2016 (2016 Report).
17

18 4. I first met Mr. Salim in 2010, before the initiation of the present
19 litigation. I was asked by two nonprofit organizations, the Open Society Justice
20 Initiative and Reprieve, to perform a physical and psychological assessment of
21 Mr. Salim as part of an effort to secure him treatment, if he required any. I
22 agreed, and performed an assessment of Mr. Salim over two days in May 2010.
23

24 5. As part of my evaluation of Mr. Salim, I conducted a complete trauma
25 history, which entails inquiry and cataloguing of all the traumas an individual
26

1 has suffered in their life. This is the standard of care for assessment of
2 prospective torture survivors under the United Nations “Istanbul Protocol.”
3

4 6. I determined in 2010 that Mr. Salim was suffering from severe post-
5 traumatic stress disorder (PTSD), major depression, and physical pain, and that
6 he was in need of treatment.
7

8 7. I then wrote a report of my findings, a portion of which is attached to
9 this Declaration as **Exhibit 1**, which was completed in 2010 (“2010 Report”).
10

11 8. My 2010 Report was then submitted by the nonprofit organization
12 Physicians for Human Rights as part of a grant application to the United Nations
13 seeking funding for treatment for Mr. Salim.
14

15 9. The grant application was approved, and a small amount of funding
16 was made available for treatment for Mr. Salim. I understand that this funding
17 was directed to a counseling psychologist named Dinah Kituyi, M.A., who
18 performed some counseling of Mr. Salim.
19

20 10. In 2016, as part of my work in providing an expert assessment of Mr.
21 Salim, I conducted clinical interviews and a physical examination of him, but I
22 did not conduct a complete, second trauma history. In my opinion, it was
23 unnecessary to perform an additional, comprehensive trauma history because
24 Mr. Salim was fully truthful and forthcoming in 2010, and additionally, the
25 process of conducting a trauma history can itself be traumatic, and I saw no need
26

1 to risk harming Mr. Salim in this way. In 2016, I asked more limited questions
2 about Mr. Salim's history to supplement the trauma history I had already taken.
3

4 11. As a result, in preparing my expert report in 2016, I referred to the
5 trauma history in my 2010 Report, and in some instances, I used language
6 identical or very similar to the language in that earlier document.
7

8 12. At some point after submitting my 2010 Report, but before my
9 involvement in the present litigation, I believe that I was provided a copy of a
10 very short document prepared by Dinah Kituyi regarding Mr. Salim. I do not
11 recall for certain when I first saw this document, or who may have provided it to
12 me. I may have read the document at that time, but do not recall for certain, and
13 otherwise did nothing with it.
14

15 13. In the course of my work on this case in 2016, counsel for Mr. Salim
16 provided me with a copy of the document prepared by Dinah Kituyi. I reviewed
17 it, but it had no impact on my opinions as provided in my 2016 Report.
18

19 14. I am aware that Defendants in this matter have filed a motion seeking
20 to exclude my testimony, and that among the reasons they list for doing so, they
21 suggest that my 2016 Report lifted language wholesale from the document
22 prepared by Dinah Kituyi's, and that this suggests that I relied on her document
23 in formulating my own opinion in this case.
24

25 15. I absolutely did not take language from the Kituyi document in
26

1 preparing my 2016 Report, nor do my expert opinions in this matter rely on the
2 work of Dinah Kituyi. My 2016 Report uses language from my own 2010
3 Report, and that report was prepared before I had ever seen the document
4 prepared by Dinah Kituyi, and in fact, before Dinah Kituyi became involved
5 with Mr. Salim.
6

7
8 * * *

9 I declare under penalty of perjury that the foregoing is true and correct.
10

11 

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Dr. Sondra Crosby

14 Dated: July 28, 2017
15 Boston, Massachusetts
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CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2017, I caused to be electronically filed and served the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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