

THE HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

Lieutenant Commander CHARLES SWIFT, a  
resident of the State of Washington, as next  
friend for SALIM AHMED HAMDAN,  
Military Commission Detainee,  
Camp Echo,  
Guantanamo Bay Naval Base,  
Guantanamo Bay, Cuba,

Petitioner,

v.

DONALD H. RUMSFELD, United States  
Secretary of Defense; JOHN D.  
ALTENBURG, Jr., Appointing Authority for  
Military Commissions, Department of Defense;  
Brigadier General THOMAS L.  
HEMINGWAY, Legal Advisor to the  
Appointing Authority for Military Commissions;  
Brigadier General JAY HOOD, Commander  
Joint Task Force, Guantanamo, Camp Echo,  
Guantanamo Bay, Cuba; GEORGE W. BUSH,  
President of the United States,

Respondents

NO. CV04-0777L

**DECLARATION OF HARRY H.  
SCHNEIDER, JR.**

I, Harry H. Schneider, Jr., hereby declare and state as follows:

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1           1.       I am an attorney with the law firm of Perkins Coie LLP, and am counsel of  
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3 record for Petitioner herein. I am over the age of eighteen (18) years. I have personal  
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5 knowledge of the matters stated herein and, if called upon to testify, could competently  
6  
7 testify thereto.

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9           2.       Attached hereto as Exhibit A (at pages 4-6), is a true and correct copy of a letter that  
10  
11 was sent to counsel for Respondents dated April 30, 2004, setting forth conditions under  
12  
13 which Petitioner would agree not to oppose Respondents' motion for a stay of proceedings in  
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15 this matter.

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17                   **I declare under penalty of perjury under the laws of the United States**  
18                   **and the State of Washington that the foregoing is true and correct to the**  
19                   **best of my knowledge and belief.**  
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22                   DATED this 3<sup>rd</sup> day of May, 2004.  
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26                   **PERKINS COIE LLP**

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29                   By /s/ Harry H. Schneider, Jr.  
30                   Harry H. Schneider, Jr., WSBA #9404  
31                   Joseph M. McMillan, WSBA # 26527  
32                   David R. East, WSBA #31481  
33                   Charles C. Sipos, WSBA #32825  
34                   Attorneys for Petitioner  
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**CERTIFICATE OF SERVICE**

I certify under penalty of perjury under the laws of the State of Washington that on this 3rd day of May, 2004, I caused to be served a true and correct copy of **Declaration of Harry H. Schneider, Jr.** upon the following, at the addresses stated below, via the method of service indicated:

Mr. John McKay	<u>  X  </u>	Via hand delivery
Brian C. Kipnis	<u>      </u>	Via Certified Mail, Return Receipt Requested
U.S. Attorney's Office	<u>      </u>	Via Overnight Delivery
601 Union Street, Suite 5100	<u>      </u>	Via Facsimile
Seattle, WA 98101	<u>      </u>	Via E-filing
Jonathan L. Marcus	<u>      </u>	Via hand delivery
Appellate Section, Criminal Division	<u>      </u>	Via Certified Mail, Return Receipt Requested
U.S. Department of Justice	<u>      </u>	Via Overnight Delivery
601 D Street, N.W., Suite 6206	<u>      </u>	Via Facsimile
Washington, D.C. 20530	<u>  X  </u>	Via E-filing

DATED at Seattle, Washington, this 3<sup>rd</sup> day of May, 2004.

**PERKINS COIE LLP**

By   /s/ Harry H. Schneider, Jr.    
Harry H. Schneider, Jr., WSBA #9404  
Joseph M. McMillan, WSBA # 26527  
David R. East, WSBA #31481  
Charles C. Sipos, WSBA #32825  
Attorneys for Petitioner

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