



U.S. Department of Justice  
Civil Division  
Federal Programs Branch  
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Andrew Warden  
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January 7, 2008

**VIA EMAIL**

Patricia Bronte  
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330 N. Wabash Avenue  
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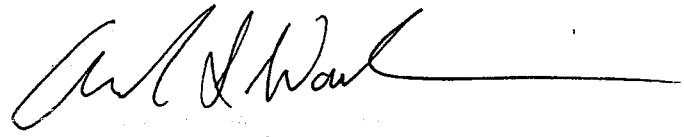
Re:

Dear Pat:

The Department of Defense has informed us of a troubling incident that occurred at the Guantanamo Bay detention facility. Apparently the mother of your client recently passed away. We understand that you informed your client of the sad news during your visit with him on December 17, 2007, with no prior notice to the authorities at Guantanamo Bay. As was, no doubt, foreseeable, your client became quite distraught after your visit with him. The guards discovered him crying in his cell later that night and they had no information about this situation or the reasons for his behavior. Guantanamo has since made arrangements for a mental health counselor to speak with Mr. [redacted] in the event he wants to speak with someone about this personal matter.

Providing such news in the way you did, without providing advance notice to Guantanamo Bay staff or obtaining their approval, was bound to raise security concerns and should have been recognized as not in the best interest of either camp personnel or your client. Moreover, your decision to provide the news to Mr. [redacted] without any advance notice is particularly disappointing in light of the fact that various agencies within the government had been working diligently over the past several months, at your request, to arrange a phone call between Mr. [redacted] and his family in Saudi Arabia to discuss his mother's health situation. As you know, that phone call was abruptly canceled by Mr. [redacted]'s family after all necessary arrangements had been made. I spoke with your colleague Sapna Lalimalani about this matter on or about October 10, 2007 and requested an explanation for the cancellation, but we did not hear anything further from her or you. In the future, the sharing of sensitive information such as this must be arranged through Guantanamo personnel, in strict accordance with the Protective Order. We appreciate your exercise of care in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew I. Warden", with a long horizontal flourish extending to the right.

Andrew I. Warden

CC: Sapna Lalmalani

# JENNER & BLOCK

January 8, 2008

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## VIA E-MAIL & U.S. MAIL

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Re:

Dear Andrew:

I am sorry you believe I violated your clients' rights by informing my client that his mother died at the end of his fifth year of imprisonment at Guantánamo. I believe had the right to know the truth, even though the news would grieve him. That is why I told the guards that I had to deliver bad news to and therefore needed to meet with him, without breaking for lunch, from 11:30 a.m. to 4:30 p.m. on December 17, 2007.

Nothing in Judge Roberts's Protective Order gives the Administration the right to prior notice of the death of a prisoner's parent, nor does the Administration have the right to decide whether, when, or how a prisoner is informed of his mother's death. As you know, I informed JTF-GTMO that 's mother was dying of cancer on July 30, 2007. I have already expressed my appreciation for your work in arranging a phone call between and his family. Unfortunately, a call with his mother was impossible because she was physically incapable of meeting your requirement that she travel to the U.S. embassy in Riyadh. Three days before my December visit to Guantánamo, I learned that the siblings had been unable to go to Riyadh at the appointed time because their mother's condition had become critical. I learned at the same time that Mrs. had died.

There is no way to prevent the grief that follows a mother's death, but I tried my best to impart the information in a compassionate way, and I stayed with for five hours to make sure that he was handling the blow as well as possible under the dismal circumstances. Please call me if you would like to discuss this matter.

Very truly yours,

Patricia A. Bronte

cc: Sapna Lalimalani