

2015 Pro Bono Annual Report

REPRESENTATION AND RELEASE OF MOHAMED SOLTAN:

For two years, Eric Lewis, Brad Glassman, and Waleed Nassar advocated for the release of Mohammed Soltan, an American citizen who was imprisoned in Egypt and tortured for allegedly having supported the previously elected Morsi government. He was on a hunger strike for more than a year. In early April 2015, Mr. Soltan was sentenced to life imprisonment for allegedly plotting to overthrow the el-Sisi government, after a Kafka-esque show trial in which Mr. Soltan was tried along with 50 other defendants. Lewis Baach coordinated with the U.S. State Department and the U.S. Embassy in Cairo to mobilize U.S. Government support for Mr. Soltan and ensure his health and well-being in prison, particularly as his hunger strike lengthened. Lewis Baach attorneys attended hearings in Egypt. On May 29, 2015, Mr. Soltan was released and flew home to his family in Virginia.

AMENDMENT OF CELL EXTRACTION AND FORCED FEEDING PROTOCOL AND RELEASE OF GUANTANAMO DETAINEE ABU WA'EL DHIAB:

In December 2014, Lewis Baach client Abu Wa'el Dhiab (whom Lewis Baach represented along with Jon Eisenberg of Horvitz & Levy and lawyers from Reprieve) was released from detention at Guantanamo and resettled in Uruguay. In addition to advocating for Mr. Dhiab's release, Eric Lewis and Elizabeth Marvin represented Mr. Dhiab in a habeas proceeding to challenge the Government's forced cell extractions and force feeding of hunger striking detainees at Guantanamo. As a result of Lewis Baach's advocacy, the U.S. Government changed a number of its cell extraction and forced feeding protocols. As part of the habeas proceeding, Judge Kessler had granted the application by media intervenors for access to gruesome videotapes of forced cell extractions and force feeding of Mr. Dhiab. The Government appealed this Order, which Lewis Baach and the other attorneys for Mr. Dhiab opposed. Mr. Dhiab won the appeal, which was dismissed on jurisdictional grounds on May 29, 2015. The case remains in the District Court where the videotapes are to be redacted and prepared for release, subject to further Government appeal.

RELEASE OF BAGRAM DETAINEE AMANATULLAH AND VACATING OF ADVERSE PRECEDENT:

Beginning in early 2012, Eric Lewis, Katherine Toomey, James Davenport, and Esther Yong joined the International Justice Network in representing Amanatullah, a Pakistani national detained at Bagram, in his habeas proceeding in Washington, D.C. The petition was denied on jurisdictional grounds, and Lewis Baach's appeal of the decision on Amanatullah's behalf was unsuccessful. Lewis Baach continued to represent Amanatullah and he was released from Bagram in December 2015, when U.S. combat

operations ended in Afghanistan. Following his release, Lewis Baach successfully petitioned the Supreme Court to grant certiorari in Amanatullah's case and to vacate the underlying decisions which had refused to exercise jurisdiction in his habeas case.

OPPOSITION TO THE DEATH PENALTY:

In August 2015, Katherine Toomey, Tara Plochocki and Chiara Spector Naranjo drafted and filed an amicus brief on behalf of Doctors for the Ethical Practice of Medicine in litigation related to the execution of Clayton Lockett in Oklahoma. The brief argued against state statutes that shield the identify of doctors who participate in lethal injection procedures.

Katherine Toomey, Jeffrey Robinson, and Elizabeth Marvin work with Reprieve to obtain disclosure under state open records laws of documents concerning the purchase and use of lethal injection drugs. These efforts include both formal requests for information and litigation. Attorney Katherine Toomey is the named plaintiff in an ongoing suit against the Department of Corrections in Indiana ("DOC") for information concerning their lethal injection drugs.

U.S. V. ABU KHATALLAH

Lewis Baach attorneys Eric Lewis, Katherine Toomey, Jeffrey Robinson, and Waleed co-counsel with the Federal Public Defender, for Ahmed Abu Khatallah, who has been charged with capital murder in federal court in Washington, DC, in the killing of U.S. Ambassador to Libya Christopher Stephens and three others in Benghazi, Libya in 2012. Lewis Baach takes the view that it is incumbent on the bar to assume the representation of unpopular defendants, and especially so in the capital context.

DOMESTIC VIOLENCE:

Lewis Baach attorneys Esther Yong and Tara Plochocki work with the legal clinic at D.C.-based charity Bread for the City to provide representation for clients who are seeking civil protective orders ("CPO") to prevent and remedy domestic violence. Lewis Baach lawyers represent the clients in their CPO hearings and, if necessary, in negotiations with their abusers to work out terms of the protective order, issues of child custody and living arrangements, and redress.

COMMITMENT OF RESOURCES TO SUPPORT OF NON-PROFITS:

Lewis Baach provides full-time office space and support, free of charge, to four human rights lawyers working for Reprieve, a UK-based non-profit that represents prisoners and detainees, particularly those at Guantanamo and on death row, worldwide. In

addition, Lewis Baach has provided offices and support for other Reprieve lawyers and personnel on an as needed basis.

Between December 2014 and May 2015, Lewis Baach provided office space and support, free of charge, to six staff members from Global Rights who were finalizing the wind-down and closing of that organization and the transition of its staff and resources to other endeavors.

PROFESSIONAL RESPONSIBILITY AND COMMUNITY SERVICE

Martin Baach has served on the Board of Professional Responsibility for six years, the last three as the Chairman. He also served as a member of the U.S. District Court for the District of Columbia Committee on Grievances for six years, the last year as Chair. In addition, other lawyers for the firm (Esther Yong, Brad Glassman) regularly serve on hearing committees for D.C. Board of Professional Responsibility proceedings.

Eric Lewis serves on the Boards of Global Rights, the International Justice Network, the International Senior Lawyers Project and he is Chairman of Reprieve U.S.

Katherine Toomey serves on the Board of Bread for the City, which provides legal and medical services, clothing, food, and social services to the needy of Washington D.C.
