

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ABU WA'EL (JIHAD) DHIAB,

Petitioner/Plaintiff,

v.

BARACK H. OBAMA, et al.,

Respondents/Defendants.

Civ. No. 05-1457 (GK)

**PETITIONER'S APPLICATION FOR PRELIMINARY INJUNCTION AND AN
IMMEDIATE ORDER FOR DISCLOSURE OF PROTOCOLS FORTHWITH**

Petitioner Mohammad Abu Wa'el (Jihad) Dhiab, by and through undersigned counsel, and pursuant to Fed. R. Civ. P. 65 and the All Writs Act, 28 U.S.C. § 1651 (2012), applies to this Court for a preliminary injunction against abusive force-feeding practices at Guantánamo Bay that (1) cause unnecessary pain and suffering, and (2) subject detainees to force-feeding before they are at risk of death or great bodily injury. Petitioner requests an expeditious hearing on this motion because of the extreme nature of the constitutional, ethical, and human rights violations that are presently occurring at Guantánamo Bay.

In support of this Application, Petitioner submits the accompanying (i) Statement of Points and Authorities; (ii) Declaration of Jon B. Eisenberg, dated April 18, 2014; (iii) Declaration of Clive A. Stafford Smith, dated March 26, 2014 and filed in *Rabbani v. Obama, et al.*, Case No. 05-1607 (RCL), U.S. District Court for the District of Columbia; (iv) Declaration of Clive A. Stafford Smith, dated March 7, 2014 and filed in *Hassan v. Obama, et al.*, Case No. 04-1194 (UNA), U.S. District Court for the District of Columbia (hereinafter *Hassan*); (v) Declaration of Steven H. Miles, dated

March 5, 2014 and filed in *Hassan*; (vi) Declaration of Stephen N. Xenakis M.D., dated March 2, 2014 and filed in *Hassan*; and (vii) two Proposed Orders.

Petitioner is filing separately under seal pursuant to the September 11, 2008 Protective Order and Procedures for Counsel Access to Detainees at the United States Naval Base in Guantánamo Bay, Cuba (Case No. 1:08-cv001440-UNA) a Supplemental Memorandum in Support of Application for Preliminary Injunction attaching the November 2013 and December 2013 protocols issued by the Joint Medical Group, Joint Task Force Guantánamo Bay, Cuba detailing Medical Management of Detainees with Weight Loss. The Government has designated these protocols as “Protected Information” pursuant to the September 11, 2008 Protective Order.

Respectfully submitted,

/s/ Jon B. Eisenberg

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Dated: April 18, 2014

Counsel for Petitioner/Plaintiff