

### **DECLARATION OF YAMIL LUNA GUTIERREZ**

I, Yamil Luna Guierrez, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct.

1. I make this declaration based on my own personal knowledge, and if called to testify, I could and would do so competently and truthfully to these matters.
2. My name is Yamil Luna Guierrez. I am a named Plaintiff in this lawsuit challenging the government's use of the military base at Guantanamo Bay, Cuba, to detain noncitizens like myself.
3. I was detained at Guantanamo from around May 20, 2025 to July 26, 2025.
4. Guantanamo was much worse than any other detention center where I have been detained in the United States because the people detained at Guantánamo had no privacy and the food was very scarce.
5. I am participating in this lawsuit because I do not believe the U.S. government should be detaining any immigrants like me at Guantanamo.
6. I understand that as a class representative in this case, I would represent people who are currently in detention at Guantanamo, as well as people that will be detained at Guantanamo in the future.
7. I understand that, as a class representative, I represent the interests of all class members in this lawsuit and that it is my responsibility to represent the interests of each class as a whole and not just my own personal interests.
8. I understand that my duty to be a class representative continues until the Court decides this case is no longer a class action, or the case is over.
9. I understand and accept that any resolution of the lawsuit, for example by settlement and dismissal, is subject to Court approval and must be in the best interests of the class as a whole.
10. I understand that, by agreeing to become a class representative, I have a duty to take steps to help move the case forward, which I will do with my attorneys. I know that I must attend court if necessary; provide information to my attorneys that they feel is necessary for the case; give them documents I have if it is required; testify at a deposition or trial if necessary; and provide my attorneys with my contact information and current whereabouts because it may be necessary for them to contact me on short notice.
11. I understand that I am volunteering to represent many other detained persons with similar claims against the government's use of Guantanamo for detaining immigrants. I believe it is important that people in the situation I was in not be sent to Guantanamo.

12. This declaration was read back to me in Spanish, a language in which I am fluent. I don't have a stable cell phone at the moment or a way to print documents. For this reason, I cannot sign this declaration, but I consent for Kyle Virgien to sign for me.

Executed on 7 of August, 2025

/s/ Yamil Luna Gutierrez

Yamil Luna Gutierrez

#### **ATTESTATION AND CERTIFICATE OF TRANSLATION**

I, Kyle Virgien, certify that I am fluent in both English and Spanish. On August 7, 2025, I personally spoke with Yamil Luna Gutierrez and read the foregoing declaration to him, translated into Spanish faithfully and accurately, over the phone. Mr. Luna Gutierrez affirmed that he understood my translation and that the information in the above declaration is true and accurate. Due to Mr. Luna Gutierrez's current lack of a stable cell phone or way to print, it was not possible to obtain a written signature on the declaration. In addition to confirming the information on the above declaration is true, Mr. Luna Gutierrez also gave me verbal consent to sign on his behalf.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.



Kyle Virgien

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