

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

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SUHAIL NAJIM ABDULLAH AL : Civil Action No.:
SHIMARI, et al., : 1:08-cv-827
Plaintiffs, :
versus : Tuesday, November 12, 2024
CACI PREMIER TECHNOLOGY, : Alexandria, Virginia
INC., : Day 8
Defendant. : Pages 1-9
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The above-entitled jury trial was heard before the
Honorable Leonie M. Brinkema, United States District Judge.
This proceeding commenced at 11:25 a.m.

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COMPUTERIZED TRANSCRIPTION OF STENOGRAPHIC NOTES

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P R O C E E D I N G S

THE DEPUTY CLERK: Civil Action Number
1:08-cv-827, Al Shimari, et al. versus CACI Premier
Technology. Will counsel please note their appearance for
the record, first for the plaintiffs.

MR. FARIDI: Good morning, Your Honor.
Muhammad Faridi on behalf of the plaintiffs, joined by my
colleagues Baher Azmy, Alex Mahler-Haug, Charles Molster,
Bonita Robinson and Michael Buchanan.

THE COURT: Good morning.

MR. O'CONNOR: Good morning, Your Honor.
John O'Connor for CACI, joined by co-counsel Linda Bailey,
Nina Ginsberg and Joseph McClure.

THE COURT: All right. Good morning.

As you know, the jury has reached a verdict, so
we'll bring the jury in.

THE COURT SECURITY OFFICER: Yes, Judge.
Rise for the jury.

(Jury present at 11:26 a.m.)

THE DEPUTY CLERK: Ladies and gentlemen of the
jury, have you reached a verdict?

THE FOREPERSON: Yes, we have.

THE DEPUTY CLERK: Can you hand it to the court
security officer, please.

Ladies and gentlemen of the jury, hearken unto

1 your verdict. In the United States District Court for the
2 Eastern District of Virginia, Alexandria Division. Suhail
3 Najim Abdullah Al Shimari, et al. versus CACI Premier
4 Technology. Verdict form.

5 As to Plaintiff Salah Hasan Nusaif Jasim
6 Al-Ejaili. Has plaintiff proven by a preponderance of the
7 evidence that the defendant, CACI Premier Technology, Inc.,
8 is liable to plaintiff for conspiring with military
9 personnel to inflict torture or cruel, inhuman or degrading
10 treatment on detainees in the Abu Ghraib hard site that
11 resulted in plaintiff being tortured or subjected to cruel,
12 inhuman or degrading treatment?

13 Yes.

14 What amount, if any, of compensatory damages have
15 plaintiff proven by a preponderance of the evidence?

16 \$3 million.

17 What amount, if any, of punitive damages have
18 plaintiff proven by clear and convincing evidence?

19 \$11 million.

20 Signed by jury foreperson, Debra Schroeder, on
21 November 12th, 2024.

22 As to Plaintiff Asa'ad Hamza Hanfoosh Al-Zuba'e.
23 Has plaintiff proven by a preponderance of the evidence that
24 defendant, CACI Premier Technology, Inc., is liable to
25 plaintiff for conspiring with military personnel to inflict

1 torture or cruel, inhuman or degrading treatment on the
2 detainees in the Abu Ghraib hard site that resulted in the
3 plaintiff being tortured or subjected to cruel, inhuman or
4 degrading treatment?

5 Yes.

6 What amount, if any, of compensatory damages has
7 the plaintiff proven by a preponderance of the evidence?

8 \$3 million.

9 What amount, if any, of punitive damages has the
10 plaintiff proven by clear and convincing evidence?

11 \$11 million.

12 Signed by jury foreperson, Debra Schroeder, on
13 November 12th, 2024.

14 As to Plaintiff Suhail Najim Abdullah Al Shimari.
15 Has plaintiff proven by a preponderance of the evidence that
16 defendant, CACI Premier Technology, Inc., is liable to
17 plaintiff for conspiring with military personnel to inflict
18 torture or cruel, inhuman or degrading treatment on
19 detainees in the Abu Ghraib hard site that resulted in the
20 plaintiff being tortured or subjected to cruel, inhuman or
21 degrading treatment?

22 Yes.

23 What amount, if any, of compensatory damages has
24 plaintiff proven by a preponderance of the evidence?

25 \$3 million.

1 What amount, if any, of the punitive damages has
2 plaintiff proven by clear and convincing evidence?

3 \$11 million.

4 Signed by jury foreperson, Debra Schroeder, on
5 November 12th, 2024.

6 Ladies and gentlemen of the jury, is this your
7 unanimous verdict?

8 THE JURY: Yes.

9 THE COURT: Does either side wish to have the jury
10 polled?

11 MR. FARIDI: No, Your Honor.

12 MR. O'CONNOR: No, Your Honor.

13 THE COURT: All right. Then, ladies and
14 gentlemen, I want to thank you on behalf of the parties and
15 the Court for your giving us so many days of your very
16 valuable time. I know for several of you this was quite a
17 sacrifice. But you can understand how important it is for
18 people like yourselves to be willing to make that sacrifice.
19 And it is one of the very important civic duties that we all
20 have, so I really appreciate how you went about deciding
21 this case. You were always here on time, all of you stayed
22 awake and attentive, and I want to thank you again.

23 If you just will remain in the jury room for a few
24 minutes, I'll come back and talk to you individually, but I
25 have a couple of housekeeping matters I have to take up with

1 counsel. Thank you. Just go on back.

2 THE COURT SECURITY OFFICER: Rise for the jury.

3 (Jury not present at 11:31 a.m.)

4 THE COURT: All right. The first thing is I want
5 to reveal to you now -- and I'm going to unseal the note
6 that we got from the jury. And, it's interesting, the
7 reason why they were so sensitive about the note is it was,
8 to some degree, revealing where they were in their
9 deliberations, so it was correct that they didn't want me to
10 share it with counsel, and it was my decision that I wasn't
11 going to share it with you.

12 So the question was: If the jury decides to make
13 punitive award, can we ask that part of the award be
14 directed to a credible non-profit organization that provides
15 emotional support and workforce placement for similar
16 victims of PTSD, emotional trauma and displacement from Abu
17 Ghraib human rights violations? That was the question.

18 I said no, because I think that was the correct
19 answer since the plaintiffs have never offered any
20 alternative approach to the punitive damages.

21 But that was what was the sealed matter. We'll
22 email you copies so you have it for your records of the
23 note. And that portion of the transcript, which initially
24 was ordered sealed, is unsealed if you'll need access to it.
25 All right.

1 I'll direct that the verdicts of the jury be
2 entered, and if there are going to be any post-trial
3 motions, they should be filed within 14 days.

4 Other than that, Counsel, this was a difficult
5 case to try. As I said, there were good arguments on both
6 sides. But this was a very good jury, the case has now had
7 two times to be presented to a jury. This one saw it
8 differently than the first one did. It was a different case
9 in how it was tried. So this one is resolved.

10 I think, Mr. O'Connor, we need to address whether
11 the cases waiting in the -- the Abbass case needs to start
12 getting ready. And so that's another decision that you and
13 I and counsel for the plaintiffs will have to decide.

14 MR. O'CONNOR: And, Your Honor, at this moment,
15 that's -- Your Honor's stay -- refusal -- or maintaining of
16 the stay is up on appeal, so I'm not sure whether there's
17 even jurisdiction at this point.

18 THE COURT: You appealed?

19 MR. O'CONNOR: We appealed, yes, Your Honor.

20 THE COURT: All right. You know, you initially
21 wanted us to hear it right away; now that we've gotten some
22 resolution of this case -- but if you want the appeal to go
23 forward, that's fine. If you -- if the mandate comes back
24 to me, I'm prepared to get the second case moving at this
25 point.

1 MR. O'CONNOR: Understood, Your Honor. Thank you.
2 THE COURT: All right. Anything further, Counsel?
3 MR. FARIDI: None from our side, Your Honor.
4 THE COURT: Very good. Then we'll recess court
5 until 2:00.
6 (Proceedings adjourned at 11:34 a.m.)
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8 I certify that the foregoing is a true and accurate
9 transcription of my stenographic notes.
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11 Stephanie Austin
12 Stephanie M. Austin, RPR, CRR
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