

# Press Release

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## Al Haramain and Lawyers Win Summary Judgment on Claims of Warrantless Wiretapping

Portland, OR—In a historic ruling, Judge Vaughn Walker of the US Federal District Court for the Northern District of California in San Francisco ruled in favor of a US branch of Saudi charity Al Haramain Islamic Foundation (AHIF) and two of its lawyers that had sued President George W. Bush and senior government officials for illegally intercepting telephone conversations between Saudi national Soliman Al-Buthi (who is Director of Environmental health for the City of Riyadh) and his two attorneys.

The Judge granted not only standing but a judgment in favor of the Plaintiffs, finding that the wiretapping violated the Foreign Intelligence Surveillance Act of 1978 which was enacted to curb Watergate-era abuses. Since then, no party has ever successfully argued that it had standing to sue as an “aggrieved party,” let alone obtain a determination that the government acted illegally.

The Al-Haramain lawsuit was filed in February 2006 by the US chapter of Al-Haramain Islamic Foundation after it was discovered that a transcript accidentally sent to them in August 2004 derived from illegal wiretapping under the illegal Terrorist Surveillance Program (TSP). The program, supposed cancelled since then, was controversial even within the Bush Administration, when then-AG Ashcroft refused to certify the program as legal when he was hospitalized earlier that year.

The government stonewalled the case from the beginning and still refuses to admit that it either wiretapped the Plaintiffs or even had a warrant to do so. As Judge Walker pointed out in today’s ruling, “Defendants declined to avail themselves of [the appropriate legal] procedures and have otherwise declined to submit anything to the court squarely addressing plaintiffs’ prima facie case of electronic surveillance.”

AHIF attorney Thomas Nelson heralded the decision and will work with the legal team he has assembled and with the Plaintiffs to comply with the Judge’s order on pursuing other claims or moving straight to the damages phase. “We are overwhelmed with the depth and breadth of Judge Walker’s decision to not only right a wrong but also to compensate our clients and award attorneys fees to send a message that such conduct by the government will be subject to accountability,” stated Nelson.

“From the beginning this case has been about government transparency in creating a climate for charities and their workers to do their work in a compliant manner in fulfilling their donors and stakeholders wishes in applying resources to those most needy,” stated Nelson.

AHIF was part of a Saudi-based international charity that at one point had over 70 branches worldwide.