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Summarized Sworn Detainee Statement

When asked by the Tribunal President if the detainee understood the CSRT process, the Detainee answered, "Yes."

Tribunal President: Do you have any questions concerning the Tribunal process?

Detainee: May I have my legal representative present please?

Tribunal President: No you may not. This is not a legal proceeding it is a Military Tribunal. Do you have any other questions?

Detainee: No.

[After the Recorder read the unclassified summary the Detainee stated the following:]

Detainee: He read something different. The factual basis that I was here is different in some of the particulars. ..(inaudible). Most likely his will be submitted but this one will be rendered redundant. So I would rather have this one actually submitted as well., (inaudible).

Tribunal President: Do you have a copy of the original there?

Detainee: Yes it was just handed to me by the Persona] Representative and he read something different

Tribunal President: Then we will submit that one as exhibit D-G.

Tribunal President: Do you wish to make a statement to this Tribunal?

Detainee: I did make a defense call, for a witness to be called. This supposed suspected spy who supposedly identified me as his alleged beater.

Tribunal President: When did you make that request?

Detainee: It is in one of the documents, it is defense calls essential witnesses and documentation. I have made a number of defense calls for certain witnesses and certain documents to be presented to the court as evidence.

Tribunal President: I will consider all of those and make a determination on them at a later time.

Detainee: I would like it to be known that the actual suspected spy is present or was present in Guantanamo Bay Cuba as a detainee. I would like him to be called as a

UNCLASSIFIED / FOUO

witness in order to verify what he is saying and to find out why he has alleged me as his beater, when I did not beat him.

Tribunal President: If we determine a witness to be relevant, the witness will have the option of attending or not attending. We will look at that and make a determination then contact the potential witness, if we determine it is relevant.

Tribunal President: You also requested formally through your Personal Representative two witnesses and a document. You requested that your lawyer be allowed as a witness.

Detainee: As a legal advisor to the defense not as a legal advocate in anyway.

Tribunal President: You stated your lawyer would testify about you being illegally held here against International law. This is a Military Tribunal not a legal proceeding, so the request for the lawyer was denied.

Detainee: On the basis that the Tribunal can actually hold me here in incarceration or release me, I would consider this a criminal proceeding.

Tribunal President: The second request you had was for your mother, who you stated would talk to the frame of mind you had prior to leaving the United Kingdom and the reasons why you left home.

Detainee: I actually stated that there was a document which I wrote, my last will and testament, and it was...(inaudible)..that my mother would actually come as a witness to submit the document as evidence.

Tribunal President: I have determined that your frame of mind prior to leaving the United Kingdom is not relevant at this time. Rather what you did while you were in Afghanistan is what is relevant to this Tribunal.

Detainee: The reference is made that I actually left the United Kingdom in order to take action against Americans and Jews. That document actually clarifies that as well as my biography the reasons why I actually left the United Kingdom,

Tribunal President: Your biography was the third item in your request. We have that and will consider it in our deliberations.

Detainee: I would like to make a point, my last will and testament is specific to certain sections in my biography. The biography, because it covers many years is very general and the last will and testament is specific and covers certain parts of the biography and ...(inaudible).

Tribunal President: Thank you, we will take that into consideration as well.

UNCLASSIFIED / FOUO

Detainee: The habeas proceeding going on, on my behalf and I believe the actual determination from this.. (inaudible)..on the basis to go toward those habeas proceedings. I wonder whether the documents are going to go toward the habeas proceedings?

Tribunal President: To my knowledge none of the evidence submitted today will go to the habeas. The decision it self might. You have a lawyer representing you in the habeas and if he chooses to submit that as part of the habeas that is up to him.

Detainee: I believe that Judge Greene in the United States she requested the basis as to why we are being held here for the habeas petitioners. And the record is actually.. (inaudible)..for a common sense review Tribunal. I believe specific basis are presented to her and those documentations will actually go into. Maybe you haven't been informed on this matter.

Tribunal President: I have not. We will check into it and if that is the issue and again we will decide if it is relevant then we will request it and have it submitted as part of the package.

Tribunal President: Please understand this is the first time we have seen the evidence as a panel, so it is difficult sometimes for me to answer the relevancy until after we have seen the evidence. If after we have gone through the Tribunal and we feel that we need this evidence and it is relevant then we will recess and call for the evidence and reconvene at a later time.

Tribunal President: Do you wish to make a statement to this Tribunal?

Detainee: May I be presented with my defense response to the accusations for my designation as an enemy combatant.

[The Detainee was sworn.]

Detainee: This is to be submitted as a document into evidence, so I wrote it as a document rather to be spoke on, but I am going to speak from it anyway, so bear with me.

[Reading]: ...(inaudible),,A.K.A Malcolm X. I am not anti-American and I did not come here to condemn America. I want to make that very clear. I came here to tell the truth and if the truth condemns America, then she stands condemned. .. (inaudible)..the sun rising is splendor, A. Notice. It is my duty as a Muslim to warn all who are involved in this matter that they are personally responsible for their actions at all times before Allah. Allah says in this uncreated world that is the Koran. Is then the man who believes no better then the man who is rebellious and wicked? Not equal are they. For those who believe and do righteous deeds are gardeners as hospitable homes for their good deeds. As to those who are rebellious and wicked their abode will be the fire. Every time they wish to get away there from they will be forced there into and it will be said to them.

ISN #024
Enclosure (3)
Page 3 of 9
i fl

UNCLASSIFIED / FOUO

UNCLASSIFIED / FOUO

Take ye the penalty of the fire, the which ye will want to reject as false. And indeed we will make them taste of the penalty of this life prior to the supreme penalty in order that they may repent and return. And who does more wrong then one to whom are recited the signs of his lord and who turns away there from. Vary from those who transgress we will exact due retribution. Chapter 32, Al Sajdah, versus 18-22. It is also my duty and pleasure as a Muslim to happily proclaim that Allah will forgive any wrongs we do and/or have done upon sincere repentance. And those who have done something to be ashamed of or wronged their own souls, earnestly bring Allah to mind and ask for forgiveness of their sins and who can forgive sins except Allah. And are never obstinate in persisting knowingly in the wrongs they have done. Fro such the reward is forgiveness from their lord and gardeners with rivers flowing underneath an eternal dwelling how excellent a recompense for those who work and strive. Chapter 3, Al Imran, versus 135-138.

Tribunal President: Excuse me. While I appreciate your concern for our souls I would really like you to get to the relevant information concerning this Tribunal. Directed specifically to the facts relevant to this Tribunal.

Detainee: Okay, I just wanted to let you know. I wanted to make that point as a Muslim it was my duty.

Tribunal President: I appreciate your religious duties. I would appreciate more now that you get to the facts of the Tribunal.

Detainee[reading]: B. Deputy Secretary of Defense Order of July 7,2004. The Secretary of Defense has established a Combatant Status Review Tribunal process to determine in a fact-based proceeding, whether the individuals detained by the Department of Defense at the U.S. Naval Base Guantanamo Bay, Cuba are properly classified as enemy combatants and are to permit each detainee the opportunity to contest such designation. The arguments in this written presentation are confined and directed to the above. C. Islamic Law. It was we who renewed the laws to Moses, therein was guidance and light. By its standards have been judged the Jews, by the Prophets who bowed as in Islam to Allah's will, by the Rabbis and doctors of law, for to them was entrusted the projection of Allah's book, and they were witnesses thereto. Therefore fear not men, but fear me and sell not my signs for a miserable price. If any do fail to judge by the light of what Allah hath revealed they are no better than unbelievers.

Tribunal President: Once again...

Detainee: This concerns my designation as an enemy combatant. If you will allow me to go through the process you will understand my...

Tribunal President: I will allow you to go through the process if you ever get to the part about what we are here to talk about today, which is your classification as an enemy combatant.

ISN #024
Enclosure (3)
Page 4 of9

UNCLASSIFIED / FOUO

000463

UNCLASSIFIED / FOUO

Detainee: This does concern my classification as an enemy combatant because I am speaking to you on the point of view of Islamic law.

Tribunal President: This is not Islamic law; it has no authority here and has no bearing on these proceedings. This is a Military Tribunal. You have been designated as an enemy combatant against the United States by the U.S. Government. That is what is important here. We do not comply with or consider Islamic law.

[The Personal Representative attempted to hand the Detainee a copy of the unclassified summary.]

Personal Representative: Would you like to look at this, this is the specifics, you wrote some notes about this.

Detainee: I understand, I understand. I know what I am doing.

Detainee [reading]: In July 2003, respondent Bush announced that he had designated Mr. Abbasi an enemy combatant subject to the Executive Military Order of November 13, 2001. D. The Joint Resolution. In the wake of the September 11, 2001 attacks, the United States at the direction of Respondent Bush, began a massive military campaign against the Taliban government, then in power in Afghanistan. On September 18, 2001, a Joint Resolution of Congress authorized the President to use force against the nations, organizations, or persons that planned, authorized, committed, or aided the terrorist attacks on September 11th, 2001 or that harbored such organizations or persons. Defense Response: Unlike the greatest terrorist acts known to history, committed by the United States of America. The atom bombings of the civilian population of Nagasaki and Hiroshima. There has not been shown any adequate, sufficient, and substantial evidence to establish the guilt of Al-Qaida as the very perpetrators of the terrorist attacks of September 11th, 2001. But there has been much unfounded and biased.. (inaudible). Therefore based upon the wholesome legal principal of, innocent until proven guilty without a shadow of a doubt, Al-Qaida can be said to be innocent of the terrorist attacks of September 11th, 2001. Unless adequate evidence is presented before a fair and just court of law, which then establishes Al-Qaida as the perpetrators of the terrorist attacks of September 11th without a shadow of a doubt. Al-Qaida being innocent of perpetrating the terrorist attacks of September 11th, Taliban cannot be guilty of harboring terrorist. If Taliban is not guilty of harboring terrorist and Al-Qaida is innocent of the September 11th terrorist attacks then the fundamental basis of Congress' Joint Resolution authorizing the use of necessary and appropriate force against nations, organizations, or persons that planned, authorized, committed, or aided in the September 11th, 2001 attack, Al-Qaida terrorist attacks; not only does not have a leg to stand on, it does not even have buttocks to sit on, nor a back or sides to lie on. In fact the unfounded use of military force commencing I believe on October 9th, 2001...

ISN #024
Enclosure (3)
Page 5 of 9

UNCLASSIFIED/FOUO

000463

UNCLASSIFIED / FOUO

Tribunal President: Excuse me. This is your last warning and this is the last time I am going to tell you this. This is not a matter of Al-Qaida this is not a matter of government against government This is a matter of what you did in Afghanistan.

Detainee: I believe this is a matter of my classification as an enemy combatant.

Tribunal President: It is not I am here to tell you it is not. These matters are beyond the control and beyond the range of this Tribunal. I am telling you for the final time to confine your discussion to the matters before this Tribunal. I will help you specifically address the matters on the Combatant Status summary of evidence on the combatant status review Tribunals, which specifically address your actions in Afghanistan.

Detainee: Would you, Personal Representative, did you not tell me that I'm here and that Tribunal is going to deal with one thing, my designation as enemy combatant. You never told me specially I had to address those matters. If I want to address my designation as an enemy combatant, by International Law and the Geneva Conventions...

Tribunal President: Once again, International Law does apply, Geneva Conventions do not apply. You have been designated as an enemy combatant. This Tribunal will fairly listen to your explanation of your actions. We will consider what you have written but for the purposes of this Tribunal, for this session, I will once again direct you to address the matters specific to your actions in Afghanistan.

Detainee: Well sir, you told rae that I'm here to address my designation as an enemy combatant ..(inaudible).i don't see why I should be confined to those matters. I have right here my status. And my status shouldn't be incompetent. I should have P.O.W. status. So, you are telling me I am an enemy combatant. I am telling you by special Geneva Conventions, I am a non-combatant

Tribunal President: I am telling you...

Detainee: ...(inaudible)..by U.S. law you should hold me as a combatant. But you are saying that I cannot do that. Those accusations frankly if the Recorder would have read my autobiography those accusations would not have been made. In the original... (inaudible)..unclassified...(inaudible)..basis or response there are mistakes that differ from autobiography, you would not have made them.

Tribunal President: Once again, International Law does not matter here. Geneva Convention does not matter here. What matters here and what I am concerned about and what I really want to get to, is your status as enemy combatant based upon the evidence that has been provided and your actions while you were in Afghanistan. If you deviate from that one more time you will be removed from this Tribunal and we will continue to hear evidence without you being present.

UNCLASSIFIED / FOUO

Personal Representative: (to the Detainee, while attempting to hand him the unclassified summary) Do you want to read from this and whatever you said that was specific to this, from our meeting today? Do you realize what he is talking about? These.

Tribunal President: Would you like to have a moment to confer with your Personal Representative, to gather your thoughts?

Detainee: I am just thinking of what ever works. This specific document will do it much better. Okay, Defense call to essential witnesses and documentation.

Tribunal President: Just for clarification and once again. You are not being limited except for the fact that we will consider everything that you have written.

Detainee: I know but I have the right to speak...

Tribunal President: No you don't.

Detainee: And the Personal Representative told me I can say what ever I like.

Tribunal President: He was mistaken if he told you that.

Detainee: Okay.

Tribunal President: But we will consider all of what you have written.

Detainee: This concerns my being said to be a member of Al-Qaida and an Al-Qaida fighter, [reading]: It is unclear whether Mr. Abbasi is or is not a prisoner of war, but this is clearly a question appropriate for inquiry by a competent Tribunal. The answer would depend upon the precise facts of the case and in particular upon the exact relationship between the Taliban, which in our view was as a matter of International Law the government of Afghanistan, even though it was not recognized by the United States as such, and any organization in which he was an active participant in Afghanistan. We understand that it is said Mr. Abbasi was a member of Al-Qaida, but we are not aware of any proof that this is the case, or of any proof of the nature of the relationship between Al-Qaida. This point is important because the definition of a combatant in International Law may be wide enough...

Tribunal President: Once again.. International Law...

[The Detainee continued to read from his document, speaking over the Tribunal President, as the Tribunal President attempted to stop him.]

Tribunal President: Mr. Abbasi your conduct is unacceptable and this is your absolute final warning. I don't care about International Law. I don't want to hear the words International Law again. We are not concerned with International Law. I am going to

UNCLASSIFIED / FOUO

give you one last opportunity, for which I am being much more generous and perhaps I shouldn't, but I will give you one last opportunity to address the specifics on the summary of evidence. If you wish to do so you may, if you do not wish to do so we will have you removed.

Personal Representative: (to the Detainee, while attempting to hand him the unclassified summary) Why don't you use this in defense answers to the allegations.

Detainee: Let me see this. I believe the Recorder is suppose to present evidence on the circumstances of my capture.

[The Detainee kept trying to interrupt the Tribunal President as he stated the following:]

Tribunal President: The unclassified evidence the Recorder had to submit has been submitted, and provided for your review. Any other evidence he has, has been classified.

Detainee: So, the government evidence has been classified.

Tribunal President: Any other evidence he...

Detainee: I want to make it aware to this Tribunal that I have a copy of the Combatant Status Review Tribunal process and I am aware of how this Tribunal is to be conducted.

Tribunal President: So are we.

Detainee: That's good, and the Recorder is suppose to present the government evidence based on government information and part of that evidence is the circumstances of my being captured. [The Detainee turned to the recorder and asked:] Is that classified or not Recorder?

Tribunal President: The Recorder is not required to answer your questions. All the unclassified evidence he has, has been submitted.

Detainee: I would like to bring it to the Tribunals attention, The Combatant Status Review Tribunal process, [reading]: E. Combatant Status Review Tribunal Authority. 3. Request the production of such reasonable available information in the possession of the U.S. Government bearing on the issue of whether the detainee meets the criteria to be designated as an enemy combatant including information generated in connection with the initial determination to hold the detainee as an enemy combatant and in any subsequent reviews of that determination as well as any records, determinations, or reports generated in connection with such proceedings...(inaudible)..called herein after the Government Information.

Tribunal President: The Tribunal Recorder has requested a closed session to present further evidence.

ISN #024
Enclosure (3)
PageS of9

UNCLASSIFIED / FOUO

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UNCLASSIFIED A¥039

Detainee: I understand that

Tribunal President That further evidence will be submitted. Do you wish to address the specifics on your unclassified summary or not? Yes or No.

Detainee: I think no.

Tribunal President We are going to ask for you to be removed from the Tribunal hearing. Thank you for your time...

Detainee: I would like to make it known to the Tribunal that all your actions will come before Allah and he will be just when allowing consideration for this. And Allah may forgive you and Allah may punish you.

[The Tribunal was recessed to remove the Detainee from the room.]

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.

[REDACTED]
[REDACTED], Col, USAF
Tribunal President

**Enclosure (3)
Page 9 of 9**

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The documents that comprised this number range were withheld from the FOIA production as they were filed in the habeas case under seal pursuant to court order. (Case 04-01137 (RMC))

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^ c u ^ , b , . <a^:a/a^g-> & ^ W ^ 0 * - fajffi&tg, ^ } <M.-9- <^v=V^ife* ^j »£=£&, - ^ ^ - ^ ^ ^ ^ -
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(j) VALASHMTKOV^ "PK PISTOL^<f?PGr^ftPK KWCH1HE Cr<M*;
i-fU o

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ot^vo eUe^ (A^OM^ VJ««;V\C. tSey»^ evut to .^JK«U»*V eu«. f*-<***cl V-±.

^ o^cY*-- 3^.*. Al S^ti«J^; vevi^s, ^ -2.2. >>

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... A*W fecit . «*ko..K«-«.**. d**^jj. M»A<JUv^iA& '«e '«c. "a-SUax^etvl 6V cv w-v^v-»j»A.

-»«W ppy «*,> s.'-l - Q—d ^~a cc^A f**Y^*- »^t e r ^ t A\WU ? — <*--J 0 U 0 6 3 2

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£•feU*.i^A w*, Wo<4_ Gsv-^^etc^1-^ "SavO^ ^- AtfeVi t««tf-£. t.t.,VkoJc u^ Ucu,?<^

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..V^...OLU...V»Vtv»JCS, "jUS. *BHfe.^..o^...^sS*.«5ijLJL..Ci .!» . MWIU*) ^ p» V k-.t^eJc W^U i k c w v>^c>^

Coww.«u%«i.i) • >^<5.^a. fevc«-Jw. UaJfx^'-'^.. ^*-^>* ^'-^ *~««3Kr Allo-L, l-»citu <t—

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;tv<^. Co^t-Jet**^.. (S<x. rfj*v«w.ca- <ty^Vo>vo^ laJsJutiw^)

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?A.V**>fc|@vw Or *^Y*x*.fcJfc~fc 'S-J-iU, W^ra-N-L ex. !^^oJS«\At t^niU'trw^ «J=w^oJ<^~» Cu>yo-'fV **.

On <s*^W «, Zool, ex.

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;fcUa.V j^<^v\^i. ! h>v^Av~ A-tffJL fcv, od^-.**^ B~%. •'Icu^W.fc. £--Sw^<^.ey\ fcj-u*-k fcU*. U-. O.A «,H

UJ^VV. c)_ «=*£*. e£. tevu_fct» iu.iWt4 <^-^A h^-r »U «-^A'. »fcr..«J <^ u*«a-:. % 4kA- PAVMI./vvk

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it Cwtau/vt*^ CM^ A.d*r W*. fcKC MA>4^VWS U.Ua Wx^HL SsxjJfcSL^J. -•^i^feL^ CL^,JL tto^ v%°c^u.K^.

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JNj f A a k . L O J V ^ < £ o u 0 ^{W r t} ^ » J b & ^ V S f c c J c * * * f c t K n ' t x A t h n W u u « J L I V U C U . 4 * , J . # I O S ' t - n * * * * * f a > C 2 * t r

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s i f i j f c f c - ! . " W t a J ^ S C c n - ^ % * r v ^ Q j . * V J b ' o " v l o J L ' t - v J I f l * r i ^ i i . c ^ > J 2 , ^ ^ ^ c . U - v ^ » c A - J ^ i i t o ' e ^ - s C A ' K C . \ f e % M . V C * ^ W - s

- i t e ^ . i v ' x * * » ^ t V * c i ^ s _ s i c n ^ f ^ " ^ r t " * * * * * * * * ^ * * « J C ^ c » e 3 \ 2 J c c * J / v & j j , t r , ^ » _ 4 i t ^ p » « - f c ^ b . ' < s v - ^

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*fefft. CV^ ^-V^Sg-^'V-SJ. O^r^^ V-ss^—, , U..”j *a«u*fv%«> /-fci.^IC. VSURCoX »-v.»^-vV>A^ <A~A cUsJfeA. <&[

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£.;1U. VJU.W StvjAi & » & b—w Mr. Aww^s; .< «v

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[xtXv'S, wv~4«i W.«vJk. 5*^ U«tfs..\"*«i ^^Jei-i t4^-v«, v^^-v o-Ll <aV^»^ %*=s»Asu ,

(CJU. z, f, al),

-a* i^ tM D££?i^JcC ti&'0Qti*£ "io UWXAtti^ufG F^CTIjrtu i&AsiS O^ p£Tgwrr\u^

___iWwiy. <^, Mr. ..Ay»«a*. -Lv

.....j.H *»y»#fle, \$fcyft-, .CAfeiW t<c^»l fr****- ttx4- Pa^>-_5*H*-J? A ^ O T .J^*^ *2?'k * * f ^ ^ V**1

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fco <Sc«^U iWrc^-'xiUL- «*. feUu.'r- O-^iVoJ^ tre^Jfa^a-vV- CcA'-KS-Wfe^fc w»fcU <*-<^£

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°^*-«*X BUi.^ v^aw-ii 2t»^"cx'» »'A wlttAJt

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• x»/»of.. fet**^ <SUi ll %-A. Cc^t-e_v Cv* o^, ©—*^ ^ A X J L oi, Vt*_ ~*_fc>—.^ Oi. «c*o^ c<a^xWbv.4i»-

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it IAJL. •^LXCJL^WO^KA. ^*«'»/* St¹©**!

^fet^, Oto^Ywrt',...^ f*w*v-> &v—U U&..OV- siva- .SW«=>^ *«*», W^cfefc.**- v^>^vr*- . irt_>j-*—^v^~*^

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r; C^r»Vfcr-v^X., fcjt^xJL .tavfey. AUcjJI r^V**^ *3~*. ^fc-'SCv^ WJW5N^ CtfV^^ti^v^ Ok^AJ.

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fetIOv-v^A* <S-UM . <V«-fe. ...©U-^eL...4U.«JLL. i-^-^Ovs.'^ fVuiUVU<l4-cJl «4- Ou»-i*_ ten!""-*. <wJk.

.. , J.....^*-/q<i>>i.1 <s. *J^o-^."Tv4-^r«^ ' . .

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.. _L_____v*«r^ .9yW^H.-.%y*ii W Wft, c< fikjp.xJtA _«J^VfW Vo^ S&^. Ei^iA!ik*--*^b be

j-M*^ Z*JL Af^l 2**** / ^/o^/ «4*s A-U &***«J»**)!
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C-T^t' *v* cia*S-^i-'ov\ E*- i»3v^oJl cfyjiWai, PwJk /»*«-tcws Jk»jU. V>«_ «^fi^l»feaL 6MAC ^*ndt.
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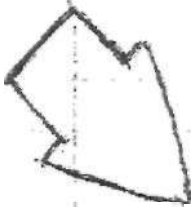
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'^^.!tW. .SM~«tc*1 5>Wfes-2 vw<-vv OwuvVs ^Hfc^c, U»Ju-y •*>*- -«~vta'tMi-ct V»_ \M- n'ttSfe" oj, i*-tf- —

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..&.

....^W^j*a-'^f «-f*:«Mfil?fcU«*V* Y * C*/^<i- ^oV ^XMJ^cl. ^ y-^W^^jL ^^t^i,^

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rfW^1*- <*~X li'U**~^^ «v<e~ <^ s^r«, v^c*^ "^^'jw^t-*. t^Je fct^<, •^'°-^ \$*"-«.-

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»« ii fHE f^ST O "*/V3*^A0 C«*~*»J«~»B? Cr*A*AxUr^ »*fWw^K*CV> ^a~^A^~wt^J ,'.^ fe**«%iA*»evi u/»V* Vrt-t V.W<J

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