IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

ABU BAKKER QASSIM, et al.,

Petitioners.

Civil Action No. 05-497 (JR)

v.

GEORGE W. BUSH, et al.,

Respondents.

NOTICE OF APPEAL

NOTICE is hereby given that respondents George W. Bush, President of the United States, Donald Rumsfeld, Secretary, United States Department of Defense, Army Brigadier Gen. Jay Hood, Commander, Joint Task Force-GTMO, and Army Col. Brice Gyurisko, Commander, Joint Detention Operations Group (i.e., all respondents herein) hereby appeal to the United States Court of Appeals for the District of Columbia Circuit from the portion of the Court's Order dated April 13, 2005, that prohibits the transfer or release of petitioners from Guantanamo Bay Naval Base (dkt. no. 14).

Dated: June 9, 2005

Respectfully submitted,

PETER D. KEISLER Assistant Attorney General

KENNETH L. WAINSTEIN United States Attorney

DAVID B. SALMONS
Assistant to the Solicitor General

DOUGLAS N. LETTER Terrorism Litigation Counsel JOSEPH H. HUNT (D.C. Bar No. 431134)

VINCENT M. GARVEY (D.C. Bar No. 127191)

TERRY M. HENRY

JAMES J. SCHWARTZ

PREEYA M. NORONHA

EDWARD H. WHITE

ROBERT J. KATERBERG

ANDREW I. WARDEN

NICHOLAS J. PATTERSON

Attorneys

United States Department of Justice

Civil Division, Federal Programs Branch

20 Massachusetts Ave., N.W.

Washington, DC 20530

Tel: (202) 514-4523

Fax: (202) 616-8470

Attorneys for Respondents

CERTIFICATE OF SERVICE

I hereby certify that on this day of June, 2005, I caused the foregoing Notice of Appeal to be served on the counsel listed below by electronic mail and first-class United States mail:

P. Sabin Willett Bingham McCutchen LLP 150 Federal Street Boston, MA 02110-1726 pswillett@bingham.com

Susan Baker Manning Bingham McCutchen LLP 1120 20th Street NW, Suite 800 Washington, DC 20036 susan.manning@bingham.com

Nigholas J. Patoson