

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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GHULAM MOHAMMED, <i>et al.</i> ,	:	
	:	
Petitioners,	:	
	:	
v.	:	
	:	Civil Action No. 06-CV-1680 (RJL)
DONALD RUMSFELD,	:	
	:	
Respondent.	:	
	:	
_____	x	

FIRST MOTION FOR EXTENSION OF TIME ON CONSENT

Petitioners, by and through their undersigned counsel, and with Respondent’s consent, respectfully submit this motion for an extension of time to respond to Respondent’s motion to dismiss this case for lack of jurisdiction (*see* dkt. no. 4). Petitioners request an extension of time until February 28, 2007.

In support of this motion, Petitioners submit the following:

1. Petitioners have alleged that they are currently detained by the United States at Bagram Airfield in Afghanistan. On September 29, 2006, Petitioners filed a habeas corpus petition challenging the legality of their detention (“Petition”). The Petition was authorized in writing by Petitioners’ friends and relatives, who act as their “next friends.”

2. On November 24, 2006, the Court ordered Respondent to show cause why the Petition should not be granted.

3. On December 22, 2006, Respondent filed a response to the order to show cause and moved to dismiss this case for lack of jurisdiction (*see* dkt. no. 4).

4. Pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this Court, Petitioners' response to the motion to dismiss is due on January 5, 2007.

5. Petitioners now seek an extension of time – until February 28, 2007 – to respond to the motion to dismiss. Good cause exists for the Court to grant this motion because Respondent has indicated in his motion to dismiss that he is unable to confirm the identities of most (if not all) of the Petitioners as current detainees at Bagram. In particular, Respondent has indicated that he has no records or information concerning the detention of certain Petitioners at Bagram, and that other Petitioners have already been released from custody at Bagram (*see* dkt. no. 4, Ex. A). Although counsel is working diligently to investigate and resolve these issues, additional time is needed to do so fully and, if appropriate, to amend the Petition (or withdraw it as moot) before filing a response to the motion to dismiss on Petitioners' behalf.

6. Pursuant to Local Civil Rule 7(m), counsel have conferred via telephone with Respondent's counsel, who have stated that they consent to this motion.

7. This is Petitioners' first request for an extension of time, and there are no other previously scheduled deadlines that would be impacted by an order granting this motion.

For all of these reasons, Petitioners respectfully request that the Court extend until February 28, 2007, the time period for them to respond to Respondent's motion to dismiss.

Dated: New York, New York
January 3, 2007

Respectfully submitted,

Counsel for Petitioners:

/s/ William Goodman
William Goodman (Pursuant to LCvR 83.2(g))
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