

RUZATULLAH, *et al.*,)
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 Petitioners,)
)
 v.) Civil Action No. 06-CV-01707 (GK)
)
 DONALD RUMSFELD,)
)
 Secretary, United States Department of)
 Defense, *et al.*,)
)
 Respondents.)
 _____)

**JOINT MOTION FOR ENLARGMENT OF TIME TO FILE RESPONSE AND
REPLY TO RESPONDENT'S MOTION TO DISMISS**

The parties in the above-referenced matter jointly move the Court for a Scheduling Order enlarging the time for filing responsive pleadings to Respondents' Motion to Dismiss the Petition for Lack of Jurisdiction. A proposed Scheduling Order extending the deadlines for Petitioners' Response to December 22, 2006, and Respondents' Reply to January 12, 2007, is filed herewith. In support of this motion, the parties further inform the Court as follows:

1. On October 2, 2006, Petitioners, Afghan citizens alleging they are illegally detained by the United States Department of Defense at Bagram Airbase in Afghanistan, brought this Petition for a Writ of Habeas Corpus. This Court then entered an Order to Show Cause why the Petition should not be granted on October 16, 2006.
2. The Court subsequently granted Respondents' Unopposed Motion for Extension of Time, enlarging Respondents' time to Respond to the Order

Respondents' filed their Response to the Order to Show Cause and Motion to Dismiss the Petition for Lack of Jurisdiction.

3. Petitioners' Response in Opposition to Respondents' Motion to Dismiss the Petition is due on December 1, 2006. Petitioners' counsel anticipates that she will not be able to meet this deadline due to the time delay in communications between counsel and Petitioners' Next Friends – who reside in Afghanistan. Accordingly, Petitioners' counsel seeks a three-week extension of time to respond to Respondents' Motion to Dismiss, up to and including December 22, 2006. Respondents' counsel does not oppose this enlargement of time.
4. Should the Court extend Petitioners' time to respond to December 22, 2006, Respondents Reply Brief would then be due the week of January 2, 2007. Respondents' counsel anticipates that it will be difficult to draft the Reply brief and obtain the necessary approvals to file the brief during the holiday period, and accordingly seeks an extension of time in which to file their Reply, up to and including January 12, 2007. Petitioners' counsel does not oppose this enlargement of time.

5. Respondents' counsel has authorized Petitioners' counsel to represent to the Court that Respondents join in the present motion.

For the reasons stated above, the parties move the Court to grant their joint motion and to enter the proposed Scheduling Order filed herewith.

Dated: November 28, 2006

Respectfully Submitted,



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