

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

IN RE:

**GUANTANAMO BAY
DETAINEE LITIGATION**

Misc. No. 08-442 (TFH)

Civil Action No. 05-2387 (RMC)

**DECLARATION OF RACHAEL CLARKE IN SUPPORT OF PETITIONER
JOBRAAN SAAD AL-QUHTANI'S UNOPPOSED MOTION TO REQUIRE
RESPONDENTS TO SUBMIT FACTUAL RETURN**

1. I, Rachael Clarke, am an attorney with Morrison & Foerster LLP, representing Petitioner Jobraan Saad Al-Quhtani in these proceedings.
2. This Declaration and accompanying exhibits are submitted in support of Petitioner Jobrad Saad Al-Quhtani's Unopposed Motion to Require Respondents to Submit Factual.
3. Exhibit 1 hereto is a true and complete copy of an October 20, 2008 Charge Sheet for Jobran Saad Al-Quhtani.
4. Exhibit 2 hereto is a true and complete copy of a November 2, 2008 e-mail from Andrew I. Warden of the United States Department of Justice, Civil Division, Federal Programs Branch to Skye H. Donald of Morrison & Foerster LLP.
5. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, and was executed this 18th day of November, 2008.

/s/ Rachael Clarke
Rachael Clarke

CERTIFICATE OF SERVICE

I hereby certify that I today caused a true and accurate copy of Declaration of Rachael Clarke in Support of Petitioner Jobran Saad Al-Quhtani's Unopposed Motion to Require Respondents to Submit Factual Return to be served electronically via the Court's Electronic Case Filing system, which will send notification of such filing to all counsel of record.

Dated: November 18, 2008

/s/ Theresa Rollins
Theresa Rollins