

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:)

GUANTANAMO BAY)
 DETAINEE LITIGATION)

Misc. No. 08-mc-0442 (TFH)

MOHAMMEDOU OULD SALAHI, *et al.*)

Petitioner,)

v.)

Civil Action No. 05-cv-0569 (JR)

GEORGE W. BUSH,)
 President of the United States,)
et al.,)
 Respondents.)

**RESPONDENTS' THIRD REPLY MEMORANDUM IN SUPPORT OF
MOTION TO DISMISS IMPROPER RESPONDENTS**

Respondents filed a motion in the above-captioned matter, which moved this Court to dismiss all improper respondents from Petitioner's action, including, *inter alia*, the President of the United States and, with the exception of the Secretary of Defense, all Department of Defense respondents. An opposition was filed by Petitioner, which raised similar, if not identical, objections as those raised in cases to which Respondents filed replies on October 31, 2008 and November 6, 2008. In the interests of judicial efficiency, Respondents incorporate by reference their Reply Memorandum in Support of Motion to Dismiss Improper Respondents, 08-mc-0442-TFH Dkt#907, and their Second Reply Memorandum in Support of Motion to Dismiss Improper Respondents, 08-mc-0442-TFH Dkt#943, as though fully set forth herein.

For the reasons stated in Respondents' Motion to Dismiss Improper Respondents and their replies to the petitioners' oppositions, all respondents named in the instant matter, other than the Secretary of Defense, in his official capacity, should be dismissed with prejudice.

Dated: November 21, 2008

Respectfully submitted,

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/s/ Kathryn C. Mason

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CERTIFICATE OF SERVICE

I, Kathryn C. Mason, counsel for Respondents, hereby certify that the foregoing Respondents' Third Reply Memorandum in Support of Motion to Dismiss Improper Respondents has been filed with the Court via ECF and served via electronic mail upon the following individual(s) on this 21st day of November, 2008:

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