

**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-CIV-2386**

**NOTICE OF SERVICE OF UNCLASSIFIED, PROTECTED FACTUAL RETURN**

NOTICE is hereby given that Respondents have served upon counsel for the petitioner, via e-mail, the unclassified factual return for petitioner Said, ISN 498, which respondents seek to have designated as "protected information" pursuant to the protective order entered herein by the Court's Order of September 11, 2008. Respondents are conferring with counsel in an attempt to reach an agreement regarding the designation of the information prior to filing a motion with the Court; following the outcome of that conferral, respondents will file an appropriate motion with the Court to have the information designated as "protected."

Respondents, however, do not object to petitioner's counsel sharing the unclassified factual return with the petitioner-detainee in this case.

Dated: December 12, 2008

Respectfully submitted,

GREGORY G. KATSAS  
Assistant Attorney General

JOHN C. O'QUINN  
Deputy Assistant Attorney General

/s/ Stephen M. Elliott

JOSEPH H. HUNT (D.C. Bar No. 431134)

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

TERRY M. HENRY

ANDREW I. WARDEN

PAUL E. AHERN

STEPHEN M. ELLIOTT

Attorneys

United States Department of Justice

Civil Division, Federal Programs Branch

20 Massachusetts Avenue, N.W.

Washington, DC 20530

Tel: 202.305.8177

Fax: 202.616.8470

Attorneys for Respondents