IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

) Misc. No. 08-442 (TFH)
IN RE:)
GUANTANAMO BAY) Civil Action No. 05-CV-2385 (RMU)
DETAINEE LITIGATION)
)
)
)
)

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 Riad Nageri, ISN 510, which respondents seek to have designated as "protected information" pursuant to the protective order entered 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 conference, 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/ Timothy B. Walthall

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 TIMOTHY B. WALTHALL

Attorneys

United States Department of Justice Civil Division, Federal Programs Branch 20 Massachusetts Avenue, N.W. Washington, DC 20530

Tel: 202.305.0633 Fax: 202.616.8470

Attorneys for Respondents

2