IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

) Misc. No. 08-442 (TFH)
IN RE:)
GUANTANAMO BAY) Civil Action No. 04-cv-1254 (HHK)
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 Abdul Malik Abdul Wahhab al-Rahabi, ISN 37, 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/ William Kanellis

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
WILLIAM KANELLIS
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