

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

	)	
	)	<b>Misc. No. 08-442 (TFH)</b>
<b>IN RE:</b>	)	
<b>GUANTANAMO BAY</b>	)	<b>Civil Action No. 04-CV-1194 (HHK)</b>
<b>DETAINEE LITIGATION</b>	)	
	)	
	)	
	)	
	)	
	)	

**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 Omar Ali Al-Mudwani ISN 839, 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/ David P. Avila*

---

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  
DAVID P. AVILA

Attorneys

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

Washington, DC 20530

Tel: 202.305.9908

Fax: 202.305.2685

E-mail: david.avila2@usdoj.gov

Attorneys for Respondents