

**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-2186 (ESH)
DETAINEE LITIGATION)	
)	
)	
)	
)	

**NOTICE OF FILING OF RESPONDENTS’ STATEMENT OF FACTS ON
WHICH THEY INTEND TO RELY IN MAKING THEIR CASE-IN-CHIEF FOR
THE CONTINUED LAWFUL DETENTION OF HAYAL AZIZ AHMED AL-
MITHALI (ISN 840)**

Pursuant to the December 2, 2008 Order of the Court, as amended by the December 19, 2008 Order, Respondents have submitted to the Court Security Officer for filing Respondents’ Statement Of Facts On Which They Intend To Rely In Making Their Case-in-Chief For The Continued Lawful Detention Of Hayal Aziz Ahmed Al-Mithali (ISN 840) (“Statement of Facts”).

The Statement of Facts contains information that is classified. Accordingly, it has been filed with the Court Security Officer pursuant to the relevant protective order entered in this case.

Dated: December 31, 2008

Respectfully submitted,

GREGORY G. KATSAS
Assistant Attorney General

JOHN C. O'QUINN
Deputy Assistant Attorney General

/s/David P. Avila

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CERTIFICATE OF SERVICE

I hereby certify that on December 31, 2008, I caused the *Respondents' Statement Of Facts On Which They Intend To Rely In Making Their Case-in-Chief For The Continued Lawful Detention Of Hayal Aziz Ahmed Al-Mithali*, to be served on counsel for Petitioner Hayal Aziz Ahmed Al-Mithali by filing with the Court Security Officer pursuant to the relevant protective order entered in this case

/s/David P. Avila _____

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