

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

KHALED A.F. AL ODAH, *et al.*,

Petitioners,

v.

GEORGE W. BUSH, President of the United
States, *et al.*,

Respondents.

Civil Action No. 02-828 (CKK)

IN RE:

GUANTANAMO BAY DETAINEE
LITIGATION

Misc. No. 08-442 (TFH)

ORDER
(January 6, 2009)

For the reasons set forth in an accompanying memorandum opinion, it is, this 6th day of January, 2009, hereby

ORDERED the Government's Motion to Hold in Abeyance the habeas petitions of Fouad Mahmoud Al Rabiah and Fayiz Mohammed Ahmen Al Kandari (collectively, "Petitioners") is GRANTED-IN-PART and DENIED-IN-PART, and the Government's Motion to Dismiss is DENIED WITHOUT PREJUDICE; it is further

ORDERED that a stay shall be entered as to the Petitioners' habeas petitions, to commence upon the Convening Authority's referral of charges against Petitioners to military commissions; it is further

ORDERED that unless and until such charges are referred by the Convening Authority,

the parties must continue to proceed fully with Petitioners' habeas cases; and it is further

ORDERED that, if and when such charges are referred to military commissions, the Government shall file a notice with the Court and shall file Status Reports every 60 days thereafter.

SO ORDERED.

Date: January 6, 2009

/s/
COLLEEN KOLLAR-KOTELLY
United States District Judge