

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

IN RE: GUANTANAMO BAY DETAINEE LITIGATION)))))	Misc. No. 08-442 (TFH) Civil Action No. 05-0526 (RMU)
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**PETITIONERS’ RESPONSE TO RESPONDENTS’ NOTICE OF PRIOR DISCLOSURE
OF EXCULPATORY EVIDENCE AND MOTION FOR EXTENSION OF TIME**

Petitioners Abd Al Nisr Khantumani (ISN 307) and Muhammed Khantumani (ISN 312) do not oppose the government’s request for an extension of time within which to provide exculpatory evidence. However, Petitioners believe that the time to cease dealing piecemeal with procedural and scheduling issues in their case is long overdue. Instead, it would be desirable to identify and address such existing issues in a supplemental Case Management Order that is specific to the Khantumani’s case. These issues include, but are not limited to:

1. The government’s obligation to produce certain impeachment information relating to third-party statements upon which the government intends to rely;
2. Petitioners’ request for a joint meeting between Abd Al Nisr Khantumani and Mohammed Khantumani and counsel;
3. The government’s obligation to respond to Petitioners’ forthcoming discovery requests; and
4. The timing of these events in relation to the filing of Petitioners’ traverse and the government’s response.

Petitioners’ counsel will contact government counsel prior to any scheduled status conference in order to fully outline the issues that need to be addressed and will attempt to reach agreement on these issues prior to the conference. Petitioners propose that the parties file a joint

status report two days prior to the status conference briefly outlining the issues discussed and the parties' respective positions.

Petitioners have discussed this proposal with the government and understand that Respondents have no objection to setting a status conference for the purposes described above.

For these reasons, Petitioners request that this court set a status conference for the purpose of addressing issues specific to the Khantumanis' case.

Dated: January 7, 2009

Respectfully submitted,

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