



<i>h.</i> Allal Ab Aljallil Abd Al Rahman Abd (Adnan)	156	04-cv-1254
<i>i.</i> Jamal Muhammad ‘Alawi Mar’i	577	04-cv-1254
<i>j.</i> Uthman Abdul Rahim Mohammed Uthman	27	04-cv-1254
<i>k.</i> Faruq Ali Ahmed	32	04-cv-1254
<i>l.</i> Salman Yahya Hassan Mohammed Rabeii	508	04-cv-1254
<i>m.</i> Abdulsalam Ali Abdulrahman Al-Hela	1463	05-cv-1048 (RMU)
<i>n.</i> Mohammed Nasser Yahia Abdullah Khussrof	509	05-cv-1429 (RMU)
<i>o.</i> Saeed Mohammed Saleh Hatim	255	05-cv-1429
<i>p.</i> Hassan Bin Attash	1456	05-cv-1592 (RCL)

Petitioners’ cases are stayed. Counsel have received classified factual returns for Petitioners marked as *a.-o.* Some of those returns are redacted. Counsel have not received any return for Mr. Bin Attash (ISN 1456, 05-cv-1592).

## **2. Redacted Returns Issue**

On January 31, 2005, the District Court ordered the government to provide counsel for Petitioners with information that the government had redacted from the returns thus far provided, finding the information “relevant to the merits of this litigation.” *In re Guantánamo Detainee Cases*, Jan. 31, 2005 Order (Doc. 100 in *Abdah v. Bush*, 04-cv-1254). The government ap-

pealed this decision; that appeal is pending. *See Al Odah v. United States* (D.C. Cir. No. 05-5117, consolidated with Nos. 05-1118 through 05-1126 and 05-5127).

**3. Petitioners subject to 30-day notice orders.**

Several Petitioners are subject to 30-day notice orders. (Doc. 147 in *Abdah v. Bush*, 04-cv-1254; Doc. 12 in *Al Hela v. Bush*, 05-cv-1048; Doc. 16 in *Hatim v. Bush*, 05-cv-1429). The government has appealed these decisions; that consolidated appeal is pending. *See Abdah v. Bush* (D.C. Cir. No. 04-1254); *Al Hela v. Bush* (D.C. Cir. No. 05-1048); *Hatim v. Bush* (D.C. Cir. No. 05-1429). Petitioner in *Attash v. Bush*, 05-cv-1592, is not subject to 30-day notice orders.

**4. Petitioners cleared for transfer.**

Petitioners marked as *a.* and *b.* above have been cleared for transfer.

**5. Petitioners designated as enemy combatants.**

All Petitioners.

**6. Petitioners subject to criminal charges before a military commission.**

No Petitioner.

**7. Pending motions before a district court.**

a) *Abdah v. Bush*, 04-cv-1254:

1. The government's April 19, 2007 motion to dismiss on the grounds the Military Commissions Act eliminates jurisdiction (Doc. 203). The Court's March 30, 2008 Order stayed its consideration of the motion until the Supreme Court's decision in *Boumediene v. Bush* (Doc. 240).
2. Petitioner Sadeq Muhammad Sa'id Ismail's July 10, 2008 motion to dismiss his habeas petition without prejudice on the grounds he was released (Doc. 247).

b) *Hatim v. Bush*, 05-cv-1429:

1. Petitioners' October 1, 2007 motion in support of a Temporary Restraining Order and Preliminary Injunction asking the Court to compel the government's compliance with the Court's orders granting a protective order and ordering the government to give Petitioners' counsel 30 days advance notice of any intent to remove petitioners from Guantánamo (Doc. 90). In the Court's October 5, 2007 Order granting petitioners' motion for recon-

sideration of its dismissal, the Court stayed petitioners' cases and ordered the protective order and counsel access rules to remain in effect, but did not expressly rule on that part of petitioners' motion requesting it to compel the government to comply with its 30-day notice order (Doc. 96).

c) *Al Hela v. Bush*, 05-cv-1048:

1. Petitioners' October 1, 2007 motion in support of a Temporary Restraining Order and Preliminary Injunction asking the Court to compel the government's compliance with the Court's orders granting a protective order and ordering the government to give petitioners' counsel 30 days advance notice of any intent to remove petitioners from Guantánamo (Doc. 105). In the Court's October 5, 2007 Order granting petitioners' motion for reconsideration of its dismissal, the Court stayed petitioners' cases and ordered the protective order and counsel access rules to remain in effect, but did not expressly rule on that part of petitioners' motion

requesting it to compel the government to comply with its 30-day notice order (Doc. 111).

d) *Attash v. Bush*, 05-cv-1592:

1. The government's April 19, 2007 motion to dismiss on the grounds the Military Commissions Act eliminates jurisdiction (Doc. 66).

## **8. Pending appeals.**

See 1. and 2. above. Both parties have filed motions to govern in those proceedings.

Respectfully submitted,

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