

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

IN RE:	)	
	)	
	)	
GUANTANAMO BAY	)	Misc. No. 08-442 (TFH)
DETAINEE LITIGATION	)	
_____	)	
	)	
ABDUL RAHMAN AL QYATI, <i>et al.</i> ,	)	Civil Action No. 08-CV-2019 (RBW)
	)	
Petitioners,	)	
	)	
v.	)	
	)	
BARACK H. OBAMA, <i>et al.</i> ,	)	
	)	
Respondents.	)	
_____	)	

**NOTICE PURSUANT TO JUDGE HOGAN’S DECEMBER 11, 2009 ORDER  
REQUIRING FILING OF SIGNED AUTHORIZATION FROM PETITIONER**

Petitioners, Abdul Rahman Umir Al Qyati (ISN 461) and Saad Masir Mukbl Al Azani (ISN 575), by and through counsel, Darold W. Killmer, Mari Newman and Sara J. Rich of KILLMER, LANE, & NEWMAN, LLP, hereby Submit this Notice Pursuant to Judge Hogan’s December 11, 2009 Order Requiring Filing of Signed Authorization from Petitioner (Misc. No. 08-442), as follows:

1. As previously indicated in Petitioners’ Habeas Corpus petition, Doc. 1-2, Civil Action No. 08-cv-2019 (RBW), KILLMER, LANE & NEWMAN, LLP is authorized to represent Petitioners Al Qyati and Al Azani by valid authorization from a “next friend” pursuant to 28 U.S.C. § 2242.

2. On December 11, 2008 Judge Hogan ordered that *Al Qyati, et al. v. Bush, et al.*, Civil Action No. 08-cv-2019, 1) be consolidated under Miscellaneous Number 08-mc-442; 2) the

“Protective Order And Procedures For Counsel Access To Detainees At The United States Naval Base In Guantanamo Bay, Cuba, first entered on September 11, 2008, in 08-mc-442 (docket # 409) applies in this case”; and 3) by “February 11, 2008, Petitioner’s counsel shall file a signed authorization from Petitioner to pursue this action or a declaration by counsel that states that Petitioner directly authorized counsel to pursue the action and explains why counsel was unable to secure a signed authorization.”

3. The “Protective Order And Procedures For Counsel Access To Detainees At The United States Naval Base In Guantanamo Bay, Cuba,” 08-mc-442 (Doc. 409), provides:

Counsel shall provide evidence of their authority to represent the detainee as soon as practicable and, in any event, not later than ten days after the conclusion of a second visit with the detainee. The Court recognizes that counsel may not be in a position to present such evidence after the initial meeting with a detainee. Counsel for detainees and counsel for respondents shall cooperate to the fullest extent possible to reach a reasonable agreement on the number of counsel visits allowed.

*Protective Order*, 08-mc-442 (Doc. 409), Section II.10.b. (Emphasis added).

4. On February 11, 2009 Petitioners filed a Motion for Extension of Time to Submit Authorizations Pursuant to December 11, 2009 Order (Doc. 43) up to and including March 13, 2009.

5. Darold W. Killmer respectfully submits the attached Declaration in support of the foregoing Notice Pursuant to Judge Hogan’s December 11, 2009 Order Requiring Filing of Signed Authorization from Petitioner (Misc. No. 08-442). *See*, Exhibit 1, *Declaration of Darold W. Killmer*.

Respectfully submitted this 13<sup>th</sup> day of March 2009.

KILLMER, LANE & NEWMAN, LLP,

*s/ Darold W. Killmer*

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 13, 2009, I electronically filed the foregoing **NOTICE PURSUANT TO JUDGE HOGAN'S DECEMBER 11, 2009 ORDER REQUIRING FILING OF SIGNED AUTHORIZATION FROM PETITIONER** with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following individuals:

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*s/ Sara J. Rich*

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