

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
IN RE:)	Misc. No. 08-0442 (TFH)
)	
GUANTANAMO BAY)	
DETAINEE LITIGATION)	
_____)	
MOTAI SAIB)	
)	
Petitioner,)	
)	Civil Action No. 05-1353 (RMC)
v.)	
)	
BARACK OBAMA, <i>et al.</i>)	
)	
Respondents.)	
_____)	

PRAECIPE

Undersigned counsel for Petitioner respectfully states as follows:

1. According to the terms of the Protective Order entered by this Court in the above-captioned case, “Petitioners’ counsel to be provided access to classified information shall execute the MOU appended to this Protective Order, and shall file executed originals with the Court and submit copies to the CSO and government counsel. Such execution, filing, and submission of the MOU is a condition precedent to a petitioners’ counsel having access to, or continued access to, classified information for the purposes of these proceedings.” Protective Order and Procedures for Counsel Access to Detainees at the United States Naval Base in Guantanamo Bay, Cuba, ¶ 17.

2. The Protective Order further provides, “Without authorization from the government or the Court, protected information shall not be disclosed or distributed to any person or entity other than ... petitioners’ counsel, provided such individuals signed the Acknowledgment, attached hereto as Exhibit B, attesting to the fact that they have read this Protective Order and agree to be bound by its terms” *Id.* ¶ 35(a).

3. The Protective Order defines “petitioners’ counsel” to include “attorneys employed or retained by or on behalf of a petitioner for purposes of representing the petitioner in habeas corpus or other litigation in federal court in the United States, as well as co-counsel, interpreters/translators, *paralegals*, investigators and all other personnel or support staff employed or engaged to assist in the litigation.” *Id.* ¶ 11 (emphasis added).

4. Jessica Baen is a paralegal employed by the Center for Constitutional Rights (CCR). She assists CCR attorneys in their representation of several Guantánamo Bay detainees and has security clearance status. In order to accompany CCR attorneys on visits with our clients at Guantánamo, and access classified and protected information concerning our clients, the Protective Order entered in this case requires that Ms. Baen file an executed Memorandum of Understanding Regarding Access to Classified National Security Information and an Acknowledgement regarding the Protective Order, which are attached here as Exhibit A.

Dated: New York, New York
April 13, 2009

Respectfully submitted,

Counsel for Petitioner:

/s/ Emilou MacLean
Emilou MacLean (Pursuant to LCvR 83.2(g))
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