

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

IN RE: GUANTANAMO)
 BAY DETAINEE)
 LITIGATION)

Misc. No. 08-442 (TFH)

Civil Action Nos.

) 02-cv-0828, 04-cv-1136, 04-cv-1164, 04-cv-1937, 04-cv-2022,
) 04-cv-2035, 04-cv-1254, 04-cv-2046, 04-cv-2215, 05-cv-0023,
) 05-cv-0247, 05-cv-0270, 05-cv-0280, 05-cv-0329, 05-cv-0359,
) 05-cv-0392, 05-cv-0492, 05-cv-0520, 05-cv-0526, 05-cv-0569,
) 05-cv-0634, 05-cv-0748, 05-cv-0763, 05-cv-0764, 05-cv-0877,
) 05-cv-0883, 05-cv-0889, 05-cv-0892, 05-cv-0993, 05-cv-0994,
) 05-cv-0998, 05-cv-0999, 05-cv-1048, 05-cv-1189, 05-cv-1124,
) 05-cv-1220, 05-cv-1347, 05-cv-1353, 05-cv-1429, 05-cv-1457,
) 05-cv-1458, 05-cv-1490, 05-cv-1497, 05-cv-1504, 05-cv-1505,
) 05-cv-1506, 05-cv-1509, 05-cv-1555, 05-cv-1592, 05-cv-1601,
) 05-cv-1602, 05-cv-1607, 05-cv-1623, 05-cv-1638, 05-cv-1639,
) 05-cv-1645, 05-cv-1646, 05-cv-1678, 05-cv-1704, 05-cv-1971,
) 05-cv-1983, 05-cv-2010, 05-cv-2088, 05-cv-2104, 05-cv-2185,
) 05-cv-2186, 05-cv-2199, 05-cv-2249, 05-cv-2349, 05-cv-2367,
) 05-cv-2370, 05-cv-2371, 05-cv-2378, 05-cv-2379, 05-cv-2380,
) 05-cv-2381, 05-cv-2385, 05-cv-2444, 05-cv-2479, 06-cv-0618,
) 06-cv-1668, 06-cv-1684, 06-cv-1758, 06-cv-1759, 06-cv-1765,
) 06-cv-1766, 06-cv-1767, 07-cv-1710, 07-cv-2337, 07-cv-2338,
) 08-cv-0987, 08-cv-1085, 08-cv-1101, 08-cv-1104, 08-cv-1153,
) 08-cv-1185, 08-cv-1207, 08-cv-1221, 08-cv-1223, 08-cv-1224,
) 08-cv-1227, 08-cv-1228, 08-cv-1229, 08-cv-1230, 08-cv-1231,
) 08-cv-1232, 08-cv-1233, 08-cv-1235, 08-cv-1236, 08-cv-1237,
) 08-cv-1238, 08-cv-1310, 08-cv-1360, 08-cv-1440, 08-cv-1733,
) 08-cv-1805, 08-cv-2083, 08-cv-1828, 08-cv-1923, 08-cv-2019,
) 09-cv-0031, 05-cv-0765, 05-cv-0886, 05-cv-1234, 05-cv-2348,
) 06-cv-1725, 08-cv-1222, 09-cv-0745, 05-cv-0879, 05-cv-0891,
) 05-cv-1493, 05-cv-1667, 05-cv-1679, 06-cv-1675, 05-cv-1244,
) 08-cv-0864
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[PROPOSED] ORDER

Upon consideration of the Government's Motion for Reconsideration of Orders Regarding Discovery from the Guantanamo Review Task Force and Motion for Consolidated Order Regarding Task Force Discovery, it is this ____ day of May, 2009 hereby

ORDERED that any previous Orders regarding discovery of information from the Guantanamo Review Task Force ("Task Force")^{1/} are hereby withdrawn; and it is further

ORDERED that, with respect to Task Force discovery, petitioners are permitted to choose one of the following two options:

- (1) If a petitioner determines that the prospective value of obtaining information from the Task Force does not merit delay in the adjudication of his petition until information from the Task Force can be produced in accordance with paragraph (2), below, then the petitioner may elect to have his case heard without awaiting any discovery from the Task Force; or

^{1/} See, e.g., Dokhan v. Obama, 08-987 (JDB), Mar. 4, 2009 (Dkt No. 89); Khan v. Obama, 08-1101 (JDB), Mar. 4, 2009 (Dkt. No. 85); Zaid v. Obama, 05-1646 (JDB), Feb 9, 2009 (Dkt. No. 146); Hamlily v. Obama, 05-763 (JDB), Feb. 27, 2009 (Sealed Order); Alhami v. Obama, 05-359 (GK), May 11, 2009 (Dkt. No. 189); Razak v. Obama, 05-1601 (GK), May 11, 2009 (Dkt. No. 209); Abdah v. Obama, 04-1254 (HHK), April 8, 2009 (Dkt. No. 477); Alsawam v. Obama 05-1244 (CKK), April 6, 2009 (Dkt. No. 158); Alsawam v. United States, 05-1244 (CKK), April 17 (Dkt. No. 156) Al Odah v. United States, 02-828 (CKK), April 7, 2009 (Dkt. No. 531); Omnibus Order (05-520, 05-526, 05-993, 05-1220, 05-1429, 05-1607, 05-1983) (RMU), April 23, 2009 (Dkt. No. 144 in 05-1983); Amended Omnibus Order (06-1767, 08, 1237, 08-1805, 08-1828) (RMU), April 23, 2009 (Dkt. No. 145 in 05-1983); Al Halmandy v. Obama, 05-2385 (ESH), April 27, 2009 (Dkt. No. 238) (ISN 900); Ameziane v. Obama, 05-392 (ESH), April 30, 2009 (Dkt. No. 198); Al Halmandy v. Obama, 05-2385 (ESH), April 30, 2009 (Dkt. No. 242) (ISN 570) and Al Halmandy v. Obama, 05-2385 (ESH), April 30, 2009 (Dkt. No. 243) (ISN 078); Al Halmandy v. Obama, 05-2385 (ESH), May 4, 2009 (Dkt. No. 245) (ISN 510); Zuhair v. Bush, 08-864 (EGS), May 1, 2009 (Dkt. No. 179); Omnibus Order, (04-1164, 05-883, 05-891, 05-999, 05-1493, 05-1667, 05-2104, 05-2386, 06-1675, 06-1690, 07-1710, 08-2019) (RBW), April 27, 2009 (Dkt. No. 221 in 04-1164).

- (2) A petitioner desiring access to information from the Task Force may elect the production of such exculpatory evidence, and information falling within the scope of Respondents' other disclosure and discovery obligations under the amended Case Management Order, as may be cited in the written recommendation prepared by Task Force staff for the officials, known as the Review Panel, authorized to decide the proper disposition of the detainee in accordance with Executive Order 13,492.

So ORDERED.

UNITED STATES DISTRICT JUDGE