

**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. 04-cv-1194, 05-cv-1487, 05-cv-2384, 05-cv-2386, 05-cv-2387, 06-cv-1690, 06-cv-1761
--	--

RESPONDENTS' CERTIFICATION PURSUANT TO LOCAL RULE 7(m)

Pursuant to Local Rule 7(m), Respondents' counsel hereby certify that they have contacted Petitioners' counsel to ascertain their position with respect to Respondents' recently filed Motion for Reconsideration of Orders Regarding Discovery from the Guantanamo Review Task Force and Motion for Consolidated Order Regarding Task Force Discovery ("Motion for Reconsideration") (Docket Nos. 1755-58). In the Motion for Reconsideration, Respondents requested leave to pursue a modified procedure with respect to Local Rule 7(m). Specifically, Respondents requested leave to confer with Petitioner's counsel after the Motion for Reconsideration was filed and to report the results of the conferral to the Court within one week. Respondents also agreed that Petitioners' time to respond to the motion be tolled during the one-week, post-filing period.

On May 13, 2009, Respondents' counsel contacted Petitioners' counsel by email to determine whether Petitioners' counsel consented to the relief sought by Respondents in the Motion for Reconsideration. *See* Attachment #1 (Email Regarding Rule 7(m)). In that email, Respondents stated that they would assume Petitioners opposed the motion unless Petitioners' counsel indicated otherwise.

None of Petitioners' counsel have indicated that they consent to the relief sought by Respondents. Petitioners' counsel in two cases contacted Respondents' counsel to affirmatively express their opposition.^{1/} Respondents assume that all other Petitioners also oppose such relief.

Dated: May 19, 2009

Respectfully submitted,

MICHAEL F. HERTZ
Principal Deputy Assistant Attorney General

JOSEPH H. HUNT (D.C. Bar No. 431134)
Director, Federal Programs Branch

/s/ Terry M. Henry

TERRY M. HENRY
Assistant Director, Federal Programs Branch

/s/ James J. Gilligan

JAMES J. GILLIGAN
Assistant Director, Federal Programs Branch
Civil Division
United States Department of Justice
P.O. Box 883, Washington, DC 20044
Phone: (202) 305-0037
Fax: (202) 616-8470

Attorneys for Respondents

^{1/} Those cases included the following: 04-CV-1194 (TFH) (ISN 235, 256, 680, 688, 578, 553, 167, 242, 45, 837), 05-CV-2386 (RBW) (ISN 498, 519, 839).