

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

IN RE:)	
)	
)	Misc. No. 08-442 (TFH)
GUANTANAMO BAY)	
DETAINEE LITIGATION)	Civil Action No. 05-1506 (RMC)
)	
)	

**RESPONDENTS' RESPONSE TO PETITIONER'S MOTION
FOR AN ORDER GRANTING PETITIONER'S MOTION TO
RECONSIDER, SETTING A STATUS CONFERENCE, REQUIRING
RESPONDENTS TO ANSWER THE HABEAS PETITION, DISMISSING
HIS NEXT FRIEND AND ENTERING THE PROTECTIVE ORDER**

Petitioner Shaffiq moves for an order reinstating his habeas petition, setting a status conference as soon as practicable, requiring Respondents to answer his habeas petition by July 31, 2008, converting his habeas petition to a direct habeas petition by dismissing his next friend, and entering the relevant protective orders. *Shaffiq v. Bush*, Civil Action No. 05-1506 (RMC) (dkt. no. 64). This case has been transferred to the Honorable Thomas F. Hogan of this Court for coordination and management pursuant to the Court's July 1, 2008 Resolution of the Executive Session. *Id.* (dkt. no. 65).

Respondents do not oppose Petitioner's request to reinstate his case or his request to convert his habeas petition to a direct habeas petition. Respondents also do not oppose entry of the protective order and supplemental orders requested in Petitioner's motion, i.e., (1) the Amended Protective Order and Procedures for Counsel Access to Detainees at the United States Naval Base in Guantanamo Bay, Cuba, first issued on November 8, 2004, 344 F. Supp. 2d 174 (D.D.C. 2004); (2) the Order Addressing Designation Procedures for "Protected Information," first issued on November 10, 2004; and (3) the Order Supplementing and Amending Filing

Procedures Contained in November 8, 2004 Amended Protective Order, first issued on December 13, 2004. However, Respondents reserve the right to seek modifications to the protective order and supplemental orders as appropriate, and Respondents' consent to entry of the orders is without prejudice to such right. Respondents also respectfully note that Judge Hogan held a status conference on July 8, 2008 to discuss the schedule for anticipated proceedings in all of the Guantanamo Bay habeas cases transferred to him for coordination and management, including this case, and thus Petitioner's request for a status conference is moot.

Given that Judge Hogan indicated at the July 8 status conference that he would issue an order in the near future regarding the issues discussed at the conference, and pending any future proceedings before Judge Hogan about the schedule for proceedings in the cases transferred to him, Respondents respectfully submit that the other relief requested by Petitioner is not appropriate at this time.

Dated: July 9, 2008

Respectfully submitted,

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