

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

IN RE:

**GUANTANAMO BAY
DETAINEE LITIGATION**

Misc. No. 08-0442 (TFH)

Civil Action No. 05-02386 (RBW)

**STATEMENT OF COUNSEL FOR PETITIONER MOHAMMED AHMED SAEED
HIDAR, a/k/a MOHAMMED AHMED SAID HAIDEL (ISN # 498)
CONCERNING CLIENT AUTHORIZATION**

By Order dated July 29, 2008, the Court directed all counsel to file signed authorizations from their respective clients (in cases filed before May 19, 2008) by September 29, 2008. In late July 2008, undersigned counsel were asked by the Center for Constitutional Rights (CCR) to represent detainee Mohammed Ahmed Saeed Hidar, a/k/a Mohammed Ahmed Said Haidel (ISN #498), a petitioner in the above-captioned case, *Mohammon et al. v. Bush et al.* CCR had previously been authorized in writing by Mr. Hidar's father to represent him, or to designate other counsel to do so.

Although undersigned counsel filed applications for security clearances promptly after agreeing to take on Mr. Hidar's representation, and have asked the Department of Justice to resolve those applications promptly, the clearances have not yet issued. Counsel have thus been unable to meet or otherwise communicate meaningfully with Mr. Hidar, and cannot meet the September 29 deadline.

On September 11, 2008, however, the Court issued a revised Protective Order, which provided in relevant part (at ¶ 10b):

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 the detainee.

While the quoted language does not expressly supersede the client authorization directive of the July 29 Order, counsel interpret it as doing so. Counsel undertake to make their second visit to the Guantánamo facility within a reasonably prompt interval after they are first permitted to meet with petitioner there, and will then comply with paragraph 10b of the September 11 Order.

Dated: September 19, 2008

Respectfully submitted,



Peter B. Ellis
Mass. BBO #153500
Andrew Loewenstein
Mass. BBO #648074
Usha-Kiran K. Ghia
Mass. BBO #666711
Foley Hoag LLP
155 Seaport Blvd.
Boston, Massachusetts 02210-2600
(617) 832-1000

Attorneys for Petitioner
Mohammed Ahmed Saeed Hidar
a.k.a. Mohammed Ahmed Said Haidel
ISN # 498

CERTIFICATE OF SERVICE

I, Peter B. Ellis, certify that on September 19, 2008, I electronically filed the Statement Concerning Client Authorization with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to the attorneys of record registered with the Court.

DATED: September 19, 2008

By: Peter B. Ellis
Counsel for Petitioner