

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

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IN RE: )

GUANTANAMO BAY )  
DETAINEE LITIGATION )

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Misc. No. 08-442 (TFH)

Civil Action No. 05-2104 (RBW)

**RESPONDENTS' RESPONSE TO PETITIONERS'  
MOTION TO LIFT STAY, FOR PRODUCTION OF  
FACTUAL RETURN, AND TO SET STATUS CONFERENCE**

Petitioners Abdul Al Qader Ahmed Hussain, Othman Ali Mohammed Al Shamrany, and Ali Hamza Ahmed Suliman Bahlool move for an order lifting the stay, requiring Respondents to produce factual returns within fourteen days, and scheduling a status conference. *Al Jayfi v. Bush*, Civil Action No. 05-2104 (RBW) (dkt. no. 48).<sup>1</sup> 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. 50).

Respondents do not oppose the lifting of the stay. 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 Petitioners' 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

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<sup>1</sup> Petitioners' motion seeks relief on behalf of three of the four Petitioners in this action. The motion does not seek relief on behalf of the fourth Petitioner, Issam Hamid Ali Bin Ali Al Jayfi, who was transferred to the control of the Government of Yemen. *Al Jayfi v. Bush*, Civil Action No. 05-2104 (RBW) (dkt. no. 35). As set forth in the parties' Status Report filed on June 27, 2008, Respondents reserve all rights and arguments to challenge further litigation of Petitioner Al Jayfi's action, including on the grounds that his action is moot in light of his release from United States custody. *Id.* (dkt. no. 47).

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 Petitioners is not appropriate at this time.

Dated: July 10, 2008

Respectfully submitted,

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