

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

IN RE:

**GUANTANAMO BAY
DETAINEE LITIGATION**

)
)
) **Misc. No. 08-442 (TFH)**

)
) **Civil Action No. CV 02-0828 (CKK)**
)

**MEMORANDUM IN OPPOSITION TO MOTION
FOR LEAVE TO FILE AMENDED FACTUAL RETURN**

Petitioner Fayiz Mohammed Ahmed Al Kandari (“Petitioner”), by counsel, hereby opposes the government’s Motion for Leave to File Amended Factual Return (“Motion”) on the grounds set forth in the Memorandum in Opposition to Motion for Leave to File Amended Factual Return filed by Petitioner Fouad Mahmoud Al Rabiah on September 19, 2008 (Civ. No. 02-0828 (CKK), Docket No. 379; Misc. No. 08-442 (TFH), Docket No. 468), which is hereby incorporated by reference. A copy is submitted herewith for the Court’s convenience.

September 23, 2008

Respectfully submitted,

/s/

David J. Cynamon (D.C. Bar #182477)
Matthew J. MacLean (D.C. Bar #479257)
PILLSBURY WINTHROP
SHAW PITTMAN LLP
2300 N Street, N.W.
Washington, D.C. 20037
Telephone: (202) 663-8000
Facsimile: (202) 663-8007

Attorneys for Petitioner

Certificate of Service

I certify that on September 23, 2008, I caused the foregoing to be served on the following attorneys via electronic filing:

Brian David Boyle
U.S. DEPARTMENT OF JUSTICE
950 Pennsylvania Avenue, NW
Room 4633
Washington, DC 20530-0001
(202) 3305-1434
202-514-0238 (fax)
brian.d.boyle@usdoj.gov

Terry Marcus Henry
U.S. DEPARTMENT OF JUSTICE
CIVIL DIVISION
P.O. Box 883
20 Massachusetts Avenue, NW
Suite 7144
Washington, DC 20044
(202) 514-4107
(202) 616-8470 (fax)
terry.henry@usdoj.gov

Robert J. Katerberg
U.S. DEPARTMENT OF JUSTICE
CIVIL DIVISION, FEDERAL PROGRAMS
20 Massachusetts Avenue, NW
Washington, DC 20530
(202) 616-8298
(202) 616-8460 (fax)
robert.katerberg@usdoj.gov

Robert D. Okun
UNITED STATES ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
Room 10-435
Washington, DC 20530
(202) 514-7282
(202) 514-8784 (fax)
robert.okun@usdoj.gov

