

**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. CV 02-0828 (CKK)**  
)

**MOTION TO TRANSFER CASE**

Petitioners in Case No. 02-cv-0828 (CKK), by counsel, hereby move this Court to transfer their case back to Judge Colleen Kollar-Kotelly for a ruling on the government's motions for leave to file amended returns, discovery as necessary, and a scheduling conference to set dates for Petitioners' traverses and habeas corpus hearings.

1. On July 2, 2008, Judge Kollar-Kotelly ordered this case to be transferred to Judge Thomas F. Hogan for purposes of coordination and management "so that these cases can be addressed as expeditiously as possible per the Supreme Court's decision in *Boumediene v. Bush*, [128 S. Ct. 2229 (2008)]." See Order by Judge Thomas F. Hogan, *In re Guantanamo Bay Detainee Litigation*, Misc. No. 08-442, Docket No. 1 (July 2, 2008). Since then, the parties have briefed a range of procedural issues and the government has filed motions for leave to file amended factual returns as to each of the four Petitioners in this case. Petitioners have opposed those motions and have timely made all filings required of them. There are no deadlines pending.

2. As set forth in Petitioners' Joint Memorandum of Law Addressing Procedural Framework Issues, the procedural issues that have been briefed by the parties are not amenable to common resolution. Under the circumstances, the coordination and management of the Guantanamo cases by Judge Hogan has served its purpose, and the case is ripe for proceedings

before the judge to whom it is assigned to rule on the motions for leave to file amended returns and to set a schedule for filing traverses, discovery as may be necessary, and hearings.

### **Conclusion**

Accordingly, Petitioners request this Court immediately to transfer their case back to Judge Kollar-Kotelly for further proceedings as set forth above.

September 29, 2008

Respectfully submitted,

/s/

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### Points and Authorities:

LCvR 40.6(a)  
LCvR 40.5(e)

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I certify that on September 29, 2008, I caused the foregoing to be served on the following attorneys via electronic filing:

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