

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

IN RE: GUANTANAMO BAY DETAINEE LITIGATION	) ) ) ) ) )	Misc. No. 08-0442 (TFH)  Civil Action No. 05-1429 (RMU)
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**MOTION TO DEFER RESPONSE TO  
“MOTION FOR LEAVE TO FILE AMENDED FACTUAL RETURN”**

On October 1, 2008, Respondents moved for leave to file an amended return with respect to Petitioner Mohammed Nasser Yahia Abdullah Khussrof (ISN #509). This Court has entered an order directing that responses to this motion be filed by October 15, 2008.

Counsel are currently attempting to resolve a question concerning their continuing representation of Petitioner Khussrof. Counsel respectfully request that the Court hold Respondents’ motion in abeyance with respect to Petitioner Khussrof, and defer the time for Petitioner Khussrof to respond, pending resolution of this question. Counsel will notify counsel for Respondents as to the status of this matter on or before November 10, 2008, and the parties may then reassess their position.

In similar motions filed in this case with respect to Petitioners Al Warafi (ISN #117), Ahmad (ISN # 41), and Rabeii (ISN # 508), this Court granted partial relief, ordering for each that by November 10, 2008, counsel for Petitioners shall either respond to the government’s motions for leave to file amended factual returns in their cases, or show cause why their petitions should not be dismissed. Order, Oct. 2, 2008; Order, Sept. 15, 2008. If the Court should impose a similar deadline for response in the case of the instant Petitioner,

