

THE LAW OFFICES OF  
**SCOTT L. FENSTERMAKER, P.C.**  
300 PARK AVENUE, 17TH FLOOR  
NEW YORK, NEW YORK 10022  
TELEPHONE (212) 302-0201  
CELL (917) 817-9001  
FACSIMILE (212) 302-0327  
EMAIL [scott@fenstermakerlaw.com](mailto:scott@fenstermakerlaw.com)  
[www.fenstermakerlaw.com](http://www.fenstermakerlaw.com)

**WESTCHESTER OFFICE**  
BY APPOINTMENT ONLY  
50 MAIN STREET  
WHITE PLAINS, NEW YORK 10606  
TELEPHONE (914) 725-0955

IN RE: GUANTANAMO BAY DETAINEE LITIGATION

Doc. 754

October 17, 2008

**VIA ECF**

The Honorable Thomas F. Hogan  
United States District Court  
333 Constitution Avenue, N.W.  
Washington, DC 20001

Re: *Ali-Nashir v. Gates*, 08-cv-1085, 08-cv-1207, 08-0441 Misc.

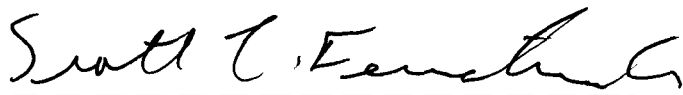
Dear Judge Hogan:

I write to briefly explain why my submission in *Ali-Nashir v. Gates*, 08-cv-1085, was late by several minutes on Friday, October 17, 2008. I completed the filings by 3:15 p.m. on the 17<sup>th</sup>. Unfortunately, I was attempting to file the documents from my home office. The internet access in my home was not functioning properly between 3:15 p.m. and shortly after 4:00 p.m. Similarly, internet access was also not functioning at my next-door-neighbor's home. Internet access was restored at my home office shortly after 4:00 p.m. The documents were filed shortly thereafter, but not within the Court's 4:00 p.m. deadline as directed in the Court's October 7, 2008 Order.

I ask the Court's forbearance for this tardy filing.

Respectfully submitted,

**The Law Offices of Scott L. Fenstermaker, Esq.**

By:   
Scott L. Fenstermaker, Esq.