

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

**IN RE:**

**GUANTANAMO BAY  
DETAINEE LITIGATION**

**Misc. No. 08-0442 (TFH)**

**Civil Action Nos. 08-1085, 08-1207**

**ORDER**

Upon review of Scott Fenstermaker's response to the Court's orders of October 3, 2008, and October 7, 2008, the Court

**ORDERS** the government and the Federal Public Defender for the District of Nevada to respond by Friday, October 31, 2008, to Mr. Fenstermaker's request for "an Order of this Court (1) directing that a hearing be held at which Petitioner can testify regarding counsel of his choice, and (2) directing that Respondent permit Movant to (a) travel to Guantanamo Bay to communicate with Petitioner by in-person meeting, and (b) utilize the legal mail system established at Guantanamo Bay and elsewhere to facilitate communication between Movant and his client, Petitioner," Petitioner's Response to the October 3, 2008 Order to Show Cause and Motion for Miscellaneous Relief at 1 (docket # 49, 08-cv-1085). The Court further

**ORDERS** the Federal Public Defender for the District of Nevada to show cause by Friday, October 31, 2008, why the petition in 08-cv-1207 should not be dismissed as duplicative of the petition in 08-cv-1085.

October 27, 2008

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/s/  
Thomas F. Hogan  
United States District Judge