

EXHIBIT B

Sarkessian, Juliet

From: Sarkessian, Juliet
Sent: Tuesday, October 14, 2008 11:49 AM
To: Jones, Glenn; Marconda, Scott (CIV)
Cc: acastle@hollandhart.com; afryszman@cmht.com; agarrett@kilpatrickstockton.com; aghappour@gmail.com; aloewenstein@foleyhoag.com; anant.raut@weil.com; Warden, Andrew (CIV); andy_hart@fd.org; angela.c.vigil@bakernet.com; apemberton@cov.com; bgoodman@ccr-ny.org; billy_nolas@fd.org; Bill_Marsh@Fd.org; bjacob@schiffhardin.com; bj.olshansky@gmail.com; bmickum@spriggs.com; bob@neklaw.net; brent.rushforth@hellerehrman.com; Decker, Brian; brian.spahn@sablaw.com; brian_mendelsohn@fd.org; Carlton_Gunn@fd.org; carol.bruce@bgllp.com; carpentc@pepperlaw.com; cdbrown@shb.com; clivess@mac.com; Lui, Cathy; cooperm@sullcrom.com; cori@reprieve.org.uk; cposa@manatt.com; craig_harbaugh@fd.org; csilverman@shb.com; darin_thompson@fd.org; david.cynamon@pillsburylaw.com; ddebruin@jenner.com; dkillmer@killmerlane.com; dmarshall@davidsmarshall.com; Rutowski, Diana; dschneider@fredlaw.com; dvoorhees@hollandhart.com; echemeri@law.usc.edu; edward_bryan@fd.org; egilson@snet.net; egreenberg@gsblaw.com; elubell@tllawgroup.com; emaclean@ccrjustice.org; etirschwell@kramerlevin.com; gclarke@milchev.com; gdaly1@bellsouth.net; ggutierrez@ccr-ny.org; gregsmithlaw@verizon.net; gthunt@mdo.net; gwoodward@schnader.com; hcgorman@igc.org; jacqueline.landells@cliffordchance.com; jacqueline_johnson@fd.org; jamesbeane@mac.com; jberman@bermandowell.com; jblackman@cgsh.com; jbogan@kilpatrickstockton.com; jcargabr@debevoise.com; jchomsky@igc.org; jcohen@burnslev.com; jcolman@jenner.com; jdenbeaux@denbeauxlaw.com; jeff_ertel@fd.org; jgmorgan@epmlaw.com; jgoldstein@rwu.edu; jhafetz@aclu.org; jholland1@mac.com; jimfalvey@yahoo.com; jmason@paulweiss.com; jmissing@debevoise.com; jnickovich@perkinscoie.com; john.chandler@sablaw.com; JONeil@Lavin-Law.com; jon.fee@alston.com; Subar, Judry (CIV); julia.symon@cliffordchance.com; kadidal@ccr-ny.org; Mason, Kathryn (CIV); kboris@rhwlawfirm.com; ketanji_jackson@fd.org; kghia@foleyhoag.com; khuskey@law.utexas.edu; kpierson@hewm.com; lara_quint@fd.org; lcgoodman@rcn.com; linda@sleighandwilliams.com; llustberg@gibbonslaw.com; lsachnoff@sachnoff.com; matthew.maclean@pillsburylaw.com; mberman@hartmannoherty.com; mburton@hollandhart.com; mcknightr@dsmo.com; ALL GTMO-Zadran
Subject: RE: Meet & Confer wrt 08-442 Motion to Dismiss Improper Respondents

Dear Mr. Marconda:

On behalf of our clients, who are petitioners in *Al Razak, et al. v. Bush et al.*, Civ. No. 05-CV-1601, *Mousovi, et al. v. Bush, et al.*, Civ. No. 05-CV01124 and *Zadran, et al. v. Bush, et al.*, 05-CV-2367: Wali Mohammed (ISN 560); Haji Hamidullah, a.k.a. Hamid al Razak (ISN 1119); Abdul Haq Wasiq (ISN 004); Mohammad Nabi Omari (ISN 832); Mohammad Zahir (ISN 1103); Mohammad Rahim (ISN 1104); and Ghulam Rohani (ISN 003), we also join in the position set forth below in Ms. Crane's email to you dated October 13, 2008.

Please add me to your list of counsel representing these detainees, as I did not receive your original email. Thank you.

Regards,

Juliet Sarkessian
Dechert LLP

Subject: RE: Meet & Confer wrt 08-442 Motion to Dismiss Improper Respondents

Mr. Marconda,

Petitioner Musaab Omar Al Madhwani, in the case of Anam v. Bush, Case No. 04-1194; Petitioner Jawad Jabbar Sadkhan Al-Sahlani, in the case of Sadkhan v. Bush, Case No. 05-1487; Petitioner Saad Al Qahtaani, in the case of Said v. Bush, Case No. 05-2384; Petitioner Mohammed Zahrani, in the case of Said v. Bush, Case No. 05-2384; Petitioner Abdul Rahman Sulaiman, in the case of Mohammon et al v. Bush, Case No. 05-2386; and Petitioner Achraf Salim Abdessalam, in the case of Abdessalam v. Bush, Case No. 06-1761, are willing to consent to the government's motion if the government will stipulate in that motion to the following conditions:

- 1) the Secretary of Defense is a proper respondent;
- 2) the Secretary of Defense is subject to the jurisdiction of the Court;
- 3) the Secretary of Defense has the power and authority to implement any court orders granting the relief requested in Petitioners' complaints including, but not limited to, Petitioners' release and production of documents or any other evidence in the possession or control of the government;
- 4) the government, not limited to the Department of Defense, has an obligation to preserve documents or any other evidence relevant to this litigation;
- 5) the government will not transfer petitioner to the custody of another branch of the U.S. government and should it do so, the government agrees to reinstate the President as the Respondent in this litigation.

Additionally, in order for the above Petitioners to consent, the government's motion must state that the Petitioners listed above do not agree that the President and Army Commanders are improper respondents. Petitioners agree to the removal of the President and/or Army Commanders as Respondents without waiving any rights.

Sincerely,
Sarah Crane

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