

**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)
-------------------------------------------------	-----------------------	---------------------------------------------------------------

PETITIONER’S RESPONSE TO COURT’S ORDER OF OCTOBER 10, 2008

In its Order of October 10, 2008, granting in part Petitioner Mohammed Nasser Yahia Abdulla Khussrof’s (ISN #509) Motion To Defer Response To Motion For Leave To File Amended Factual Return, this Court ordered Petitioner’s counsel by November 10, 2008, to “either respond to the government’s motion for leave to file an amended factual return or show cause why Petitioner Khussrof’s petition should not be dismissed.”

Counsel for Petitioner were prepared to comply with this Order by filing on November 10, 2008, an opposition to the Government’s motion for leave to file an amended factual return, similar to the opposition filed previously in this case on behalf of Petitioner Saeed Mohammed Saleh Hatim (ISN #255), but this Court granted the Government’s motion in its Order of November 7, 2008. That Order also stated that “the government is no longer required to move for leave to amend factual returns that were filed before July 11, 2008.”

Because the Government’s motion has been granted, the opposition to it that Petitioner would have filed is now moot. Therefore, Petitioner submits this response in lieu of such opposition, in compliance with the Order of October 10.

Respectfully submitted,

/s/ S. William Livingston
S. William Livingston
D.C. Bar. No. 59055
Alan A. Pemberton
D.C. Bar. No. 367108
COVINGTON & BURLING LLP
1201 Pennsylvania Ave., N.W.
Washington, DC 20004-2401
(202) 662-6000 (phone)
(202) 778-6000 (fax)
wlivingston@cov.com
apemberton@cov.com

David H. Remes
D.C. Bar. No. 370372
APPEAL FOR JUSTICE
1106 Noyes Drive
Silver Spring, MD 20910
(202) 669-6508 (phone)
remesdh@gmail.com

Marc D. Falkoff
D.C. Bar No. 491149
NORTHERN ILLINOIS UNIVERSITY
COLLEGE OF LAW
DeKalb, IL 60614
(347) 564-5043 (phone)
(815) 753-9301 (fax)
mdf19@columbia.edu

November 10, 2008