

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

IN RE:

**GUANTANAMO BAY
DETAINEE LITIGATION**

Misc. No. 08-442 (TFH)

Civil Action No. 05-2387 (RMC)

**NOTICE OF FILING MEMORANDUM OF UNDERSTANDING REGARDING ACCESS
TO CLASSIFIED NATIONAL SECURITY INFORMATION & ACKNOWLEDGMENT**

Pursuant to the Protective Order and Procedures for Counsel Access to Detainees at the United States Naval Base in Guantanamo Bay, Cuba (“Protective Order”) issued by this Court on September 11, 2008, counsel for Petitioner Jobran Saad Al-Quhtani hereby file an executed original of the Memorandum of Understanding Regarding Access to Classified National Security Information (“MOU”) on behalf of Geoffrey M. Kintzer.

According to the terms of the Protective Order entered by this Court in the above-captioned case, “Petitioners’ counsel to be provided access to classified information shall execute the MOU appended to this Protective Order, and shall file executed originals with the Court and submit copies to the [Court Security Officer] and government counsel. Such execution, filing, and submission of the MOU is a condition precedent to a petitioner’s counsel having access to, or continued access to, classified information for the purposes of these proceedings.” Protective Order, ¶ 17.

The Protective Order further provides, “[w]ithout authorization from the government or the Court, protected information shall not be disclosed or distributed to any person or entity other than . . . petitioners’ counsel, provided such individuals signed the Acknowledgment . . . attesting to the fact that they read this Protective Order and agree to be bound by its terms.” *Id.* ¶ 35(a).

The Protective Order defines “petitioners’ counsel” to include paralegals employed or engaged in to assist in the litigation. *Id.* ¶ 11.

Geoffrey M. Kintzer is a paralegal employed by Morrison & Foerster LLP. Mr. Kintzer assists Morrison & Foerster LLP attorneys in their representation of Petitioner and has security clearance. In order to accompany Morrison & Foerster LLP attorneys on visits with Petitioner at Guantanamo, and access classified and protected information concerning Petitioner, the Protective Order entered in this case requires that Mr. Kintzer file an executed MOU and an Acknowledgment, which are attached here as Exhibit A.

Dated: November 14, 2008

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I today caused the foregoing Notice of Filing of Memorandum of Understanding Regarding Access to Classified National Security Information & Acknowledgment to be served electronically via the Court's Electronic Case Filing System which will send notification to all counsel of record, and copies of the executed original to be delivered by U.S. Mail to the government counsel in the above-captioned matter and to the Court Security Officer:

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/s/ Theresa Rollins
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