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EXHIBIT C

EXHIBIT C

General Docket US Court of Appeals for the Second Circuit

Second Circuit Court of Appeals

INDIV

REINSTATED

Court of Appeals Docket #: 07-2980-cv
Nsuit : 2890 STATUTES-Other

Fenstermaker v. Bush

Filed 7/10/07

Appeal SDNY (NEW YORK CITY)
from:

Case type information:

Civil

United States

None

Lower court information:

District: 05-cv-7468

Trial Judge: Richard M. Berman

MagJudge:

Date Filed: 08/24/05

Date order/judgement: 6/12/2007

Date NOA filed: 7/9/2007

Fee status: Paid

Panel Assignment:

Panel:

Date of decision:

Prior cases: NONE

Current cases NONE

Official Caption 1/

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Docket No. [s] : 07-2980 -cv
Scott L. Fenstermaker, individually and as next friend
for, Ahmed Khalfan Ghailani, Khalid Shaykh Muhammad,
Zubair, `Ali `Abd al-`Aziz `Ali, `Abd al-Rahim
Al-Nashiri, Walid Bin `Attash, Gouled Hassan Dourad,
John Doe #1, collectively "Johns Doe", John Doe #2,
John Doe #3, John Doe #4, John Doe #5, John Doe #6,
John Doe #7, John Doe #8.

Petitioners-Appellants,

v.

George W. Bush, President of the United States and
Commander in Chief of the United States Armed Forces,
Donald H. Rumsfeld, United States Secretary of Defense,
John D. Altenburg Jr., Appointing Authority for the
Military Commissions,

Respondents-Appellees.

Authorized Abbreviated Caption 2/

Docket No. [s] : 07-2980 -cv

Fenstermaker v. Bush

1/ Fed. R. App. P. Rule 12 [a] and 32 [a].
2/ For use on correspondence and motions only.

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Ahmed Khalfan Ghailani

Ahmed Khalfan Ghailani

Petitioner-Appellant

n/a
U.S. Attorney's Office, SDNY

86 Chambers Street
New York , NY , 10007

Donald H. Rumsfeld

Ross E. Morrison Esq.

Respondent-Appellee

[LD n]
U.S. Attorney's Office, SDNY

John Doe #4 Scott L. Fenstermaker Esq. (See
 above)
Petitioner-Appellant [LD n]

John Doe #5 Scott L. Fenstermaker Esq. (See
 above)
Petitioner-Appellant [LD n]

John Doe #6 Scott L. Fenstermaker Esq. (See
 above)
Petitioner-Appellant [LD n]

John Doe #7 Scott L. Fenstermaker Esq. (See
 above)
Petitioner-Appellant [LD n]

John Doe #8 Scott L. Fenstermaker Esq. (See
 above)
Petitioner-Appellant [LD n]

Khalid Shaykh Muhammad Scott L. Fenstermaker Esq. (See
 above)
Petitioner-Appellant [LD n]

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Lillie Scott L. Fenstermaker Esq. (See
 above)
Petitioner-Appellant [LD n]

Scott L. Fenstermaker Scott L. Fenstermaker Esq. (See
 above)
Petitioner-Appellant [LD ret]

Walid Bin `Attash Scott L. Fenstermaker Esq. (See
 above)
Petitioner-Appellant [LD n]

Zubair Scott L. Fenstermaker Esq. (See
 above)
Petitioner-Appellant [LD n]

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7/10/07 Copy of notice of appeal and district court
 docket entries on behalf of APPELLANT
 Hambali, John Doe #1, John Doe #2,
 John Doe #3, ET AL , filed.
 Fee paid in District Court: receipt #E620096
 [Entry date Jul 13 2007] [LY]

7/10/07 Index in lieu of Record on Appeals

Electronically Filed (Original documents remain in the originating court).

[Entry date Jul 13 2007] [LY]

7/10/07 Copy of district court order RECEIVED.
[Entry date Jul 13 2007] [LY]

7/11/07 APPELLANT Hambali, John Doe #1, John Doe #2, John Doe #3, ET AL , Form C RECEIVED, with proof of service.
[Entry date Jul 16 2007] [LY]

7/11/07 APPELLANT Hambali, John Doe #1, John Doe #2, John Doe #3, ET AL , Form C filed, with proof of service. [Entry date Jul 25 2007] [LY]

7/11/07 APPELLANT Hambali, John Doe #1, John Doe #2, John Doe #3, ET AL , Form D filed, with proof of service. [Entry date Jul 25 2007] [LY]

7/24/07 Notice of appeal acknowledgment letter from Ross Morrison received. [Entry date Jul 25 2007] [LY]

7/24/07 Notice of appeal acknowledgment letter from Scott Fenstermaker received. [Entry date Jul 25 2007] [LY]

7/31/07 Pre-Argument Conference Notice and Order from Lisa Greenberg, Scheduled For: Monday August 20 2007 at 10:00am, Filed. [Entry date Aug 1 2007] [LY]

7/31/07 Scheduling order #1 filed. Record on appeal due 9/3/2007. Appellants brief due 9/10/2007. Appellees brief due 10/10/2007. Ready week 11/19/2007. [Entry date Aug 1 2007] [LY]

7/31/07 Notice to counsel in re: Pre-argument and scheduling orders distributed by Staff Counsel [Entry date Aug 1 2007] [LY]

10/1/07 Order withdrawing appeal by consent without prejudice to reinstatement FILED. 06/30/08

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[Entry date Oct 1 2007] [LY]

10/1/07 Notice to counsel in re: Stipulation withdrawing the appeal without prejudice until 6/30/08 [Entry date Oct 1 2007] [LY]

- 1/15/08 Letter received from Scott Fenstermaker Esq.,
requesting to remove Abd Al-Rahim
Al-Nashiri as a party to the case. (Entry
date Jan 15 2008] [YS]
- 4/3/08 Appellant Scott Fenstermaker, Appellant
Zayn al-'Abidin Abu Zubaydah, Appellant
Ramzi Bin Al-Shibh, et al motion to allow to
remove Abu Faraj Al-Libi as a party, filed
with proof of service. [Entry date Apr 3
2008] [YS]
- 4/8/08 Notice to counsel in re: Motion Order filed
on 04/08/2008. [Entry date Apr 8 2008]
[YS]
- 4/8/08 The CAPTION PAGE for this appeal has been
AMENDED in light of Motion Order filed on
04/08/2008, removing Aby Faraj Al-Lib as a
party to this appeal. [Entry date Apr 8
2008] [YS]
- 4/8/08 Notice to counsel in re: Amended Caption.
[Entry date Apr 8 2008] [YS]
- 4/8/08 Order FILED GRANTING motion allow Abu Faray
Al-Lib to be removed as party to this appeal,
by Appellant John Doe #1, Appellant John
Doe #5, Appellant John Doe #4, Appellant
John Doe #2, Appellant Scott Fenstermaker,
Appellant John Doe #3, Appellant Zayn
al-'Abidin Abu Zubaydah, Appellant Ramzi
Bin Al-Shibh, Appellant Khalid Shaykh
Muhammad, Appellant Majid Khan, Appellant
Zubair, Appellant Hambali, Appellant Abu
Faraj Al-Libi, Appellant `Ali `Abd al-`Aziz
`Ali, Appellant Lillie, Appellant Mustafa
Ahmad Al-Hawsawi, Appellant `Abd al-Rahim
Al-Nashiri, Appellant Walid Bin `Attash,
Appellant Gouled Hassan Dourad, Appellant
John Doe #6, Appellant John Doe #8,
Appellant John Doe #7, endorsed on motion
dated 4/3/2008. (JF) [Entry date Apr 8
2008] [YS]
- 4/23/08 Appellant Scott Fenstermaker, Appellant
Zayn al-'Abidin Abu Zubaydah, Appellant
Ramzi Bin Al-Shibh, et al motion to allow to
remove Lillie as a party filed with proof of
service. [Entry date Apr 24 2008] [YS]
- 4/23/08 Appellant Scott Fenstermaker, Appellant
Zayn al-'Abidin Abu Zubaydah, Appellant
Ramzi Bin Al-Shibh, et al motion to allow to
remove Mustafa Ahmad al-Hawsawi, Majid Khan,

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- and Ramzi Bin al- Shibh, filed with proof of service. [Entry date Apr 24 2008] [YS]
- 4/29/08 Record on appeal filed. (Original papers of district court.) Volume(s) (1) [Entry date Apr 29 2008] [VM]
- 5/7/08 Notice to counsel RE:Motions to dismiss parties on the substantive motions calendar for Tuesday, May 20, 2008**ON SUBMISSION**. [Entry date May 7 2008] [AV]
- 5/9/08 IT IS HEREBY ORDERED that the Government shall file a response to Appellant's motion to remove parties from the appeal no later than 3:pm on Tuesday May 13, 2008. The response shall include a status report on the appeal. [Entry date May 9 2008] [MR]
- 5/9/08 Notice to counsel re: Order dated 05/09/2008. [Entry date May 9 2008] [MR]
- 5/13/08 Appellee John D. Alternburg, Appellee George Bush Donald Rumsfeld response to Appellant Scott Fenstermaker et al Motion to remove parties filed with proof of service. [Entry date May 13 2008] [WD]
- 5/13/08 Appellee John D. Altenburg, George Bush and Donald Rumsfeld response to Motion to allow to remove parties filed with proof of service. [Entry date May 14 2008] [WD]
- 5/13/08 Appellee John D. Altenburg, George Bush and Donald Rumsfeld response to Motion to allow to remove parties filed with proof of service. [Entry date May 14 2008] [WD]
- 5/19/08 Letter received from Scott L. Fenstermaker, attorney for Appellant replying to AUSA Ross E. Morrison's response to a motion requesting removal of certain parties. [Entry date May 20 2008] [YS]
- 5/21/08 Stipulation extending time to reinstate appeal without prejudice to reinstatement on or before 07/31/2008, RECEIVED. [Entry date May 23 2008] [YS]
- 5/22/08 Notice to counsel in re: Order filed on 05/22/2008. [Entry date May 22 2008] [YS]
- 5/22/08 The CAPTION PAGE for this appeal has been AMENDED in light of order filed on 05/22/2008. [Entry date May 22 2008]

[YS]

5/22/08 Order filed stating: Appellant Scott L. Fenstermaker moves to dismiss Mustafa Ahmad Al-Hawsawi, Majid Khan, Ramzi bin al-Shibh,

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and Mohammed Nazir Bin Lep a/k/a "Lillie," as parties to this appeal. Upon due consideration, it is hereby ORDERED that the motions are GRANTED. See Fed. R. Civ. P. 21; cf. Newman-Green, Inc. v. Alfonso-Larrain, 490 U.S. 826, 832-33 (1989). (Before: Hon. RJC., JAC., RAK., CJJ., by PP) [Entry date May 22 2008] [YS]

- 6/3/08 So Ordered FRAP 42 Stipulation without prejudice withdrawing appeal by consent without prejudice to reinstatement on or before 07/31/2008 FILED. [Entry date Jun 3 2008] [YS]
- 6/3/08 Notice to counsel in re: So Ordered FRAP 42 Stipulation without prejudice filed. [Entry date Jun 3 2008] [YS]
- 7/1/08 Letter received from Scott Fenstermaker Esq., timely requesting that the appeal be reinstated and to add Ahmed Khalfan Ghailani as a party to this appeal. [Entry date Jul 2 2008] [YS]
- 7/1/08 Appellant Scott Fenstermaker, Appellant Zayn al-'Abidin Abu Zubaydah, Appellant Ramzi Bin Al-Shibh, et al motion allow removal of Zayn al-Abidin Abu Zugaydah and Hambali as parties to this appeal, filed with proof of service. [Entry date Jul 7 2008] [YS]
- 7/2/08 Court's request for the pdf (e-document) version of Scott Fenstermaker reactivation letter, sent. [Entry date Jul 2 2008] [YS]
- 7/2/08 Notice of Reinstatement dated 06/30/2008, on behalf of appellant, FILED. Reinstatement Code: P. [Entry date Jul 2 2008] [YS]
- 7/2/08 Notice to counsel in re: Reinstatement Order filed, [Entry date Jul 2 2008] [YS]
- 7/7/08 Court's request for the pdf (e-document) version of Scott Fenstermaker motion to remove parties, sent. [Entry date Jul 7

2008] [YS]

7/12/08 Notice to counsel in re: Motion order filed on 07/11/2008. [Entry date Jul 12 2008] [YS]

7/12/08 The CAPTION PAGE for this appeal has been AMENDED as per motion order filed on 07/11/2008. [Entry date Jul 12 2008] [YS]

7/12/08 Notice to counsel in re: Amended Caption Page [Entry date Jul 12 2008] [YS]

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7/12/08 Order FILED that the motion by Appellant and counsel Fenstermaker to remove Zayn al`Abidin Abu Zubaydah and Hambali from this appeal because they are already represented by counsel is GRANTED, endorsed on motion dated 7/1/2008. (Before Hon. PWH., CJJ., by JF) [Entry date Jul 12 2008] [YS]

7/31/08 Court`s 2nd request for the pdf (e-document) version of Scott Fenstermaker Motion to remove parties, sent. [Entry date Jul 31 2008] [YS]

8/5/08 Letter received from Scott Fenstermaker Esq., requesting a 30 day extension of time to file briefs, [Entry date Aug 6 2008] [YS]

8/6/08 Court`s request for the pdf (e-document) version of Scott Fenstermaker letter, requesting a 30 day extension of time, sent. [Entry date Aug 6 2008] [YS]

8/7/08 Scheduling order #2 filed. Appellants brief due 9/8/2008. Appellees brief due 10/8/2008. Any reply briefs are due on or before 10/22/2008. Ready week 11/17/2008. (LG) [Entry date Aug 7 2008] [YS]

8/7/08 Notice to counsel in re: Scheduling Order #2 [Entry date Aug 7 2008] [YS]

8/11/08 Court`s 3rd request for the pdf (e-document) version of Scott Fenstermaker Motion to remove parties, sent. [Entry date Aug 11 2008] [YS]

9/4/08 Court`s 4th request for the pdf (e-document) version of Scott Fenstermaker Motion to remove parties, sent. [Entry date Sep 4

2008] [YS]

9/8/08 Appellant Scott Fenstermaker, Appellant Khalid Shaykh Muhammad, Appellant Zubair, et al motion to allow to expand the record or in the alternative remand appeal to the district court, filed with proof of service. [Entry date Sep 9 2008] [YS]

9/9/08 Court's request for the pdf (e-document) version of Scott Fenstermaker motion for remand, sent. [Entry date Sep 9 2008] [YS]

9/16/08 Appellant Scott Fenstermaker, supplemental declaration of material facts in support of the motion allow, remand appeal filed with proof of service. [Entry date Sep 19 2008] [YS]

9/29/08 Appellee George Bush, Appellee Donald

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Rumsfeld, Appellee John D. Altenburg motion for extended time to respond to Appellant's motion for expansion of record filed with proof of service. [Entry date Sep 30 2008] [YS]

10/3/08 Notice to counsel in re: Motion Order filed on 10/03/2008. [Entry date Oct 3 2008] [YS]

10/3/08 Order FILED GRANTING motion extended time by Appellee Donald Rumsfeld, Appellee George Bush, Appellee John D. Altenburg, Appellee's response to the motion is due 11/07/2008, endorsed on motion dated 9/29/2008. (By: JP) [Entry date Oct 3 2008] [YS]

10/9/08 Appellant Scott Fenstermaker, Appellant Khalid Shaykh Muhammad, Appellant Zubair, et al motion allow reinstatement of Mustafa Bin-Ahmad Al-Hawsawi as a party to the appeal and seal document filed with proof of service. [Entry date Oct 10 2008] [YS]

10/21/08 Notice to counsel in re: Motion Order filed on 10/21/2008. [Entry date Oct 21 2008] [YS]

10/21/08 Order FILED REFERRING motion allow by Appellant Scott Fenstermaker, Appellant

Khalid Shaykh Muhammad, Appellant Zubair,
 Appellant Abu Faraj Al-Libi, Appellant
 `Ali `Abd al-`Aziz `Ali, Appellant Lillie,
 Appellant `Abd al-Rahim Al-Nashiri,
 Appellant Walid Bin `Attash, Appellant
 Gouled Hassan Dourad, Appellant John Doe #1,
 Appellant John Doe #2, Appellant John Doe
 #3, Appellant John Doe #4, Appellant John
 Doe #5, Appellant John Doe #6, Appellant
 John Doe #7, Appellant John Doe #8,
 endorsed on motion dated 10/9/2008, Order
 FILED REFERRING motion seal document by
 Appellant Scott Fenstermaker, Appellant
 Khalid Shaykh Muhammad, Appellant Zubair,
 Appellant Abu Faraj Al-Libi, Appellant
 `Ali `Abd al-`Aziz `Ali, Appellant Lillie,
 Appellant `Abd al-Rahim Al-Nashiri,
 Appellant Walid Bin `Attash, Appellant
 Gouled Hassan Dourad, Appellant John Doe #1,
 Appellant John Doe #2, Appellant John Doe
 #3, Appellant John Doe #4, Appellant John
 Doe #5, Appellant John Doe #6, Appellant
 John Doe #7, Appellant John Doe #8, to the
 motions panel and shall be heard in due
 course, endorsed on motion dated 10/9/2008.
 (Before Hon. PWH., CJJ., by JP) [Entry
 date Oct 21 2008] [YS]

PACER Service Center			
Transaction Receipt			
10/25/2008 14:00:39			
PACER Login:	fp0083	Client Code:	
Description:	dkt report	Case Number:	07-2980
Billable Pages:	11	Cost:	0.88