

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIATALAL AL-ZAHRANI, *et al.*,

Plaintiffs,

v.

DONALD RUMSFELD, *et al.*

and

UNITED STATES,

Defendants.

Case No. 09-cv-00028 (ESH)

**JOINT MOTION TO SET AN AGREED BRIEFING SCHEDULE WITH RESPECT TO
INDIVIDUAL NAMED DEFENDANTS' AND UNITED STATES'
MOTIONS TO DISMISS AND UNITED STATES' MOTION TO SUBSTITUTE**

Plaintiffs Talal Al-Zahrani, et al. ("Plaintiffs"), and individual named Defendants Donald Rumsfeld, et al. ("Individual Named Defendants") and the United States ("United States"), by and through undersigned counsel, respectfully move this Court to set an agreed briefing schedule for Plaintiffs' opposition to Individual Named Defendants' and the United States' motions to dismiss and the United States' motion to substitute, and for Individual Named Defendants' and the United States' replies. In support of this motion, the parties state the following:

1. On January 7, 2009, Plaintiffs filed a Complaint against 24 individual named defendants, a number of unnamed defendants and the United States. Plaintiffs amended their Complaint on January 29, 2009.
2. On April 24, 2009 and May 26, 2009, the United States moved for 30-day extensions of time for Defendants to respond to Plaintiffs' Amended Complaint, which Plaintiffs

did not oppose. On June 26, 2009, Individual Named Defendants and the United States filed motions to dismiss (dkt. nos. 13, 15), and the United States filed a motion to substitute (dkt. no. 14).

3. The current deadline for Plaintiffs' response to Individual Named Defendants' and the United States' motions is July 13, 2009. *See* LCvR 7(b); Fed. R. Civ. P. 6(a).

4. The parties have conferred regarding an expanded briefing schedule for Plaintiffs' response and Individual Named Defendants' and the United States' replies and have agreed to the following schedule:

(a) Plaintiffs' response to Individual Named Defendants' and the United States' motions to dismiss and the United States' motion to substitute will be due 90 days from the date the motions were filed, or on or before September 28, 2009; and

(b) Individual Named Defendants' and the United States' replies will be due 60 days from the filing of Plaintiffs' response, or on or before November 30, 2009.

5. This briefing schedule will permit the parties to address the complicated issues of statutory, treaty and constitutional interpretation presented in this case. It also addresses scheduling conflicts for Plaintiffs' counsel relating to the Guantanamo Bay detainee habeas litigation and to Washington College of Law's academic schedule.

6. This request is made in good faith and not for the purposes of delay.

7. There are no previously scheduled deadlines in this case.

For the foregoing reasons, the parties respectfully request that the Court grant this motion.

Dated: July 9, 2009

Respectfully submitted,

/s/ Pardiss Kebriaei

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[PROPOSED] ORDER

Upon consideration of the parties' Joint Motion to Set an Agreed Briefing Schedule with Respect to Individual Named Defendants' and United States' Motions to Dismiss and United States' Motion to Substitute, it is hereby ORDERED that the Joint Motion is GRANTED. Plaintiffs shall file their response to the motions to dismiss and the motion to substitute on or before September 28, 2009, and the Individual Named Defendants and the United States shall file their replies on or before November 30, 2009.

SIGNED this _____ day of _____, 2009.

Ellen S. Huvelle
United States District Judge