

**IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

|  |   |                             |
|--|---|-----------------------------|
| SUHAIL NAJIM                               | ) |                             |
| ABDULLAH AL SHIMARI <i>et al.</i> ,        | ) |                             |
|  | ) |                             |
| Plaintiffs,                                | ) |                             |
|  | ) |                             |
| v.   | ) | C.A. No. 08-cv-0827 GBL-JFA |
|  | ) |                             |
| CACI INTERNATIONAL, INC., <i>et. al.</i> , | ) |                             |
|  | ) |                             |
| Defendants                                 | ) |                             |
|  | ) |                             |
|  | ) |                             |

**PLAINTIFFS’ MOTION FOR LEAVE TO REBUT CACI’S FACTUAL  
MISREPRESENTATIONS MADE DURING ORAL ARGUMENT**

On Friday, October 24, 2008, this Court heard oral argument on CACI’s motion to dismiss. During oral argument, CACI made significant factual misrepresentations. Because CACI’s dismissal arguments rests so heavily on those disputed facts, Plaintiffs respectfully ask this Court for leave to file the attached Memorandum of Rebuttal, which explains why CACI’s factual representations should not be accepted as true by this Court.

          /s/ Susan L. Burke  
Susan L. Burke (VA Bar #27769)  
Rosemary B. Healy (*pro hac* application pending)  
Counsel for Plaintiffs  
BURKE O’NEIL LLC  
4112 Station Street  
Philadelphia, PA 19127  
(215) 487-6596  
(215) 482-0874 (facsimile)  
[sburke@burkeoneil.com](mailto:sburke@burkeoneil.com)

Katherine Gallagher  
CENTER FOR CONSTITUTIONAL RIGHTS  
666 Broadway, 7th Floor

New York, NY 10012

Shereef Hadi Akeel  
AKEEL & VALENTINE, P.C.  
888 West Big Beaver Road  
Troy, Michigan 48084-4736

*Attorneys for Plaintiffs*

## CERTIFICATE OF SERVICE

I hereby certify that on the 27<sup>th</sup> day of October, 2008, I caused the foregoing Plaintiffs' Motion for Leave To File a Rebuttal to be emailed via the ECF system to the following:

J. William Koegel, Jr.  
Virginia Bar No. 38243  
John F. O'Connor (*pro hac vice* application pending)  
Attorneys for Defendants CACI Premier Technology, Inc. and CACI International Inc  
STEPTOE & JOHNSON LLP  
1330 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 429-3000 - telephone  
(202) 429-3902 – facsimile  
wkoegel@steptoe.com  
joconnor@steptoe.com

/s/ Susan L. Burke  
Susan L. Burke (VA Bar #27769)  
Counsel for Plaintiffs  
BURKE O'NEIL LLC  
4112 Station Street  
Philadelphia, PA 19127  
(215) 487-6596  
(215) 482.0874 – facsimile  
[sburke@burkeoneil.com](mailto:sburke@burkeoneil.com)