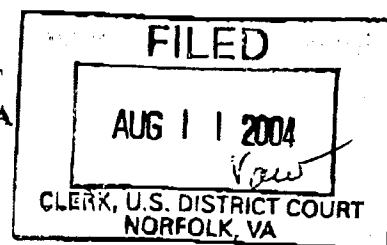


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION



YASER ESAM HAMDI,)
)
 Petitioner,)
)
)
)
 v.)
)
)
 DONALD RUMSFELD)
 Secretary of Defense)
 The Pentagon)
 Arlington, Va.,)
)
 COMMANDER C.T. HANFT,)
 Commander, Consolidated Naval Brig)
 1050 Remount Road)
 Charleston, South Carolina,)
)
 Respondents.)

CASE NO. 2:02CV439

JOINT MOTION TO STAY PROCEEDINGS

The United States and Yaser Esam Hamdi, by counsel, hereby jointly move the Court to stay all pending proceedings for twenty-one days. In support of this motion, the parties state the following:

1. On June 11, 2002, a Petition for Habeas Corpus was filed on behalf of Yaser Esam Hamdi in the Norfolk division of the Eastern District of Virginia;
2. On June 28, 2004, the United States Supreme Court issued an opinion in this case that contemplates additional proceedings;
3. Since the issuance of the Supreme Court opinion, the parties have been engaged in

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negotiations to resolve this matter under terms and conditions acceptable to both parties that would allow Mr. Hamdi to be released from Respondents' custody;

4. The parties have not yet completed these negotiations;
5. Wherefore, the parties respectfully request that the Court stay all proceedings in this case for twenty-one days, so that the parties may attempt to complete efforts to reach a mutually acceptable resolution of this case.


Respectfully submitted,

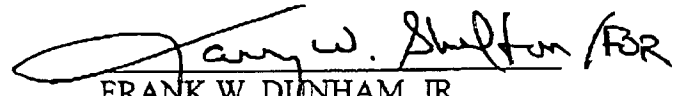
UNITED STATES OF AMERICA

YASER ESAM HAMDI

By:

By counsel


DAVID B. SALMONS
ASSISTANT TO THE SOLICITOR
GENERAL


FRANK W. DUNHAM, JR.
FEDERAL PUBLIC DEFENDER
EASTERN DISTRICT OF VIRGINIA

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FEDERAL PUBLIC DEFENDER