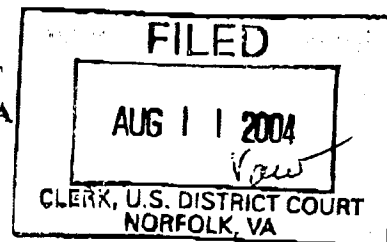


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION



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

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

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 MANAGING ASSISTANT  
 UNITED STATES ATTORNEY

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 VA BAR # 15205  
 SUPERVISORY ASSISTANT  
 FEDERAL PUBLIC DEFENDER