

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
MAJID ABDULLA AL JOUDI, <i>et al.</i> ,)	
)	
Petitioners,)	
)	
v.)	Civil Action No. 05-CV-0301 (GK)
)	
GEORGE W. BUSH,)	
President of the United States, <i>et al.</i> ,)	
)	
Respondents.)	
_____)	

**RESPONDENTS’ SUPPLEMENT TO RESPONSE
TO THE COURT’S OCTOBER 16, 2006 ORDER**

Respondents hereby submit this supplement to their Response to the Court’s October 16, 2006 Order and to Inquiries Raised at the October 11, 2006 Hearing (dkt. no. 82) in order to correct an erroneous representation made in petitioner Al Joudi’s Response to the Court’s October 16, 2006 Order (dkt. no. 85).

In respondents’ Response to the Court’s October 16, 2006 Order, respondents informed the Court that for the period January 6, 2006, through August 11, 2006, the time period for which petitioner alleges – erroneously – that he was involuntarily fed without notice to counsel, approximately 136 pages of medical records exist for petitioner. *See* Resps’ Response to the Court’s Oct. 16, 2006 Order (dkt. no. 82) at 6. In petitioner’s subsequent response, petitioner’s counsel claim that a number of these 136 pages constituted records that respondents had erroneously failed to produce during the time period that all parties agree petitioner was being involuntarily fed and during which respondents were producing medical records (November 30,

2005, through January 4, 2006). *See* Petr's Response to the Court's Oct. 16, 2006 Order (dkt. no. 85) at 2 n.2, 7 n.5. This is not correct.

As respondents informed the Court, for the period January 6, 2006, through August 11, 2006, approximately 136 pages of medical records exist for petitioner. During the course of ascertaining the volume of records covering this period, as required by the Court's October 16, 2006 Order (dkt. no. 80), however, respondents ascertained that a number of pages of records were not produced for the November 30, 2005 through January 4, 2006 time period.

Upon this discovery, respondents informed counsel of the error. Subsequently, respondents produced the records (totaling 48 pages) to petitioner's counsel, at which time respondents' counsel informed petitioner's counsel of the latter's apparent misunderstanding regarding the time period covered by the produced records. *See* Attachment.

With respect to the 48 pages of records that were erroneously not produced during the November 30, 2005 through January 4, 2006 time period, a few of the pages reflect the addition of notes by medical personnel to a record after the record was copied for initial production, after which the record apparently was not re-copied for the next subsequent production of records.¹ Respondents are still investigating how the remainder of the records were omitted from the prior production of records. The erroneous omission, however, does not change the fact that the involuntary feeding of petitioner ended on January 4, 2006, and did not thereafter resume.

¹ The Court's October 26, 2005 Order (dkt. no. 50) required a weekly production of medical records.

Dated: November 14, 2006

Respectfully submitted,

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