

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FAWZI KHALID ABDULLAH  
FAHAD AL ODAH, *et al.*,

Petitioners,

v.

UNITED STATES, *et al.*,

Respondents.

Civil Action No. 02-828 (CKK)

**JOINT LIST OF CONTESTED ISSUES AS TO  
PETITIONER FAWZI KHALID ABDULLAH FAHAD AL-ODAH (ISN 232)**

Pursuant to this Court's Order Regarding Merits Hearing Procedures, the parties expect to present evidence on the following contested issues during the merits hearing in the case of Fawzi Khalid Abdullah Fahad al-Odah (ISN 232):

I. Respondents will present evidence regarding the following issues in their case-in-chief:

1. Whether the evidence shows that it is more likely than not that Petitioner al-Odah traveled purposefully to Afghanistan to become a part of al-Qaida, the Taliban, or associated enemy forces.

2. Whether the evidence shows that it is more likely than not that Petitioner al-Odah trained at training camps and stayed at guesthouses as part of al-Qaida, the Taliban, or associated enemy forces.

3. Whether the evidence shows that it is more likely than not that Petitioner al-Odah fought at Tora Bora as part of al-Qaida, the Taliban, or associated enemy forces.

4. Whether the evidence shows that it is more likely than not that Al Odah was captured near Tora Bora armed with an assault rifle as part of al-Qaida, Taliban, or associated enemy forces.

5. Whether the evidence presented on the foregoing factual issues shows that it is more likely than not that Petitioner al-Odah is part of al-Qaida, Taliban, or associated enemy forces.

II. Petitioner al-Odah will present evidence in response to Respondents' listed issues.

Dated: August 3, 2009

Respectfully submitted,

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