

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**FAWZI KHALID ABDULLAH** )  
**FAHAD AL ODAH, et al.,** )  
 )  
 **Petitioners,** ) **Civil Action No. CV 02-0828 (CKK)**  
 )  
 **v.** )  
 )  
 **UNITED STATES, et al.,** )  
 )  
 **Respondents.** )  
 \_\_\_\_\_ )

**JOINT LIST OF CONTESTED ISSUES  
AS TO PETITIONER FYIZ AL KANDARI**

Pursuant to this Court's Order Regarding Merits Hearing Procedures (September 09, 2009), the parties expect to present evidence on the following contested issues during the merits hearing in the case of Fyiz Al Rabia (ISN 552):

- I. Respondents will present the following issues in their case-in-chief:
1. Whether the evidence shows that it is more likely than not that Petitioner Al Kandari associated with Usama bin Laden, other associates of al Qaida, the Taliban, or other associated enemy forces.
  2. Whether the evidence shows that it is more likely than not that Petitioner Al Kandari stayed at guest houses or trained at training camps run by al Qaida, the Taliban, or associated enemy forces.
  3. Whether the evidence shows that it is more likely than not that Petitioner Al Kandari returned to Afghanistan to join with and fight along side al Qaida, the Taliban, or associated enemy forces.
  4. Whether the evidence presented on the foregoing factual issues shows that it is more likely than not that Petitioner Al Kandari is part of al Qaida, the Taliban, or associated enemy forces.
- II. Petitioner Al Kandari will present no issues in his case-in-chief.

Dated: October 13, 2009

Respectfully submitted,

/s/ Matthew J. MacLean

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