

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

IN RE: :
GUANTANAMO BAY :
DETAINEE LITIGATION : : Misc. No. 08-442 (TFH)
: Nos. 02-cv-0828, 04-cv-1136, 04-cv-1164, 04-cv-
: 1937, 04-cv-2022, 04-cv-2035, 04-cv-1254, 04-cv-
: 2046, 04-cv-2215, 05-cv-23, 05-cv-0247, 05-cv-
: 270, 05-cv-280, 05-cv-329, 05-cv-359, 05-cv-392,
: 05-cv-492, 05-cv-520, 05-cv-526, 05-cv-569, 05-
: cv-634, 05-cv-748, 05-cv-763, 05-cv-764, 05-cv-
: 877, 05-cv-883, 05-cv-889, 05-cv-892, 05-cv-993,
: 05-cv-994, 05-cv-998, 05-cv-999, 05-cv-1048, 05-
: cv-1189, 05-cv-1124, 05-cv-1220, 05-cv-1347, 05-
: cv-1353, 05-cv-1429, 05-cv-1457, 05-cv-1458, 05-
: cv-1490, 05-cv-1497, 05-cv-1504, 05-cv-1505, 05-
: cv-1506, 05-cv-1509, 05-cv-1555, 05-cv-1592, 05-
: cv-1601, 05-cv-1602, 05-cv-1607, 05-cv-1623, 05-
: cv-1638, 05-cv-1639, 05-cv-1645, 05-cv-1646, 05-
: cv-1678, 05-cv-1704, 05-cv-1971, 05-cv-1983, 05-
: cv-2010, 05-cv-2088, 05-cv-2104, 05-cv-2185, 05-
: cv-2186, 05-cv-2199, 05-cv-2249, 05-cv-2349, 05-
: cv-2367, 05-cv-2370, 05-cv-2371, 05-cv-2378, 05-
: cv-2379, 05-cv-2380, 05-cv-2381, 05-cv-2385, 05-
: cv-2444, 05-cv-2479, 06-cv-618, 06-cv-1668, 06-
: cv-1684, 06-cv-1758, 06-cv-1759, 06-cv-1765, 06-
: cv-1766, 06-cv-1767, 07-cv-1710, 07-cv-2337, 07-
: cv-2338, 08-cv-0987, 08-cv-1085, 08-cv-1101, 08-
: cv-1104, 08-cv-1153, 08-cv-1185, 08-cv-1207, 08-
: cv-1221, 08-cv-1223, 08-cv-1224, 08-cv-1227, 08-
: cv-1228, 08-cv-1229, 08-cv-1230, 08-cv-1231, 08-
: cv-1232, 08-cv-1233, 08-cv-1235, 08-cv-1236, 08-
: cv-1237, 08-cv-1238, 08-cv-1310, 08-cv-1360, 08-
: cv-1440, 08-cv-1733, 08-cv-1805, 08-cv-2083, 08-
: cv-1828, 08-cv-1923, 08-cv-2019, 09-cv-0031, 04-
: cv-1194, 05-cv-765, 05-cv-879, 05-cv-886, 05-cv-
: 891, 05-cv-1234, 05-cv-1244, 05-cv-1487, 05-cv-
: 1493, 05-cv-1667, 05-cv-1679, 05-cv-2348, 05-cv-
: 2384, 05-cv-2386, 05-cv-2387, 06-cv-1675, 06-cv-
: 1690, 06-cv-1725, 06-cv-1761, 08-cv-1222, 08-cv-
: 1789, 09-cv-0745
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**MOTION TO STRIKE, AND IN OPPOSITION TO, RESPONDENTS' MOTION
FOR RECONSIDERATION OF ORDERS REGARDING DISCOVERY
FROM THE GUANTANAMO REVIEW TASK FORCE**

Petitioners respectfully move to strike and in the alternative seek denial on the merits of Respondents' Motion for Reconsideration of Orders Regarding Discovery from the Guantanamo Review Task Force and Motion for Consolidated Order Regarding Task Force Discovery ("Motion"). Respondents are improperly seeking reconsideration of orders issued by other District Court judges, tailored to individual cases, and in the process have disregarded this Court's prior case management orders, the orders of other District Court judges (the "Merits Judges"), the Federal Rules of Civil Procedure, and Local Rule 7(m).

For the reasons stated in the accompanying Memorandum, Petitioners respectfully request that the Court strike Respondents' Motion as procedurally improper, or in the alternative, deny Respondents' Motion on the merits. In the event the Motion is stricken, Petitioners request that Respondents be permitted to re-file only before the Merits Judges in the relevant cases and after proper compliance with Local Rule 7(m).

Pursuant to the meet and confer requirement stated in Local Rule 7(m), Petitioners' counsel (Daniel Malone) conferred with Respondents' counsel (Jim Gilligan) in a telephone conference on May 28, 2009 during which Petitioners' counsel explained the basis of Petitioner's motion to strike. Respondents' counsel opposes the motion.

Dated: May 29, 2009

Respectfully submitted,

/s/Daniel C. Malone

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Counsel for Petitioners in Case Nos. 05-cv-1124(RMC), 05-cv-1601 (GK), and 05-cv-2367 (RWR),

And, for purposes of this request only, on behalf of Counsel for all Petitioners in the above-captioned matters

CERTIFICATE OF SERVICE

I, William Rueter Jr., hereby certify that on May 29, 2009 I caused to be served via electronic filing a true and correct copy of the foregoing Motion and Memorandum in Support of Motion to Strike, And In Opposition To, Respondents' Motion for Reconsideration of Orders Regarding Discovery from the Guantanamo Review Task Force on counsel of record for Respondents, as follows, and on all Petitioners listed on the caption of the Motion:

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