

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

MOHAMED MOHAMED)	
HASSAN ODANI,)	
)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 04-CV-1254 (HHK)
)	
BARACK OBAMA,)	
President of the United States, et al.,)	
)	
Respondents.)	

**NOTICE OF WITHDRAWAL OF
ASSERTIONS IN FACTUAL RETURN (ISN 681)**

Respondents hereby provide notice that they will no longer rely upon the assertions contained in paragraph 40 of the Narrative portion of the October 30, 2008, Amended Factual Return in demonstrating the lawful, ongoing detention of petitioner. Respondents will also not rely on the last full sentence on page two of the Narrative (beginning with the word “Although”). Respondents likewise will no longer rely on such assertions contained in the exhibits supporting

those sentences of the narrative in the Amended Factual Return (unless cited elsewhere in the return).

Respectfully submitted,

MICHAEL F. HERTZ
Acting Assistant Attorney General

/s/ ROBERT J. BRANMAN

JOSEPH H. HUNT (D.C. Bar No. 431134)
VINCENT M. GARVEY (D.C. Bar No. 127191)
TERRY M. HENRY
PAUL E. AHERN
ROBERT J. BRANMAN (D.C. Bar No. 426271)
Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, N.W.
Washington, DC 20530
Tel: 202.305.9910
Fax: 202.616.8470

Attorneys for Respondents