

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

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**IN RE:** )  
**GUANTANAMO BAY** )  
**DETAINEE LITIGATION** )  
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**Civil Action Nos.**

**04-cv-1254, 04-cv-1194, 05-cv-0492, 05-cv-1124  
05-cv-1429, 05-cv-1607, 05-cv-1623, 05-cv-2249,  
05-cv-2367, 05-cv-2386, 08-cv-1238**

**SUPPLEMENT TO THE GOVERNMENT’S MOTION FOR EXTENSION  
OF TIME TO PROVIDE DISCOVERY PURSUANT TO  
AMENDED CASE MANAGEMENT ORDER SECTION I.E.1(3)**

After filing its Motion for an Extension of Time to Provide Discovery Pursuant to Amended Case Management Order Section I.E.1(3) (“the Government’s Motion”), on January 2, 2009, the Government continued to confer with certain Petitioners’ counsel to try to reach an agreement regarding the extension of time sought in that motion. As reflected in the joint motions filed today by the Government and Petitioners, certain Petitioners in Civil Action Nos. 05-cv-1124 (ISN 560) and 05-cv-2367 (ISNs 04, 832, 1103, 1104) have conditionally consented to the extension sought in the Government’s Motion. *See* Jt. Mot. to Extend Time for Pet’r to File His Traverse and for Resp’ts to Fulfill Obligations under Am. Case Mgmt. Order Sections I.D.1 and I.E.1(3), Civil Action No. 05-cv-1124 (dkt. no. 165), *and* Jt. Mot. to Extend Time for Pet’rs to File Their Traverses and for Resp’ts to Fulfill Obligations under Am. Case Mgmt. Order Sections I.D.1 and I.E.1(3), Civil Action No. 05-cv-2367 (dkt. no. 193). Counsel in Civil Action No. 05-cv-2249 (ISN 195), who had not responded by the time of the filing of the Government’s Motion, has also indicated that she does not oppose that motion.

Counsel premised her consent on her understanding that the Government would produce information pursuant to Section I.E.1(3) “on a rolling basis.” As explained in the Government’s Motion, as additional information is identified and cleared for release, the Government will provide that information to the Petitioners.

Further, the Government has ascertained that one Petitioner was inadvertently excluded from the Government’s Motion: ISN 744 in Civil Action No. 05-cv-2386. Therefore, the Government respectfully requests that the Court grant the same relief requested in the Government’s Motion with respect to ISN 744 *nunc pro tunc*, extending the deadline for the Government’s compliance with Amended CMO Section I.E.1(3) as to ISN 744 and setting the new deadline for Friday, January 30, 2009.<sup>1</sup>

Dated: January 6, 2009

Respectfully submitted,

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<sup>1</sup> The Government contacted Petitioner’s counsel via email to determine their position with respect to this motion. Petitioner’s counsel indicated that they would oppose the motion. Indeed, on January 4, 2009, Petitioner’s counsel opposed the Government’s Motion which was then filed with respect to other petitioners in this case (but which, due to an oversight, did not include ISN 744). *See* Pet’rs’ Opp’n to Resp’ts’ Mot. for Extension of Time to Provide Disc. Pursuant to Am. Case Mgmt. Order Section I.E.1(3) and Req. for Order Requiring Resp’ts to Produce Disc. Forthwith, Civil Action No. 05-cv-2386 (dkt. no. 847).

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