

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MAHMOAD ABDAH, et al.,

Petitioners,

v.

BARACK H. OBAMA, et al.,

Respondents.

Civil Action 04-01254 (HHK)

ORDER

Before the court is respondents' motion for partial reconsideration and for an extension of time with respect to the court's April 8, 2009 order, filed on April 24, 2009 [#489]. In its April 8, 2009 order, the court required respondents to produce certain information regarding petitioners' statements and the circumstances under which those statements were made if that information was "in the government's possession." *See Abdah v. Obama*, 1:04-cv-1254 (April 8, 2009). Respondents ask the court to limit the scope of the required search for such information. Upon consideration of the motion, the opposition thereto, and the record of this case, the court concludes that the motion should be granted.¹

Accordingly, it is this 4th day of June 2009, hereby

ORDERED that with respect to the information required to be disclosed pursuant to paragraphs (3) and (4) of the court's April 8, 2009 order, respondents must conduct a search that is reasonable under the circumstances. Such a search must include examination of the

¹ Respondents' motion for partial reconsideration does not ask the court to reconsider, and the court does not now reconsider, its holding that "reasonably available information" includes any information that the government reviews or obtains while implementing President Obama's January 22, 2009 executive order.

consolidated JIG and OARDEC files, whether or not they were reviewed by the attorney who prepared the factual return for that petitioner. With respect to information regarding the circumstances in which a petitioner's statement was made, the search must also include an inquiry of the agency responsible for the document containing the statement. If the document originated with the Department of Defense, the search must include an inquiry of the Department of Defense agency that created the document and the theater command for the site at which the document was made. In addition, while the court does not require a broader search than that outlined in the preceding sentences, respondents must notify petitioners of any responsive information known to counsel for the government that is not within the scope of the search required by this order; and it is further

ORDERED that respondents shall produce the items and information that are the subject of the court's April 8, 2009 order, as revised by this order, and file a declaration that they have done so by no later than June 26, 2009.

Henry H. Kennedy, Jr.
United States District Judge