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IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA

SAIFULLAH PARACHA,

Petitioner,

v.

Case No. 04cv02022-PLF

Hon. GEORGE W. BUSH,

et al.,

Respondents.

**PETITIONER'S MOTION TO MODIFY ORDER TO ALLOW
RELEASE TO PAKISTAN**

On June 16, 2005, this Court entered an order that respondents could not transfer petitioner away from Guantanamo, Cuba, without giving the Court and counsel thirty days' notice. This contained no exception for transferring petitioner to his own government, the Government of Pakistan. Petitioner has no objection to being transferred to the Government of Pakistan. He therefore asks the Court to modify the order of June 16, 2005, to allow for such a transfer.

Respondents do not object to the requested modification of the Court's June 16, 2005 Order, but respondents continue to object to any requirement that respondents provide petitioner's counsel and the Court with thirty (30) days' advance notice of any removal of petitioner from Guantanamo Bay. See Respondents' Opposition To Petitioner's Motion For Preliminary Injunction Ordering His Removal From Isolation And Prohibiting His Rendition (dkt. No. 53); Notice of Appeal (dkt. no. 64). Further, respondents' position with respect to petitioner's motion should not be construed as a representation or indication by respondents regarding possible repatriation of petitioner to Pakistan or any other country.

Respectfully submitted,

August 9, 2006



GAILLARD T. HUNT
Attorney for Petitioner
(D.C. Bar No. 89375)
1409 Gleason Street
Silver Spring, Maryland 20902
(Not admitted in Maryland)
301-530-2807
gthunt@mdo.net
(Fax: 301-564-6059)

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(PROPOSED) ORDER

Upon consideration of petitioner's unopposed motion dated August 9, 2006, and the entire record, the next-to-last paragraph of this Court's order of June 16, 2005, is hereby modified to allow respondents to return petitioner to the Government of Pakistan, and as so modified now reads:

"FURTHER ORDERED that the respondents, their agents, servants, employees, confederates, and any persons acting in concert or participation with them, or having actual or implicit knowledge of this Order by personal service or otherwise, may not remove petitioner

from the Guantanamo Bay Naval Base unless this Court and counsel for petitioners receive thirty (30) days' advance notice of such removal, unless petitioner be surrendered to the Government of Pakistan;"

IT IS SO ORDERED.

Date

United States District Judge

Notify counsel:

GAILLARD T. HUNT
Attorney for Petitioner
(D.C. Bar No. 89375)
1409 Gleason Street
Silver Spring, Maryland 20902
(Not admitted in Maryland)
301-530-2807
gthunt@mdo.net
(Fax: 301-564-6059)

ANDREW WARDEN, ESQ.
Attorney for Respondents
20 Massachusetts Avenue NW
Room 6118
Washington, D.C. 20530
202-514-5633
Tel: 202-514-4107
Fax: 202-616-8470