

Filed directly in ECF per 08/15/2006 approval of the CSO.

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 MEMORANDUM RESPONDING AFFIRMATIVELY TO
THE ORDER OF AUGUST 7, 2006,
INQUIRING WHETHER PETITIONER HAS HAD CONFIDENTIAL
ATTORNEY-CLIENT COMMUNICATIONS**

On August 7, 2006, this Court, per Judge Kessler, asked for memoranda specifying which prisoners at Guantanamo had attorney-client communications prior to the massive seizure of prisoners' papers on June 18, 2006. This request was in aid of simplifying the series of motions disputing what to do with the papers seized. See the attached "Note on Docket Entries" attempting to sort out these motions.

This petitioner, Saifullah Paracha, most definitely had confidential attorney-client and work-product communications prior to June 18, 2006, and after, and those confidential communications are reflected in the papers seized. See counsel's affidavit in docket 101, filed August 4, 2006, saying, "Since November 2004 I have been representing Saifullah A. Paracha in his attempts to win his freedom from the U.S. prison at Guantanamo, Cuba. During that time I have sent him numerous letters covered by the attorney-client privilege"

Respectfully submitted,

August 15, 2006

_____/s/_____
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)

NOTE ON DOCKET ENTRIES

The docket in *Paracha v. Bush*, 04cv02022-PLF, has the following filings relative to the seizure of all or most of petitioner Paracha's confidential attorney-client or work-product papers. Interspersed among these filings are other filings, such as docket numbers 95, 100, to compel the Privilege Team to review and release certain correspondence. The latter have no relation to the government's seizure of the papers at Guantanamo.

The following list does not include routine requests for more time.

- 91 07/07/2006 Government's admission it read attorney-client papers, request for speedy answer, and request for a "filter team": *"Respondents' Motion for Procedures Related to Review of Certain Detainee Materials and Request for Expedited Briefing."*
- 93 07/13/2006 Petitioner's response, request for more time, and request for more information: *"Petitioner's response to Respondents' Motion for Procedures Related to Certain Detainee Materials and to Their Request for Expedited Briefing, and Petitioner's Motion for More Information."* (Counsel's affidavit: Were Paracha's papers seized and read? Have they been returned to him?)
- 98 & 99 07/28/2006 *"Respondents' Reply Memorandum in Support of July 7, 2006, Motion . . . and Opposition to Petitioners' Requests for Relief Associated with Impoundment of Detainee Materials."*
- 101 08/04/2006 *"Petitioner's Motion for Return of Papers or Submission to Special Master for Privilege Review."* (Counsel's affidavit: Paracha's papers were among those seized, and they do include privileged matter.)
- 102 08/07/2006 Judge Kessler's Order: Specify petitioners with no attorney-client communications prior to June 18, 2006.
- 105 08/11/2006 Order dated August 10, 2006, transferring these motions to Judge Robinson.
- 106 08/11/2006 Government admission that approximately 155 petitioners have had confidential papers violated, not 11 as originally reported. *"Respondents' Supplemental Memorandum Correcting July 7, 2006 Motion . . . and Responding to Supplemental Memoranda of Certain Prisoners."*