

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

<i>In re</i> Guantanamo Detainee Cases)	Civil Action Nos.
)	02-CV-0299 (CKK), 02-CV-0828 (CKK),
)	02-CV-1130 (CKK), 04-CV-1135 (ESH),
)	04-CV-1136 (JDB), 04-CV-1137 (RMC),
)	04-CV-1142 (RJL), 04-CV-1144 (RWR),
)	04-CV-1164 (RBW), 04-CV-1166 (RJL),
)	04-CV-1194 (HHK), 04-CV-1227 (RBW),
)	04-CV-1254 (HHK), 04-CV-1519 (JR)
)	

ORDER ADDRESSING DESIGNATION PROCEDURES FOR “PROTECTED INFORMATION”

On November 8, 2004, counsel for respondents in these coordinated cases filed a motion requesting the Court to designate as “protected information” the unclassified information contained in the respondents’ factual returns to the petitions for writs of habeas corpus that is not filed on the public record. Counsel for certain petitioners filed responses stating that they could not take a position on the respondents’ motion until they or a designated representative had an opportunity to review the material that the respondents seek to have declared “protected.”

In the interest of the efficient administration of these proceedings, it is hereby

ORDERED that should counsel for respondents in these consolidated cases wish to have the Court deem any information “protected” pursuant to the Court’s November 8, 2004 Amended Protective Order and Procedures for Counsel Access to Detainees at the United States Naval Base in Guantanamo Bay, Cuba, counsel for respondents shall disclose the information to qualified counsel for petitioners and attempt to reach an agreement regarding the designation of the information prior to filing a motion with the Court. “Qualified counsel” for petitioners means those counsel who have satisfied the necessary prerequisites set forth in the Amended

Protective Order for the viewing of protected information.

It is FURTHER ORDERED that counsel for petitioners shall treat such disclosed information as “protected” unless and until the Court rules that the information should not be designated as “protected.”

It is FURTHER ORDERED that counsel for petitioners shall make their best efforts to designate one attorney as a representative to review the information on their behalf and to negotiate with counsel for respondents prior to the filing of any motions to deem information “protected.”

With respect to the November 8, 2004 Motion to Designate as “Protected Information” Unclassified Information in Factual Returns to Petitions for Writ of Habeas Corpus That is Not Filed on the Public Record, it is hereby

ORDERED that counsel for respondents shall deliver the information they seek to be deemed “protected” to the Court Security Officer at the designated secured facility on or before November 17, 2004.

It is FURTHER ORDERED that the Court Security Officer shall notify counsel for the petitioners of the location of the secured facility on or before November 12, 2004.

It is FURTHER ORDERED that petitioners’ counsel shall review at the secured facility the information at issue and shall notify the Court of their position with respect to the designation of the information on or before November 19, 2004.

IT IS SO ORDERED.
November 10, 2004

_____/s/_____
JOYCE HENS GREEN
United States District Judge