

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FAWZI KHALID ABDULLAH FAHAD
AL ODAH, *et al.*

Plaintiffs,

v.

UNITED STATES OF AMERICA,
et al.,

Defendants.

Civil Action No. 02-CV-0828 (CKK)

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF-
PETITIONERS' MOTION FOR PRELIMINARY INJUNCTION AND MOTION FOR
LEAVE TO FILE SECOND AMENDED COMPLAINT**

Respondents hereby move for an extension of time until March 30, 2005, in which to respond to plaintiffs-petitioners' Motion For A Preliminary Injunction And Provisional Motion To Modify Stay Pending Appeal, and Motion For Leave To File Second Amended Complaint. Undersigned counsel for respondents has contacted plaintiffs-petitioners' counsel, Kristine Huskey, who does not oppose the extension requested herein.

In support of this motion, respondents submit the following:

1. On March 11, 2005, plaintiffs-petitioners' filed two motions with this Court Security Officers for Guantanamo Bay ("GTMO") habeas litigation. First, plaintiffs-petitioners' filed a Motion For A Preliminary Injunction And Provisional Motion To Modify Stay Pending Appeal (dkt. no. 215). In this motion, plaintiffs raise multiple claims regarding the conditions of confinement at GTMO, including, inter alia, challenges to the size and lighting of the detainees' cells, the reading materials available to detainees, the exercise opportunities available to the

detainees, and the adequacy of medical and dental care. Second, plaintiffs-petitioners' filed a Motion For Leave To File Second Amended Complaint (dkt. no. 216), in which they seek authorization to file a Second Amended Complaint containing new legal claims challenging the conditions of confinement at GTMO.

2. Pursuant to the Local Rules of the Court, respondents' opposition to the Motion For Preliminary Injunction is due to be filed Friday, March 18, 2005. Respondents' opposition to the Motion For Leave To File Second Amended Complaint is due to be filed Friday, March 26, 2005. In light of the close relationship between the two motions, respondents' seek a modest extension – until March 30, 2005 – in which to respond to both motions.

3. An extension of time is warranted in this matter due to the breadth and significance of the new claims raised in plaintiffs-petitioners' motions. An extension of time is also warranted given that respondents' counsel are in the process of responding to and otherwise dealing with the numerous motions for temporary restraining order and motions for preliminary injunction that have been filed before the various Judges of this Court in the GTMO habeas litigation in recent days. As the Court is likely aware, petitioners in many of the forty-three pending GTMO habeas cases filed motions for emergency relief within the last week seeking injunctions that would require respondents to provide petitioners' counsel with notice of any potential transfer of petitioners from GTMO. Respondents' anticipate filing oppositions to these various motions next week, and a hearing is presently set on the preliminary injunction motion in Abdah et al. v. Bush et al., Civil Action No. 04-1254 (HHK), on March 24, 2005.

5. For these reasons, respondents respectfully request that the Court extend until March 30, 2005 the time period during which respondents may respond to plaintiffs-petitioners' Motion

For A Preliminary Injunction And Provisional Motion To Modify Stay Pending Appeal, and
Motion For Leave To File Second Amended Complaint.

A proposed order is attached.

Dated: March 17, 2005

Respectfully submitted,

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