

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

SALIM AHMED HAMDAN,

Petitioner,

- v. -

DONALD RUMSFELD,
Secretary of Defense, *et al.*,

Respondents.

No. 1:04-CV-01519-JR

**UNOPPOSED MOTION OF SIXTEEN LAW PROFESSORS
FOR LEAVE TO FILE A BRIEF AMICI CURIAE IN SUPPORT OF PETITIONER
AND IN OPPOSITION TO RESPONDENTS' CROSS-MOTION TO DISMISS**

Sixteen law professors hereby move for leave to file the attached Brief Amici Curiae in Support of Petitioner and in Opposition to Respondents' Cross-Motion to Dismiss. In support of this motion, proposed amici state as follows:

1. Proposed amici are professors of law whose areas of expertise include constitutional law, federal jurisdiction, and international law. Proposed amici seek to provide this Court with a thorough analysis of the law relevant to the interpretation of the Constitution's separation of powers doctrine as it applies to this case.
2. Proposed amici respectfully submit the attached brief to address separation-of-powers issues raised by the President's Order of November 13, 2001, and its implementing regulations establishing military commissions to try certain persons designated by the President.

3. Proposed amici are comprised of the following persons (in alphabetical order, institutional affiliations for identification purposes only):

Bruce Ackerman
Sterling Professor of Law and Political Science
Yale Law School

Rosa Ehrenreich Brooks
Associate Professor of Law
University of Virginia School of Law

Sarah H. Cleveland
Marrs McLean Professor in Law
University of Texas School of Law

William S. Dodge
Professor of Law
University of California Hastings College of the Law

Martin S. Flaherty
Professor of Law
Co-Director, Joseph R. Crowley Program in International Human Rights
Fordham Law School

Ryan Goodman
J. Sinclair Armstrong Assistant Professor of International, Foreign, and Comparative Law
Harvard Law School

Oona Hathaway
Associate Professor of Law
Yale Law School

Derek Jinks
Associate Professor of Law
Arizona State University College of Law

Kevin R. Johnson
Associate Dean for Academic Affairs, School of Law
Mabie/Apallas Professor of Public Interest Law and Chicana/o Studies
University of California, Davis School of Law

Jennifer S. Martinez
Assistant Professor of Law
Stanford Law School

Judith Resnik
Arthur Liman Professor of Law
Yale Law School

David Scheffer
Visiting Professor of Law
The George Washington University Law School

Anne-Marie Slaughter
Dean, Woodrow Wilson School of Public and International Affairs
Princeton University

David Sloss
Associate Professor of Law
Saint Louis University School of Law

Carlos M. Vázquez
Professor of Law
Georgetown University Law Center

David C. Vladeck
Associate Professor of Law and Co-Director, Institute for Public Representation
Georgetown University Law Center

4. Undersigned counsel has communicated with counsel for Petitioner and counsel for Respondents, and counsel for all parties indicated that they have no objection to this motion.
5. Proposed amici have no personal stake in the outcome of this case and bring to the case a perspective distinct from that of any of the parties. Accordingly, proposed amici believe that their brief may be of significant assistance to the Court in resolving the complex legal issues presented by the petition and the pending cross-motion to dismiss.

WHEREFORE, the aforementioned sixteen law professors respectfully request that the Court grant their motion for leave to file a brief amici curiae.

Respectfully submitted,

Dated: September 30, 2004

_____/s/_____
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