

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

RIDOUANE KHALID

Petitioner,

v.

GEORGE WALKER BUSH, et al.,

Respondents.

LAKHDAR BOUMEDIENE, et al.,

Petitioners,

v.

GEORGE WALKER BUSH, et al.,

Respondents.

CASE NO. 1:04-cv-01142 (RJL)

CASE NO.1:04-cv-01166 (RJL)

**PETITIONERS RIDOUANE KHALID'S AND LAKHDAR BOUMEDIENE'S JOINDER
IN THE PETITIONERS' NOVEMBER 26, 2004 SUPPLEMENTAL MEMORANDUM IN
OPPOSITION TO MOTION TO DISMISS FILED IN *ABDAH v. BUSH*, No. 04-CV-1254**

The Boumediene Petitioners respectfully join in the attached November 26, 2004 Petitioners' Supplemental Memorandum in Opposition to Motion to Dismiss filed in *Abdah v. Bush*, No. 04-CV-1254 ("Supplemental Memorandum"). The Boumediene Petitioners were originally detained in the territory of a friendly nation in the course of a criminal investigation by

Bosnian authorities unrelated to warfare or the conflict in Afghanistan. The law of war does not, therefore, apply to them, and the Executive lacks authority to detain them. However, to the extent that this court finds that the law of war applies to Petitioners, the arguments expressed in the Supplemental Memorandum apply with equal force to the Boumediene Petitioners' opposition to the Respondents' omnibus motion to dismiss or for judgment as a matter of law. Accordingly, for the reasons set forth in the attached memorandum, in ruling on Respondents' motion, to the extent the Court finds the law of war applies to the Boumediene Petitioners, the Court should deem Respondents barred from relitigating the enforceability and applicability of the Geneva Conventions to them.

Dated: November 29, 2004

Respectfully submitted,

WILMER CUTLER PICKERING HALE
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/s/

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