<i>In re</i> Guantanamo Detainee Cases	)	Civil Action Nos. 02-CV-0299 (CKK), 02-CV-828 (CKK) 02-CV-1130 (CKK), 02-CV-1135 (ESH) 04-CV-1136 (JDB), 04-CV-1137 (RMC) 04-CV-1144 (RWR), 04-CV-1164 (RBW) 04-CV-1194 (HHK), 04-CV-1127 (RBW)
	)	04-CV-1254 (HHK)

## NOTICE OF FILING: UNCLASSIFIED VERSION OF MEMORANDUM OPINION DENYING IN PART AND GRANTING IN PART RESPONDENTS' MOTION TO DISMISS OR FOR JUDGMENT AS A MATTER OF LAW

On January 31, 2005, the Court in the above-captioned cases entered a memorandum opinion denying in part and granting in part respondents' motion to dismiss or for judgment as a matter of law. See Memorandum Opinion Denying in Part and Granting in Part Respondents' Motion to Dismiss or for Judgment as a Matter of Law, No. 02-CV-0299, et al., 2005 WL 195356 (D.D.C. Jan. 31, 2005). The memorandum opinion contained certain classified national security information. Accordingly, the Court redacted the classified information from the version of the opinion filed on the public record.

After review of the Court's redactions, it has been determined that certain information redacted by the Court is not classified and, therefore, may be filed on the public record.<sup>1</sup> Information has been "un-redacted" on the following pages of the Court's opinion: 50, 51, 52, 57, 58, 63, 66, and 67.

A copy of the Court's opinion that reflects these changes is attached as Exhibits 1-4. To

<sup>&</sup>lt;sup>1</sup> It has also been determined that no classified information was released on the public record.

avoid confusion with the Court's prior opinion, the opinion filed today is marked with the following annotation in the upper left corner of each page: "Redactions Modified After Classification Review, March 17, 2005."

Dated: March 17, 2005 Respectfully submitted,

> PETER D. KEISLER **Assistant Attorney General**

KENNETH L. WAINSTEIN United States Attorney

BRIAN D. BOYLE Principal Deputy Associate Attorney General

DAVID B. SALMONS Assistant to the Solicitor General

DOUGLAS N. LETTER Terrorism Litigation Counsel

/s/ Andrew I. Warden

JOSEPH H. HUNT (D.C. Bar No. 431134) VINCENT M. GARVEY (D.C. Bar No. 127191)

TERRY M. HENRY

LISA A. OLSON

JAMES J. SCHWARTZ

PREEYA M. NORONHA

NICHOLAS PATTERSON

ROBERT J. KATERBERG

ANDREW I. WARDEN (IN Bar No. 23840-49)

Attorneys

United States Department of Justice Civil Division, Federal Programs Branch

20 Massachusetts Ave., N.W. Room 7144

Washington, DC 20530 Tel: (202) 514-4107

Fax: (202) 616-8470

Attorneys for Respondents