

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

)	
)	Civil Action Nos.
)	02-CV-0299 (CKK), 02-CV-0828 (CKK)
)	02-CV-1130 (CKK), 04-CV-1135 (ESH),
<i>In re Guantanamo Detainee Cases</i>)	04-CV-1136 (JDB), 04-CV-1137 (RMC),
<i>(except 04-CV-1519 (JR))</i>)	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)
)	

**RESPONDENTS' UNOPPOSED MOTION FOR LEAVE TO SUBMIT
CONSOLIDATED REPLY BRIEF EXCEEDING PAGE LIMIT**

Respondents hereby move for leave to submit a reply brief of no greater than 45 pages in support of their global motion to dismiss or for judgment as a matter of law. This motion is unopposed. In support of this motion, respondents state as follows:

1. On October 4, 2004, respondents filed their Response to Petitions for Writ of Habeas Corpus and Motion to Dismiss or for Judgment as a Matter of Law in the above-captioned cases.

2. On November 5, 2004, petitioners filed a global opposition to respondents' motion. In addition, petitioners in El-Banna (04-CV-1144(RWR)) and Boumediene (04-CV-1166(RJL)) filed a separate "supplemental reply and opposition" to respondents' motion.¹

¹ On October 20, 2004, petitioners in Al Odah (02-CV-0828 (CKK)) filed a separate opposition of their own, to which respondents have already replied, on October 27, 2004. As such, the proposed consolidated reply will not be filed in Al Odah and will not address the previous, separate Al Odah opposition. (Respondents note that, although petitioners' November 5, 2004, global opposition is not shown on the Al Odah docket as having been specifically filed in that case, the document lists Al Odah in the caption and lists Al Odah counsel as co-signatories. To the extent that petitioners' November 5, 2004, global opposition may be treated as covering Al Odah notwithstanding that it was apparently not specifically filed in that case, respondents respectfully request that their forthcoming consolidated reply brief be similarly treated.)

3 Respondents' reply memorandum in support of their motion is due on Tuesday, November 16, 2004.

4. In the interest of efficiency and avoiding unnecessary multiplication of pleadings, respondents propose to submit a consolidated reply brief that replies both to petitioners' global opposition and to the separate opposition filed in El-Banna and Boumediene. Respondents seek the Court's permission that this reply brief may be up to 45 pages in length, exceeding the default 25-page limit under Local Civil Rule 7(e). Respondents believe this request is reasonable, given that the two opposition briefs present a combined total of 94 pages of briefing, and given that respondents' proposed approach results in fewer total pages than if respondents were to submit two separate replies of 25 pages each in length. In keeping with the Court's instructions in previous orders, respondents have endeavored to be as concise as possible in their arguments.

5. Prior to filing this motion, counsel for respondents conferred by telephone with Mr. David Remes, counsel for petitioners in Abdah, who then inquired with counsel for other petitioners concerning their position on this motion. Mr. Remes has authorized the undersigned to represent that petitioners do not oppose this motion.

WHEREFORE, respondents respectfully request that the Court permit respondents to file a consolidated reply brief of up to 45 pages in length.

Dated: November 15, 2004

Respectfully submitted,

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