

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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

Plaintiffs,

v.

UNITED STATES OF AMERICA,  
*et al.*,

Defendants.

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

**NOTICE REGARDING PETITIONERS' MOTION TO COMPEL  
ISSUANCE OF SECURITY FORMS AND TO EXPEDITE SECURITY  
CLEARANCE FOR TWO SUPPORT PERSONNEL**

On September 27, 2004, petitioners filed a Motion to Compel Issuance of Security Forms and to Expedite Security Clearances for Two Support Personnel (dkt. no. 95). On November 8, 2004, in light of the protective order entered and other developments in this case, undersigned counsel for respondents informed counsel for petitioners that the government had agreed to process two additional security clearance applications for support personnel in the above-captioned case. Undersigned counsel also made arrangements for the support personnel to receive their applications and fingerprints at the offices of the Department of Justice, Litigation Security Division in an expedited fashion. Once the two applications are submitted for processing, they – like all security clearance applications submitted in connection with the Guantanamo Bay habeas litigation – will be processed in an expedited manner.

In light of this development, petitioners' Motion to Compel Issuance of Security Forms and To Expedite Security Clearances For Two Support Personnel should be denied as moot. It is

counsel's understanding that counsel for petitioners do not view their motion as moot to the extent the two security clearance applications provided will not be processed before the application of any other individual who submitted a clearance application in these coordinated cases after August 18, 2004 (the date when counsel for petitioners initially requested additional applications for support personnel). It is respondents view that such treatment would be unfair to other counsel and personnel seeking security clearances in these coordinated cases, especially those who, unlike the support personnel in this case, are seeking clearances to facilitate a visit to Guantanamo Bay to meet with detainees they represent or for whom they will translate, and those who requested applications before August 18, but submitted them for processing after August 18. In addition, it is not clear at this time that either respondents' counsel or the Department of Justice, Litigation Security Division could direct such priority processing by the agency conducting the background investigations.

Dated: November 29, 2004

Respectfully submitted,

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