

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

---

RIDOUANE KHALID, *et al.*,

Petitioners,

v.

GEORGE W. BUSH,  
President of the United States, *et al.*,

Respondents.

---

Civil Action No. 04-CV-1142 (RJL)

---

LAKHDAR BOUMEDIENE, *et al.*

Petitioners,

v.

GEORGE W. BUSH,  
President of the United States, *et al.*,

Respondents.

---

Civil Action No. 04-CV-1166 (RJL)

**NOTICE OF SUBMISSION OF FACTUAL RETURNS TO  
PETITIONS FOR WRIT OF HABEAS CORPUS UNDER SEAL  
CONSISTENT WITH JUDGE GREEN'S DECEMBER 8, 2004 ORDER  
IN THE COORDINATED CASES**

Notice is hereby given that respondents have submitted under seal, as explained herein, factual returns to the petitions for writ of habeas corpus in the above-captioned cases. Consistent with various orders of Judge Green, these factual returns were previously submitted *in camera* to Judge Green when these cases were coordinated with the other Guantanamo Bay detainee cases. In addition, versions of these factual returns, redacting any classified information not suitable for disclosure to petitioners' counsel, were previously provided to petitioners' counsel in the secure

facility established for these cases.<sup>1</sup> On December 8, 2004, Judge Green issued an Order for Specific Disclosures Relating to Respondents' Motion to Designate as "Protected Information" Unclassified Information and Petitioners' Motion for Access to Unredacted Factual Returns in the remaining coordinated cases, which is attached hereto. For the Court's convenience, respondents are submitting highlighted versions of the factual returns previously submitted, consistent with Judge Green's Order, as explained therein, through the Court Security Officer for *in camera* review by this Court and for review by petitioners' counsel in the secure facility.

Dated: December 17, 2004

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

ROBERT D. OKUN  
D.C. Bar No. 457-078  
Chief, Special Proceedings Section  
555 Fourth Street, N.W.  
Room 10-435

---

<sup>1</sup> The Combatant Status Review Tribunal for petitioner Belkacem Bensayah in the *Boumediene* case was recently reopened to consider newly discovered information regarding the enemy combatant status of this petitioner. Respondents are presently reviewing this supplemental information and preparing it for submission to the Court. Respondents anticipate filing a motion to supplement the factual return for petitioner Belkacem Bensayah with this additional information during the week of December 27, 2004.

Washington, D.C. 20530  
(202) 514-7280

/s/ Preeya M. Noronha

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  
ROBERT J. KATERBERG  
ANDREW I. WARDEN  
NICHOLAS J. PATTERSON

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