

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

***In re* GUANTANAMO DETAINEE CASES**

) **Civil Action Nos.:**
) **02-CV-0299 (CKK), 02-CV-0828 (CKK),**
) **04-CV-1130 (CKK), 04-CV-1135 (ESH),**
) **04-CV-1136 (JDB), 04-CV-1137 (RMC),**
) **04-CV-1144 (RWR), 04-CV-1164 (RBW),**
) **04-CV-1194 (HKK), 04-CV-1227 (RBW)**
) **04-CV-1254 (HHK)**
)
)

ORDER

The Court, having considered the parties' respective submissions regarding how these cases should proceed, and having considered the record and otherwise being fully advised, orders as follows:

1. For the reasons given in petitioners' Motion for Leave to Take Discovery, petitioners are granted leave to take discovery regarding the alleged torture, severe mistreatment, and abuse of detainees now at the U.S. Naval Base, Guantanamo Bay, Cuba. Petitioners shall serve written discovery demands regarding these matters upon respondents within five days of this Order. Respondents shall serve their responses and produce the documents requested within 14 days thereafter. Petitioners shall serve notices of deposition regarding these matters no later than five days after they receive respondents' discovery responses and documents.

2. Should respondents object to specific discovery demands by petitioners regarding the alleged torture, severe mistreatment, and abuse of detainees at Guantanamo, respondents shall serve and file objections or a motion for protective order within seven days after service of petitioners' discovery demands. Petitioners shall have five days thereafter to serve and file a reply. The Court will resolve any discovery disputes on the written submissions of the papers unless otherwise ordered.

3. Petitioners are granted leave to take discovery regarding the habeas claims whose validity as a *prima facie* matter the Court upheld in its Memorandum Opinion of January 31, 2005. Such discovery shall be supervised by the individual Judges to whom these cases are assigned.

4. Respondents shall serve and file responses to petitioners' motions regarding the applicability of the Fifth Amendment to petitioners' living conditions at Guantanamo and modifications of the present counsel access procedures within ten days after being served with those motions. Petitioners shall serve and file within five days thereafter their replies. The Court will resolve those motions on the parties' written submissions unless otherwise ordered.

5. Petitioners shall serve and file appropriate motions for summary judgment with regard to habeas claims susceptible of summary disposition and shall otherwise proceed with the development and presentation of their claims before the Judges to whom these cases are assigned.

IT IS SO ORDERED.

United States District Judge

Dated: _____