UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

BOUMEDIENE v. BUSH	)	**Civil Case No. 04-1166 (RJL)**
SLITI v. BUSH	)	**Civil Case No. 05-0429 (RJL)**
KABIR v. BUSH	)	**Civil Case No. 05-0431 (RJL)**
MAMMAR v. BUSH	)	**Civil Case No. 05-0573 (RJL)**
AL KAHAIY v. BUSH	)	**Civil Case No. 05-1239 (RJL)**
AL GINCO v. BUSH	)	**Civil Case No. 05-1310 (RJL)**
AL BIHANI v. BUSH	)	**Civil Case No. 05-1312 (RJL)**
GHAZY v. BUSH	)	**Civil Case No. 05-2223 (RJL)**
RUMI v. BUSH	)	**Civil Case No. 06-0619 (RJL)**
OBAYDULLAH v. BUSH	)	**Civil Case No. 08-1173 (RJL)**

BRIEFING AND SCHEDULING ORDER
(July 30, 2008)

Upon review of the parties' status reports submitted in accordance with the Court's order of July 15, 2008, the parties' representations made at the July 23, 2008 and July 24, 2008 status conferences, and the entire record herein, it is hereby

ORDERED that any stays of the above-listed cases are **LIFTED**. It is further

ORDERED that, if the petitioner has been transferred out of Guantanamo Bay, Cuba and consents to the dismissal of his action, the petitioner shall, within five (5) days of the date of this Order, file a notice of voluntary dismissal. It is further

ORDERED that counsel for petitioners and the government shall, within five (5) days of the date of this Order, file a notice of withdrawal of all moot motions. It is further

ORDERED that, pending further order of the Court, all motions filed before the date of this Order and not withdrawn by the parties are held in abeyance. It is further

ORDERED that, within 60 days of the date of this Order, in cases in which the detainee is represented in the petition by a next of friend, counsel shall file a signed authorization from the petitioner to pursue the action or a declaration by counsel that states that the petitioner directly authorized counsel to pursue the action and explains why counsel was unable to secure a signed authorization. It is further

ORDERED that the following schedule shall govern the production of factual returns for petitioners currently held at Guantanamo Bay, Cuba in the above-listed cases:

A. the government shall file a motion to amend the factual returns and, attach thereto, the proposed amended factual returns for the six detainees in *Boumediene v. Bush*, 04-cv-1166 no later than August 22, 2008;

B. the government shall file factual returns for the six detainees in *Sliti v. Bush*, 05-cv-0429 and the four detainees in *Ghazy v. Bush*, 05-cv-2223 no later than September 23, 2008;

C. the government shall file factual returns for the individual detainees in *Kabir v. Bush*, 05-cv-0431; *Mammar v. Bush*, 05-cv-0573; *Al Kahaiy v. Bush*, 05-cv-1239; *Al Ginco v. Bush*, 05-cv-1310; *Al Bihani v. Bush*, 05-

cv-1312; *Rumi v. Bush*, 06-cv-0619; and *Obaydullah v. Bush*, 08-cv-1173 no later than October 24, 2008.

It is further

ORDERED that, by August 12, 2008, counsel for petitioners and the government shall each file one brief addressing the following issues:

A. whether the government should be required to provide counsel for petitioner and the Court with 30 days advance notice of any intended removal of petitioner from Guantanamo Bay, Cuba;

B. whether those detainees who have not been approved for release or transfer from the United States custody should receive higher priority in the adjudication of their petitions than detainees who have received such approval;

C. with respect to the procedural framework in which these cases will be resolved:

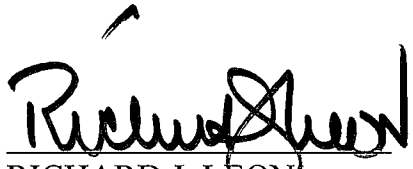
i. the relevant standards of proof and burdens of production and persuasion, and any burden shifting;

ii. the circumstances in which discovery is warranted and the procedures governing such discovery;

iii. the circumstances in which an evidentiary hearing is necessary and the procedures governing such a hearing.

Counsel for petitioners and the government shall file responses by August 19, 2008. Counsel for petitioners in the above-listed cases are directed to file one consolidated brief and one consolidated response.

SO ORDERED.



RICHARD J. LEON
United States District Judge