UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ABU WA'EL (JIHAD) DHIAB,	:	
Petitioner,	:	
v.	:	**Civil Action No. 05-1457(GK)**
BARACK H. OBAMA, et al.,	:	
Respondents.	:	

ORDER

The Government has filed a Classified Motion for a Supplemental Protective Order which would prohibit the distribution of, or discussion of, the Forcible Cell Extraction ("FCE") videotapes related to this case with any other counsel than the current attorneys of record in this case and the security-cleared attorneys in three related cases. Upon consideration of the Motion, Petitioner's Classified Opposition, and Respondent's Classified Reply, the Court concludes that the Motion may be **granted.**

The Government presents a number of arguments in support of its position. In particular, it emphasizes that counsel in this case will, of course, suffer no prejudice because they have the FCE videotapes. Counsel in three related cases will also suffer no prejudice because they have already been given access to the FCE videotapes. Therefore, what Petitioner's counsel is really doing in its Opposition is arguing on behalf of all the other security-cleared attorneys in the Guantánamo habeas cases (except for the attorneys in the three related cases who have been given access to the videotapes). In essence, Petitioner's counsel is attempting to represent all those other attorneys who represent

Guantánamo detainees. He simply does not have standing to do that, nor can he articulate whatever prejudice may be suffered by all of those other attorneys.

For these reasons, there is no one in a position, at this moment, to object to the Respondent's Motion, and it will be granted.[1]

WHEREFORE, it is this 5th day of August, 2014, hereby

ORDERED, that the Classified Motion for Supplemental Protective Order is **granted**.

Gladys Kessler

Gladys Kessler
United States District Court

[1] The Court is well aware that briefing has just been completed on a Motion to Intervene and to Unseal Videotape Evidence, presented by numerous members of the media including the Associated Press, National Public Radio, The New York Times, and The Washington Post ("Press Applicants") [Dkt. No. 263]. The Court anticipates that consideration of that Motion will, almost inevitably, raise some of the substantive arguments contained in the briefing of the Government's present Motion.