

FILED WITH THE
COURT SECURITY OFFICER
CSO: M. J. [signature]
DATE: 5/26/09

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ABDUL HADI OMAR FARAJ,

Petitioner,

v.

BARACK OBAMA, *et al.*,

Respondents.

Civil Action No. 05-CV-1490 (PLF)

ORDER

Following the status conference held by this Court on May 13, 2009, counsel for Petitioner and for Respondents (the "Parties") met and conferred. In lieu of proceeding under the Order entered by this Court on May 12, 2009, adopting the standard articulated in *Zuhair v. Obama*, Civil Action No. 08-0864, the Parties have reached an agreement relating to the production of discovery materials. Respondent, with respect to producing materials and briefing, and Petitioner, with respect to briefing, are hereby ORDERED:

On or before July 13, 2009

~~Within forty-five days after the date of entry of this Order:~~ Respondents will produce the documents and other materials discussed below:

[REDACTED]

A. From the consolidated assemblage of information from JIG and OARDEC, Respondents will search for and produce: (1) statements in investigative and interrogation reports of Petitioner [REDACTED] b(2),b(6) that relate to the allegations in Petitioner's Factual Return; (2) interview transcripts and interrogator notes for Petitioner [REDACTED] b(2),b(6) that relate to allegations in Petitioner's Factual Return; and (3) interrogation logs or similar record or any interrogation plan or similar record pertaining to Petitioner's statements which Respondents rely on in the factual return. Production of responsive information will be subject to clearance by appropriate agencies.

B. Respondents will search for and produce any reasonably available audio and video recordings of Petitioner's interrogations that relate to allegations in Petitioner's Factual Return, subject to clearance by appropriate agencies.

C. Respondents will produce to Petitioner CMO Section I.E.1(3) circumstances documents [REDACTED] b(2) and will conduct for [REDACTED] b(2) a reasonable search for information relating to the circumstances of statements [REDACTED] b(2) and relied on by Respondents in the Factual Return, all subject to clearance by appropriate agencies.

D. Respondents will search for and produce the thirty-one documents identified by counsel for Petitioner in his e-mail to Respondent dated May 14, 2009, subject to clearance by appropriate agencies.

[REDACTED]

E. Consistent with Respondents' continuing obligations under CMO Section I.D.2, to the extent additional information relating to the reliability and credibility of Petitioner and b(2) [REDACTED] comes to Respondents' attention, that information will be produced subject to clearance of documents by appropriate agencies.

With respect to the briefing schedule in this matter, Respondents will file a Motion for Judgment on the Record ~~within sixty-five days of entry of an Order by this Court~~ *on or before August 3, 2009*; Petitioner will file his Motion for Judgment on the Record and/or Opposition to Respondents' Motion ~~within twenty-five days of receipt of Respondents' Motion~~ *on or before August 28, 2009*; and Respondents will file any Reply to the Motion for Judgment on the Record ~~within fifteen days of receipt of Petitioner's Motion~~ *on or before September 14, 2009*.

The Status Conference scheduled for May 22, 2009 is cancelled.

This Court's Order of May 13, 2009 is vacated.

²⁶
Dated: May 22, 2009

Paul L. Aron
UNITED STATES DISTRICT JUDGE

