

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MOHAMMED AHMED TAHER, <u>et al.</u> ,	:	
	:	
Petitioners,	:	
	:	
v.	:	Civil Action No. 06-1684 (GK)
	:	
GEORGE W. BUSH, <u>et al.</u> ,	:	
	:	
Respondents.	:	

ORDER

A Status Conference was held in this case on January 14, 2009, which was closed to the public so that classified information could be discussed. Upon consideration of the representations of the parties, and the entire record herein, it is hereby

ORDERED, that parties are to submit any briefing in support of their view of the appropriate definition of "enemy combatant" by **January 21, 2009**; and it is further

ORDERED, that Respondents will submit a detailed statement of facts on or before **February 6, 2009**, presenting in numerical form, a short statement of each material fact upon which Respondents intend to rely in proving their case-in-chief, and they shall identify all evidence they expect to elicit in support of those facts, including the names of any witnesses the Respondents intend to call. If Respondents intend to rely on any statements in proving their case-in-chief, they shall disclose in their statement of facts: (1) the identity of the speaker; (2) the content of the statement; (3) the person(s) to whom the statement was made; (4)

the date and time the statement was made or adopted; and (5) the circumstances under which such statement was made or adopted (including the location where the statement was made). If Respondents cannot identify the original source or any later source of the information, they must so indicate. If Respondents intend to rely on any documents (including 302 reports), the documents shall be produced to Petitioners' counsel along with the statement of facts, unless such documents were already produced, and the relevant portions of the documents shall be identified (by page and paragraph number) if Respondents do not intend to rely on the entire document. Respondents may include in this statement facts that were not included in the Factual Return; and it is further

ORDERED, that parties should meet and confer in an effort to narrow requests for discovery and exculpatory evidence that may arise in response to Respondents' statement of facts; and it is further

ORDERED, that the parties shall file a Joint Report on discovery no later than **February 20, 2009**

	/s/
January 21, 2009	Gladys Kessler
	United States District Judge

Copies to: Attorneys of Record via ECF