

2. On January 7, 2005, undersigned counsel filed a Petition for Writ of Habeas Corpus on behalf of Petitioner Abdullah pursuant to 28 U.S.C. §§ 2241 and 2242. The Petition contested both the fact of the Petitioner's incarceration as well as his inhumane treatment. On January 21, 2005, an Amended Petition for Writ of Habeas Corpus was filed, adding Petitioner Al-Oteibi. The Amended Petition contests both the fact of the Detained Petitioners' incarceration as well as their inhumane treatment, which violates international law, the law of the United States, and the Uniform Code of Military Justice.
3. By order of January 25, 2005 Judge Roberts transferred this case to Judge Green under the Executive Resolution of September 14, 2004.
4. On January 31, 2005 this Court issued its opinion in *In re Guantanamo Detainee Cases*, which determined various issues common to the Guantanamo cases concerning the legality of the government's treatment and classification of prisoners at Guantanamo. The issues ruled on by the Court are the same issues as are raised by the amended petition herein. Indeed, the Court noted at page 15, footnote 15 that the opinion addressed "issues common to those new cases" specifically citing this case.
5. Detained Petitioners request that this Court adopt and apply its January 31 decision in this case as though entered herein and declare that said decision is the law of this case. As the issues raised by the amended petition in this case consist largely of legal issues that were resolved in the Court's January 31, 2005 opinion and that the government is expected to raise in its anticipated motion to dismiss in this case, Detained Petitioners believe that there is no need "to fully brief or argue" such common issues now that they have been decided. *Id.* Non-common issues, of course, to the extent they exist, would need to be briefed and argued.

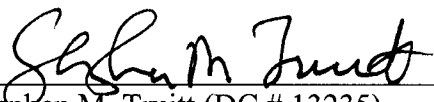
6. In the interest of judicial economy and in the interest of sparing all parties unnecessary expense, Respondents should be directed to file their returns as above requested, but said returns should be confined to arguments on legal issues not already decided by the Court in its January 31, 2005 decision.

THEREFORE, for the above stated reasons and for any other reason that may become known to the Court, Detained Petitioners respectfully request the issuance of an order to show cause to Respondents returnable in three days. A form of order is submitted herewith.

Respectfully submitted,

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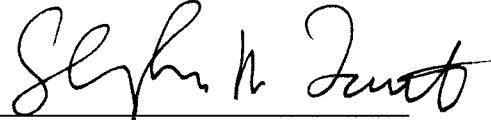
Counsel for Petitioners

Dated: February 1, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served this 1st day of February 2005,
by First Class Mail, postage prepaid, and electronically upon:

Andrew Warden, Esq.
Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave. N.W. Room 6112
Washington, D.C. 20530

A handwritten signature in black ink, appearing to read "Stephen M. Truitt", written over a horizontal line.

Stephen M. Truitt