

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

	)	<b>Civil Action Nos.</b>
	)	<b>02-CV-0299 (CKK), 02-CV-0828 (CKK),</b>
	)	<b>02-CV-1130 (CKK), 04-CV-1135 (ESH),</b>
<b><i>In re Guantanamo Detainee Cases</i></b>	)	<b>04-CV-1136 (JDB), 04-CV-1137 (RMC),</b>
	)	<b>04-CV-1142 (RJL), 04-CV-1144 (RWR),</b>
	)	<b>04-CV-1164 (RBW), 04-CV-1166 (RJL)</b>
	)	<b>04-CV-1194 (HHK), 04-CV-1227 (RBW),</b>
<hr/>	)	<b>04-CV-1254 (HHK)</b>

**NOTICE OF FILING**

Pursuant to the request made by the Court at the October 20, 2004, hearing regarding the proposed Protective Order, respondents hereby provide notice of the filing (attached) of a protective order from the case, *United States v. Moussaoui* (E.D. Va.). At the October 20 hearing, undersigned counsel described the *Moussaoui* order as including a category of materials labeled “protected information,” providing an analogous precedent for the designation of information termed “protected information” in the proposed Protective Order in these cases. Counsel was mistaken, however, as to the use of the term “protected information” in the *Moussaoui* order. Nonetheless, consistent with the spirit of counsel’s comments at the hearing, the *Moussaoui* order permits the government in that case to designate categories of discovery materials, including a category labeled “particularly sensitive discovery materials,” subject to restrictions on use, dissemination, and filing.

Respectfully submitted,

**Attorneys for Respondents**

PETER D. KEISLER  
Assistant Attorney General

KENNETH L. WAINSTEIN  
United States Attorney

BRIAN D. BOYLE  
Principal Deputy Associate Attorney General

DAVID B. SALMONS  
Assistant to the Solicitor General

DOUGLAS N. LETTER  
Terrorism Litigation Counsel

ROBERT D. OKUN  
Chief, Special Proceedings Section

/s/ Terry M. Henry  
JOSEPH H. HUNT (D.C. Bar No. 431134)  
VINCENT M. GARVEY (D.C. Bar No. 127191)  
TERRY M. HENRY  
JAMES J. SCHWARTZ (D.C. Bar No. 468625)  
Attorneys  
United States Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Ave., N.W. Room 7144  
Washington, DC 20530  
Tel: (202) 514-4107  
Fax: (202) 616-8470