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UNITED STATES DISTRICT COURT
WESTERN WASHINGTON
AT SEATTLE

Lieutenant Commander CHARLES SWIFT,)
a resident of the State of Washington,)
as next friend for SALIM AHMED HAMDAN,)
Military Commission Detainee,)
Camp Echo,)
Guantanamo Bay Naval Base,)
Guantanamo Bay, Cuba,)
Petitioner,)

-vs-

) CASE NO. CO4-777L

)
DONALD H. RUMSFELD, United States)
Secretary of Defense; JOHN D.)
ALTENBURG, JR., Appointing Authority)
for Military Commissions, Department)
of Defense; Brigadier General THOMAS)
L. HEMINGWAY, Legal Advisor to the)
Appointing Authority for Military)
Commissions; Brigadier General JAY)

EXHIBIT A

1 HOOD, Commander Joint Task Force,)
2 Guantanamo, Camp Echo, Guantanamo)
3 Bay, Cuba; GEORGE W. BUSH, President)
4 of the United States,)
5)
6 Defendant,)

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8 Verbatim of Proceedings
9 before
10 THE HONORABLE ROBERT S. LASNIK
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24 Date: Friday, July 16, 2004

25 Reported By: Susan A. Zielie, CCR, RPR

1 THE COURT: Anything else, Mr. Schneider?

2 MR. SCHNEIDER: Area of clarification. I'm sure
3 we'll know the answer by the end of the day. We were
4 thinking about venue. Do I understand this brief will
5 contemplate the next friend status and standing?

6 MR. KIPNIS: That is correct.

7 THE COURT: Right. Next friend status on the
8 standing of Commander Swift to bring it, and also I think
9 the motion should assume mandamus is available and still
10 argue the venue issues, rather than go to the merits of the
11 mandamus itself.

12 MR. KIPNIS: That is what we'll do, Your Honor.

13 MR. SCHNEIDER: Understood. Thank you.

14 THE COURT: So do you have that motion ready to
15 electronically file today?

16 MR. KIPNIS: Yes. I'm waiting for comments back
17 from the Solicitor General's office. And, once I get those,
18 then it should be, I hope, this afternoon, it should be
19 coming in.

20 THE COURT: Excellent. Thanks very much. We'll
21 be adjourned. Thanks very much, counsel.

22 (11:20 a.m., Proceedings Concluded.)

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7/16/04