

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

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**SAEED MOHAMMED SALEH** )  
**HATIM, et al.,** )  
) )  
*Petitioners,* )  
) )  
v. )  
) )  
**BARACK H. OBAMA, et al.,** )  
) )  
*Respondents.* )

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**Civil Action No. 05-1429 (RCL)**

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**IN RE:** )  
**GUANTÁNAMO BAY** )  
**DETAINEE CONTINUED** )  
**ACCESS TO COUNSEL** )

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**Misc. No. 12-398 (RCL)**

**PETITIONERS’ MEMORANDUM IN SUPPPORT OF  
“EMERGENCY MOTION FOR EXPEDITED HEARING ON  
THE RIGHT OF ACCESS TO COUNSEL”**

On May 22, 2013, undersigned counsel filed an Emergency Motion Concerning Access to Counsel on behalf of Saeed Mohammed Saleh Hatim (ISN 255) in Civil Action No. 05-1429 (RCL) and on behalf of certain other detainees in *In re: Guantanamo Bay Detainee Continued Access to Counsel*, Miscellaneous Docket No. 12-398 (RCL).<sup>1</sup> The motion sought urgent relief from recently-imposed, unjustified burdens upon detainees’ access to counsel.

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<sup>1</sup> These other detainees’ cases are: *Abdullah v. Bush*, Civ. No. 05-0023 (RWR) (D.D.C.); *Al-Baidany v. Obama*, Civ. No. 05-02380 (CKK) (D.D.C.); *Al-Bihani v. Obama*, Civ. No. 05-1312 (RJL) (D.D.C.); *Alhag v. Obama*, Civ. No. 05-2199 (RCL) (D.D.C.); *Al-Mithali v. Obama*, Civ. No. 05- 2186 (D.D.C.); *Al-Zarnouqi v. Obama*, Civ. No. 06-1767 (RCL) (D.D.C.); *Anam v. Obama*, Civ. No. 04-1194 (TFH) (D.D.C.); *Al Qyati and Al Azani v. Obama*, Civ. No. 08-2019 (RBW) (D.D.C.); *Al Warafi v. Obama*, Civ. No. 09-2368 (RCL) (D.D.C.); *Hidar v. Obama*, Civ. No. 05-2386 (RBW) (D.D.C.); *Mohammed v. Obama*, Civ. No. 05-2385 (UNA) (D.D.C.); (continued...)

On the same date, other counsel for Guantánamo detainees filed an Emergency Motion to Enforce the Right of Access to Counsel and Points and Authorities in Support, challenging the same practices in *In re Guantanamo Bay Continued Access to Counsel*, Miscellaneous Docket No. 12-00398 (RCL) (Dkt. No. 37), in *Hentif v. Obama*, Civil Action No. 06-01766 (UNA) (Dkt. No. 298), and in *Al-Shubati v. Obama*, Civil Action No. 07-2338 (UNA) (Dkt. No. 273). Today, that counsel has filed an Emergency Motion for Expedited Hearing on the Right of Access to Counsel and Points and Authorities in Support.

Undersigned counsel believe that expedited hearing and briefing is necessary on both of the pending motions concerning counsel access. Accordingly, petitioners respectfully request that the Court schedule an expedited hearing on both emergency motions concerning access to counsel either this week or next week.

Counsel also respectfully request a conference call tomorrow, or otherwise at the Court's convenience, to discuss a briefing and hearing schedule.

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*Obaydullah v. Obama*, Civ. No. 08-01173 (RJL) (D.D.C.); *Odah v. Obama*, Civ. No. 06-1668 (TFH) (D.D.C.); *Sanad al-Kazimi v. Obama*, Civ. No. 05-2386 (RBW) (D.D.C.).

Date: May 28, 2013

Respectfully submitted,

/s/ Brian E. Foster

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**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of PETITIONERS' MEMORANDUM IN SUPPORT OF "EMERGENCY MOTION FOR EXPEDITED HEARING ON THE RIGHT OF ACCESS TO COUNSEL" was served today upon counsel of record via the CM/ECF system.

Date: May 28, 2013

Respectfully submitted,

/s/ Brian E. Foster

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