

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)	
FADI AL MAQALEH, <i>et al.</i> ,	)	
	)	
Petitioners,	)	
v.	)	Civil Action No. 1:06-CV-01669 (JDB)
	)	
ROBERT GATES, <i>et al.</i> ,	)	
	)	
Respondents.	)	
_____	)	
HAJI WAZIR, <i>et al.</i> ,	)	
	)	
Petitioners,	)	
v.	)	Civil Action No. 1:06-CV-01697 (JDB)
	)	
ROBERT GATES, <i>et al.</i> ,	)	
	)	
Respondents.	)	
_____	)	
AMIN AL BAKRI, <i>et al.</i> ,	)	
	)	
Petitioners,	)	
v.	)	Civil Action No. 1:08-CV-01307 (JDB)
	)	
GEORGE W. BUSH, <i>et al.</i> ,	)	
	)	
Respondents.	)	
_____	)	
REDHA AL-NAJAR, <i>et al.</i> ,	)	
	)	
Petitioners,	)	
v.	)	Civil Action No. 1:08-CV-02143 (JDB)
	)	
ROBERT GATES, <i>et al.</i> ,	)	
	)	
Respondents.	)	
_____	)	

**RESPONDENTS' RESPONSE TO THIS COURT'S ORDER OF JANUARY 7, 2009**

Respondents hereby respond to this Court's Order of January 7, 2009, in which the Court requested that respondents provide up-to-date information regarding: (1) the number of

detainees held at Bagram Air Base; (2) the number of Bagram detainees who were captured outside Afghanistan; and (3) the number of Bagram detainees who are Afghan citizens.

Respondents have delivered to the Court Security Office, for this Court's *ex parte, in camera* examination, the classified declaration of Colonel Joe E. Ethridge, which provides the information requested by this Court. An unclassified, redacted version of that declaration is attached to this Response.

Respondents further inform the Court that in the process of ascertaining the information requested by the Court, respondents discovered that the place of capture for petitioner Haji Wazir, in *Wazir v. Gates*, 1:06-cv-0697 (JDB) was incorrectly stated as Karachi, Pakistan in the declaration of Colonel Charles A. Tennison, dated October 3, 2008. Accordingly, respondents hereby withdraw all prior representations in the above captioned cases concerning Mr. Wazir's place of capture, except that respondents have correctly represented that Mr. Wazir was not captured in the United States. Respondents apologize for the error.

Dated: January 16, 2009

Respectfully submitted,

GREGORY G. KATSAS  
Assistant Attorney General

JOHN C. O'QUINN  
Deputy Assistant Attorney General

          /s/ Jean Lin

JOSEPH H. HUNT  
VINCENT M. GARVEY  
TERRY M. HENRY  
JEAN LIN  
United States Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Ave., N.W.  
Washington, DC 20530  
Tel: (202) 514-3716

Attorneys for Respondents

~~SECRET//NOFORN~~

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FADI AL MAQALEH, et al., )

Petitioners, )

v. )

ROBERT GATES, et. al., )

Respondents. )

Civil Action No. 06-1669

---

HAJI WAZIR, et. al., )

Petitioners, )

v. )

ROBERT GATES, et al., )

Respondents. )

Civil Action No. 06-1697

---

AMIN AL BAKRI, et al., )

Petitioners, )

v. )

GEORGE W. BUSH, et al., )

Respondents. )

Civil Action No. 08-1307

---

REDHA AL-NAJAR, et al., )

Petitioners, )

v. )

ROBERT GATES, et al., )

Respondents. )

Civil Action No. 08-2143

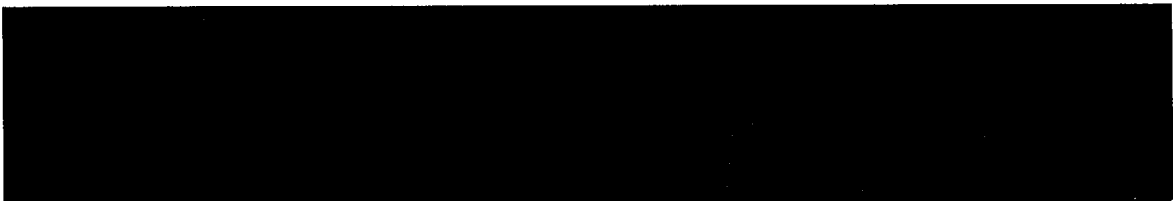
~~SECRET//NOFORN~~

**DECLARATION OF COLONEL JOE E. ETHRIDGE**

I, Colonel Joe. E. Ethridge, pursuant to 28 U.S.C. 1746, hereby declare as follows:

(U) 1. I currently serve as Commander of Task Force Guardian, Combined/Joint Task Force-101 ("CJTF-101"), as well as Chief of Detention Operations, CJTF-101. The statements in this declaration are based upon my personal knowledge and upon information made available to me in the performance of my official duties.

(U) 2. I submit this declaration in response to this Court's Order of January 7, 2009, which required respondents in the above-captioned cases to submit information regarding (1) the number of detainees held at Bagram Air Base; (2) the number of Bagram detainees who were captured outside Afghanistan; and (3) the number of Bagram detainees who are Afghan citizens.



(U) 4. In the process of ascertaining the information requested by this Court's Order of January 7, 2009, we discovered that the place of capture for petitioner Haji Wazir was incorrectly stated as Karachi, Pakistan. See Declaration of Colonel Charles A. Tennison, dated October 3, 2008, filed in *Wazir v. Gates*, 1:06-cv-01697 (JDB), para. 19.

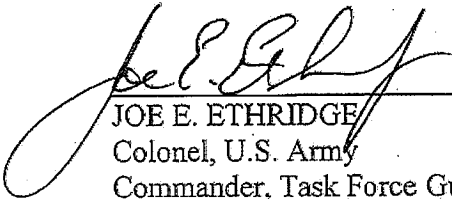


~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

(U) I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 15 January 2009.

  
\_\_\_\_\_  
JOE E. ETHRIDGE  
Colonel, U.S. Army  
Commander, Task Force Guardian  
Chief of Detention Operations,  
Combined / Joint Task Force-101

~~SECRET//NOFORN~~