

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

RESOLUTION OF THE EXECUTIVE SESSION

September 15, 2004

WHEREAS, a significant number of cases pertaining to more than 60 individual detainees at Guantanamo Bay are already pending with this Court (the “Guantanamo Bay cases”); and

WHEREAS, it is expected that up to 400 or more new Guantanamo Bay cases could be filed with this Court in the near future; and

WHEREAS, it is in the interests of the litigants, as well as the public, the Court, and counsel, to provide the most expeditious and efficient handling of these cases;

IT IS HEREBY RESOLVED by the Executive Session of the United States District Court for the District of Columbia that:

1. Senior Judge Joyce Hens Green will continue to coordinate and manage proceedings in all Guantanamo Bay cases to the extent necessary as provided by the Order of the Calendar Committee issued August 17, 2004.

2. All Guantanamo Bay cases, both those which have been filed and those which may be filed in the future, are to be transferred by the Judge to whom they are assigned, pursuant to LCvR 40.6(a) and 40.5(e), to Senior Judge Joyce Hens Green for coordination and management. The transferring Judge will retain the case for all other purposes.

3. Senior Judge Joyce Hens Green will identify and delineate both procedural and substantive issues that are common to all or some of these cases.

4. To the extent possible, and as consented to by the transferring Judge, Senior Judge Joyce Hens Green will rule on procedural issues that are common to these cases.

5. As to substantive issues, Senior Judge Joyce Hens Green will confer with those Judges whose cases raise common substantive issues. To the extent possible, and provided that consent is given by the transferring Judge, one of the transferring Judges or Senior Judge Joyce Hens Green will address specified substantive issues that are common to the Guantanamo Bay cases.¹ A Judge who does not agree with any substantive decision reached in this manner may resolve the issue in his or her own case as he or she deems appropriate.

¹ LCvR 40.6(a) provides that: “A Judge, upon written advice to the Calendar Committee, may transfer directly all or part of any case on the Judge’s docket to any consenting Judge” (emphasis added).