

No. 10A52

IN THE SUPREME COURT OF THE UNITED STATES

FARHI SAEED BIN MOHAMMED, APPLICANT

v.

BARACK OBAMA, ET AL.

MOTION TO FILE OPPOSITION TO EMERGENCY
STAY APPLICATION UNDER SEAL

EDWIN S. KNEEDLER
Acting Solicitor General
Counsel of Record
Department of Justice
Washington, D.C. 20530-0001
SupremeCtBriefs@usdoj.gov
(202) 514-2217

Pursuant to Supreme Court Rule 21, respondents request permission to file their opposition to applicant's emergency stay application under seal. Applicant is an individual detained at the Guantanamo Bay Naval Base. His stay application contains certain information that the government has designated as "protected information" in Guantanamo Bay proceedings, because public disclosure of that information may cause diplomatic and potential security harms. Pursuant to the protective order governing habeas proceedings in the district court, information designated by the government as having protected status remains protected unless and until the district court rules otherwise. See Protective Order, Mohammed v. Bush, No. 05-1347 (Sept. 11, 2008). In the court of appeals, almost all filings concerning the matter upon which applicant seeks Supreme Court review have been filed under seal because they refer to protected information. Accordingly, to comply with their ongoing obligations under the protective order, respondents seek to file their opposition to the emergency stay application under seal.

Respectfully submitted.

EDWIN S. KNEEDLER
Acting Solicitor General