

1
2 UNITED STATES COURT OF APPEALS
3 FOR THE SECOND CIRCUIT
4

5 At a stated term of the United States Court of Appeals
6 for the Second Circuit, held at the Daniel Patrick Moynihan
7 United States Courthouse, 500 Pearl Street, in the City of
8 New York, on the 12th day of August, two thousand eight.
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12 Maher Arar,

13 Plaintiff-Appellant,

14 - v. -

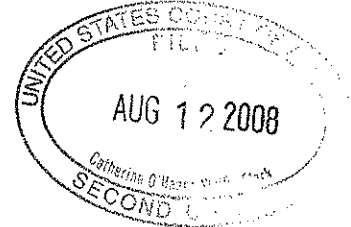
06-4216-cv

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18 John Ashcroft, formerly Attorney General of the United
19 States; Larry D. Thompson, formerly Deputy Attorney
20 General; Tom Ridge, as Secretary of State of Homeland
21 Security; J. Scott Blackman, as Regional Director of the
22 Regional Office of Immigration and Naturalization Services;
23 Paula Corrigan, Regional Director of Immigration and Customs
24 Enforcement; Edward J. McElroy, formerly District Director
25 of Immigration and Naturalization Services for New York
26 District, and now Customs Enforcement; Robert Mueller,
27 Director of the Federal Bureau of Investigation; John Doe
28 1-10, Federal Bureau of Investigation and/or Immigration and
29 Naturalization Service Agents; James W. Ziglar, formerly
30 Commissioner for Immigration and Naturalization Services;
31 United States of America,
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33 Defendants-Appellees.
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37 A poll of the judges in active service having been
38 conducted, and a majority of the active judges of the court
39 having voted to hear this case in banc, IT IS HEREBY ORDERED
40 that the case be heard in banc. See Fed. R. App. P. 35(a).
41 The in banc panel will consist of the active judges of the
42 Court and (subject to his election) the senior judge who
43 served on the three-judge panel. See 28 U.S.C. § 46(c).
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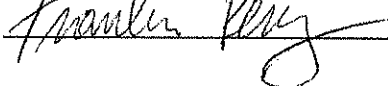
45 Each party may elect either to (A) file a replacement



1 brief, (B) rest on the arguments contained the brief or
2 briefs already submitted to this Court, or (C) rely on prior
3 briefing and submit a supplemental letter brief. In the
4 event any replacement or supplemental brief raises arguments
5 not raised to the original panel, the parties should discuss
6 whether those arguments are properly before us.
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8 The appellant's brief--if any--shall be filed by
9 September 23, 2008. The appellees' briefs--if any--and any
10 briefs amicus curiae, shall be filed by October 28, 2008.
11 Any reply brief shall be filed by November 4, 2008. While
12 the briefing schedule of the parties is to be strictly
13 observed, extensions of the time to file briefs amicus
14 curiae will be considered on a case-by-case basis. Oral
15 argument will be held on December 9, 2008 at 3 p.m. in the
16 Ninth Floor Courtroom of the United States Courthouse, 500
17 Pearl Street, New York, New York.
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19 FOR THE COURT:
20 CATHERINE O'HAGAN WOLFE

21 By: 
22 _____
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