

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**IN RE TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001**

**Civil Action No.  
03 MDL 1570 (RCC)**

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**This document relates to:**

*Thomas E. Burnett, Sr., et al. vs. Al Baraka  
Investment and Development Corp., et al.*  
**03 CV 9849 (RCC); 03 CV 5738 (RCC)**

**PLAINTIFFS' RESPONSE TO DEFENDANT SAMI OMAR AL-HUSSAYEN'S  
DECLARATION IN SUPPORT OF DEFENDANTS' MOTION FOR A MORE  
DEFINITE STATEMENT**

Counsel for the *Burnett* Plaintiffs hereby provide a more definite statement as to Defendant Sami Omar Al-Hussayen<sup>1</sup>. This statement, annexed hereto as Exhibit 1, is hereby incorporated into the *Burnett* Complaints.

Dated: May 14, 2004

Respectfully submitted,

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<sup>1</sup> Defendant Sami Omar al-Hussayen, in his pleading, appears to attempt to use his Declaration in Support of a Motion for Definite Statement under Rule 12(e) to propound a set of contention interrogatories. Any such effort is both procedurally improper at this stage of the litigation pursuant Case Management Order No. 1 and Federal Rules 12 and 33, as well as substantively improper under the relevant case law. See CMO #1, 3/3/04; Fed. R. Civ. Pr. 12, 33; Fed. *In Re Convergent Technologies*, 108 F.R.D. 328 (N.D. Cal. 1985).

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