

C O V E R

S H E E T

FAX

**The Honorable Leonie M. Brinkema
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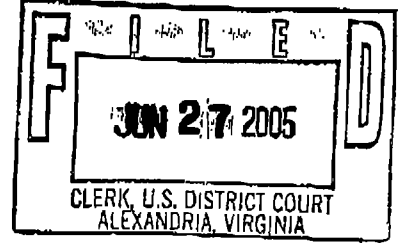
Subject: Jane Doe, et al., v. Yusuf Ali Abdi
No. 1:05cv701

Date: June 27, 2005

Pages: 4, including this cover sheet.

From the desk of
Susan Dudley
Law Clerk to Judge Brinkema

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division



JANE DOE, ET AL.,)
)
)
Plaintiffs,)
)
)
v.)
)
)
YUSUF ALI ABDI,)
)
)
Defendant.)

No. 1:05cv701

ORDER

Before the Court are defendant's Praecipe And Notice Of Motions And Motions By Yusuf Abdi Ali For Reconsideration Of 29 April 2005 Order, Inter Alia, Directing Plaintiffs' Depositions To Take Place In Historic Somalia and 28 January 2005 Order, Inter Alia, Authorizing Plaintiffs To Proceed Anonymously, And Motion For Protective Order To Bar Plaintiffs From Taking Witness Depositions In Historic Somalia, And Contingent Motion By Yusuf Abdi Ali For Certification Of Question(s) For Interlocutory Appellate Review, And For The Issuance Of A Stay Of Proceedings Pending Appellate Review ("Motion For Reconsideration") and plaintiffs' Motion For Non-Party Videoconference Depositions And Issuance Of Commission ("Motion For Video Depositions"). Both Motions are noticed for Friday, July 1, 2005.

Among many other issues, defendant's Motion For Reconsideration argues that by enabling the depositions of

plaintiffs by videoconference from Hargesia, the Court would intrude improperly on the prerogative of the Executive Branch of the United States, which does not recognize the Republic of Somaliland or the Transitional Federal Government of the Somali Republic. Because the Court is extremely sensitive to the separation of powers and to avoid any possibility of interfering in matters of foreign policy, defendant's Motion For Reconsideration is GRANTED with regard to his request that plaintiffs' depositions not be taken via videoconference from Hargesia during the week of July 25, 2005; and it is hereby

ORDERED that the depositions of plaintiffs via videoconference from Hargesia that are scheduled for the week of July 25, 2005, be and are CANCELLED; and it is further

ORDERED that plaintiffs' counsel contact the United States Department of State and report to the Court within thirty (30) days regarding the Department's position on whether the Court is authorized to participate in such depositions.

The cancellation of plaintiffs' depositions in Hargesia renders moot defendant's other requests. Accordingly, his Motion For Reconsideration is DENIED WITHOUT PREJUDICE in all other respects.

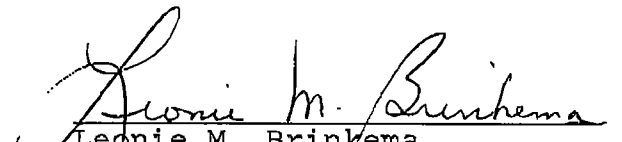
The Court's ruling also renders moot plaintiffs' request that the Court commission a videographer to administer the oath and thus enable plaintiffs to conduct and broadcast the

depositions of non-parties in Hargesia following plaintiffs' own depositions. Accordingly, plaintiffs' Motion For Video Depositions also is DENIED; and it is hereby

ORDERED that defendant's Motion For Reconsideration and Plaintiffs' Motion For Video Depositions be removed from the docket for Friday, July 1, 2005.

The Clerk is directed to forward copies of this Order to counsel of record.

Entered this 27th day of June, 2005.


Leonie M. Brinkema
United States District Judge

Alexandria, Virginia