

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

BASHE ABDI YOUSUF, *et alii*,

Plaintiffs,

v.

MOHAMED ALI SAMANTAR,

Defendant.

*
*
*
*
*
*
*
*
*

Civil Action No. 1:04cv1360 (LMB/JFA)
Next event: Hearing on Motion to Dismiss
scheduled for 1 April 2011, at
10:00, A.M. (E.D.T.)

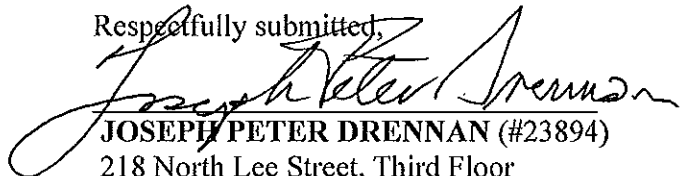
MOTION TO RECONSIDER

COMES NOW, before this Honorable Court, your Defendant in the above-encaptioned cause, *viz.*, MOHAMED ALI SAMANTAR, by and through his undersigned counsel, respectfully, and, pursuant to, *inter alia*, the provisions of Rule 59(a)(2) of the Federal Rules of Civil Procedure, and hereby moves this Honorable Court to reconsider and withdraw this Honorable Court's order dated 15 February 2011 (Docket Entry # 148), dismissing your Defendant's common law sovereign immunity defense. Pursuant to Local Rule 7, the undersigned did confer with counsel for your Plaintiffs, by telephone, on even date, soliciting consent to the instant Motion. However, your Plaintiffs do not consent.

WHEREFORE, and for the reasons spelt out in the accompanying Brief in Support of the instant Motion, your Defendant prays that the instant Motion be granted, and that he be granted such other and further relief as this Honorable Court may deem just and fitting.

Dated: 15 March 2011

Respectfully submitted,



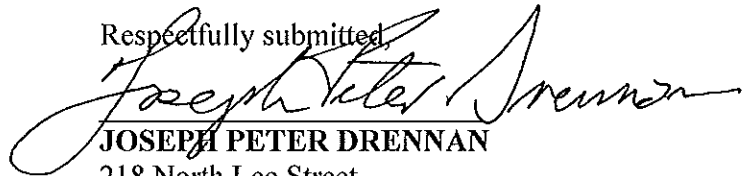
JOSEPH PETER DRENNAN (#23894)
218 North Lee Street, Third Floor
Alexandria, Virginia 22314
Telephone: (703) 519-3773
Telecopier: (703) 548-4399
E-Mail: joseph@josephpeterdrennan.com
ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I, Joseph Peter Drennan, undersigned, hereby and herewith certify that, on this fifteenth day of the month of March, 2011, a true, cyclostyled facsimile of the foregoing ^{at the checkdraft order,} was despatched ^{were} by hand carriage, enshrouded in a suitable wrapper, unto:

Joseph W. Whitehead, Esquire
Thomas P. McLish, Esquire
W. Randolph Teslik, Esquire
Akin, Gump, Strauss, Hauer & Feld, L.L.P.
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036-1564, and that, on even date, an electronic copy of the foregoing was sent, by *e-mail*, unto the said Messrs. Whitehead, McLish & Teslik, at the respective *e-mail* addresses of each, viz.: jvwhitehead@akingump.com , tmclish@akingump.com , & rteslik@akingump.com .

Respectfully submitted,



JOSEPH PETER DRENNAN

218 North Lee Street
Third Floor
Alexandria, Virginia 22314
Telephone: (703) 519-3773
Telecopier: (703) 548-4399
E-mail: joseph@josephpeterdrennan.com
Virginia State Bar No. 023894

ATTORNEY AND COUNSELLOR,
IN PRAESENTI, FOR
MOHAMED ALI SAMANTAR

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

BASHE ABDI YOUSUF, *et alii*,

Plaintiffs,

v.

MOHAMED ALI SAMANTAR,

Defendant.

*
*
*
*
*
*
*
*
*

Civil Action No. 1:04cv1360 (LMB/JFA)

ORDER

UPON CONSIDERATION of Defendant's Motion to Reconsider and the accompanying Brief in Support of Defendant's Motion, and the opposition thereto, and, it appearing to the Court that the said Motion is for good cause shown and should be granted, it is hereby and herewith,

ORDERED that Defendant's Motion to Reconsider be, and the same hereby is,

GRANTED, and it is,

FURTHER ORDERED that, pursuant to Federal Rules of Civil Procedure 59, this Court's Order dated February 15, 2011, to the extent it ruled that Defendant's commons law sovereign immunity defense is no longer before the Court, is WITHDRAWN.

Entered this _____ day of _____, 2011.

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia

Distribution:
Counsel of record