

SCANNED AND EMAILED

C O V E R

FAX

S H E E T

**The Honorable Leonie M. Brinkema
United States District Judge
401 Courthouse Square
Alexandria, VA 22314-5799
(703) 299-2116
Fax: (703) 299-2238**

To: Robert R. Vieth, Esq.
(703) 456-8100

Harvey J. Volzer, Esq.
(202) 530-1244

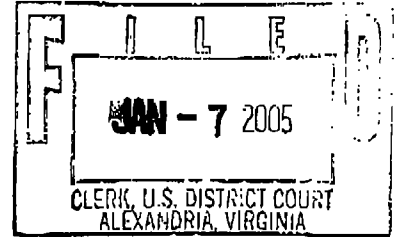
Subject: Yousuf, et al. v. Samantar
No. 1:04cv1360

Date: January 7, 2005

Pages: 3, 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



BASHE ABDI YOUSUF, ET AL.,)
)
 Plaintiffs,)
)
 v.)
)
 MOHAMED ALI SAMANTAR,)
)
 Defendant.)

No. 1:04cv1360

ORDER

Before the Court are plaintiffs' Motion for Leave to Proceed Anonymously, defendant's Motion to Dismiss the Complaint for Lack of Personal Jurisdiction and defendant's Motion to Dismiss the Complaint for Failure to State a Claim Upon which Relief Can be Granted. For the reasons stated in open court, plaintiffs' Motion for Leave to Proceed Anonymously is GRANTED; and it is hereby

ORDERED that plaintiffs may proceed in this action anonymously and are required to reveal their identity only to defense counsel and defendant, who may not reveal the anonymous plaintiffs' identity to anyone else unless granted permission in writing from the Court or from the respective plaintiff.

Because the record is incomplete regarding the position, if any, of the United States Department of State regarding whether defendant should receive head-of-state immunity, the Court will defer ruling on defendant's Motions to Dismiss; and it is hereby

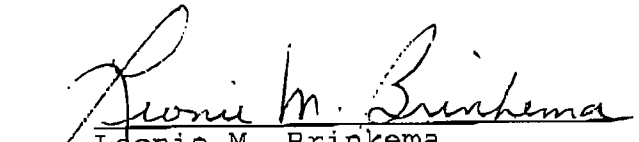
ORDERED that defendant report to the Court within thirty (30) days regarding his efforts to secure the position of the Department of State on this issue, after which time the Court will reschedule argument on defendant's Motions; and it is further

ORDERED that all discovery, except for requests by both parties for information from government agencies, is STAYED until further Order of the Court; and it is further

ORDERED that the initial pretrial conference, currently scheduled for January 12, 2005, is postponed and will be rescheduled after defendant's report to the Court.

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

Entered this 7th day of January, 2005.


Leonie M. Brinkema
United States District Judge

Alexandria, Virginia