

C O V E R

FAX

S H E E T

The Honorable Leonie M. Brinkema
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Subject: Yousuf, et al. v. Samantar
No. 1:04cv1360

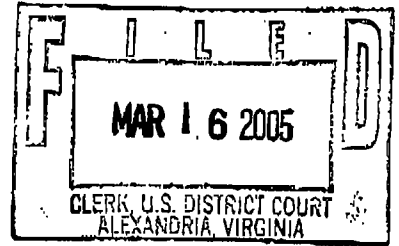
Date: March 16, 2005

Pages: 3, including this cover sheet.

SCANNED AND EMAILED

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 is Defendant's Motion for Enlargement of Time to File and Motion for Continuance of the Deadline for Reporting the Position of the Department of State ("Motion for Continuance"), in which defense counsel explain that due to a lapse in communication between defendant's local and pro haec vice counsel, the defense failed to file a timely motion for a continuance of the reporting deadline imposed by the Court on February 7, 2005. Defense counsel now seek leave to file out of time this motion for a 30-day continuance of the deadline for reporting on the State Department's position regarding whether defendant should receive head-of-state immunity. They also represent that plaintiffs' counsel do not object to the

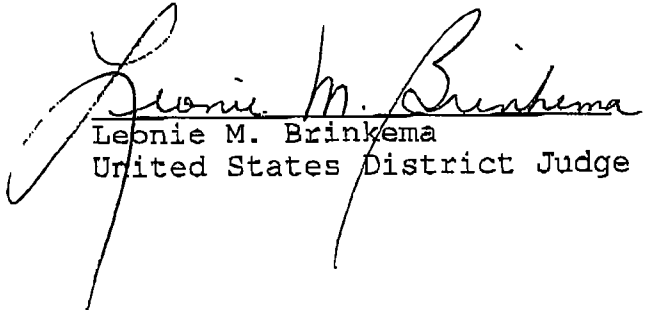
continuance.

Defense counsel support their request for a continuance with documentation that the State Department has before it position letters not only from the parties but also from the transitional government of Somalia and an "individual styled as the Foreign Minister of the Republic of Somaliland." Further, defense counsel represent that the State Department official who is working on this issue has informed them that the matter is "important" to the Department and that he "hope[s] to have a position shortly." For all of these reasons, and given the critical nature of this issue to the resolution of this civil action, the request to file out of time and Motion for Continuance are GRANTED; and it is hereby

ORDERED that defense counsel file within thirty (30) days of this Order a report on the position of the State Department regarding whether the Court should grant defendant head-of-state immunity.

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

Entered this 16th day of March, 2005.


Leonie M. Brinkema
United States District Judge

Alexandria, Virginia