

TRANSMITTAL SHEET
(Notice of Appellate Action)

<input checked="" type="checkbox"/> Notice of Filing <input type="checkbox"/> Cross Appeal <input type="checkbox"/> Interlocutory Appeal <input type="checkbox"/> Additional NOA <input type="checkbox"/> Amended NOA <input type="checkbox"/> Transmittal of Record <input type="checkbox"/> Transmittal of Certif. <input type="checkbox"/> Supplement to ROA <input type="checkbox"/> Supplemental Certif. <input type="checkbox"/> Other	UNITED STATES DISTRICT COURT for the Eastern DISTRICT OF VA at Alexandria Caption: Bashe Abdi Yousuf, et al. -v- Mohamaed Ali Samantar	District Court No.: 1:04cv1360 4CCA No.: _____ Consolidated with No.: _____ Case Manager: _____
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Part I

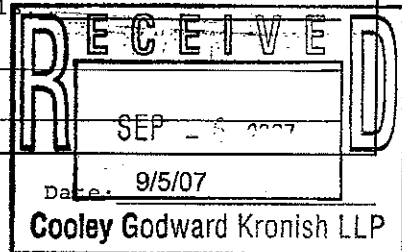
Notice of appeal is enclosed to all parties (except to appellant in civil cases); NOA, docket entries, district court opinion and order, and magistrate judge's recommendation (if applicable) are enclosed to 4CCA.

1. NOA filed: 8/30/07	4. Fees _____ USA no fee required \$5 filing fee: <input checked="" type="checkbox"/> paid _____ unpaid \$450 docket fee: <input checked="" type="checkbox"/> paid _____ unpaid
2. Amended NOA filed:	Pauper status: _____ granted _____ denied _____ pending in dist.ct. Does PLRA Apply? _____ Yes _____ No 3-strikes? _____ Yes _____ No [If PLRA applies, 4CCA sends forms & acts on application]
3. District Judge: Leonie M. Brinkema	5. Materials Under Seal in District Court: <input checked="" type="checkbox"/> Yes _____ No Party Names Under Seal in District Court: <input checked="" type="checkbox"/> Yes _____ No
6. Official Ct. Reporter(s): Anneliese Thomson Contract Court Reporter: Coordinator: Maria Hewitt	7. Transcript In-Court Hearing Held: <input checked="" type="checkbox"/> Yes _____ No 8. Criminal/Prisoner Cases _____ recalcitrant witness Defendant's Address: _____ on death row _____ in custody _____ on bond _____ on probation

Part II

TRANSMITTAL OF RECORD TO COURT OF APPEALS

ORIGINAL RECORD Pleadings: Vols. _____ Transcript: Vols. _____ Exhibits: Vols. _____ Depositions: Vols. _____ State Ct. Record: Vols. _____ Sealed: Vols. _____ No. of Boxes: _____	SUPPLEMENT TO RECORD - SUPPLEMENT # _____ Pleadings: Vols. _____ Transcript: Vols. _____ Exhibits: Vols. _____ Depositions: Vols. _____ State Ct. Record: Vol _____ Sealed: Vols. _____ No. of Boxes: _____
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Deputy Clerk: Nora McKeough Phone: (703) 299-2152

FEE PAID; PD GIVEN
FILED

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

ALEXANDRIA DIVISION

2007 AUG 30 P. 12: 16

U.S. DISTRICT COURT
ALEXANDRIA, VIRGINIA

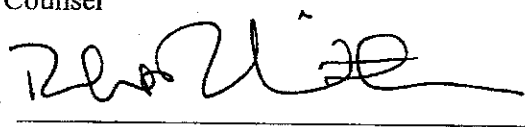
BASHE ABDI YOUSUF, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:04 CV 1360 (LMB/BRP)
)	
MOHAMED ALI SAMANTAR)	
)	
Defendant.)	

NOTICE OF APPEAL

Notice is hereby given that Bashe Abdi Yousuf, *et al.*, plaintiffs in the above-named case, hereby appeal to the United States Court of Appeals for the Fourth Circuit from the Court's August 1, 2007 Order and judgment granting Defendant's Motion to Dismiss Second Amended Complaint.

Dated: August 30, 2007

BASHE ABDI YOUSUF
AZIZ MOHAMED DERIA
JOHN DOE I
JANE DOE,
and
JOHN DOE II
By Counsel

By: 

Robert R. Vieth (VSB #24304)
Tara M. Lee (VSB #71594)
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CERTIFICATE OF SERVICE

I hereby certify, this 30th day of August, 2007, that a true copy of the foregoing was sent by electronic and first-class mail to the following counsel of record:

Harvey J. Volzer, Esq.
216 South Patrick Street
Alexandria, VA 22314

Julian Henry Spirer
Fred B. Goldberg, Esq.
Spirer & Goldberg, P.C.
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Bethesda, MD 20814



Robert R. Vieth

APPEAL, CLOSED, JURY

**U.S. District Court
Eastern District of Virginia (Alexandria)
CIVIL DOCKET FOR CASE #: 1:04-cv-01360-LMB-BRP**

Yousuf, et al v. Samantar
Assigned to: District Judge Leonie M. Brinkema
Referred to: Magistrate Judge Barry R. Poretz
Demand: \$0
Cause: 28:1350 Alien Tort Claims Act

Date Filed: 11/10/2004
Date Terminated: 08/01/2007
Jury Demand: Plaintiff
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: Federal Question

Plaintiff

Bashe Abdi Yousuf

represented by **Robert R. Vieth**
Cooley Godward Kronish LLP
One Freedom Sq
Reston Town Ctr
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(703) 456-8000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott A. Johnson
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Reston, VA 20190
703-456-8000
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Plaintiff

John Doe 1

represented by **Robert R. Vieth**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott A. Johnson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Jane Doe 1

represented by **Robert R. Vieth**

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott A. Johnson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

John Doe 2

represented by **Robert R. Vieth**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott A. Johnson
(See above for address)
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ATTORNEY TO BE NOTICED

Plaintiff

John Doe 3

TERMINATED: 02/22/2007

represented by **Robert R. Vieth**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott A. Johnson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

John Doe 4

TERMINATED: 02/22/2007

represented by **Robert R. Vieth**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott A. Johnson
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ATTORNEY TO BE NOTICED

Plaintiff

Aziz Deria

represented by **Robert R. Vieth**
(See above for address)
LEAD ATTORNEY

*ATTORNEY TO BE NOTICED***Scott A. Johnson**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Defendant****Mohamed Ali Samantar**represented by **Harvey Joseph Volzer**

216 South Patric St

Alexandria, VA 22314

(703) 549-0446

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/10/2004	1	Under Seal COMPLAINT Filing Fee \$ 150.00 Receipt # 100 176402; jury demand (Complaint sealed per [31-1] Order) (otho) Modified on 01/31/2005 (Entered: 11/12/2004)
11/10/2004		Jury Trial Flag (otho) (Entered: 11/12/2004)
11/10/2004		CASE REFERRED to Mag Judge Barry R. Poretz (otho) (Entered: 11/12/2004)
11/10/2004		SUMMONS(ES) issued and given to atty for service by SPS as to Mohamed Ali Samantar (otho) (Entered: 11/12/2004)
11/16/2004	2	SUMMONS Returned Executed as to Mohamed Ali Samantar 11/11/04 Answer due on 12/1/04 for Mohamed Ali Samantar (pmet) (Entered: 11/16/2004)
12/01/2004	3	MOTION by Mohamed Ali Samantar to Dismiss the Complaint for Lack of Personal Jurisdiction , and by Mohamed Ali Samantar to Dismiss the Complaint for Failure to State a Claim Upon Which Relief Can be Granted (stas) (Entered: 12/02/2004)
12/01/2004	4	MEMORANDUM of Law by Mohamed Ali Samantar in support of [3-1] motion by Mohamed Ali Samantar to Dismiss the Complaint for Lack of Personal Jurisdiction and [3-2] motion by Mohamed Ali Samantar to Dismiss the Complaint for Failure to State a Claim Upon Which Relief Can be Granted (stas) (Entered: 12/02/2004)
12/03/2004	5	ORDER, for Frederick Bert Goldberg to appear pro hac vice Filing Fee Paid \$ 50.00 Receipt # 100 176824 (signed by Judge Leonie M. Brinkema) Copies Mailed: y [EOD Date: 12/6/04] (pmet) (Entered: 12/06/2004)

12/03/2004	6	ORDER, for Julian Henry Spirer to appear pro hac vice Filing Fee Paid \$ 50.00 Receipt # 100 176823 (signed by Judge Leonie M. Brinkema) Copies Mailed: y [EOD Date: 12/6/04] (pmet) (Entered: 12/06/2004)
12/10/2004	7	ORDER setting Initial Pretrial Conference for 10:00 12/29/04 Discovery Deadline for 3/11/05 Final Pretrial Conference for 10:00 3/17/05 (see order for details) (signed by Judge Leonie M. Brinkema) Copies Mailed: y (pmet) (Entered: 12/10/2004)
12/10/2004		Initial pretrial conference set at 10:00 12/29/04 before Mag Judge Barry R. Poretz (pmet) (Entered: 12/10/2004)
12/13/2004	8	ORDER, resetting Initial Pretrial Conference for 10:00 1/12/05 before Mag Judge Barry R. Poretz (signed by Mag Judge Barry R. Poretz) Copies Mailed: y [EOD Date: 12/14/04] (pmet) (Entered: 12/14/2004)
12/15/2004	9	OPPOSITION by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, John Doe 3, John Doe 4 to [3-1] motion by Mohamed Ali Samatar to Dismiss the Complaint for Lack of Personal Jurisdiction and for Failure to State a Claim Upon Which Relief Can be Granted (pmet) (Entered: 12/15/2004)
12/15/2004	10	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 12/30/04 for [3-1] motion by Mohamed Ali Samatar to Dismiss the Complaint for Lack of Personal Jurisdiction and to Dismiss the Complaint for Failure to State a Claim Upon Which Relief Can be Granted (pmet) (Entered: 12/15/2004)
12/20/2004	11	MOTION by Mohamed Ali Samatar to Dismiss claims of anonymous pltfs (kjon) (Entered: 12/21/2004)
12/20/2004	12	MEMORANDUM OF LAW by Mohamed Ali Samatar in support of [11-1] motion by Mohamed Ali Samatar to Dismiss claims of pltfs (kjon) (Entered: 12/21/2004)
12/21/2004	13	Amended NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 1/7/05 for [3-1] motion by Mohamed Ali Samatar to Dismiss the Complaint for Lack of Personal Jurisdiction, set for 10:00 1/7/05 for [3-2] motion by Mohamed Ali Samatar to Dismiss the Complaint for Failure to State a Claim Upon Which Relief Can be Granted (clar) (Entered: 12/22/2004)
12/22/2004	14	Reply by Mohamed Ali Samatar in support to [3-1] motion by Mohamed Ali Samatar to Dismiss the Complaint for Lack of Personal Jurisdiction , [3-2] motion by Mohamed Ali Samatar to Dismiss the Complaint for Failure to State a Claim Upon Which Relief Can be Granted (mcke) (Entered: 12/23/2004)
12/27/2004	15	OBJECTION by Mohamed Ali Samatar to pltfs' interrogatories and requests for production of documents (pmet) (Entered: 12/27/2004)

12/29/2004	16	MOTION by John Doe 4, John Doe 3, John Doe 2, Jane Doe 1, John Doe 1 for Leave to Proceed Anonymously (stas) (Entered: 12/29/2004)
12/29/2004	17	MEMORANDUM of Law by John Doe 1, Jane Doe 1, John Doe 2, John Doe 3, John Doe 4 in support of [16-1] motion by John Doe 4, John Doe 3, John Doe 2, Jane Doe 1, John Doe 1 for Leave to Proceed Anonymously (together with one spiral bound volume of exhibits 1-11) (stas) (Entered: 12/29/2004)
12/29/2004	18	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 1/7/05 for [16-1] motion by John Doe 4, John Doe 3, John Doe 2, Jane Doe 1, John Doe 1 for Leave to Proceed Anonymously (stas) (Entered: 12/29/2004)
12/30/2004	19	Reply by Mohamed Ali Samatar to [3-1] motion by Mohamed Ali Samatar to Dismiss the Complaint for Lack of Personal Jurisdiction, [3-2] motion by Mohamed Ali Samatar to Dismiss the Complaint for Failure to State a Claim Upon Which Relief Can be Granted (corrected version) (jcup) (Entered: 01/03/2005)
01/05/2005	20	ORDER, for Deval Rajendra Zaveri to appear pro hac vice Filing Fee Paid \$ 50.00 Receipt # 100 177521 (signed by Judge Leonie M. Brinkema) Copies Mailed: Yes [EOD Date: 1/5/05] (kjon) (Entered: 01/05/2005)
01/05/2005	21	ORDER, for Welly Tantonio to appear pro hac vice Filing Fee Paid \$ 50.00 Receipt # 100 177521 (signed by Judge Leonie M. Brinkema) Copies Mailed: Yes [EOD Date: 1/5/05] (kjon) (Entered: 01/05/2005)
01/05/2005	22	ORDER, for Helene Norma Silverberg to appear pro hac vice Filing Fee Paid \$ 50.00 Receipt # 100 177521 (signed by Judge Leonie M. Brinkema) Copies Mailed: Yes [EOD Date: 1/5/05] (kjon) (Entered: 01/05/2005)
01/05/2005	23	ORDER, for Tara Melissa Lee to appear pro hac vice Filing Fee Paid \$ 50.00 Receipt # 100 177521 (signed by Judge Leonie M. Brinkema) Copies Mailed: Yes [EOD Date: 1/5/05] (kjon) (Entered: 01/05/2005)
01/05/2005	24	RESPONSE by Mohamed Ali Samatar in opposition to [16-1] motion by John Doe 4, John Doe 3, John Doe 2, Jane Doe 1, John Doe 1 for Leave to Proceed Anonymously (clar) (Entered: 01/06/2005)
01/07/2005		Motion hearing held before Judge Brinkema; Reporter: Thomson; Appearances by counsel for parties re: [16-1] motion by John Doe 4, John Doe 3, John Doe 2, Jane Doe 1, John Doe 1 for Leave to Proceed Anonymously. Motion granted. Deft's Motion to Dismiss-deferred pending report from counsel regarding position of the Department of State. Discovery and Initial pretrial stayed until further Order of the Court. Order to follow. (rtra) (Entered: 01/10/2005)
01/07/2005	25	For the reasons stated in open court, ORDER granting [16-1] motion by

		John Doe 4, John Doe 3, John Doe 2, Jane Doe 1, John Doe 1 for Leave to Proceed Anonymously. 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 prospective plaintiff; and it is further ORDERED that defendant report to the Court within thirty (30) days regarding his efforts to secure the position of the Department of State, 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 this 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. (signed by Judge Leonie M. Brinkema) Copies Mailed: 01/07/05 [EOD Date: 1/10/05] (rtra) (Entered: 01/10/2005)
01/14/2005	26	AFFIDAVIT of Cosimo Rucellai (not an original) (agil) (Entered: 01/14/2005)
01/19/2005	27	EMERGENCY MOTION by plaintiffs to Seal pursuant to local rule the original (previously-filed) [1-1] complaint (stas) (Entered: 01/19/2005)
01/19/2005	28	NON-CONFIDENTIAL MEMORANDUM by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, John Doe 3, John Doe 4 in support of [27-1] emergency motion by plaintiffs to Seal pursuant to local rule the original (previously-filed) [1-1] complaint (stas) Modified on 01/19/2005 (Entered: 01/19/2005)
01/19/2005	29	NOTICE of Hearing: Motion Hearing Deadline before Mag Judge Barry R. Poretz set for 10:00 1/28/05 for [27-1] emergency motion by plaintiffs to Seal pursuant to local rule the original (previously-filed) [1-1] complaint (stas) (Entered: 01/19/2005)
01/26/2005		Deadline updated; Motion Hearing Deadline before Mag Judge Barry R. Poretz set for 9:00 1/28/05 for [27-1] motion by plaintiffs to Seal pursuant to local rule the original (previously-filed) [1-1] complaint (clar) (Entered: 01/26/2005)
01/27/2005	30	AMENDED COMPLAINT by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, John Doe 3, John Doe 4, Aziz Deria ; amending [1-1] complaint; jury demand (pmet) Modified on 01/27/2005 (Entered: 01/27/2005)
01/28/2005		Minute entry: Magistrate Judge Poretz (FTR) Appearances: Counsel for Pltf. This matter came on Pltf's Motion to Seal pursuant to local rule the original (previously - filed) [1-1] complaint - Matter uncontested and and taken under advisement. Order to be issued. (jsch) Modified on 01/28/2005 (Entered: 01/28/2005)

01/28/2005	31	ORDER granting [27-1] motion by plaintiffs to Seal pursuant to local rule the original (previously-filed) [1-1] complaint. ORDERED that the Deft.'s motion to dismiss shall be deemed directed to the First Amended Complaint. (See Order for details)(signed by Mag Judge Barry R. Poretz) Copies Mailed: y [EOD Date: 1/31/05] (pmet) (Entered: 01/31/2005)
02/03/2005	32	REPORT by Mohamed Ali Samantar to the Court Regarding Position of the Department of State in Response to [25-1] Order (LARGE PLEADING) (pmet) Modified on 02/03/2005 (Entered: 02/03/2005)
02/03/2005	33	TRANSCRIPT for dates of 01-07-2005 (LMB) (pmet) (Entered: 02/04/2005)
02/07/2005	34	ORDERED that deft. report again to the Court regarding the Dept. of State's position on deft.'s immunity by 3/10/05 (signed by Judge Leonie M. Brinkema) Copies Mailed: y [EOD Date: 2/7/05] (pmet) (Entered: 02/07/2005)
02/08/2005	35	MOTION by Mohamed Ali Samantar to Dismiss for lack of personal jurisdiction, failure to state a claim upon which relief can be granted, and lack of subject matter jurisdiction (pmet) (Entered: 02/09/2005)
02/08/2005	36	MEMORANDUM by Mohamed Ali Samantar in support of [35-1] motion to Dismiss for lack of personal jurisdiction, failure to state a claim upon which relief can be granted, and lack of subject matter jurisdiction (pmet) (Entered: 02/09/2005)
02/22/2005	37	OPPOSITION by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, John Doe 3, John Doe 4, Aziz Deria to [35-1] motion by Mohamed Ali Samantar to Dismiss for lack personal jurisdiction, failure to state a claim upon which relief can be granted, and lack of subject matter jurisdiction (pmet) (Entered: 02/22/2005)
02/28/2005	38	REPLY by Mohamed Ali Samantar to response to [35-1] motion by Mohamed Ali Samantar to Dismiss for lack of personal jurisdiction, failure to state a claim upon which relief can be granted, and lack of subject matter jurisdiction (clar) (Entered: 03/01/2005)
03/11/2005	39	MOTION by Mohamed Ali Samantar for Leave to File Additional Authority (pmet) Modified on 03/11/2005 (Entered: 03/11/2005)
03/11/2005	40	MEMORANDUM by Mohamed Ali Samantar in support of [39-1] motion by Mohamed Ali Samantar for Leave to File Additional Authority (pmet) (Entered: 03/11/2005)
03/15/2005	41	MOTION by Mohamed Ali Samantar for Enlargement of Time to File and Motion for continuance of the deadline for reporting the position of the Department of State (LARGE PLEADING) (pmet) Modified on 03/16/2005 (Entered: 03/16/2005)

03/16/2005	42	ORDER granting [41-1] motion by Mohamed Ali Samantar for Enlargement of Time to File and Motion for continuance of the deadline for reporting the position of the Department of State ORDERED that defense counsel file by 4/15/05 a report on the position of the State Department regarding whether the Court should grant deft. head-of-state immunity (signed by Judge Leonie M. Brinkema) Copies Mailed: y [EOD Date: 3/16/05] (pmet) (Entered: 03/16/2005)
03/16/2005	40	Motions No Longer Referred: [11] Motion to Dismiss, [35] Motion to Dismiss, [3] Motion to Dismiss/Lack of Jurisdiction Motion to Dismiss, [39] Motion for Leave to File (ltun,) (Entered: 05/10/2005)
03/28/2005	43	Response by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, John Doe 3, John Doe 4, Aziz Deria to [39-1] motion by Mohamed Ali Samantar for Leave to File Additional Authority (pmet) (Entered: 03/28/2005)
04/04/2005	44	REPLY by Mohamed Ali Samantar to Plaintiff's response to [39-1] motion by Mohamed Ali Samantar for Leave to File Additional Authority (pmet) (Entered: 04/04/2005)
04/14/2005	45	MOTION by Mohamed Ali Samantar for Continuance of the deadline for reporting on the position of the Department of State (pmet) (Entered: 04/14/2005)
04/15/2005	46	ORDER granting [45-1] motion by Mohamed Ali Samantar for Continuance of the deadline for reporting on the position of the Department of State, ORDERED that deft. file within 30 days, 5/16/05, a report on the position of the Dept. of State (signed by Judge Leonie M. Brinkema) Copies Mailed: y [EOD Date: 4/18/05] (pmet) (Entered: 04/18/2005)
05/12/2005	47	MOTION for further continuance of the deadline for reporting on the position of the Department of State as to [42] Order, by Mohamed Ali Samantar. (pmet,) (Entered: 05/12/2005)
05/20/2005	48	ORDER granting [47] Motion for Extension of Time to File Report on the position of the State Department. Report due by 6/20/2005. Signed by Judge Leonie M. Brinkema on 05/20/05. c/s (pmet,) (Entered: 05/23/2005)
06/20/2005	49	MOTION for further continuance of the deadline for Reporting on the position of the Department of State, by Mohamed Ali Samantar. (pmet,) (Entered: 06/20/2005)
06/21/2005	50	ORDER granting [49] Motion for Extension of Time to File report on the position of the State Department. Report due by 7/22/2005. Signed by Judge Leonie M. Brinkema on 06/21/05. c/s (pmet,) (Entered: 06/21/2005)
07/21/2005	51	MOTION for further Continuance of the deadline for reporting on the position of the Department of State by Mohamed Ali Samantar. (nmck,) (Entered: 07/21/2005)

07/22/2005	●52	ORDER that dft file within 30 days of this Order a report on the position of the State Department regarding whether the Court should grant dft head-of-state immunity (see order for details). Signed by Judge Leonie M. Brinkema on 7/22/05 (kjon) Copies mailed (Entered: 07/25/2005)
08/19/2005	●53	MOTION for further continuance of the deadline for reporting on the position of the Department of State by Mohamed Ali Samantar (kjon) (Entered: 08/19/2005)
08/22/2005	●54	ORDER that defendant file within 30 days of this order a report on the position of the State Department regarding whether the Court should grant the defendant head-of-state immunity. Signed by Judge Leonie M. Brinkema on 08/22/05. Copies mailed on 8/23/05.(kbar) (Entered: 08/23/2005)
08/30/2005	●55	ORDER that all activity in this civil action has been stayed since 01/07/05, to allow the U.S. Dept. of of State to advise the court of its position as to whether the defendant is entitled to head of state immunity and that this action be and is stayed until further order of the court. Signed by Judge Leonie M. Brinkema on 08/30/05. (kbar,) (Entered: 08/31/2005)
09/21/2005	●56	STATUS REPORT on Obtaining the Position of the Department of State by Mohamed Ali Samantar. (kbar,) (Entered: 09/21/2005)
10/21/2005	●57	STATUS REPORT on obtaining the position of the department of state by Mohamed Ali Samantar. (kbar) (Entered: 10/21/2005)
11/21/2005	●58	Status report on obtaining the position of the Department of State by Mohamed Ali Samantar. (kbar) (Entered: 11/21/2005)
12/22/2005	●59	STATUS REPORT on obtaining the position of the department of state by Mohamed Ali Samantar. (kbar) (Entered: 12/23/2005)
01/20/2006	●60	STATUS REPORT on Obtaining the Position of the Dept of State by Mohamed Ali Samantar. (pmil) (Entered: 01/23/2006)
02/21/2006	●61	STATUS REPORT on obtaining the position of the Department of State by Mohamed Ali Samantar. (kbar) (Entered: 02/21/2006)
03/17/2006	●62	STATUS REPORT on Obtaining the Position of the Department of State by Mohamed Ali Samantar. (pmil) (Entered: 03/20/2006)
04/18/2006	●63	STATUS REPORT on obtaining the position of the Department of State by Mohamed Ali Samantar. (kbar) (Entered: 04/19/2006)
05/17/2006	●64	STATUS REPORT on obtaining the position of the Department of State by Mohamed Ali Samantar. (kbar) (Entered: 05/17/2006)
06/15/2006	●65	STATUS REPORT on obtaining the position of the Department of State by Mohamed Ali Samantar. (kbar) (Entered: 06/15/2006)
07/17/2006	●66	STATUS REPORT on obtaining the position of the department of state by

		Mohamed Ali Samantar. (kbar) (Entered: 07/17/2006)
08/17/2006	67	STATUS REPORT on Obtaining the Position of the Department of State, filed by Mohamed Ali Samantar. (tbul,) (Entered: 08/22/2006)
09/15/2006	68	STATUS REPORT ON OBTAINING THE POSITION OF THE DEPARTMENT OF STATE by Mohamed Ali Samantar. (pmil) (Entered: 09/15/2006)
10/20/2006	69	STATUS REPORT on obtaining the position of the Department of State by Mohamed Ali Samantar. (kbar) (Entered: 10/20/2006)
11/20/2006	70	STATUS REPORT on obtaining the position of the Department of State by Mohamed Ali Samantar. (kbar,) (Entered: 11/20/2006)
12/18/2006	71	STATUS REPORT on obtaining the position of the Dept. of State by Mohamed Ali Samantar. (kbar,) (Entered: 12/18/2006)
01/19/2007	72	STATUS REPORT on obtaining the position of the Department of State by Mohamed Ali Samantar. (kbar,) (Entered: 01/19/2007)
01/22/2007	73	ORDERED that counsel meet and confer regarding a mutually convenient Friday docket to hold a status conference and send notice of that date to the court, and it is further Ordered that the Clerk reinstate the case to the Court's active docket. Signed by Judge Leonie M. Brinkema on 01/22/07. Copies mailed.(kbar,) (Entered: 01/22/2007)
02/08/2007	74	NOTICE of Hearing: Status Conference set for 2/23/2007 10:00 AM before District Judge Leonie M. Brinkema. (kbar) (Entered: 02/09/2007)
02/22/2007	75	NOTICE of Voluntary Dismissal by John Doe 3, John Doe 4. (kbar) (Entered: 02/23/2007)
02/22/2007	76	MOTION for Leave to File the second amended complaint by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, Aziz Deria. (kbar,) (Entered: 02/23/2007)
02/22/2007	77	Memorandum in Support re [76] MOTION for Leave to File the second amended complaint by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, Aziz Deria.(kbar,) (Entered: 02/23/2007)
02/22/2007	78	NOTICE of Hearing on Motion [76] MOTION for Leave to File : Motion Hearing set for 3/9/2007 10:00 AM before Magistrate Judge Barry R. Poretz. (kbar) (Entered: 02/23/2007)
02/22/2007	79	MOTIONS [76] MOTION for Leave to File Ameded Complaint REFERRED to Judge Barry R. Poretz. (kbar) (Entered: 02/23/2007)
02/23/2007	80	Minute Entry for proceedings held before Judge Leonie M. Brinkema : Status Conference held on 2/23/2007. Appearance of counsel. Court to issue new scheduling order. (Court Reporter Thomson.) (lhin,) (Entered: 02/23/2007)

02/26/2007	●79	TRANSCRIPT of Proceedings held on 02/23/07 before Judge Leonie M. Brinkema. Court Reporter: Anneliese Thomson. (kbar) (Entered: 02/27/2007)
03/05/2007	●80	RESPONSE in Opposition to Pltf's [76] MOTION for Leave to File Second Amended Complaint filed by Mohamed Ali Samantar. (agil) (Entered: 03/05/2007)
03/06/2007	●	Reset Deadlines as to [76] MOTION for Leave to File the second amended complaint Motion Hearing set for 3/9/2007 10:00 AM before District Judge Leonie M. Brinkema. (clar,) (Entered: 03/06/2007)
03/08/2007	●81	REPLY in support of Plaintiff's Motion for Leave to File the Second Amended Complaint [76] filed by Bashe Abdi Yousuf. (lhin,) (Entered: 03/12/2007)
03/09/2007	●	Minute Entry for proceedings held before Judge Leonie M. Brinkema : Motion Hearing held on 3/9/2007. Appearance of counsel. [76] Plaintiff's MOTION for Leave to File 2nd amended complaint - GRANTED. Court to issue a Scheduling Order. (Court Reporter Thomson) (lhin,) (Entered: 03/09/2007)
03/09/2007	●82	ORDER: For the reasons stated in open court, it is hereby ordered the the [76] Plaintiffs' Motion for Leave to File the Second Amended Complaint be and is GRANTED. Signed by Judge Leonie M. Brinkema on 3/9/2007. Copies sent. (lhin,) (Entered: 03/12/2007)
03/09/2007	●83	SCHEDULING ORDER: Initial Pretrial Conference set for Wednesday 3/28/2007 10:00 AM before Magistrate Judge Barry R. Poretz . Final Pretrial Conference set for 8/16/2007 10:00 AM before District Judge Leonie M. Brinkema. Discovery due by 8/10/2007. Signed by Judge Leonie M. Brinkema on 3/9/2007. Any party required to file an answer must do so withint twenty (20) days. Copies sent.(lhin,) Modified on 3/27/2007 (lhin,). (Entered: 03/12/2007)
03/21/2007	●84	JOINT Discovery Plan by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, Mohamed Ali Samantar, Aziz Deria.(kbar) (Entered: 03/21/2007)
03/21/2007	●85	CONSENT MOTION for enlargement of time to file updated motion to dismiss by Mohamed Ali Samantar. (kbar,) (Entered: 03/22/2007)
03/21/2007	●86	Memorandum in Support re [85] CONSENT MOTION for enlargement of time to file updated motion to dismiss filed by Mohamed Ali Samantar. (kbar,) (Entered: 03/22/2007)
03/21/2007	●87	AFFIDAVIT of Fred B. Goldberg by Mohamed Ali Samantar. (kbar,) (Entered: 03/22/2007)
03/23/2007	●88	ORDER, that the [85] CONSENT MOTION for enlargement of time to file

		updated motion to dismiss by Mohamed Ali Samantar be and is granted, and defendant shall file said motion no later than 3/29/07. Signed by Judge Leonie M. Brinkema on 03/23/07. Copies mailed. (kbar,) (Entered: 03/23/2007)
03/27/2007	●	Initial Pretrial Conference set for 3/28/2007 10:00 AM before Magistrate Judge Barry R. Poretz. (lhin,) (Entered: 03/27/2007)
03/28/2007	●	INITIAL Pretrial Conference held before Magistratet Judge Barry R. Poretz on 3/28/2007. Counsel for Pltf & Def. Joint Discovery Plan taken under advisement. Order to issue. (jshc) (Entered: 04/03/2007)
03/29/2007	●89	MOTION to Dismiss Second Amended Complaint by Mohamed Ali Samantar. (kbar,) (Entered: 03/29/2007)
03/29/2007	●90	Memorandum in Support re [89] MOTION to Dismiss Second Amended Complaint filed by Mohamed Ali Samantar. (kbar,) (Entered: 03/29/2007)
03/29/2007	●91	NOTICE of Hearing on Motion [89] MOTION to Dismiss Second Amended Complaint : Motion Hearing set for 4/27/2007 10:00 AM before District Judge Leonie M. Brinkema. (kbar) (Entered: 03/29/2007)
03/30/2007	●92	Order Rule 16(b) Scheduling Order - Pursuant to the Rule 16(b) Conference it is ordered that copies of all non-dispositive motions and all papers relating to such motions shall be delivered directly to the chambers of the undersigned magistrate judge when the originals are filed with the clerk. Signed by Judge Barry R. Poretz on 03/30/07. Copies mailed.(kbar) (Entered: 04/02/2007)
04/11/2007	●93	CONSENT MOTION for Extension of time to file opposition to motion to dismiss by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, Aziz Deria. (krob) (Entered: 04/12/2007)
04/11/2007	●94	Memorandum in Support re [93] CONSENT MOTION for Extension of time to file opposition to motion to dismiss filed by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, Aziz Deria. (krob,) (Entered: 04/12/2007)
04/12/2007	●95	ORDER that the [93] CONSENT MOTION for Extension of time to file opposition to motion to dismiss by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, Aziz Deria is GRANTED, and plaintiffs shall file said motion no later than 4/18/07. Signed by Judge Leonie M. Brinkema on 04/12/07. Copies mailed. (krob) (Entered: 04/13/2007)
04/18/2007	●96	Opposition to [89] MOTION to Dismiss Second Amended Complaint filed by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, Aziz Deria (large pleading) (clar,) (Entered: 04/19/2007)
04/20/2007	●97	MOTION for entry of a Protective Order by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, Aziz Deria. (clar,) (Entered: 04/23/2007)

04/20/2007	●98	Memorandum in Support of [97] MOTION for entry of a Protective Order filed by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, Aziz Deria. (clar,) (Entered: 04/23/2007)
04/20/2007	●99	NOTICE of Hearing on Motion [97] MOTION for entry of a Protective Order: Motion Hearing set for 4/27/2007 10:00 AM before Magistrate Judge Barry R. Poretz. (clar,) (Entered: 04/23/2007)
04/20/2007	●	MOTIONS [97] MOTION for entry of a Protective Order REFERRED to Judge Poretz. (clar,) (Entered: 04/23/2007)
04/23/2007	●100	REPLY to Response to Motion re [89] MOTION to Dismiss Second Amended Complaint filed by Mohamed Ali Samantar. (clar,) (Entered: 04/24/2007)
04/24/2007	●	Reset Deadlines as to [97] MOTION for entry of a Protective Order Motion Hearing set for 4/27/2007 09:00 AM before Magistrate Judge Barry R. Poretz. (clar,) (Entered: 04/24/2007)
04/25/2007	●101	Memorandum of Points and Authorities by Mohamed Ali Samantar in Support of Defendant's Opposition to [97] MOTION by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, Aziz Deria for entry of a Protective Order. (stas) (Entered: 04/25/2007)
04/26/2007	●	Reset Deadlines as to [89] MOTION to Dismiss Second Amended Complaint Motion Hearing set for 4/27/2007 10:30 AM before District Judge Leonie M. Brinkema. (clar,) (Entered: 04/26/2007)
04/27/2007	●	MOTION Hearing held before Magistrate Judge Barry R. Poretz on 4/27/2007. Appearances: Counsel for Pltf. & Deft. This matter came on for Pltf's. Motion for a Protective Order - Matter argued and Taken under advisement. (FTR)(jsch) (Entered: 04/27/2007)
04/27/2007	●	Minute Entry for proceedings held before Judge Leonie M. Brinkema. Motion Hearing held on 4/27/2007. Appearance of counsel. [89] MOTION to Dismiss filed by Mohamed Ali Samantar is Granted. Case dismissed. Opinion to follow. (Court Reporter Thomson.) (lhin,) (Entered: 04/27/2007)
04/27/2007	●102	ORDER: For the reasons stated in open court, to be further expressed in a written opinion to be issued, the dft's [89] Motion to Dismiss Second Amended Complaint is Granted, and it is hereby ordered that the plaintiffs' complaint be and is dismissed with prejudice. The time period for bringing an appeal will not begin to run until the Court has issued its written opinion. (Note: Entry of judgment is delayed until the Court has issued its written opinion). Signed by Judge Leonie M. Brinkema on 4/27/2007. (copies sent) (lhin,) (Entered: 04/27/2007)
04/30/2007	●103	ORDER denying [97] Motion for Protective Order. Signed by Judge Barry R. Poretz on 04/30/07. Copies mailed. (krob) (Entered: 05/01/2007)

05/07/2007	●104	TRANSCRIPT of Proceedings held on 04/27/07 before Judge Leonie M. Brinkema. Court Reporter: Anneliese J. Thomson. (krob) (Entered: 05/07/2007)
06/27/2007	●105	SUPPLEMENTAL filing relating to correspondence with the State Department by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, Aziz Deria. (krob) (Entered: 06/27/2007)
08/01/2007	●106	MEMORANDUM AND OPINION. Signed by Judge Leonie M. Brinkema on 8/1/2007. (lhin,) (Entered: 08/02/2007)
08/01/2007	●107	ORDER : For the reasons stated in open court and in the accompanying Memorandum Opinion, the defendant's Motion to Dismiss Second Amended Complaint has been granted, and it is hereby ordered that the Clerk enter judgment in the defendant's favor pursuant to Fed. R. Civil P. 58. Signed by Judge Leonie M. Brinkema on 8/1/2007. (copies sent)(lhin,) (Entered: 08/02/2007)
08/01/2007	●108	CLERK'S JUDGMENT. Pursuant to the order of this Court entered on 8/1/2007 and in accordance with Federal Rules of Civil Procedure 58, JUDGMENT is hereby entered in favor of the Defendant Mohamed Ali Samantar against the Plaintiff, Bashe Abdi Yousuf, et al. Signed by Judge Leonie M. Brinkema on 8/1/2007. (copies sent)(lhin,) (Entered: 08/02/2007)
08/30/2007	●109	NOTICE OF APPEAL as to [108] Clerk's Judgment dated 8/1/07, 107 Order dated 8/1/07 by Bashe Abdi Yousuf, John Doe 1, Jane Doe 1, John Doe 2, Aziz Deria. Filing fee \$ 455, receipt number 100003298. Copy sent to USCA and to parties. (nmck,) (Entered: 09/05/2007)