



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No. IT-98-30-PT
Date: 16 December 1998
Original: English

IN THE TRIAL CHAMBER

Before: Judge Richard May, Presiding
Judge Mohamed Bennouna
Judge Patrick Robinson

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Order of: 16 December 1998

PROSECUTOR

v.

**MIROSLAV KVOČKA
MILOJICA KOS
MLADO RADIĆ
ZORAN ŽIGIĆ**

SCHEDULING ORDER

The Office of the Prosecutor:

**Ms. Brenda Hollis
Mr. Kapila Waidyaratne**

**Mr. Michael Keegan
Mr. James Cowles**

Counsel for the Accused:

**Mr. Krstan Simić, for Miroslav Kvočka
Mr. Žarko Nikolić, for Milojica Kos
Mr. Toma Fila, for Mlado Radić
Mr. Simo Tošić, for Zoran Žigić**

THIS TRIAL CHAMBER of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 ("International Tribunal"),

BEING SEIZED OF, *inter alia*, a "Request for Temporary Release", filed by counsel for the accused Milojica Kos on 19 October 1998 ("the Motion"),

NOTING the response of the Office of the Prosecutor ("Prosecution") to the Motion filed on 27 October 1998 ("the Response"),

NOTING that the parties agreed at a status conference held in this case on 10 December 1998 that the Trial Chamber may determine the Motion without hearing oral argument, subject to the request of counsel for Milojica Kos to be permitted to file a reply to the Response,

NOTING ALSO the discussions on the Motion and on other matters that took place during the status conference, in particular, as to disclosure of materials by the Prosecution and the filing of preliminary motions,


PURSUANT TO Rules 54, 72 and 73 of the Rules of Procedure and Evidence of the International Tribunal,

HEREBY ORDERS as follows:

- (1) counsel for Milojica Kos shall file a reply to the Response by Monday 21 December 1998 and the Trial Chamber shall rule upon the Motion thereafter;
- (2) the Prosecution shall inform the Trial Chamber, in writing, of the date on which disclosure is completed, in a language which the accused understand, of the material that accompanied the amended indictment when confirmation was sought;
- (3) the Defence shall file any preliminary motions pursuant to Rule 72 no later than thirty days after the date on which such disclosure is completed;
- (4) the Prosecution shall file its response to any such preliminary motions within fourteen days thereafter;
- (5) the Prosecution shall file by Monday 11 January 1999 any motions relating to questions of admissions of fact, expert testimony in other cases, documents to be admitted, and any other matters aimed at expediting the trial of this matter;

- (6) the Defence shall file their responses to such motions by Thursday 11 February 1999;
- (7) the parties shall each file a notice with the Trial Chamber no later than Thursday 25 February 1999, indicating the motions on which agreement cannot be reached and on which an oral hearing is requested;
- (8) the Trial Chamber will hear oral argument on any motions on which agreement cannot be reached commencing at 10 a.m. on Tuesday 9 March 1999 and continuing on Wednesday 10 March 1999, if necessary, followed by a closed session status conference.

Done in English and French, the English text being authoritative.



Richard May
Presiding Judge

Dated this sixteenth day of December 1998
At The Hague
The Netherlands

[Seal of the Tribunal]