



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

Case No.: IT-99-37-PT
Date: 3 March 2003
Original: English

IN THE TRIAL CHAMBER

Before: Judge Richard May, Presiding
Judge Patrick Robinson
Judge O-Gon Kwon

Registrar: Mr. Hans Holthuis

Decision of: 3 March 2003

PROSECUTOR

v.

**MILAN MILUTINOVIĆ
DRAGOLJUB OJDANIĆ
NIKOLA ŠAINOVIĆ**

ORDER ON OJDANIĆ DEFENCE REQUEST TO FILE A REPLY

The Office of the Prosecutor

Ms. Carla Del Ponte
Mr. Geoffrey Nice
Ms. Cristina Romano

Counsel for the Accused

Mr. John Livingston, for Milan Milutinović
Mr. Tomislav Višnjić and Mr. Peter Robinson, for Dragoljub Ojdanić
Mr. Toma Fila and Mr. Vladimir Petrović, for Nikola Šainović

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 SEISED OF a “Motion for Leave to File Reply Brief: Second Application for Provisional Release”, filed on 27 February 2003 (“Request”), in which the Ojdanić Defence requests leave to file a Reply to the Prosecution’s Response to its confidential second application for provisional release,

NOTING that the Request must be determined by reference to Rule 126 *bis* of the Rules of Procedure and Evidence of the International Tribunal (“Rules”), which states as follows:

Unless otherwise ordered by a Chamber either generally or in the particular case, a response, if any, to a motion filed by a party shall be filed within fourteen days of the filing of the motion. A reply to the response, if any, shall be filed within seven days of the filing of the response, with the leave of the relevant Chamber.

CONSIDERING the assertion of the Ojdanić Defence that such a Reply would clarify certain matters and accompanied by a personal guarantee,

PURSUANT TO Rule 126 *bis* of the Rules

HEREBY GRANTS THE REQUEST and **ORDERS** the Ojdanić Defence to file its Reply within seven days.

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



Judge May
Presiding

Dated this third day of March 2003
At The Hague
The Netherlands

[Seal of the Tribunal]