



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-05-88-PT
Date: 13 June 2006
Original: English

IN TRIAL CHAMBER II

Before: Judge Carmel Agius, Pre-trial Judge

Registrar: Mr. Hans Holthuis

Decision of: 13 June 2006

THE PROSECUTOR
v.
VUJADIN POPOVIĆ
LJUBIŠA BEARA
DRAGO NIKOLIĆ
LJUBOMIR BOROVIČANIN
ZDRAVKO TOLIMIR
RADIVOJE MILETIĆ
MILAN GVERO
VINKO PANDUREVIĆ
MILORAD TRBIĆ

**DECISION ON PROSECUTION'S FURTHER REQUEST FOR AN
EXTENSION OF TIME TO FILE THE SECOND CONSOLIDATED
AMENDED INDICTMENT**

The Office of the Prosecutor:

Mr. Peter McCloskey

Counsel for the Accused:

Zoran Živanović for Vujadin Popović
John Ostojic and Christopher Meek for Ljubiša Beara
Jelena Nikolić and Stephane Bourgon for Drago Nikolić
Alexander Lazarević and Miodrag Stojanović for Ljubomir Borovčanin
Natacha Fauveau Ivanović for Radivoje Miletić
Dragan Krgović for Milan Gvero
Peter Haynes and Đorđe Sarapa for Vinko Pandurević
Stephane Piletta-Zanin for Milorad Trbić

I, Carmel Agius, Judge 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 (“Tribunal”);

HAVING DESIGNATED MYSELF pre-trial Judge in the case of *Prosecutor v. Vujadin Popović, Ljubiša Beara, Drago Nikolić, Ljubomir Borovčanin, Zdravko Tolimir, Radivoje Miletić, Milan Gvero, Vinko Pandurević and Milorad Trbić*, Case No. IT-05-88-PT;¹

NOTING the “Prosecution’s Further Request for an Extension of Time to File the Second Consolidated Amended Indictment” (“Motion”), filed on 13 June 2006;

NOTING the Trial Chamber’s “Decision on Motions Challenging the Indictment Pursuant to Rule 72 of the Rules” (“Decision”), filed on 31 May 2006, wherein the Trial Chamber, *inter alia*, ordered the Prosecution to file, no later than 9 June 2006, a second consolidated amended indictment;

NOTING the “Decision on Prosecution’s Request for an Extension of Time to File the Second Consolidated Amended Indictment”, filed on 8 June 2006, wherein the Trial Chamber granted the Prosecution’s request and ordered the Prosecution to file the Second Consolidated Amended Indictment no later than Tuesday, 13 June 2006;

NOTING that “the Prosecution now requests one additional day to complete the filing, due to the time necessary to properly draft and track the extensive amendments required under the Decision”²;

NOTING that pursuant to Rule 127(A)(i) of the Rules of Procedure and Evidence (“Rules”), a Trial Chamber may on good cause being shown by motion, enlarge any time prescribed by or under these Rules;

CONSIDERING that the Trial Chamber is satisfied that by its submissions the Prosecution has shown good cause;

¹ Order designating a pre-trial Judge, 5 October 2005.

² Motion, para. 2.

PURSUANT TO Rule 127 of the Rules;

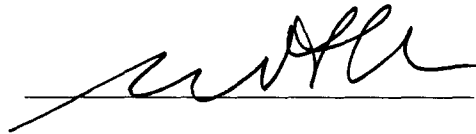
HEREBY GRANTS the Motion and **ORDERS** the Prosecution to file the Second Consolidated Amended Indictment no later than Wednesday, 14 June 2006.

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

Dated this thirteenth day of June 2006

At The Hague

The Netherlands



Judge Carmel Agius

Pre-trial Judge

[Seal of the Tribunal]