



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-05-87-T  
Date: 18 April 2008  
Original: English

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**IN THE TRIAL CHAMBER**

**Before:** Judge Iain Bonomy, Presiding  
Judge Ali Nawaz Chowhan  
Judge Tsvetana Kamenova  
Judge Janet Nosworthy, Reserve Judge

**Registrar:** Mr. Hans Holthuis

**Order of:** 18 April 2008

**PROSECUTOR**

v.

**MILAN MILUTINOVIĆ  
NIKOLA ŠAINOVIĆ  
DRAGOLJUB OJDANIĆ  
NEBOJŠA PAVKOVIĆ  
VLADIMIR LAZAREVIĆ  
SRETEN LUKIĆ**

**PUBLIC**

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**ORDER ON FILING OF REBUTTAL APPLICATIONS PURSUANT TO RULE 85**

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**Office of the Prosecutor**

Mr. Thomas Hannis  
Mr. Chester Stamp

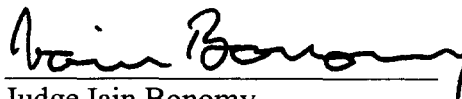
**Counsel for the Accused**

Mr. Eugene O'Sullivan and Mr. Slobodan Zečević for Mr. Milan Milutinović  
Mr. Toma Fila and Mr. Vladimir Petrović for Mr. Nikola Šainović  
Mr. Tomislav Višnjić and Mr. Norman Sepenuk for Mr. Dragoljub Ojdanić  
Mr. John Ackerman and Mr. Aleksandar Aleksić for Mr. Nebojša Pavković  
Mr. Mihajlo Bakrač and Mr. Đuro Čepić for Mr. Vladimir Lazarević  
Mr. Branko Lukić and Mr. Dragan Ivetić for Mr. Sreten Lukić

**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 (“Tribunal”) notes the “Pavković Notice of Intent to Seek Leave to Call Expert Witnesses and Rebuttal Witnesses,” filed 14 April 2008 (“Notice”), and hereby renders *ex proprio motu* this order in relation thereto.

1. In the Notice, the Pavković Defence advises the Trial Chamber and the parties that it may request leave to call one or two rebuttal witnesses to counter the evidence adduced by the Lukić Defence during its case, and that, if such a motion is to be filed, it will be done in the near future.
2. The Prosecution has indicated that it most likely will not seek to call any evidence in rebuttal.<sup>1</sup>
3. The Chamber notes that the Lukić Defence has indicated it will close its case next week; the Chamber will then proceed to hear evidence from joint expert witnesses of the Defence and then any evidence called by the Chamber pursuant to Rule 98. As such, the completion of the evidence phase of the trial is nearing a close; and, in order to ensure the fair and expeditious conduct of the proceedings, the Chamber considers that it is appropriate to set a deadline by which all applications for the adducement of rebuttal evidence pursuant to Rule 85 must be filed.
4. Accordingly, the Trial Chamber, pursuant to Articles 20 and 21 of the Statute of the Tribunal and Rules 54 and 85 of the Rules of Procedure and Evidence of the Tribunal, hereby **ORDERS** that the parties shall file any applications for leave to call rebuttal evidence by no later than Monday, 28 April 2008.

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

  
Judge Iain Bonomy  
Presiding

Dated this eighteenth day of April 2008  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**

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<sup>1</sup> T. 23650 (4 March 2008).