



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-05-87/1-PT

Date: 17 July 2008

Original: English

IN TRIAL CHAMBER III

Before: Judge Frederik Harhoff, pre-trial Judge
Registrar: Mr. Hans Holthuis
Decision of: 17 July 2008

PROSECUTOR

v.

VLASTIMIR ĐORĐEVIĆ

PUBLIC

**DECISION ON PROSECUTION MOTION FOR
EXTENSION OF TIME AND INCORPORATED
SCHEDULING ORDER**

The Office of the Prosecutor

Mr. Thomas Hannis
Mr. Chester Stamp

Counsel for the Accused

Mr. Dragoljub Đorđević
Mr. Veljko Đurđić

I, FREDERIK HARHOFF, 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”);

BEING SEISED of the “Prosecution motion for extension of time”, filed on 16 July 2008 (“Motion”), whereby the Prosecution requests an extension of the deadline of 25 August 2008 for the submission of the Prosecution’s pre-trial brief until 8 September 2008;¹

RECALLING that on 27 June 2008 the Prosecution was ordered to file its submissions pursuant Rule 65 *ter* (E) by Monday 25 August 2008 and the Defence was ordered to file its submissions pursuant Rule 65 *ter* (F) by Monday 15 September 2008;²

NOTING the Prosecution’s submissions that the extension is necessary because of the significance of the testimony on 8-9 July 2008 in *Prosecutor v. Milutinović et al.* (Case No. IT-05-87-T) of General Aleksandar Dimitrijević, which, in the Prosecution’s view, constitutes a “material change in circumstances” and has had a “material, detrimental effect on the Prosecution’s ability to meet the currently scheduled deadline of 25 August 2008 for filing of its Pre-Trial Brief”;³

RECALLING that at the hearing on 17 July 2008 the pre-trial Judge held that an extension of one week for both parties would still, however, enable the trial to commence in mid-October 2008;⁴

RECALLING that it was also held at the hearing on 17 July 2008 that in view of the Chamber’s “Decision on Prosecution motion for leave to amend the third amended indictment” of 7 July 2008, the Defence shall file any further preliminary motions pursuant to Rule 50(C) of the Rules of Procedure and Evidence within 30 days of that decision;⁵

PURSUANT TO Rule 54;

GRANT the Motion **IN PART**;

ORDER the Prosecution to file its submissions pursuant Rule 65 *ter* (E) by Monday 1 September 2008; and

¹ Motion, para. 6.

² “Scheduling pre-trial order setting the dates for submission of the pre-trial briefs”, filed on 27 June 2008.

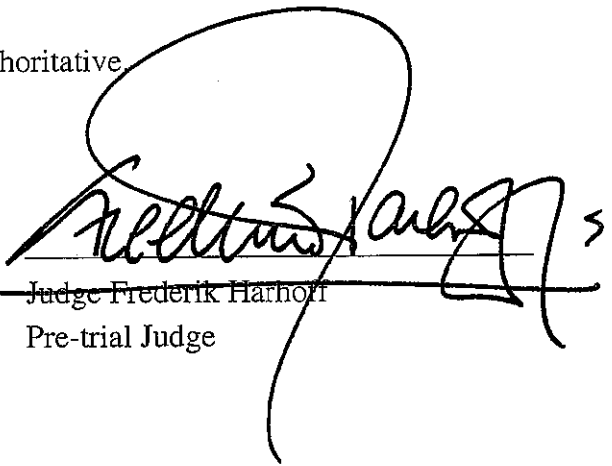
³ Motion, paras 3-4.

⁴ Further appearance, 17 July 2008.

⁵ *Ibid.*

ORDER the Defence to file its submissions pursuant Rule 65 *ter* (F) by Monday 22 September 2008.

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



Judge Frederik Harhoff
Pre-trial Judge

Dated this seventeenth day of July 2008

At The Hague

The Netherlands

[Seal of the Tribunal]