

**UNITED
NATIONS**



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: 19 January 2009
Original: English

IN TRIAL CHAMBER II

Before: Judge Kevin Parker, Presiding
Judge Christoph Flügge
Judge Melville Baird

Registrar: Mr John Hocking, Acting Registrar

Order: 19 January 2009

PROSECUTOR

v.

VLASTIMIR ĐORĐEVIĆ

PUBLIC

**ORDER REGARDING THE DEFENCE'S REQUEST FOR
LEAVE TO REPLY**

The Office of the Prosecutor:

Mr Chester Stamp
Ms Daniela Kravetz
Mr Matthias Neuner
Ms Priya Gopalan
Ms Silvia D'Ascoli

Counsel for the Accused:

Mr Dragoljub Đorđević
Mr Veljko Đurđić

THIS TRIAL CHAMBER (“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;

BEING SEIZED of “Vlastimir Đorđević’s Request to Reply to Prosecution’s Response to Defence’s Notice Pursuant to Rule 94bis(B)” filed on 14 January 2009 (“Request”), in which Counsel for the Accused (“Defence”) is seeking leave to reply to the “Prosecution’s Response to Defence’s Notice Pursuant to Rule 92bis(B)” filed on 12 January 2009 (“Response”);

NOTING “Vlastimir Đorđević’s Notice Pursuant to Rule 94bis(B)” (“Notice”) filed on 30 May 2008, whereby the Defence, *inter alia*, challenged, pursuant to Rule 94bis(B) of the Rules of Procedure and Evidence (“Rules”), the qualifications of Patrick Ball and Philip Coo, whom the Prosecution intends to call as expert witnesses;

NOTING the “Prosecution’s Response to Đorđević’s Notice Pursuant to Rule 94bis(B)” filed on 16 June 2008;

NOTING the Chamber’s oral order given on 16 December 2008 and instructing the Prosecution to file a response to the Notice in so far as it concerns the qualifications of Patrick Ball and Philip Coo;

NOTING that the Response was filed in compliance with the Chamber’s order of 16 December 2008;

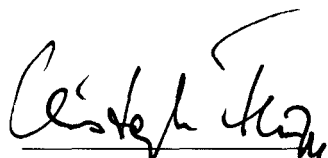
CONSIDERING that submissions of the Defence in respect of the Response may be of assistance to the Chamber in reaching its decision on the matter;

Pursuant to Rules 94bis(B) and 126bis of the Rules,

GRANTS the Request and **ORDERS** that the Defence should file its reply to the Response, limited to the matters discussed in the Response, not later than 23 January 2009.

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

Dated this nineteenth day of January 2009,
At The Hague
The Netherlands



Judge Christoph Flügge

[Seal of the Tribunal]