

**UNITED  
NATIONS**



International Tribunal for the Prosecution of  
Persons Responsible for Serious Violations of  
International Humanitarian Law Committed in  
the Territory of Former Yugoslavia since 1991

Case No. IT-04-81-T  
Date: 12 January 2010  
Original: English

**IN TRIAL CHAMBER I**

**Before:** Judge Bakone Justice Moloto, Presiding  
Judge Pedro David  
Judge Michèle Picard

**Registrar:** Mr. John Hocking

**Order of:** 12 January 2010

**PROSECUTOR**

v.

**MOMČILO PERIŠIĆ**

***PUBLIC***

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**ORDER TO DEFENCE TO EXPEDITE FILINGS**

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**The Office of the Prosecutor**

Mr. Mark B. Harmon  
Mr. Daniel Saxon

**Counsel for the Accused**

Mr. Novak Lukić  
Mr. Gregor Guy-Smith

**TRIAL CHAMBER I** (“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”);

**BEING SEISED** of the Prosecution’s “Prosecution Motion to Add Garry Selsky as a 92 *bis* Witness, with Public Annex A and Confidential Annex B” (“Selsky Motion”), and the “Prosecution Motion to Re-call Witness Randall”, (“Randall Motion”), each filed on 11 January 2010;

**CONSIDERING** that the issues regarding the addition of Garry Selsky to the 65 *ter* witness list and the admission of his statement into evidence pursuant to Rule 92 *bis* of the Rules of Procedure and Evidence (“Rules”) have been argued at length by the Prosecution and Defence in their submissions relating to documents marked for identification during the Prosecution’s case;<sup>1</sup>

**CONSIDERING** that the Randall Motion pertains to the origin of exhibit P600, which the Prosecution and Defence have already discussed,<sup>2</sup> and that the Prosecution submits that witness Bretton Randall is available at the Trial Chamber’s convenience until 31 January 2010;<sup>3</sup>

**NOTING** that on 12 November 2009 the Trial Chamber scheduled the Defence to begin its case on 25 January 2010;<sup>4</sup>

**FINDING** there to be good cause for advancing the Defence responses to both motions to ensure the expeditious proceeding of the trial;

**PURSUANT** to Rules 54, 126 *bis* and 127 of the Rules;

**HEREBY ORDERS** the Defence to file responses to the Selsky Motion and Randall Motion, if any, by noon on Monday, 18 January 2010.

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<sup>1</sup> Public Defence Submission Regarding Outstanding Documents Labelled “Marked for Identification” with Confidential Annex A and Public Annex B, 19 November 2009; Prosecution Submission Regarding Outstanding Documents Labelled “Marked for Identification”, with Annexes A to I, 2 December 2009.

<sup>2</sup> Randall Motion, para. 2.

<sup>3</sup> Randall Motion, para. 3, footnote 2.

<sup>4</sup> Oral Order, T. 9726, 12 November 2009; Decision on Reconsideration of the Trial Chamber’s Oral Order on the Filing of the Rule 65 *ter* (G) List, 15 December 2009.

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

A handwritten signature in black ink, appearing to read 'Bakone Justice Moloto', is written above a horizontal line. A vertical line is positioned to the right of the signature.

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Judge Bakone Justice Moloto  
Presiding Judge

Dated this twelfth day of January 2010  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**