



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-04-82-A  
Date: 17 November 2008  
Original: English

**IN THE APPEALS CHAMBER**

**Before:** Judge Mehmet Güney, Presiding  
**Registrar:** Mr. Hans Holthuis  
**Order of:** 17 November 2008

**PROSECUTOR**

v.

**LJUBE BOŠKOSKI  
JOHAN TARČULOVSKI**

*PUBLIC*

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**ORDER DESIGNATING THE PRE-APPEAL JUDGE**

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**Office of the Prosecutor**

Mr. Paul Rogers

**Counsel for Ljube Boškosi**

Ms. Edina Rešidović and Mr. Guénaél Mettraux

**Counsel for Johan Tarčulovski**

Mr. Alan M. Dershowitz, Mr. Nathan Z. Dershowitz, Mr. Antonio Apostolski and Mr. Jordan Apostolski

*Original*

I, **MEHMET GÜNEY**, Judge of the Appeals 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 (“International Tribunal”),

**NOTING** the Judgement rendered in this case by Trial Chamber II on 10 July 2008;<sup>1</sup>

**NOTING** the appeals filed by the Prosecution<sup>2</sup> and Johan Tarčulovski<sup>3</sup> against the Trial Judgement;

**NOTING** the “Order Assigning Judges to a Case before the Appeals Chamber and Appointing a Pre-Appeal Judge” filed on 30 July 2008;

**NOTING** the “Order Replacing a Judge in a Case Before the Appeals Chamber”, issued on 11 November 2008, replacing Judge Fausto Pocar with Judge Mehmet Güney;

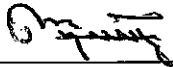
**NOTING** that, pursuant to Rule 22(B) of the Rules of Procedure and Evidence of the International Tribunal (“Rules”), I have been elected as Presiding Judge in the present case;

**PURSUANT TO** Rules 65*ter* and 107 of the Rules,

**HEREBY DESIGNATE**, with immediate effect, myself as Pre-Appeal Judge in this case.

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

Done this 17th day of November 2008,  
At The Hague,  
The Netherlands.

  
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Judge Mehmet Güney  
Presiding

[Seal of the International Tribunal]

<sup>1</sup> *Prosecutor v. Ljube Bošković and Johan Tarčulovski*, Case No. IT-04-82-T, Judgement, 10 July 2008 (“Trial Judgement”).

<sup>2</sup> Prosecution’s Notice of Appeal, 6 August 2008; Notice of Filing of Corrected Public Redacted Version of Prosecution’s Appeal Brief, 4 November 2008.

<sup>3</sup> Tarčulovski Notice of Appeal, 8 August 2008.