

IT-04-82-A
A376-A374
28 November 2008

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**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-04-82-A
Date: 28 November 2008
Original: English

BEFORE THE PRE-APPEAL JUDGE

Before: Judge Mehmet Güney, Pre-Appeal Judge
Registrar: Mr. Hans Holthuis
Order of: 28 November 2008

PROSECUTOR

v.

**LJUBE BOŠKOSKI
JOHAN TARČULOVSKI**

PUBLIC

ORDER ON VARIATION OF SCHEDULING ORDER

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

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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 ("Tribunal"), and Pre-Appeal Judge in this case;¹

RECALLING the Scheduling Order issued on 19 November 2008 ordering that a status conference before the Pre-Appeal Judge be held on Monday 1 December 2008 at noon in Courtroom 2 ("Scheduling Order" and "Status Conference", respectively);

RECALLING that the Scheduling Order further ordered Counsel for Johan Tarčulovski, Mr. Nathan Z. Dershowitz, to file a written statement confirming his oral request to participate to the Status Conference by telephone conference rather than in person by Monday 24 November 2008, should he maintain his request;

NOTING that on 26 November 2008 Counsel Nathan Z. Dershowitz confirmed, through an e-mail to the Appeals Chamber, his request to participate to the Status Conference via tele-conference;

NOTING Johan Tarčulovski's written consent to Counsel Nathan Z. Dershowitz's participation in the Status Conference via tele-conference, received on 27 November 2008;

CONSIDERING that pursuant to Rule 65*bis* (C) (i) of the Rules of Procedure and Evidence of the Tribunal ("Rules"), with the written consent of the accused, given after receiving advice from his counsel, a status conference may be conducted in the presence of the accused, but with his counsel participating via tele-conference;

PURSUANT TO RULES 65*bis* (C) and 107 OF THE RULES

HEREBY VARY the Scheduling Order to the effect that Counsel Nathan Z. Dershowitz shall appear in the Status Conference via tele-conference; and




¹ Order Designating the Pre-Appeal Judge, 17 November 2008.
Case No. IT-04-82-A

DIRECT the Registrar of the Tribunal to provide the necessary arrangements for the Status Conference, including one tele-conference link with the necessary translation services, for Counsel Nathan Z. Dershowitz.

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

Done this 28th day of November 2008,
At The Hague,
The Netherlands.



Judge Mehmet Güney
Pre-Appeal Judge

[Seal of the International Tribunal]