



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: 9 February 2010
Original: English

BEFORE THE APPEALS CHAMBER

Before: Judge Patrick Robinson, Presiding
Registrar: Mr. John Hocking
Order of: 9 February 2010

PROSECUTOR

v.

**LJUBE BOŠKOSKI
JOHAN TARČULOVSKI**

PUBLIC

SCHEDULING ORDER FOR STATUS CONFERENCE

The Office of the Prosecutor:

Mr. Paul Rogers

Counsel for Ljube Boškosi:

Ms. Edina Rešidović
Mr. Guénaél Mettraux

Counsel for Johan Tarčulovski:

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

I, PATRICK ROBINSON, 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 (“International Tribunal”);

NOTING the Judgement rendered by Trial Chamber II in the case *Prosecutor v. Ljube Bošković and Johan Tarčulovski*, Case No. IT-04-82-T, on 10 July 2008;

NOTING the “Prosecution Notice of Appeal” filed on 6 August 2008; the “Prosecution’s Appeal Brief” filed confidentially on 20 October 2008;¹ the “Tarčulovski Amended Notice of Appeal” filed on 2 April 2009;² and the “Brief of Johan Tarčulovski” filed confidentially on 12 January 2009;³

NOTING that Johan Tarčulovski is currently in detention at the United Nations Detention Unit in The Hague pending appeal;

CONSIDERING that, pursuant to Rule 65bis (B) of the Rules of Procedure and Evidence of the International Tribunal, a status conference shall be convened within one hundred and twenty days after the last status conference to allow any person in custody pending appeal the opportunity to raise issues in relation thereto, including the mental and physical condition of that person;

NOTING that while the last status conference in this case was held on 16 July 2009, the appeal hearing was held on 29 October 2009, and that the parties have agreed that a status conference shall be held within one hundred and twenty days after the appeal hearing;

NOTING that on 4 February 2010 Counsel Nathan Z. Dershowitz (“Mr. Dershowitz”) informed the Appeals Chamber by e-mail of his request to participate in the status conference via tele-conference;

NOTING that Johan Tarčulovski’s written consent to Mr. Dershowitz’s participation in the status conference via tele-conference is not necessary, as Mr. Dershowitz informed the Appeals Chamber in the same e-mail that Mr. Antonio Apostolski will attend the status conference in person;

HEREBY ORDER that a status conference shall be held before me on Friday, 19 February 2010, at 2:15 p.m. in Courtroom 1; and

¹ A public redacted version was filed on 3 November 2008, and a corrected public redacted version was filed on 4 November 2008. See also Bošković Defence Respondent Brief, 1 December 2008; Prosecution’s Reply Brief, *confidential*, 16 December 2008 (a public redacted version was filed on 24 December 2009).

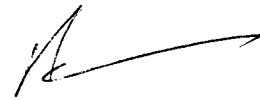
² Tarčulovski’s initial Notice of Appeal was filed on 8 August 2008.

³ A public redacted version was filed on 12 January 2009. See also Prosecution Response to Johan Tarčulovski’s Appeal Brief, *confidential*, 9 April 2009 (a public redacted version was filed on 16 April 2009); Reply Brief of Johan Tarčulovski, *confidential*, 24 April 2009 (a public redacted version was filed on 29 April 2009).

DIRECT the Registrar of the International Tribunal to provide the necessary arrangements for the status conference, including one tele-conference link with the necessary translation services, for Mr. Dershowitz.

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

Done this ninth day of February 2010,
At The Hague,
The Netherlands.



Judge Patrick Robinson
Presiding

[Seal of the International Tribunal]