



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-05-88-T

Date: 6 May 2008

Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Carmel Agius, Presiding  
Judge O-Gon Kwon  
Judge Kimberly Prost  
Judge Ole Bjørn Støle – Reserve Judge

**Registrar:** Mr. Hans Holthuis

**Order of:** 6 May 2008

**PROSECUTOR**

v.

**VUJADIN POPOVIĆ  
LJUBIŠA BEARA  
DRAGO NIKOLIĆ  
LJUBOMIR BOROVIČANIN  
RADIVOJE MILETIĆ  
MILAN GVERO  
VINKO PANDUREVIĆ**

**PUBLIC**

**SCHEDULING ORDER**

**Office of the Prosecutor**

Mr. Peter McCloskey

**Counsel for the Accused**

Mr. Zoran Živanović and Ms. Mira Tapušковиć for Vujadin Popović  
Mr. John Ostojić and Mr. Christopher Meek for Ljubiša Beara  
Ms. Jelena Nikolić and Mr. Stéphane Bourgon for Drago Nikolić  
Mr. Aleksandar Lazarević and Mr. Christopher Gosnell for Ljubomir Borovčanin  
Ms. Natacha Fauveau Ivanović and Mr. Nenad Petrušić for Radivoje Miletić  
Mr. Dragan Krgović and Mr. David Josse for Milan Gvero  
Mr. Peter Haynes and Mr. Đorđe Sarapa for Vinko Pandurević

**THIS 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”);

**NOTING** the Defence Rule 65 *ter* filings and Rule 94 *bis* submissions filed on 1 May 2008;

**NOTING** that the Defence filed two notices of military expert reports and nine notices of non-military expert reports pursuant to Rule 94 *bis* of the Rules of Procedure and Evidence (“Rules”); and that of the nine non-military expert reports, four reports were filed in BCS only;

**NOTING** that the Pre-Defence Conference is scheduled for 22 May 2008<sup>1</sup> and that the Pre-Defence Conference will be preceded by a 65 *ter* Meeting, chaired by the Senior Legal Officer, on 20 May 2008;

**CONSIDERING** that in order to facilitate the preparation and conduct of the 65 *ter* Meeting and the Pre-Defence Conference, and the planning of the remainder of the trial, the Trial Chamber would be assisted by receiving Defence applications pursuant to Rules 92 *bis* or 92 *ter* and Prosecution notices pursuant to Rule 94 *bis* (B) concerning the Defence expert reports before the 65 *ter* Meeting and the Pre-Defence Conference;

**PURSUANT TO** Rules 54, 65 *ter*, 73 *ter*, 92 *bis* and 92 *ter* of the Rules,


**HEREBY ORDERS** as follows:

1. The Defence shall file any motions for admission of written evidence pursuant to Rules 92 *bis* or 92 *ter* no later than 12:00 p.m. on 19 May 2008;
2. The Prosecution shall file its notices pursuant to Rule 94 *bis* (B) concerning the two military expert reports and the five non-military expert reports which have been filed in or accompanied by a translation into an official language of the Tribunal, no later than 19 May 2008.

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<sup>1</sup> Order on Close of Prosecution Case-In-Chief, Rule 98 *bis* Proceedings, Defence Rule 65 *ter* Filings, Pre-Defence Conference and Commencement of the Defence Case, 29 November 2008.

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



Carmel Agius  
Presiding

Dated this sixth day of May 2008  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**