



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-06-90-A  
Date: 1 September 2011  
Original: English

**IN THE APPEALS CHAMBER**

**Before:** Judge Theodor Meron, Pre-Appeal Judge  
**Registrar:** Mr. John Hocking  
**Order of:** 1 September 2011

**PROSECUTOR**

v.

**ANTE GOTOVINA  
MLADEN MARKAČ**

***PUBLIC***

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**AMENDED SCHEDULING ORDER**

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**The Office of the Prosecutor**

Ms. Helen Brady and Mr. Douglas Stringer

**Counsel for Ante Gotovina**

Mr. Gregory Kehoe, Mr. Luka Mišetić, Mr. Payam Akhavan, and Mr. Guénaél Mettraux

**Counsel for Mladen Markač**

Mr. Goran Mikuličić, Mr. Tomislav Kuzmanović, Mr. John Jones, and Mr. Kai Ambos

**I, THEODOR MERON**, 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,<sup>1</sup>

**BEING SEISED OF** the “Motion to Defer Status Conference” filed by the Office of the Prosecutor (“Prosecution”) on 18 August 2011 (“Motion”);

**NOTING** that the Prosecution requests that the status conference, currently scheduled for 12 September 2011,<sup>2</sup> be postponed until on or after 28 September 2011;<sup>3</sup>

**CONSIDERING** that, pursuant to Rule 65 *bis* (B) of the Rules of Procedure and Evidence of the Tribunal (“Rules”), a status conference in a given case shall be convened within 120 days of the filing of a notice of appeal, in order to allow any person in custody pending appeal the opportunity to raise issues in relation thereto;

**NOTING** the Prosecution’s request would result in the status conference being held outside the 120-day period specified in the Rules;<sup>4</sup>

**NOTING** that Gotovina and Markač do not oppose the Motion;<sup>5</sup>

**CONSIDERING** that a status conference may be postponed beyond the 120-day period specified by the Rules if the affected appellants consent;<sup>6</sup>

**PURSUANT** to Rule 65 *bis* (B) of the Rules;

**HEREBY ORDER** that the status conference be rescheduled for Thursday, 29 September 2011 at 3:30 p.m. in Courtroom III.

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<sup>1</sup> Order Designating a Pre-Appeal Judge, 30 May 2011.

<sup>2</sup> Scheduling Order, 17 August 2011, p. 1.

<sup>3</sup> Motion, para. 3.

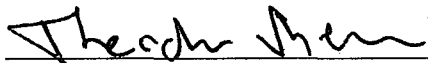
<sup>4</sup> Ante Gotovina’s (“Gotovina”) and Mladen Markač’s (“Markač”) respective Notices of Appeal were filed on 16 May 2011. *See* Notice of Appeal of Ante Gotovina, 16 May 2011; Mladen Markač’s Notice of Appeal (confidential), 16 May 2011.

<sup>5</sup> According to the Motion, the Prosecution informally consulted with counsel for both appellants. The counsel agreed that the status conference could be postponed to a date after 28 September 2011. *See* Motion, para. 2. Gotovina and Markač did not respond to the Motion or dispute that the Prosecution accurately characterized their position with respect to the status conference.

<sup>6</sup> *See, e.g., Prosecutor v. Nikola Šainović et al.*, Case No. IT-05-87-A, Scheduling Order, 11 September 2009, p. 1.

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

Dated this 1st day of September 2011,  
at The Hague,  
The Netherlands.

  
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Judge Theodor Meron, Pre-Appeal Judge

[Seal of the Tribunal]