

1 Wednesday, 23 April 2025

2 [Open session]

3 [The accused entered the courtroom]

4 [The Accused Krasniqi appeared via videolink]

5 --- Upon commencing at 10.05 a.m.

6 PRESIDING JUDGE SMITH: Madam Court Officer, please call the
7 case.

8 THE COURT OFFICER: Good morning, Your Honours. This is case
9 KSC-BC-2020-06, The Specialist Prosecutor versus Hashim Thaci,
10 Kadri Veseli, Rexhep Selimi, and Jakup Krasniqi.

11 PRESIDING JUDGE SMITH: Thank you.

12 I note for the record that Mr. Krasniqi is appearing via
13 videolink, with permission; Mr. Thaci, Mr. Veseli, and Mr. Selimi are
14 present in the courtroom. I also note that Ms. Alagendra and
15 Mr. Roberts are appearing via videolink as they requested, and that
16 the Deputy Registrar is present in the courtroom.

17 First, as communicated by e-mail last week, the Panel would like
18 to hear oral submissions from the Thaci Defence in reply to the SPO's
19 response in filing F03132, which is the issue on bifurcation and
20 scheduling. If you have any further comments.

21 MR. MISETIC: Yes, Mr. President. And good morning to the
22 members of the Panel.

23 We do request, and maintain our request, that we do a bifurcated
24 procedure because the Thaci Defence does intend to file a motion
25 *in limine*.

1 The situation today is fundamentally different than at the time
2 when the Thaci Defence filed the first motion *in limine* and when the
3 Trial Panel issued its ruling on it. Namely, since then, a new
4 criminal case has been filed against Mr. Thaci in Case 12.

5 The SPO motion attempts to move some materials in from Case 12,
6 an entirely separate case, into Case 06. The SPO argues that three
7 materials are relevant to Case 06, arguing that they, first, if
8 proven, would constitute aggravating factors relevant to sentencing
9 in this case; second, they allegedly inform the credibility of SPO
10 witnesses in this case; and, third, they allegedly demonstrate the
11 alleged *mens rea* of the accused for crimes committed during the
12 indictment period.

13 Mr. Thaci has a right to file a new motion *in limine* and to seek
14 new relief in light of, among other things, the new issues that arise
15 from Mr. Thaci now being a defendant in a separate criminal trial,
16 and the SPO response offers no basis to argue that Mr. Thaci is
17 barred from bringing his own motion seeking to exclude all evidence
18 from Case 12 given that he is now facing charges in that trial.

19 The SPO motion raises many new issues that implicate Mr. Thaci's
20 fundamental rights, including his fair trial rights, the right
21 against self-incrimination, having to put on his Defence to the
22 charges in Case 12 prematurely here in Case 06 and, thus, giving the
23 SPO a tactical advantage in Case 12. *Ne bis in idem*, the SPO motion
24 is attempting to have the Kosovo Specialist Chambers punish Mr. Thaci
25 twice: once in this proceeding in the sentencing phase and then again

1 in Case 12.

2 Third, how the principle of *res judicata* will eventually be
3 implicated unless the SPO is barred from seeking criminal penalties
4 against Mr. Thaci in two separate cases for the same conduct.

5 Fourth, the right to adequate time and preparation is implicated
6 given that Mr. Thaci now has to fight two trials, at least in part,
7 on the same issues that are now going to be raised in two separate
8 cases.

9 I don't wish to litigate those issues now but just to flag what
10 some of the issues will be in the coming motion *in limine*.

11 Again, Mr. Thaci has a right to file a motion, and we intend to
12 do so shortly. Our view is that the only issue is whether the
13 Trial Panel would like us to simultaneously brief the motion
14 *in limine* and separately the SPO's motion to admit some of the
15 evidence from the Case 12 proceedings, or else whether in the
16 interests of efficiency we should stay the SPO motion until the Thaci
17 Defence motion *in limine* is resolved.

18 I also wish to highlight that the Trial Panel itself has ruled
19 numerous times that we, the Defence, or I should say any party,
20 cannot seek relief in the form of a response to another motion. And
21 your decisions on that point can be found at F01359 at paragraph 11;
22 F01737, paragraph 17; and F01776, paragraph 17. We are going to be
23 asking for more relief than just to deny the SPO's attempt to move in
24 some of these materials into evidence given some of the fundamental
25 rights issues that are now implicated by the SPO's attempt to move in

1 some of the evidence from Case 12 into Case 06.

2 If the Panel is minded to deny Mr. Thaci the right to file a
3 motion *in limine*, then I would like to be heard on what alternatives
4 can be made. But our position is that there should be no reason to
5 deny him the right to file a motion, and then the issue is how to
6 structure it going forward. Thank you.

7 PRESIDING JUDGE SMITH: Thank you, Mr. Misetic. We will take
8 this under advisement and issue our ruling later today.

9 MR. MISETIC: Mr. President, if I just may raise one issue. As
10 of right now, our response to the motion of the SPO would be due on
11 Friday, so we would ask for -- at least for an extension of that
12 depending on how you rule. Thank you.

13 PRESIDING JUDGE SMITH: Okay. Thank you. We'll rule on that
14 also at the same time.

15 Moving on, the Panel notes that yesterday the Defence requested
16 via e-mail a further extension of 3.000 words for their response to
17 the Prosecution's consolidated motion for the admission of evidence
18 pursuant to Rules 153 and 155 and related requests, which is filing
19 F03056.

20 Does the SPO wish to respond to this extension request?

21 MS. IODICE: No, Your Honour.

22 PRESIDING JUDGE SMITH: Does the Defence wish to add anything?
23 It appears not.

24 [Trial Panel confers]

25 PRESIDING JUDGE SMITH: Considering that the Defence has already

1 been granted a 2.000-word extension, the Panel is of the view that a
2 further extension of the word limit is unwarranted. The Panel is
3 satisfied that the current word limit is sufficient for the Defence
4 to meaningfully address all the issues arising from the SPO's motion.

5 The Panel therefore finds that the Defence has not established
6 good cause for the requested extension and rejects the Defence's
7 request for an extension of the word limit for their response to
8 filing F03056.

9 Now, I realise today we have an agenda, but before we get to
10 that agenda, I have a series of oral orders that I want to issue
11 dealing with issues that have arisen during the trial and that had
12 not been dealt with yet, so we will go through those first. There
13 are about ten of them. And then we'll take a ten-minute break, and
14 then we'll proceed with the agenda that I previously sent out to
15 everyone.

16 So first is an oral order on the reclassification of W04264's
17 statements on the admission of a public redacted version of P01955.1.

18 The Panel notes that on 24 March 2025, upon the SPO's request,
19 the Panel ordered the reclassification of Parts 2 through 9 of both
20 the transcripts and audio-visual recordings of W04264's SPO
21 interview, and that only Part 1 thereof shall remain confidential. I
22 am referring to the English and Albanian versions of the transcripts
23 of W04264's SPO interview, admitted as P01955.1 to P01955.9, and to
24 the corresponding admitted audio-visual recordings thereof.

25 Having reviewed the classification of the remaining statements

1 of W04264, and in light of the SPO's submissions in its e-mail of
2 20 January 2025, the Panel is satisfied that P01956, P01963, and
3 P01964, and any translations thereof, can also be classified as
4 public, and instructs the Registry to proceed accordingly.

5 Furthermore, the Panel notes that the SPO tendered via e-mail
6 the English and Albanian public redacted versions of Part 1 of the
7 transcripts of W04264's SPO interview, which had been admitted as
8 P01955.1_ET and P01955.1_AT and classified as confidential. The
9 English and Albanian public redacted versions which have been
10 tendered are items with ERN numbers 054739-TR-ET Part 1 RED PRV and
11 054739-TR-AT Part 1 Revised RED PRV, respectively.

12 If there's any objection from the Defence to the admission of
13 the public redacted versions of P01955 into evidence, please let me
14 know at this time. No response is given. Thank you.

15 Having found the English and Albanian versions of P01955.1 to be
16 admissible, the Panel is also satisfied that the corresponding public
17 redacted versions are admissible. The Panel therefore admits
18 054739-TR-ET Part 1 RED PRV and 054739-TR-AT Part 1 Revised RED PRV
19 into evidence, and instructs the Registry to assign those items
20 exhibit numbers matching the confidential versions and to classify
21 the admitted public redacted versions as public.

22 This concludes the first oral order.

23 Number two is an oral order on F02437.

24 The Panel will now rule on filing F02437, where, pursuant to the
25 Panel's fourth oral order of 15 January 2024, the Prosecution

1 tendered the audio-video recordings of witness statements previously
2 admitted pursuant to Rules 143(2)(c).

3 The Panel notes the SPO's submission that it only seeks
4 admission of the video segments at the timestamps specified in
5 Annex 1, as they correspond to the admitted portions of the
6 statements. The Panel considers that only those sections of the
7 video corresponding to the admitted portions of the statements should
8 be admitted into evidence. The Panel therefore instructs the SPO to
9 prepare excerpts of the relevant audio-video recordings corresponding
10 to the admitted portions of the statements by no later than Friday,
11 May 2, 2025.

12 Having found that the relevant statements are admissible
13 pursuant to Rule 143(2)(c), the Panel therefore admits into evidence
14 the corresponding audio-visual recordings of these statements, or
15 excerpts thereof, as identified in Annex 1 to the filing F02437, and
16 directs the Registry to assign the admitted audio-visual recordings
17 the same exhibit numbers which have been assigned to the relevant
18 statements as indicated in Annex 1 to filing F02437.

19 The Panel further directs the SPO to make submissions on the
20 classification of the admitted audio-visual recordings by no later
21 than Wednesday, 30 April 2025.

22 This concludes the second oral order.

23 The third oral order on the request to access confidential
24 filings in Case 04, Case 05, and Case 07, which are F03062 to F03063.

25 The Panel notes that, on 27 March 2025, in filing F03062, the

1 Veseli Defence requested access to and use of selected confidential
2 filings from Case 04, 05, and 07 before the Specialist Chambers.

3 On 28 March 2025, in filing F03063, the Thaci Defence joined the
4 request.

5 On 7 April 2025, in filing F03091, the SPO stated that it does
6 not object to the Defence having access to the identified filings in
7 Case 04 and 05. However, the SPO objects to the Defence having
8 access to confidential filings in Case 07, as it submits that no
9 legitimate forensic purpose has been shown.

10 The Defence did not reply.

11 The protective measures in Case 04 and 05 were ordered by
12 Trial Panel I. The protective measures in Case 07 were ordered by
13 Trial Panel II.

14 The Panel has, in accordance with Rule 81(4), sought and
15 received the views of the Trial Panel I in respect of the request.

16 On 18 April 2025, the Judges of Trial Panel I indicated that
17 there are no reasons to maintain *vis-à-vis* Trial Panel II or the
18 parties or Victims' Counsel in Case 06 any of the redactions
19 contained in the public redacted versions of the selected filings in
20 Cases 04 and 05.

21 As regards Case 07 filings, the Judges of the Trial Panel II, in
22 their capacity as the Judges to order the protective measures in
23 Case 07, have reviewed the relevant filings and consider that there
24 are no reasons to maintain *vis-à-vis* the Judges of Trial Panel II, in
25 their capacity as the Judges in Case 06, or the parties or

1 Victims' Counsel in Case 06, any of the redactions contained in the
2 public redacted versions thereof.

3 The Panel observes that the Veseli Defence has identified the
4 documents for which access is sought, in accordance with the Panel's
5 past jurisprudence and that of other international criminal
6 tribunals.

7 The Panel is of the view that there is a specific legitimate
8 forensic purpose for the access sought by the Veseli and Thaci
9 Defence to selected confidential filings in Case 04, 05, and Case 07.
10 In this regard, the Panel observes that Cases 04 and 05 overlap in a
11 limited way with the present proceedings. In addition, the Panel
12 considers that access to the identified Case 07 filings may assist
13 the Defence in the present case in making submissions in relation to
14 prospective motions pursuant to Rule 130, which the Defence indicated
15 they intend to file, and exceptionally grants access to these filings
16 on that basis.

17 Regarding the protection of witnesses and victims, the Panel
18 notes that pursuant to Rule 81(1)(a), protective measures ordered in
19 other proceedings shall continue to have effect *mutatis mutandis* in
20 Case 06. The Panel further notes that the Judges in the Trial Panels
21 assigned to Cases 04, 05, and 07 consider that there are no reasons
22 to maintain the redactions contained in the public redacted versions
23 of the selected filings. In light of the above, the Panel is
24 satisfied that granting the request would be consistent with the need
25 to ensure the protection of the witnesses and victims, provided that

1 the selected filings remain confidential in Case 06.

2 Accordingly, the Panel authorises access to and use of the
3 confidential versions of selected filings in Cases 04, 05, and 07, as
4 identified in the request F03062, paragraph 18, to Trial Panel II,
5 the parties and Victims' Counsel in Case 06.

6 The Panel directs the Registry to ensure that Trial Panel II,
7 the parties and Victims' Counsel in Case 06 are granted access to the
8 confidential versions of the selected filings.

9 Finally, the Panel reminds the parties and participants of the
10 confidential classification of these filings and that, pursuant to
11 Rule 82(1)(b), their confidential portions shall not be disclosed to
12 the public.

13 This concludes the third oral order.

14 Oral order four concerning 4D00091 MFI and 4D00092 MFI.

15 On 30 October 2024, the Panel marked a document with evidence
16 reference number 105714 to 105724 for identification as 4D00091 and
17 another document with evidence reference number DJK01084-ET to
18 DJK01096-ET as 4D00092.

19 The first document is an official report and the second document
20 is an open source article entitled "Bonfire for State Secrets."

21 The Defence tendered these documents through Witness W04798.

22 The SPO did not object to the admission of these documents.

23 The Panel is satisfied of the relevance of these documents since
24 W04798 commented on the documents and their content is sufficiently
25 linked to issues material to this case.

1 Regarding authenticity, the Panel is satisfied of the
2 *prima facie* authenticity of the documents as they bear all relevant
3 markings of origin, including the author and the date when they were
4 issued.

5 Regarding probative value, the Panel is satisfied that a
6 sufficient contextualisation has been provided in relation to both
7 documents and is, therefore, satisfied with the *prima facie* probative
8 value of the documents which is not outweighed by any prejudice.

9 Therefore, the Panel finds that MFI 4D00091 and MFI 4D00092 meet
10 the requirements of Rule 138 and admits them into evidence. The
11 documents' MFI status is vacated.

12 This concludes the fourth oral order.

13 Oral order on P00073.1 MFI.

14 The Panel will now issue an oral order admitting
15 Exhibit P00073.1 MFI into evidence.

16 The Panel recalls that, on 18 February 2025, during W04491's
17 testimony, the SPO tendered for admission a document with ERN
18 SITF00423766 to 00423798 and its English translation, which were
19 subsequently marked for identification as P00073.1 and P00073.1_ET,
20 consisting of a clearer version of P00073 and translation thereof.

21 The Defence communicated through *inter partes* communication that
22 it does not object to the admission of P00073.1 MFI.

23 The Panel recalls that, on 11 May 2023, it held that P00073 met
24 the admissibility standard under Rule 138. As P00073.1 consists of a
25 clearer version of P00073 and revised translation thereof, the Panel

1 admits it into evidence and directs CMU to vacate the document's MFI
2 status.

3 Item six is an oral order on 4D00093 MFI, 4D00094 MFI, and
4 4D00095 MFI.

5 There are some outstanding documents that the Panel marked for
6 identification which the Panel will rule on.

7 First, the Panel recalls that, on 31 October 2024, during
8 W04758's testimony, the Krasniqi Defence showed to the witness and
9 tendered for admission documents with ERN DJK01037 to DJK01037, also
10 DJK01038, DJK01039, and DJK01036 to DJK01036, and their corresponding
11 English translations. The Panel marked these for identification
12 respectively as 4D00093, 94 and 95.

13 The three documents are press articles which suggest that a
14 victim of an alleged crime described in the Prosecution's pre-trial
15 brief had himself later been convicted of serious crimes and is said
16 to have absconded from justice. The Krasniqi Defence argued that the
17 articles are relevant to assessing the credibility of an alleged
18 victim.

19 The SPO objected to the admission of the three documents,
20 arguing that the credibility issue had been explored with the witness
21 to the extent he was able to answer the questions, and there was no
22 additional need to have the press articles admitted on the record.

23 Having considered the parties' submissions, the Panel finds that
24 the three documents meet the *prima facie* requirements of Rule 138.

25 Regarding relevance, the party considers that the three

1 documents are relevant to the credibility of a person who was
2 allegedly detained by the KLA and about whom several witnesses,
3 including W04758, have testified. The Panel notes, however, that the
4 individual who is subject of these articles has not been called to
5 give evidence. The relevance of the item is, therefore, linked to
6 the account that this individual is said to have given to another
7 person who gave an account of it to this Panel.

8 Regarding authenticity, the Panel considers that all three
9 documents, which are online articles published by various news
10 outlets and which are dated, are *prima facie* authentic.

11 Regarding probative value, the Panel notes that, while the
12 accuracy of the information contained in media articles cannot be
13 independently verified, the three articles cover different date
14 ranges, are from different news outlets, cite different sources, and
15 suggest that the alleged victim had been convicted of serious crimes
16 in Kosovo, and had fled Kosovo. The Panel finds that while the
17 documents are of marginal relevance, they bear some probative value
18 which is sufficient to meet the *prima facie* standard.

19 The Panel considers that the admission of the three items causes
20 no prejudice as they were used and discussed in court and the parties
21 and participants could have questioned the witness further if they
22 found it necessary to do so. Accordingly, the *prima facie* probative
23 value is not outweighed by any prejudice. The fact, however, that
24 W04758 was unable to meaningfully comment on the content of these
25 articles and that the individual concerned has not been given an

1 opportunity to address the truth of their content will be accounted
2 for when assessing the weight and probative value of these items.

3 In light of the above, the Panel admits into evidence 4D00093,
4 94, and 95, and instructs the Registry to vacate their MFI status.

5 This concludes the sixth oral order.

6 Oral order number seven dealing with 1D00046 MFI.

7 The Panel will now rule on the admission of the document
8 temporarily marked for identification as 1D00046.

9 The Panel recalls that, on 5 September 2023, during the
10 testimony of Witness W04018, the Thaci Defence tendered for admission
11 an extract of a judgment of the District Court of Prishtina. This
12 document bears ERN 032228 to 032286, and the witness was specifically
13 shown page 032278, which the Panel subsequently marked for
14 identification as 1D00046.

15 The SPO objected to the admission of the tendered document on
16 the basis of relevance. The SPO also stressed the Panel's previous
17 findings regarding the lack of utility in admitting portions of
18 judgments into evidence.

19 Having considered the parties' submissions, the Panel finds that
20 the tendered document does not meet the requirements for admission of
21 Rule 138.

22 Regarding relevance, the Panel considers that the tendered
23 document contains information relevant to the charges in the
24 indictment as it relates to the alleged existence of lists and/or
25 their use by the KLA as a basis for the detentions of alleged

1 opponents of the KLA, including W04018.

2 Regarding authenticity, the Panel is satisfied that the tendered
3 document, which consists of a portion of a judgment of the District
4 Court of Prishtina, is *prima facie* authentic.

5 However, regarding probative value, the Panel first notes that
6 the substance of the tendered document relates to findings made by
7 another court based on a different record of evidence than the one on
8 which the Panel will make its findings. Second, consistent with its
9 earlier rulings, including and not only the Panel's second oral order
10 of 7 November 2024 and first oral order of 30 January 2025, the Panel
11 reiterates that it is not bound by the evidentiary findings made by
12 other courts. In the present case, the Panel takes into
13 consideration that, unlike other instances where it has allowed a
14 portion of a judgment for contextual matters, such as F01733, the
15 tendered portion of the judgment pertains to the Panel's sole
16 responsibility to assess certain important factual matters that are
17 at issue in the indictment and in dispute between the parties.
18 Therefore, the Panel finds that the tendered document has no or
19 insufficient probative value to meet the *prima facie* threshold.

20 In light of the above, the Panel denies admission of 1D00046
21 into evidence, and this concludes the Panel's seventh oral order.

22 The Panel will now rule on admission of the document temporarily
23 marked for identification as 1D0074.

24 The Panel recalls that, on 6 December 2023, during the testimony
25 of Witness W02161, the Thaci Defence tendered for admission a

1 document bearing ERN DHT02782 to DHT02783 and its English
2 translation. This is at transcript page 10701. In light of certain
3 inconsistencies related to translation, the Panel instructed the
4 Thaci Defence to submit a revised translation version, and
5 temporarily marked the document for identification as 1D00074.

6 The Panel notes that, pursuant to the Panel's instructions, on
7 6 December 2023, the Thaci Defence submitted a revised English
8 translation of the tendered document.

9 The SPO objected to the admission of the tendered document
10 arguing that it did not know its authorship and sourcing, and that
11 the document had been put to the witness and the witness was not
12 aware of the article.

13 Regarding relevance, the Panel considers that the tendered
14 document is relevant to W02161's evidence about alleged attacks
15 occurring in Kosovo in 1998 and 1999 against Kosovo Serbs and
16 Albanians.

17 Regarding authenticity, the Panel considers the tendered
18 document, which consists of an online article published by the *Kurir*
19 on 18 January 2014, is *prima facie* authentic. Its origin and source
20 are apparent from the face of the document.

21 Regarding probative value, the Panel notes that the article
22 appears to rely entirely on an interview between an individual and
23 the publishing outlet *Kurir*, without reference to additional
24 sourcing, which have not placed on the record of these proceedings or
25 tested in court. In addition, the witness was not able to comment on

1 the article.

2 Having said that, the Panel notes that the issues in the article
3 are also covered in Exhibit 1D00075, which was put to the witness
4 during cross-examination and admitted into evidence. Accordingly,
5 the Panel is satisfied that Exhibit 1D00074 has some probative value.
6 This being said, absent any indication of the origin and reliability
7 of the information it contains, the document cannot be relied upon
8 for the truth of its content.

9 For these reasons, the Panel finds that Exhibit 1D00074 MFI
10 meets the requirements for admissibility under Rule 138. The Panel
11 therefore admits it into evidence for the above-said limited purpose,
12 and directs CMU to vacate the document's MFI status.

13 This concludes the eighth oral order.

14 One more. The Panel will now rule on the admission of P01199
15 MFI.

16 Madam Court Officer, please bring us into private session.

17 [Private session]

18 [Private session text removed]

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23 [Open session]

24 THE COURT OFFICER: Your Honours, we are now in public session.

25 Thank you.

1 PRESIDING JUDGE SMITH: Having concluded these preliminary oral
2 orders prior to the agenda, we will take a ten-minute break, and then
3 we'll reconvene in ten minutes to take up the agenda as previously
4 sent out to you all.

5 So we are adjourned for ten minutes.

6 --- Break taken at 10.50 a.m.

7 --- On resuming at 11.01 a.m.

8 PRESIDING JUDGE SMITH: Sorry, I had an equipment failure.

9 So we will begin going through this agenda. We sent it out some
10 time ago. We will go through the agenda to the end, and then we
11 will -- hopefully with the answers and the information we receive and
12 get with you, we will take a break until after lunch, so at 2.30
13 we'll come back and issue some limited oral orders to deal with any
14 issues that arose during the discussions we have.

15 So let me begin by just asking the SPO to confirm that they, in
16 fact, have submitted their case entirely and nothing left to do but
17 answer filings, if they come up. Anything further to add at this
18 time?

19 MR. HALLING: That's correct, Your Honour.

20 PRESIDING JUDGE SMITH: No supplemental matters are expected?

21 MR. HALLING: As you said, there are going to be filings, things
22 like replies to existing litigation, but no supplemental requests.

23 PRESIDING JUDGE SMITH: Nothing from you. Thank you.

24 So we turn then to the Rule 130 issues that we've been waiting
25 for.

1 I'd like you to -- you've indicated, I know that you intend to
2 file a Rule 130 motion. Is that all of you? Everyone intends to,
3 each team? And if so, is it to be singular or is it to be
4 consolidated?

5 MR. MISETIC: Yes, Your Honour. All four teams intend to file a
6 joint Rule 130 application.

7 PRESIDING JUDGE SMITH: Thank you very much. I don't have to
8 beg for that now, because that was on my list of things that we would
9 like to have had to make things a little bit easier.

10 You had indicated that you needed -- of course, the rule allows
11 for a ten-day period, and we indicated earlier we wouldn't hold you
12 to that strictly. You had indicated once before you needed 30 days
13 in order to prepare that. Is that still accurate?

14 MR. MISETIC: Your Honour, in discussions with the Defence
15 teams, given the volume of material that has now -- of evidence
16 that's been tendered by the Prosecution that needs resolution, our
17 position is that we would like 14 days from the date of the
18 Trial Panel's last decision on evidence that the Prosecution has
19 tendered. We can't make a Rule 130 submission without knowing what
20 is the evidence in the record, the complete evidence in the record.

21 PRESIDING JUDGE SMITH: All right.

22 MR. MISETIC: So 14 -- final decision plus 14 days, which, in
23 our view, would put us somewhere in June when our Rule 130 would be
24 due --

25 PRESIDING JUDGE SMITH: Due.

1 MR. MISETIC: -- assuming that you take about a month to resolve
2 all of these issues.

3 PRESIDING JUDGE SMITH: And you'll be ready to proceed if we can
4 do it faster than that?

5 MR. MISETIC: Well, that raises a separate issue, but then we
6 would like at least until June 1st. But we're -- as we're looking at
7 the current briefing, I understand that one of our responses is due
8 on 5 May to one of the bar table motions, then there'll be a reply by
9 the SPO, and then --

10 PRESIDING JUDGE SMITH: It'll take a certain amount of time. I
11 understand.

12 MR. MISETIC: Yes.

13 PRESIDING JUDGE SMITH: I understand your request.

14 MR. MISETIC: Yes. As I understand, it may be until mid-June
15 that we would like to file the Rule 130, but that's -- we've
16 calculated out, again, on how we anticipate how long it might take
17 the Trial Panel to issue its last ruling. But if it's going to be
18 shorter than that, then, you know, we think it'd be about mid-June
19 would be sufficient.

20 PRESIDING JUDGE SMITH: Anybody else have anything to add to
21 that from the Defence? You don't have to. I understand.

22 MR. DIXON: Thank you, Your Honours. We would ask that the
23 earliest be the middle of June given the huge volume of material that
24 has come through and the decisions that are awaited, and Your Honours
25 did indicate earlier that 30 days was a reasonable time period, and

1 also that we would have to wait for decisions to know what the full
2 case was.

3 PRESIDING JUDGE SMITH: I don't think any of us had any problem
4 with the 30-day limit. It's just we're expanding that now, so we
5 have to take that into consideration.

6 Let's hear from the SPO.

7 MR. DIXON: Yes. Thank you, Your Honour.

8 PRESIDING JUDGE SMITH: Do you have any particular objection?

9 MR. HALLING: Yes, we note the expansion as well, but we defer
10 to the discretion of the Panel on the timing.

11 PRESIDING JUDGE SMITH: And from [Microphone not activated].
12 I'm sorry.

13 From the SPO, what kind of timing would you need to respond?

14 MR. HALLING: We previously asked for a reciprocal extension of
15 a month. I don't think that changes as a result of the discussion we
16 had just now. And for the record, we also were planning on filing a
17 consolidated response.

18 MR. MISETIC: Mr. President, if I could just clarify. We don't
19 perceive it to be an expansion just because we, frankly, I think, at
20 the time we made those submissions were not aware of the huge volume
21 of material that was coming.

22 PRESIDING JUDGE SMITH: [Microphone not activated].

23 I'm not using that term in any way to indicate a feeling I have
24 about it. I am just saying it is more than what we had originally
25 thought. That's all.

1 We'll have to take this up after the meeting and we'll make a
2 decision later today so that you all know where you stand. So we'll
3 do that.

4 Just for the record, the rules allow for a motion and a response
5 and no reply. We will stick to that.

6 There is a provision that there can be oral arguments. Does
7 anybody have an intention to make oral arguments after filing the
8 Rule 130 motion or wish to make them? And if so, if that is -- if
9 you do, I guess our question would be what is it that you can't put
10 into your motion that you need to put in an oral argument?

11 MR. MISETIC: We do request oral argument. And, basically,
12 since there is no written reply, it would be our reply to the
13 arguments of the Prosecution.

14 PRESIDING JUDGE SMITH: But the point is there's not supposed to
15 be a reply.

16 MR. MISETIC: But there is an option to have oral argument, so,
17 essentially, what we would be arguing in oral argument would be what
18 we're at issue on, which we can't tell you until we see what the
19 SPO's response is and they need to see what our motion is.

20 PRESIDING JUDGE SMITH: Response?

21 MR. HALLING: We're available for any hearing the Court
22 requires.

23 PRESIDING JUDGE SMITH: Okay.

24 MR. DIXON: Your Honour, if --

25 PRESIDING JUDGE SMITH: Go ahead.

1 MR. DIXON: -- I can just add as well is that it is somewhat
2 akin to the closing arguments where there is simultaneous filings and
3 then an opportunity in the oral arguments to address what has been
4 filed and what would arise, plus to answer any questions and concerns
5 Your Honours have as well.

6 So we would, therefore, say that although it's not obviously the
7 same, it's a significant moment in the case and therefore oral
8 submissions are warranted.

9 PRESIDING JUDGE SMITH: We are intent on setting a word limit
10 for the 130 motion. We would seek to have some estimates from you
11 first, since you'll be filing first.

12 MR. MISETIC: Yes. Your Honours, in light of the fact that
13 we'll be filing jointly, we propose a joint filing of 20.000 words.
14 It being separately, we'd each be entitled to 6, so it would be 4.000
15 less than we would file separately. Thank you.

16 PRESIDING JUDGE SMITH: Response?

17 MR. HALLING: No position on that. We would just ask for the
18 reciprocal extension of words for a consolidated response.

19 MR. DIXON: Your Honours, and if I could just add, we would ask
20 that once Your Honours have given that indication, because this is
21 something of a moving target with many decisions still to come, that
22 there be an opportunity, as I think there always is, to come back to
23 Your Honours to request any extensions that may be necessary,
24 depending on the issues that are to be raised following consideration
25 and instructions from our clients.

1 PRESIDING JUDGE SMITH: Yes, without saying that we would be
2 particularly receptive to that, not that we couldn't be, and you can
3 always file a request. Certainly you may.

4 MR. DIXON: Yes. Thank you, Your Honours.

5 PRESIDING JUDGE SMITH: Also, for the record, there is no appeal
6 from the Defence should the 130 motion be denied, and I'm sure you're
7 all aware of that.

8 So I want to turn now to the Victims' case, Mr. Laws. Assuming
9 that one or more of the accused, now we know all of them, in a
10 consolidated manner, will file a Rule 130 motion, it's our intention
11 to have Victims' Counsel present the case for Victims as soon as
12 possible after the decision is rendered on the Rule 130 motion. And
13 in order to do that, we need to have certain declarations ahead of
14 time. So I want to know if you could speak a bit to when you would
15 be able to list your proposed witnesses, list their reports, if any,
16 that type of material.

17 So go ahead. You have the floor.

18 MR. LAWS: Your Honour, yes, certainly. I can do that. May I
19 deal with expert evidence, first of all.

20 PRESIDING JUDGE SMITH: Sure.

21 MR. LAWS: We have commissioned two expert reports. One deals
22 with psychological and psychiatric evidence, and one provides some
23 figures in relation to material harm or economic loss. Both of the
24 reports have been received by us over the Easter break. One is in
25 Dutch and has been sent for translation; the other is in English.

1 We therefore are very hopeful that, assuming there is no delay
2 with the translation, we will be able to file both reports by the end
3 of next week, 2 May, with the appropriate request under Rule 114(5).

4 PRESIDING JUDGE SMITH: Just let me stop you for just a moment,
5 Mr. Laws.

6 MR. LAWS: Yes.

7 PRESIDING JUDGE SMITH: We were considering to have you do that
8 by May 14th. You could certainly accomplish that.

9 MR. LAWS: Yes, there will be no difficulty with that, and I'm
10 very happy to do it earlier if the material is available.

11 PRESIDING JUDGE SMITH: You can file it whenever you have it
12 available to you.

13 MR. LAWS: Thank you.

14 PRESIDING JUDGE SMITH: But we'll consider a cut-off date of May
15 14th if that's all right.

16 MR. LAWS: Yes, certainly. Thank you.

17 Your Honour, secondly, then, there's an associated topic, which
18 is this: That both sets of experts that we will be relying upon in
19 this case, in Case 06, have also provided reports in Case 04 and
20 Case 05, and we intend to rely on those reports from the earlier
21 cases given the overlap that Your Honour referred to earlier. We
22 intend to rely on those reports in this case and that, in our view,
23 will require an additional filing. So we would certainly aim to be
24 able to do that by 14 May as well.

25 So there's then an issue about the remaining aspects of our

1 case, and we have in mind in particular paragraph 72 of the Order on
2 the Conduct of Proceedings instructing the parties and, for these
3 purposes, the participants to present its case in a logical manner
4 and to notify the Panel of the sequence in which it proposes to
5 present its case. And what we have in mind is a filing, which we can
6 certainly do by 14 May as well, in which we set out a guide or
7 roadmap to the rest of our case, indicating what submissions we're
8 going to be making and on which topics. And I don't need, I hope, to
9 go into those this morning, but there are a number of written matters
10 that we want to take up with the Panel, and we're happy to give an
11 indication of the topics by 14 May with a view to there being filings
12 later in the case.

13 And then --

14 PRESIDING JUDGE SMITH: I'm sorry, would that include an exhibit
15 list, Mr. Laws?

16 MR. LAWS: What we have in mind would be to file a bar table
17 motion after 14 May. That's one of the motions that we have in mind
18 to list. And so, ultimately, we will be producing an exhibit list
19 but not by 14 May, if that makes sense.

20 So, finally, on this aspect of the state of preparations, we
21 propose to file a request to call other witnesses or make
22 applications under Rule 153/155, and we're going to ask for slightly
23 later than 14 May for that if we may. We would like to do that by
24 28 May. So those are the matters that we're going to be filing upon.

25 So that the Panel and the Defence are not in any doubt about it,

1 when I talk about calling witnesses and submitting a request by
2 28 May to call witnesses, I'm not including in that documents that we
3 have been preparing for the victims which are, effectively, victims'
4 statements or supplementary information on the harm that the victims
5 have sustained, which we're going to be describing in full detail in
6 our filing by 14 May, but that is a separate category of material
7 that won't involve -- that certainly won't involve calling witnesses
8 to testify live but will provide, we hope, additional information
9 about harm only in respect of a very large number of the victims in
10 this case. And that's a filing that we see coming significantly
11 later than May but as part of our case.

12 So depending on where the conversation goes next, it rather
13 looks like our case is going to be either just before the recess or
14 after and we would be looking to submit that material at that time.

15 So those were the only matters that I wanted to raise,
16 Your Honour, in terms of the shape of our case and what we have in
17 mind. I should mention that the experts who we anticipate to be
18 testifying, subject to Your Honours' approval, are experts in
19 relation to psychological and psychiatric evidence. We anticipate
20 that those are going to be the *viva voce* witnesses. Their
21 availability is limited. They're not just available at the drop of a
22 hat. We've been in touch with them and spoken of the dates the week
23 of 7 July and 14 July as being times when they would be available.
24 It doesn't look as if that's necessarily going to work on the
25 timetable that we have, so I raise that now. The week after the 21st

1 I think may be impossible for them. So just so that you have a full
2 picture.

3 PRESIDING JUDGE SMITH: Once again, do you have a better
4 estimate of how many days you anticipate being in court?

5 MR. LAWS: Your Honour, I can't recall improve on saying that
6 I'm confident it won't go into a second week. Subject to
7 Your Honour's leave, I'm confident that we will call the
8 psychological and psychiatric evidence. That may take more than a
9 day. And then it will just depend on whether there are victims who
10 wish to testify live, and we will have that clear for the Court, as
11 we've said, in line with the dates that I've given.

12 JUDGE METTRAUX: I have a couple of questions for you, Mr. Laws,
13 to be sure that I've understood you properly. Are you saying that
14 you have or you would have any difficulties providing a list of
15 proposed witnesses and exhibits by 14 May even if those lists are, of
16 course, tentative? I understood you to be saying that you would not
17 be able to do so by that date; is that right?

18 MR. LAWS: So far as indicating the witnesses are concerned,
19 Your Honour, we have suggested a later date for a filing in which we
20 set out the witnesses that we propose to call, in addition to the
21 experts, together with the applications, if any, under Rule 153,
22 Rule 155. So the date that we've suggested is 28 May for that, and
23 at that stage we would be able to provide the list of witnesses and
24 exhibits.

25 JUDGE METTRAUX: Thank you. And that links up to my other

1 issue, which is, because, of course, once notice is given, the
2 parties will need some time to prepare for your case if one were to
3 be presented. Have you engaged in discussions with the Defence and
4 the SPO as to your prospective case and what it might look like with
5 a view to ascertain the extent of opposition, if I may call it that
6 way, that there might be from the parties in respect of that case?
7 I'm not asking for any detail, just a sense of how quickly the case
8 could last.

9 MR. LAWS: Well, I have had discussions with Mr. Misetic
10 representing the Defence and indicated to him the areas in respect of
11 which we would call expert evidence. I was slightly later on the
12 delivery than I had said to him that I would be, but we have had that
13 discussion. It would be very difficult for me to ask him or anybody
14 to agree in advance what the areas of agreement or disagreement are
15 likely to be because they're not going to know what's in the reports
16 until they get them, in fairness.

17 So far as individual victims are concerned, we have not had
18 discussions with the Defence. We have not as yet finalised the list
19 of people who may be called, and it's partly for that reason that we
20 ask for a slightly later date in May. Your Honour would appreciate
21 that there are more than 100 people in the category of victims who
22 have not testified but who would be eligible to do so, and
23 conversations in relation to that topic are ongoing.

24 JUDGE METTRAUX: Thank you.

25 PRESIDING JUDGE SMITH: Do you know at this time when you would

1 be prepared to file your bar table motion?

2 MR. LAWS: Can I say that was one of the motions that I
3 suggested we would include in a filing by -- Your Honour stated
4 14 May. It will not be a substantial filing. There are just a
5 handful of documents that we think need to be put before the Court in
6 that way, and we are perfectly happy to have a date to do that set
7 today. But, yes, 14 May seems to be a reasonable date for that or
8 perhaps the week after.

9 PRESIDING JUDGE SMITH: And is all of your documentary evidence
10 going to be ruled by the bar table motion or will there be some
11 admitted separately?

12 MR. LAWS: There may be some admitted as exhibits to Rule 153
13 material.

14 PRESIDING JUDGE SMITH: So if we use the dates that were
15 suggested by the Defence and agreed -- not necessarily agreed to by
16 the SPO but accepted by the SPO, that's going to put you right up
17 against the summer break and that might be uncomfortable. And it
18 sounds like you may not have an available -- or two available
19 experts. So would it be safe to say that you would -- if we accept
20 their dates, you'd probably need to start after the summer break?

21 MR. LAWS: On the dates that we have, Your Honour, if the
22 Defence take 30 days from mid-June, and therefore the Prosecution
23 reply with 30 days from that, it takes us right up to the date of the
24 recess without any time for a ruling, in fact, so yes. And from our
25 point of view, we would much prefer to have a date fixed now and work

1 to it than have a provisional date that needed to be reviewed. We
2 would much rather that.

3 PRESIDING JUDGE SMITH: Yes. And, of course, that's the reason
4 for asking these questions --

5 MR. LAWS: Yes.

6 PRESIDING JUDGE SMITH: -- because we agree with you about that.
7 The sooner we can get some dates fixed, the sooner everybody will pay
8 attention to those and deal with them.

9 MR. LAWS: Yes.

10 PRESIDING JUDGE SMITH: Any other questions for Mr. Laws?
11 Thank you, Mr. Laws.

12 MR. LAWS: Thank you, Your Honour.

13 MR. MISETIC: Mr. President?

14 PRESIDING JUDGE SMITH: Yes.

15 MR. MISETIC: If I can just comment on behalf of at least the
16 Thaci Defence.

17 From our perspective, and Mr. Laws correctly spelled out what
18 our communications have been, we were not, prior to this morning,
19 aware of -- that there would be, for example, a bar table motion and
20 a motion concerning additional witnesses. It would obviously be of
21 an advantage to the Defence preparations for the Victims' case if we
22 started after the summer recess. And we, too, had planned and hoped
23 to do that before the summer recess. But in light of all the
24 different things that are happening, I'm not sure we can fairly
25 process all of this material and be ready to cross-examine expert

1 witnesses in the middle of July. Thank you.

2 MR. DIXON: Your Honours, if I could echo that and also
3 emphasize, as has been foreshadowed in the questions of some of
4 Judge Mettraux, that there would be the need for the time for
5 preparation by the parties for the Victim case, and that would
6 depend, of course, on the number of witnesses to be called. So the
7 earlier that notification can be given, even if it's preliminary,
8 would be so much better because at least the work can start. And if
9 there are witnesses dropped, well, so be it. But having that
10 indication as soon as possible would be a request we make.

11 PRESIDING JUDGE SMITH: And that -- I understand your request.
12 I understand that. I understand the need to know. And that's part
13 of why I continually am trying to get to find out what kind of a
14 defence there is at least as to timeframe. If we just knew we think
15 it will take a month, or we think it will take two months, it would
16 help very much in making plans. So I ask you again to think about
17 that and to see if there's some way you can aid us for scheduling
18 purposes only. We honestly don't care at this point who you're
19 calling or how many of them there might be or what you're going to
20 present us in the way of documentary evidence, but it would be
21 helpful to have some timeframe that we could wrap our heads around.

22 MR. MISETIC: Mr. President, for what it's worth, you've asked
23 us that question before, and I've given you -- first of all, we don't
24 know that we're going to call a Defence case.

25 PRESIDING JUDGE SMITH: I know, I know.

1 MR. MISETIC: That's still the case. But I was asked, I believe
2 by Judge Gaynor, at a Status Conference months ago how many we would
3 call --

4 PRESIDING JUDGE SMITH: Yeah. You said --

5 MR. MISETIC: -- and I said up to ten. So if that gives you any
6 assistance.

7 PRESIDING JUDGE SMITH: Yes, but there are four teams.

8 MR. MISETIC: I'm just speaking on our behalf. Thank you.

9 PRESIDING JUDGE SMITH: And I don't know if that counts for
10 everybody or if that counts for just you.

11 MR. MISETIC: That counts for just me. Thank you.

12 PRESIDING JUDGE SMITH: Anybody else want to add to that? I'm
13 not trying to pin you down. As I said, I'm just trying to schedule
14 this, keep this monster moving in one direction.

15 MR. DIXON: Yes, Your Honour. Your Honours, I'm not able to say
16 much more than I've said before, which is that is a situation under
17 review. But I can say that I think we'd been looking at a fairly
18 limited time in comparison to what has happened throughout the case
19 so far. I'm just considering whether -- if the Defence teams have an
20 opportunity to consult, whether we couldn't give a rough overall
21 estimate for all four to Your Honours --

22 PRESIDING JUDGE SMITH: I'm not asking you to do that right now,
23 but, yes, I would ask you to continue to consult about that.

24 MR. DIXON: Yes, because that could then help planning it
25 forward and knowing when the end date is going to be, which we

1 appreciate is very important to have in mind.

2 PRESIDING JUDGE SMITH: And one more thing about the Victims'
3 case and that is, as always, we encourage *inter partes* discussions
4 about these matters, especially on issues of documents and whatnot.
5 It may be that that could move faster than we thought it could, if
6 people don't have a big objection to any particular one.

7 MR. LAWS: Certainly, Your Honour.

8 PRESIDING JUDGE SMITH: The same thing with the Prosecution. If
9 you can be open to that also. And Defence. Everybody. At this
10 point, it's helpful to have some discussions.

11 The rest of the things that I have down really have to do with
12 scheduling the preparation conference for the Defence, and there's no
13 reason to go into that detail today because we don't know when it's
14 going to happen. I refer you to the rules. They are quite specific
15 on how this happens and the timing, so everyone should be ready to
16 comply.

17 [Trial Panel confers]

18 PRESIDING JUDGE SMITH: Mr. Dixon, you brought this up just a
19 minute ago.

20 MR. DIXON: Yes, Your Honour.

21 PRESIDING JUDGE SMITH: The question we have for you is when
22 you're discussing these matters of timing, could you also give us
23 some idea when you would know in more detail what your defence might
24 be?

25 MR. DIXON: Yes, the length of time that it might be.

1 PRESIDING JUDGE SMITH: Yes.

2 MR. DIXON: Yes.

3 PRESIDING JUDGE SMITH: And we're asking when would you be able
4 to reveal that to us if you would discuss that?

5 MR. DIXON: Yes.

6 PRESIDING JUDGE SMITH: All right?

7 MR. DIXON: Indeed. So it's two time periods: One, if we're
8 able to say quite soon what roughly the total time period would be;
9 but then secondly, when we would be able to give something more
10 definite --

11 PRESIDING JUDGE SMITH: Yes, yes.

12 MR. DIXON: -- and be able to give that so that that could be
13 factored into timing. Yes.

14 PRESIDING JUDGE SMITH: That would be helpful.

15 MR. DIXON: We will consider that.

16 PRESIDING JUDGE SMITH: That would be helpful.

17 MR. DIXON: Thank you, Your Honours.

18 PRESIDING JUDGE SMITH: Surely you've thought about these things
19 and are working on these items anyway, and so we --

20 MR. DIXON: Absolutely, yes.

21 PRESIDING JUDGE SMITH: And even press releases are being made
22 concerning the fact that things will be -- that the Rule 130 motion
23 will be filed, for example, or that witnesses will be called. Those
24 things are being talked about, so that's why we're curious about them
25 as well.

1 MR. DIXON: Yes. I haven't made any such statements, but there
2 have been, of course, these matters considered internally on an
3 ongoing basis, so we will be able to come back to Your Honours on
4 those time periods as soon as we can.

5 PRESIDING JUDGE SMITH: Thank you very much. Thank you very
6 much.

7 I wouldn't want to leave this meeting without telling everybody
8 - everybody - that you've been extremely cooperative and thoughtful
9 about how this case can proceed. I know it's not easy. I know it's
10 a difficult case. I know it's a difficult number of witnesses and
11 exhibits. But everyone has done their best to abide by the
12 suggestions that have been made and by the promises that have been
13 made, and we appreciate it. We aren't just sitting here complaining
14 about things. We actually recognise the effort that it takes to make
15 a case like this come to -- at least as far as the SPO is concerned,
16 to a finish line on time. And it took not only the SPO's efforts but
17 it took the Defence's efforts and the Victims' Counsel's efforts as
18 well. So we appreciate that.

19 I just don't want to miss anything I've written down here.

20 A couple of notes. We once again will confirm that we still do
21 not intend at this point or have any intention to call witnesses or
22 to submit documents on our own. We realise that things can change,
23 but that's certainly our intention at this time.

24 And just another note, all four Defence teams, just as a
25 reminder, since you weren't all here at the beginning, gave an

1 opening statement at the beginning of the case in early April 2023,
2 so we do not expect an additional opening statement prior to the
3 presentation of the Defence cases because we've heard it once
4 already.

5 Is there anything else you wish to bring before the Court at
6 this time? Anybody?

7 MR. TULLY: Yes, Your Honour, on a matter that has been brought
8 to our attention by Mr. Selimi. He has had some difficulty with
9 contacting the outside world, specifically his family. We believe
10 these are related to the modified detention conditions, which I am
11 not going to relitigate here. But I refer the Panel to our pending
12 motion filed on 13 December 2024. That's F02785. And the litigation
13 chain has concluded. We received a response. We replied in due
14 course. Victims' Counsel made observations, and we responded to
15 them.

16 We are highly cognisant of the vast amount of litigation before
17 the Panel and, indeed, the parties. But given the ongoing impact of
18 the modified detention conditions on Mr. Selimi's life, and our
19 maintenance that these conditions are no longer necessary or
20 proportionate, the resolution of the matter is of utmost importance
21 to us and more so to Mr. Selimi.

22 So with that in mind, we respectfully ask for guidance from the
23 Panel as to when we might expect a decision to be rendered on that
24 issue. Thank you.

25 PRESIDING JUDGE SMITH: We will give you an indication yet

1 today.

2 All right. We will --

3 MR. MISETIC: Mr. President?

4 PRESIDING JUDGE SMITH: Yes, go ahead.

5 MR. MISETIC: Just two points. One is I just want to give
6 you -- so you're fully informed as you go back to have your
7 discussions. On the motion *in limine* issue, I should have mentioned
8 earlier, our request is we need 12.000 words for the motion *in limine*
9 and 6.000, which is the standard response, for the response to the
10 SPO bar table motion. Just so you have the numbers in front of you.
11 And we would request an extension of time for both to put in, if
12 you're inclined to force us to respond to the SPO motion, by May 8th.
13 That's our request. I just wanted to put that on the record.

14 The second issue is that --

15 PRESIDING JUDGE SMITH: [Microphone not activated].

16 MR. MISETIC: Yes, yes.

17 The second issue is that Mr. Thaci respectfully requests that he
18 be allowed to follow the proceedings after the lunch break from the
19 detention unit, and we will fill out the appropriate forms to do
20 that.

21 PRESIDING JUDGE SMITH: Of course, he may.

22 MR. MISETIC: Thank you.

23 MR. DIXON: Your Honours, just two brief matters which we'd ask
24 to be dealt with at the end of the agenda. The first was regarding
25 Mr. Veseli's reoccurring problems, at least over the last three

1 months, of being able to speak to his children on the telephone line.
2 There have been extensive interruptions and difficulties in being
3 able to communicate with them.

4 Fortunately, we have had a detailed response from the Registry
5 on this before the hearing, and an interim solution has been found,
6 and they are looking into the matter, but I did wish to place it on
7 the record. Mr. Veseli did wish to emphasize that this has been an
8 unacceptable situation which has interfered with his rights and also
9 disrupted his focus on preparing his Defence case. And we will be
10 keeping it under review so that if the problem is not resolved we can
11 revert to the Registry and Your Honours if necessary. But we are
12 hoping now that it can be resolved.

13 So I did wish to raise that. There's no longer any need to
14 discuss it any further today.

15 And then secondly, Your Honours, with regard to detention visits
16 and having access to Mr. Veseli. I believe this is also a matter
17 that has arisen with the other teams as well. Without going through
18 all of the details of it, the nub of it is that we wish to ensure
19 that we are able to have notification well in advance that visits
20 have been confirmed so that we're not waiting until the last moment,
21 and that affects travel arrangements and logistical arrangements.

22 So it's a matter we're taking up with the Registry, but we did
23 wish to raise it before Your Honours because it was on the agenda
24 but -- although it might not be a matter Your Honours can rule on, to
25 give a clear indication that it is essential that confirmation of

1 visits is given as far as in advance as possible. We've asked for
2 ten days in advance so that proper arrangements can be made.
3 Because, of course, at the moment it's vital to have access to our
4 clients, when we're not in court all the time, to be looking at all
5 the matters we've discussed including preparing the Defence cases.

6 PRESIDING JUDGE SMITH: Thank you.

7 MR. MISETIC: Just briefly to join and to alert the Panel that
8 Mr. Thaci is having the same issues with respect to telephone calls
9 to his wife and son. We understand from Mr. Dixon that he is in
10 communication with the Registry to fix that issue. I just wanted to
11 put that on the record.

12 The second point is I had also raised in an e-mail to the Panel
13 an issue with my ability to visit with Mr. Thaci yesterday. The
14 Registry and Mr. Nilsson particularly intervened to resolve that
15 problem, for which I wish to express my gratitude on the record to
16 Mr. Nilsson for resolving that.

17 And I would just like to note that we don't know what all the
18 issues are that the detention unit has in arranging these visits, but
19 the extent that we can work cooperatively to -- for them to share
20 with us what the issues are so that we can perhaps work around them
21 together to facilitate these visits, we're more than open to doing
22 that. Thank you.

23 PRESIDING JUDGE SMITH: Jonas, do you have anything you would
24 like to say about this?

25 MR. NILSSON: Thank you, Your Honours. As much as I would like

1 to take credit for the solution that was found yesterday, the reality
2 is that that was resolved without me particularly being involved. So
3 I'll try to explain what happened.

4 What we're talking about is essentially a question of
5 availability of visiting rooms. That's the issue. We are in contact
6 and in constant exchange with the Defence teams to accommodate the
7 legal visits by counsels in addition to the other visits that the
8 detainees have.

9 Now, there are a certain number of visiting rooms that can be
10 used for this purpose, and we are using them to the maximum capacity.
11 It is a security environment. There is an enormous amount of work
12 dedicated to make sure that as many requests and wishes are respected
13 as possible, that there is a fair distribution of rooms not only to
14 -- and resources as well not only to the accused in this case but to
15 all detainees. The group of staff at the detention unit, they often
16 go above and beyond to find creative solutions within what is
17 possible security-wise.

18 So in this respect, there are some instances, and that's what
19 happened yesterday, where we seek assistance from other tribunals to
20 use their visiting rooms when they are available. That often happens
21 on very short notice. They are not able to give us permission to use
22 their visiting rooms until they are fairly sure that they do not need
23 them. So that's the -- and that's what happened yesterday. And that
24 accounts for the sometimes late notice, but that means that we have
25 used up or we are all -- or all our own visiting rooms are filled and

1 we are seeking solutions with other tribunals.

2 We're also looking into other options as the Defence knows.
3 They are not always the preferred options by the Defence team, but
4 there are video options and visits in this building, which will
5 happen today, for example.

6 I've looked through -- since this has been raised with us a few
7 times, I've looked through the records of the last few months for
8 some Defence teams, and on specific occasions I find that more often
9 than not, or, rather, if not always, then almost always, we will find
10 a way to accommodate the request. So there might be short notice or
11 you might -- hopefully not as short as yesterday, which was just a
12 few hours, but at least a number of days, so we'll -- and we'll try
13 to continue to do that. It requires quite some coordination and
14 effort on our part, and we are ready to do that, of course. We will
15 ask for some patience from the Defence teams for us to be able to do
16 this.

17 I think that's what I needed to say. Thank you.

18 PRESIDING JUDGE SMITH: Perhaps a joint meeting with at least
19 the lead counsel and Jonas' department at the Registry would be
20 helpful so that everyone can understand. The problem is they have to
21 borrow the room from the ICC, for example, and the ICC won't give the
22 release until they're sure they don't need it, which means that the
23 ten-day notice would not work. You might be told you might be able
24 to be there that day, but it's very difficult to give you a firm
25 answer when they know they're full on that date that you've asked

1 for. So I would suggest you take the opportunity to discuss this
2 further with Jonas and his office.

3 I think I understand the problem. We can't fix it. You know,
4 this is -- we don't run that prison, we don't run that detention
5 centre. So we will do all we can to help and to make sure that you
6 have the right to see your clients, but there are certain limitations
7 on what we can accomplish.

8 I think a joint meeting would be a very good idea, especially
9 since we're going to have a long period of time now with not daily
10 contact with people, so it would be worth your while. And I know
11 Jonas will accommodate that.

12 Anything else? Thank you for the comments, by the way.

13 MR. ROBERTS: [via videolink] Yes, Your Honour, just one other
14 issue.

15 PRESIDING JUDGE SMITH: Yes, go ahead, Mr. Roberts.

16 MR. ROBERTS: [via videolink] Partly just to prove that I was
17 following for the last two hours, but also there is one pending
18 request for an extension of time to respond to a bar table motion.
19 That's F3114. And counsel for Mr. Thaci had requested an extension
20 until 5 May, which wasn't opposed by the Prosecution, and that
21 request was submitted on 17 April. I just want to check or inquire
22 with the Panel whether that's authorised and that we have until 5 May
23 to respond to that filing.

24 PRESIDING JUDGE SMITH: Without objection, I will make an oral
25 order right now that that extension is approved, and you may count on

1 that.

2 MR. ROBERTS: [via videolink] Much obliged. Thank you,
3 Your Honour.

4 MR. MISETIC: Just a minor point, but do you intend for us to
5 reconvene at 2.30?

6 PRESIDING JUDGE SMITH: Yes, I do.

7 MR. MISETIC: If there's any chance of doing that earlier, that
8 would be greatly appreciated, but ...

9 PRESIDING JUDGE SMITH: [Microphone not activated].

10 MR. MISETIC: [Microphone not activated].

11 PRESIDING JUDGE SMITH: We'll do our very best to be available
12 at 2.00, but we have to make some oral orders.

13 MR. MISETIC: That's fine.

14 PRESIDING JUDGE SMITH: And you have to listen to me read more
15 orders.

16 MR. MISETIC: Thank you.

17 PRESIDING JUDGE SMITH: All right. We're adjourned until 2.00.

18 --- Luncheon recess taken at 11.49 a.m.

19 --- On resuming at 2.01 p.m.

20 PRESIDING JUDGE SMITH: Before issuing the remaining oral
21 orders, the Panel indicates to the parties and participants that at
22 this stage it is not minded to schedule an oral hearing in the
23 context of the Rule 130 litigation.

24 The Panel also indicates to Victims' Counsel that he is expected
25 to be ready to present his case in the month of July.

1 Lastly, regarding the Selimi Defence's query on F02785, the
2 Panel is working on the matter and will issue a decision as soon as
3 possible. In the meantime, the Panel invites the Defence to
4 coordinate with the competent people within the Registry to try to
5 resolve any difficulties associated with communications with close
6 relatives.

7 The Panel will now issue a few more oral orders.

8 First, the Panel orders the Defence to file its joint Rule 130
9 motion by Monday, 2 June 2025, that's the 2nd of June in 2025, or
10 within 14 days of the Panel's last ruling on admission of evidence,
11 whichever is later. The SPO is ordered to file its consolidated
12 response by Tuesday, 1 July 2025, or within 30 days of the Defence
13 Rule 130 motion, whichever is later. As prescribed by the
14 Rule 130(2), no reply will be entertained.

15 Regarding the requested extension of the word limit, the Panel
16 is satisfied that good cause has been shown for an extension of the
17 word limit for both the joint Defence Rule 130 motion and the SPO's
18 consolidated response. Pursuant to Article 36 of the rules on files
19 and filings, the Panel hereby grants an extension of the word limit
20 for the joint Defence Rule 130 motion to 20.000 words, and for the
21 SPO's consolidated response to 20.000 words, with an indication that
22 the parties should focus in their filings on matters central to the
23 Rule 130 litigation.

24 This concludes the Panel's tenth oral order.

25 The eleventh oral order on deadlines for Victims' case.

1 The Panel orders Victims' Counsel to submit no later than
2 Wednesday, 28 May 2025: One, a list of proposed witnesses to be
3 called should the Panel find that there is a case to answer; two, the
4 statements and/or reports of these witnesses, if they exist, and
5 summaries of the witnesses' proposed evidence as well as reasonable
6 estimates for the anticipated time needed for direct examination of
7 each proposed witness; three, a list of evidentiary items to be
8 tendered, should there be a case to answer, together with an
9 indication of the manner in which counsel proposes to tender them;
10 and, four, the roadmap to the Victims' case as well as any motions
11 under Rule 153 to 155, bar table motions and any other related
12 filings pursuant to the Rules and the Panel's Order on Conduct of
13 Proceedings.

14 The parties are ordered to notify the Panel and the other
15 parties and participants no later than Monday, June 9th, 2025: One,
16 whether they object to the admission of the Victims' Counsel's
17 proposed evidence, and if so, which parts; and, two which witnesses
18 they wish to cross-examine, should there be a case to answer, with a
19 reasonable estimate for the time needed for cross-examination of each
20 witness.

21 This concludes the Panel's eleventh oral order.

22 The Panel will now issue its oral order on the Thaci Defence
23 request for a briefing schedule for submissions on the admissibility
24 of obstruction-related materials gathered through special
25 investigative measures authorised by the Pre-Trial Judge.

1 On 15 April 2025, in filing F03120, the SPO filed a motion for
2 admission of materials related to alleged obstruction of these
3 proceedings.

4 On 17 April 2025, in filing F03127, the Thaci Defence requested
5 that the Panel set a briefing schedule authorising the Defence to:
6 One, file updated submissions on the exclusion *in limine* of such
7 materials by 30 April 2025; and, two, to file a response to the SPO's
8 motion, if necessary, within ten days of the notification of a
9 decision on the exclusion request.

10 On 18 April 2025, in filing F03132, the SPO responded that the
11 Thaci Defence request should be rejected.

12 On April 23rd, the Thaci Defence orally responded that its
13 request should be granted.

14 Having considered the Thaci Defence's request and the SPO's
15 submissions on that point, the Panel is of the view that the
16 litigation concerning the materials tendered by the SPO should not
17 and need not be bifurcated. The Panel is satisfied that any
18 submissions regarding the admissibility of materials tendered by the
19 SPO can be effectively addressed in response to the SPO's motion for
20 admission of such materials.

21 Regarding the Thaci Defence's argument that the Panel has ruled
22 that the Defence is entitled to a separate briefing period to
23 litigate the admissibility of the relevant materials, the Panel notes
24 that, in its decision F02501, it ruled that the Thaci Defence can
25 advance the same arguments as raised in its prior request for

1 exclusion *in limine*, not that it is entitled to a separate briefing
2 period. The rules do not entitle the parties to separate litigation
3 *in limine* in respect of admissibility, although the Panel could
4 consider it convenient to do so in its discretion. This is not the
5 case here.

6 The Panel therefore rejects the Thaci Defence's request.

7 This being said, should the Defence wish to seek additional
8 relief *in limine* in relation to this matter in a separate filing
9 where its submission cannot form part of its response to the SPO's
10 motion for admission, this should be done by the same deadline set by
11 the Panel for the response to the SPO's motion.

12 In this regard, the Panel notes the Thaci Defence's request for
13 an extension of time and word limits to file its response to the
14 SPO's motion. Considering that the deadline for a response to filing
15 F03120 is Friday, 25 April 2025, and that the SPO submitted that it
16 would not oppose reasonable extensions of word or time limits for
17 such response, the Panel is satisfied that good cause has been shown
18 for a limited extension of time limit for the Thaci Defence to
19 meaningfully address all issues arising from the SPO's motion F03120.
20 The Panel therefore grants an extension of the time limit to file any
21 *in limine* motion and respond to filing F03120 until Friday, 2 May
22 2025.

23 Regarding the requested extension of the word limit, the Panel
24 is of the view that a total of 18.000 words for the *in limine*
25 submission and the response to the SPO's motion is excessive. The

1 Panel is nevertheless satisfied that good cause has been shown for a
2 limited extension to a total of 10.000 words for any *in limine*
3 submissions in response to the SPO's motion. The Panel leaves it to
4 counsel's judgment how best to use its submission between the two
5 filings or a single consolidated filing, if it is so preferred.

6 This concludes the Panel's twelfth oral order.

7 Lastly, the Panel vacates the court schedule until 8 May 2025.
8 The Panel will advise the parties and participants regarding the next
9 sitting day.

10 Mr. Dixon, have you had a chance to consider the timeframe that
11 we talked about earlier?

12 MR. DIXON: Your Honours, unfortunately not at this point. But
13 those discussions will be taken up as soon as possible, and we will
14 revert, if we are able to.

15 PRESIDING JUDGE SMITH: Perhaps you can all just respond in
16 writing if that's the case.

17 MR. DIXON: Yes, that will be the quickest way, I expect.

18 PRESIDING JUDGE SMITH: All right. Anything from anybody else?

19 MR. HALLING: The only matter from our side, Your Honour, is,
20 and it's premature to ask now, but just to flag it, the Panel in
21 Case 07 on the Rule 130 decision set a Rule 119(2) deadline for the
22 Defence running from a target date, and we consider that to be a good
23 practice.

24 When this Panel is able to give a target date for a Rule 130
25 decision, whenever that would be, we would ask that a similar

1 deadline be given to the Defence for Rule 119(2) information.

2 PRESIDING JUDGE SMITH: Thank you.

3 Any comment on that?

4 MS. ROWAN: Your Honour, no, no comment on that, but just one
5 additional matter to raise, please.

6 Your Honour, the Panel ruled this morning in relation to an
7 extension of a word limit on filing 3056. That is the joint 155 and
8 153 motions for three witnesses: 4260, 4738, and 4574.

9 Now, as the Panel is aware, the Defence have endeavoured at all
10 times, wherever possible, to work together and work jointly, and, as
11 the Panel has also recognised today, that involves an incredible
12 amount of coordination and teamwork to combine our submissions
13 wherever possible and unite our submissions in one filing. We, as is
14 common practice, have sought to do that in relation to this.

15 One of the difficulties with that approach is there are
16 inevitably competing interests and inevitably different issues that
17 need to be raised by each of the four teams. This filing in
18 particular is dealing with three witnesses, two of whom are
19 particularly substantial, and two of whom go to very core issues in
20 this case and serious issues that are central to the allegations in
21 this case.

22 We have exhausted all of our best endeavours to, as a team of
23 four, bring the word count down as far as we possibly can. We only
24 come to the Panel on rare occasions to seek an extension of the word
25 limit when absolutely necessary. The application made this morning

1 for an extension of 3.000 was the minimal extension that we sought in
2 light of the submissions that in our view must be made in order to
3 reflect each of the four defendant's competing interests.

4 Were we each to file separate filings, which we would be
5 entitled to do so, the Panel would receive four 6.000-word filings,
6 which would be 24.000 words for the Panel to consider. What we are
7 simply asking for is for us to have the opportunity to combine 24.000
8 words down to 10.000 words which is more than half what the Panel
9 would otherwise be in a position to receive were we to work
10 separately.

11 In that less-than-half word count, we would be able to
12 adequately reflect all defendants' competing interests in relation to
13 these three witnesses. So we would ask the Panel to please
14 reconsider the extension of that 3.000 words, which, in our
15 submission, is in the interests of justice in order to reflect all
16 four teams.

17 If the Panel is not minded to do so, in the alternative, we
18 would ask the Panel or put the Panel on notice of the fact that what
19 we would propose to do is for each of the three witnesses be
20 responded to by an individual Defence team so that there would be
21 three separate filings each of 6.000 words, which would total 18.000,
22 almost double the joint word count that we are requesting.

23 So we would ask the Panel in those circumstances to please
24 reconsider. It is a rare instance when we would ask a second time
25 for reconsideration. We have cut it down to the bare minimum and

1 it's simply not enough.

2 PRESIDING JUDGE SMITH: Thank you.

3 MS. ROWAN: We'd also just simply add the SPO does not oppose,
4 we don't believe, any extension of the word count. We are being as
5 economical as possible with these words, but we are simply struggling
6 with the current goal that we are working towards. Thank you.

7 [Trial Panel confers]

8 PRESIDING JUDGE SMITH: We'll grant your request.

9 MS. ROWAN: I'm grateful. Thank you.

10 PRESIDING JUDGE SMITH: We're adjourned.

11 MR. LAWS: Your Honour, I'm so sorry.

12 MR. TULLY: Your Honour.

13 PRESIDING JUDGE SMITH: Oh.

14 MR. TULLY: I believe Mr. Laws is before me.

15 MR. LAWS: Thank you very much.

16 PRESIDING JUDGE SMITH: Go ahead.

17 MR. LAWS: Yes, sorry, Your Honour. One clarification from me,
18 if I may. This morning I mentioned, and it's the provisional
19 transcript page 30, at line 6, I introduced the topic of a
20 substantial number of victim statements that we are in the process of
21 preparing, and I just want to be clear where they fit into the oral
22 order that's just been made in respect of the service of our case.

23 What I said at page 30 was that we were going to introduce those
24 in the proposed filing, which is now 28 May, inform everybody and the
25 Panel what they are and what the basis of them is, but I can't

1 honestly see that they're going to be ready to be provided by 28 May.
2 And the reason for that is that, apart from anything else, we want
3 them to be signed, and it's a very laborious process. I'm sure I
4 don't need to go into the details, but --

5 PRESIDING JUDGE SMITH: So you're suggesting you will give a
6 description of everything but you won't have the actual document.

7 MR. LAWS: Exactly. And what I said this morning was that we
8 saw that coming rather later in the sequence of events. And the
9 position will be these will be documents that deal with harm,
10 there'll be a lot of them, and they won't be ready by 28 May, but
11 they can certainly be served perhaps if I say at or before the
12 Victims' case in July.

13 PRESIDING JUDGE SMITH: Yes, well, could we say July 1st? No
14 later than July 1st?

15 MR. LAWS: Yes. Yes, thank you.

16 [Trial Panel confers]

17 PRESIDING JUDGE SMITH: It seems the consensus on this would be
18 that on the 28th you submit those that you have, and then on a
19 rolling basis continue to do so so that they are completed by 1 July.

20 MR. LAWS: Yes, we can do that. Thank you.

21 PRESIDING JUDGE SMITH: Does that work for you?

22 MR. LAWS: Yes, it does. Thank you.

23 PRESIDING JUDGE SMITH: All right.

24 MR. MISETIC: Mr. President, just if I --

25 PRESIDING JUDGE SMITH: He was up first.

1 MR. MISETIC: Oh, sorry. [Microphone not activated].

2 MR. TULLY: A simple clarification, Your Honour. Your order
3 granting the Thaci request for extension of time and word limit, it
4 referred only to Mr. Thaci. Am I correct in assuming that that would
5 also apply to other accused mentioned in filing F03120? That would
6 be us and Mr. Veseli.

7 PRESIDING JUDGE SMITH: [Microphone not activated].

8 MR. TULLY: It's F03120, the obstruction materials. We are also
9 concerned in that filing to a lesser extent and so is Mr. Veseli.
10 Does the extension apply to everybody?

11 PRESIDING JUDGE SMITH: [Microphone not activated] You're going
12 to file separate pleadings on this, not a consolidated?

13 MR. TULLY: I believe so, yes.

14 PRESIDING JUDGE SMITH: Well --

15 MR. TULLY: Well --

16 PRESIDING JUDGE SMITH: Go ahead.

17 MR. MISETIC: I can say we need all of those 10.000 words, so it
18 would have to be a separate filing.

19 MR. TULLY: It may be the case, Your Honour, and I would have to
20 discuss this with --

21 PRESIDING JUDGE SMITH: So how many words do you need?

22 MR. TULLY: I don't believe we would need an extension as of
23 now. I think we're fine with that. We were mainly concerned with
24 the time limit, to be honest, Your Honour, which is 2 May 2025.
25 Because it only concerns seven excerpts for our client.

1 PRESIDING JUDGE SMITH: [Microphone not activated].

2 2 May is adequate?

3 MR. TULLY: Yes.

4 PRESIDING JUDGE SMITH: Yes, all right.

5 MR. TULLY: Thank you.

6 MR. ELLIS: Your Honour, given the nature of the filing, we
7 would need to respond separately as well, and we would seek 2 May as
8 well. No extension of words needed.

9 PRESIDING JUDGE SMITH: Thank you very much. So is that clear
10 for everybody?

11 MR. DIXON: And the same for Veseli.

12 PRESIDING JUDGE SMITH: All four of you can file what you wish
13 on that within the normal page limits by 2 May. All right?

14 Now, Mr. Misetic.

15 MR. MISETIC: Thank you, Your Honour. Just in response to
16 Victims' Counsel. I just wish to preserve our position and make sure
17 there is no prejudice to the issue of us receiving statements of
18 victims by July 1st, and then the Victims' case, as of right now,
19 starting in July. Without having seen what's coming --

20 PRESIDING JUDGE SMITH: [Microphone not activated] ... we
21 probably will start in July with his case.

22 MR. MISETIC: Yes, but I guess I'm just saying I don't know
23 what's in those statements and what purpose they're being submitted
24 for. But to the extent that we will object or potentially oppose 153
25 or 155 applications, that may be relevant to your considerations of

1 what we hear from victims from the Victims' case in July --

2 PRESIDING JUDGE SMITH: [Microphone not activated].

3 MR. MISETIC: -- and whether there will be a need to call
4 further victims for testimony.

5 PRESIDING JUDGE SMITH: Well, I don't think anybody is trying to
6 cut off your ability to object to anything. We're just giving him
7 the dates that he shall comply.

8 MR. MISETIC: That's fine. I'm just trying to preserve our
9 position that that might not be sufficient notice for us to actually
10 be ready to go in July, other than with the expert witnesses, which I
11 assume we're getting in May, as discussed earlier. We hopefully will
12 be ready to go on those, but if --

13 PRESIDING JUDGE SMITH: [Microphone not activated].

14 I think, Mr. Laws, you correct me if I'm wrong, but you
15 indicated it was a limited number of statements?

16 MR. LAWS: So the statements that I've raised just now, for
17 clarification, is a very large number. But if I can put
18 Mr. Misetic's mind at ease in this way: These are not statements
19 that are going to be served on the parties and on the Court on the
20 basis that if they are rejected, the victims will be called to
21 testify. That's not going to be the position. These are statements
22 that come from a somewhat different procedural basis to the Rule 153,
23 154, 155 regime, and we'll explain that in the filing in May more
24 fully.

25 JUDGE GAYNOR: Mr. Laws, just one question. Is it still your

1 position that you will call all your witnesses and leave enough time
2 for reasonable cross-examination and all of that will happen within
3 one week; is that correct?

4 MR. LAWS: Yes.

5 JUDGE GAYNOR: So --

6 MR. LAWS: One week with the possibility to go into a second.
7 But as best I can gauge it now, I can't see it requiring more than a
8 week.

9 JUDGE GAYNOR: So the total number of viva voce victims who are
10 going to testify can't be very high?

11 MR. LAWS: Very few, if any. I can't give that number now
12 because there are ongoing conversations in respect of that matter,
13 whether anyone will want to testify. But if they do, it's going to
14 be a very small number.

15 JUDGE GAYNOR: Thank you.

16 PRESIDING JUDGE SMITH: Does that satisfy your concern, to some
17 extent anyway?

18 MR. MISETIC: To some extent. But as I said, I just wanted to
19 preserve our position on the record that our position is without any
20 prejudice to any objection [Overlapping speakers] ...

21 PRESIDING JUDGE SMITH: I don't think there is any question
22 about that.

23 MR. LAWS: Yes, perhaps I can make it even clearer. People that
24 we're going to call to testify live in July, or whenever it is, they
25 will be identified in the 28 May filing, no question. I can see

1 Mr. Misetic is finally happy.

2 MR. MISETIC: That is a relief. Thank you.

3 PRESIDING JUDGE SMITH: Anybody else? No more clarifications of
4 my perfectly clear orders? All right.

5 We're adjourned.

6 --- Whereupon the hearing adjourned at 2.26 p.m.

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