

**FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

THE MINISTRY OF DEFENSE AND  
SUPPORT FOR THE ARMED FORCES OF  
THE ISLAMIC REPUBLIC OF IRAN, as  
Successor in Interest to the  
Ministry of War of the  
Government of Iran,

*Plaintiff-Appellant,*

v.

DARIUSH ELAHI,

*Intervenor-Appellee.*

No. 03-55015  
D.C. No.  
CV-98-01165-RMB  
Southern District of  
California,  
San Diego  
ORDER

On Remand from the United States Supreme Court

Filed June 23, 2009

Before: Betty B. Fletcher, Kim McLane Wardlaw and  
Raymond C. Fisher, Circuit Judges.

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**COUNSEL**

David J. Bederman, Law Office of David J. Bederman, Esq.,  
Atlanta, Georgia (argued), Anthony J. Van Patten, Anthony J.  
Van Patten, Inc., Glendale, California, Mina Almassi, Los  
Altos, California, for the plaintiff-appellant.

Jonathan R. Mook, DiMuroGinsberg, P.C., Alexandria, Vir-  
ginia (argued), Philip J. Hirschkop, Hirschkop & Assoc., P.C.,  
Alexandria, Virginia, for the intervenor-appellee.

Lewis S. Yelin, Dept. of Justice, Civil Division, Washington,  
D.C. (argued), Peter D. Keisler, Assistant Attorney General,

Carol C. Lam, United States Attorney, Douglas N. Letter, Appellate Litigation Counsel, for United States as Amicus Curiae.

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**ORDER**

We remand to the district court to comply with the United States Supreme Court's decision in *Ministry of Defense and Support for the Armed Forces of the Islamic Republic of Iran v. Elahi*, \_\_\_ U.S. \_\_\_, 129 S. Ct. 1732 (2009).



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