

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SAURYVONG SAVANG, et al.,

Plaintiffs,

v.

LAO PEOPLE'S DEMOCRATIC
REPUBLIC, et al.,

Defendants.

Case No. 16-cv-02037-VC

**ORDER GRANTING LEAVE TO
AMEND AND REQUESTING
SUPPLEMENTAL BRIEFING**

Re: Dkt. No. 23

The plaintiffs' request for leave to amend their motion for class certification is granted. (Dkt. No. 23.) With respect to the plaintiffs' pending motions for class certification and default judgment, the Court orders the plaintiff to file a supplemental brief by Wednesday, July 5, 2017, addressing the following:

1. Whether service was proper as to all defendants. The plaintiffs should be sure to discuss whether Lao People's Democratic Republic was properly served pursuant to 28 U.S.C. § 1608.
2. Whether exercising personal jurisdiction over the individual defendants is consistent with the Due Process Clause.
3. Whether the Court has jurisdiction over Lao People's Democratic Republic assuming service was effected properly. *See Argentine Republic v. Amerada Hess Shipping Corp.*, 488 U.S. 428, 439 (1989); *Verlinden B.V. v. Central Bank of Nigeria*, 461 U.S. 480, 493 & n.20 (1983) ("[E]ven if the foreign state does not enter an appearance to assert an immunity

defense, a District Court still must determine that immunity is unavailable under the [Foreign Sovereign Immunities] Act.").

4. Whether any of the individual defendants are entitled to head-of-state immunity, or any other form of immunity. *See Samantar v. Yousuf*, 560 U.S. 305, 321 & n.15 (2010).

In light of this request for supplemental briefing, the Court will vacate the telephonic case management conference scheduled for June 27, 2017 and reset it for a date later in July.

IT IS SO ORDERED.

Dated: June 22, 2017



VINCE CHHABRIA
United States District Judge