

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

M. VICTORIA CUMMOCK, in her own)
right, and as personal representative of)
the ESTATE of JOHN CUMMOCK,)
deceased; CHRISTOPHER JOHN)
CUMMOCK; MATTHEW DAVID)
CUMMOCK; and ASHLEY)
MICHELLE CUMMOCK,)

Plaintiffs,)

v.)

Case No. 96-CV-1029 (CKK)

THE SOCIALIST PEOPLE'S LIBYAN)
ARAB JAMAHIRIYA; LIBYAN)
EXTERNAL SECURITY)
ORGANIZATION, a/k/a JAMAHIRIYA)
SECURITY ORGANIZATION; LIBYAN)
ARAB AIRLINES; ABDEL-BASSET)
ALI AL-MEGRAHI, a/k/a MR. BASET,)
a/k/a AHMED KHALIFA ABDUSAMED,)
a/k/a ABD AL-BASIT AL-MAQRAHI;)
and LAMEN KHALIFA FHIMAH, a/k/a)
AL AMIN KHALIFA FHIMAH, a/k/a)
MR. LAMIN,)

Defendants.)

**PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT
BASED ON COLLATERAL ESTOPPEL
AS TO DEFENDANT ABDEL BASET AL-MEGRAHI**

Pursuant to LCvR 7 and 56.1, Plaintiffs hereby move this Court for summary judgment as to Defendant Abdelbaset Ali Al-Megrahi ("Megrahi") based on collateral estoppel and international comity as a result of the criminal conviction of Megrahi on 270 counts of murder by the Scottish High Court of Justiciary on January 31, 2001, for his role in the bombing of Pan American Airlines Flight 103 en route from Heathrow Airport in London to John F. Kennedy

International Airport in New York on December 21, 1988. Pursuant to LCvR 7(m), counsel for Plaintiffs has conferred with counsel for Megrahi and have determined that it is impossible to narrow the areas of disagreement and that this motion will be met with opposition.

Respectfully submitted,

Dated: June 3, 2005

/S/ _____
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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of June, 2005, I sent a true copy via Federal Express of the Plaintiffs' Motion for Summary Judgment Based on Collateral Estoppel as to Defendant Abdel Baset Al-Megrahi, Memorandum of Points and Authorities in Support of Plaintiffs' Motion for Summary Judgment Based on Collateral Estoppel as to Defendant Abdel Baset Al-Megrahi, and Plaintiffs' Statement of Material Facts as to Which There is no Genuine Issue in Support of Plaintiffs' Motion for Summary Judgment Based on Collateral Estoppel as to Defendant Abdel Baset Al-Megrahi to:

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_____/S/_____
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