

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

WILLIAM THOMAS MASSIE;
DUNNIE RICHARD TUCK;
DONALD RAYMOND MCCLARREN; and
ROSE BUCHER, Individually and as the duly
appointed Personal Representative of the
ESTATE OF LLOYD BUCHER,
DECEASED,

Plaintiffs,

vs.

THE GOVERNMENT OF THE
DEMOCRATIC PEOPLE'S REPUBLIC OF
KOREA, its Ministries, Agencies and
Instrumentalities,

Defendants

Court No. 1:06CV00749 (HHK)

RESPONSE TO ORDER TO SHOW CAUSE

Come now Plaintiffs and file their response to the Order of the Court, entered August 15, 2007, by which the Court directed them to should show cause why this action should not be dismissed for failure to prosecute. Plaintiffs respectfully request that the Court not dismiss this action but instead enter a Default Judgment against the Defendants.

As reflected by the Motion for Default Judgment and the Memorandum in Support which are being filed along with this Response, Plaintiffs were not able to perfect service on the Defendants until September 8, 2006. They finally received confirmation of service from DHL Express on October 13, 2006. *See* Attachment A. Since that time, Plaintiffs, out of an abundance of caution and in order to conserve the resources of this Court, have actively attempted, through repeated communications with the United States Department of State and the

Department of Treasury, to ascertain whether it would be possible to satisfy any future judgment that might be rendered by this Court by liquidating seized and frozen assets owned by Defendants. After various delays, the United States Department of Treasury has only recently responded to the Freedom of Information Act requests filed by Plaintiffs.

Plaintiffs are now ready, willing and able to proceed immediately with the prosecution of this matter. Therefore, they incorporate herein the request that the Court schedule a status conference for the purpose of establishing a protocol for the presentation of evidence and argument as required by 28 U.S.C. § 1608(e) relating to Plaintiffs' right to a default judgment against Defendants, The Government of the Democratic People's Republic of Korea, its Ministries, Agencies, and Instrumentalities.

Respectfully submitted,

Richard H. Streeter /s/

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