

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

SAVVAS CHARALAMBOUS,)	
)	
Petitioner,)	
)	
v.)	Docket no. 2:10-cv-375
)	
ELIZABETH ROHNERT)	
CHARALAMBOUS,)	
)	
Respondent.)	
)	

PROCEDURAL ORDER

Before the Court is Appellee's Emergency Motion to Modify Stay (Docket # 101), which has been transferred to this Court by the First Circuit. (See Nov. 10, 2010 Order of Court (Docket # 100).) The First Circuit has specifically requested that this Court treat the pending motion as an urgent matter and attempt to resolve it before November 22, 2010. Therefore, the Court hereby ORDERS the following:

- (1) Respondent Elizabeth Charalambous shall file her response to the Emergency Motion to Modify the Stay no later than NOON on Friday, November 12, 2010.
- (2) Counsel shall appear for an in-person conference of counsel at NOON on Monday November 15, 2010.
 - (a) Stipulations: At this conference, counsel shall be prepared to provide any stipulations of fact to which the parties agree regarding the events that have transpired since October 26, 2010. To the extent possible, these stipulations shall be in writing. However, the Court may alternatively accept stipulations presented orally on the record.
 - (b) Proposed Witnesses: Counsel shall also come prepared to disclose any witnesses that they would present at an evidentiary hearing on this motion

and proffer what each witness' testimony would be regarding the relevant facts.

(c) Applicable Maine Law: Either in writing before the conference or orally at the conference, counsel shall be prepared to address the applicable requirements of Maine law that must be satisfied in connection with awarding temporary physical custody to one parent and/or removing a child from the physical custody of one parent. See 42 U.S.C. § 11604(b) (requiring a court to find “the applicable requirements of State law are satisfied” before “order[ing] a child removed from a person having physical control of the child”).

(3) At the conclusion of this conference of counsel, the Court will determine whether it will be necessary to hold an evidentiary hearing in this matter. If a hearing is necessary, it will be held on Wednesday, November 17, 2010, beginning at 8 AM. Each side will have 2 hours to present any testimony or other disputed evidence at this hearing.

(4) To the extent that the passports of N.C. and A.C. were released to Petitioner Savvas Charalambous on October 13, 2010, Petitioner is hereby ORDERED to surrender the passports of N.C. and A.C. to the Clerk no later than 10:00 AM on November 12, 2010. The Clerk shall retain possession of these passports pending further order of this Court or the First Circuit Court of Appeals. Petitioner Savvas Charalambous and Respondent Elizabeth Charalambous are hereby explicitly PROHIBITED from removing N.C. or A.C. or causing N.C. or A.C. to be removed from the District of Maine absent prior approval by this Court or the First Circuit Court of Appeals.

SO ORDERED.

/s/ George Z. Singal
U.S. District Judge

Dated at Portland, Maine on this 10th day of November, 2010.