## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA ALEXANDRIA DIVISION

SUHAIL NAJIM ABDULLAH		)	
AL SHIMARI et al.,		)	
		)	
	Plaintiffs,	)	
		)	
V.		)	C.A. No. 08-cv-827 GBL-JFA
		)	
CACI INTERNATIONAL, INC., et. al., )		)	
		)	
	Defendants	)	
		)	
		)	

## THE TORTURE VICTIMS' REPLY IN SUPPORT OF THEIR MOTION TO LIFT THE COURT'S STAY OF DISCOVERY

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In light of the Court's Order denying the torture victims motion to strike or dismiss Defendants' Notice of Appeal (Docket #109, March 31, 2009), the torture victims withdraw their motion to lift the stay of discovery. While the torture victims contend that the Notice of Appeal is frivolous, *see Behrens v. Pelletier*, 516 U.S. 299, 311 (1996) (approving of the review of a notice of appeal by the District Court to determine whether it is frivolous and noting that this process minimizes disruption of the ongoing proceedings), the Order having issued, the victims will file the necessary papers with the Fourth Circuit. Pending the Fourth Circuit's determination of jurisdiction, the torture victims withdraw their motion to lift the stay of discovery.

Respectfully submitted,

/s/ Susan L. Burke

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Attorneys for Plaintiffs

Date: April 2, 2009

## **CERTIFICATE OF SERVICE**

I hereby certify that on the 2<sup>nd</sup> day of April, 2009, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following

J. William Koegel, Jr. Virginia Bar No. 38243 John F. O'Connor (admitted *pro hac vice*) Attorneys for Defendants CACI Premier Technology, Inc. and CACI International Inc STEPTOE & JOHNSON LLP 1330 Connecticut Avenue, N.W. Washington, D.C. 20036 (202) 429-3000 - telephone (202) 429-3902 – facsimile wkoegel@steptoe.com joconnor@steptoe.com

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