

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

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

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

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

Susan L. Burke (Virginia Bar No. 27769)

William F. Gould
BURKE O'NEIL LLC
1000 Potomac Street, NW, Suite 150
Washington, DC 20007
Tel: (202) 445-1409
Fax: (202) 232-5514
sburke@burkeoneil.com

Katherine Gallagher (admitted *pro hac vice*)
CENTER FOR CONSTITUTIONAL RIGHTS
666 Broadway, 7th Floor
New York, NY 10012

Shereef Hadi Akeel
AKEEL & VALENTINE, P.C.
888 West Big Beaver Road
Troy, Michigan 48084-4736

Attorneys for Plaintiffs

Date: April 2, 2009

