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

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SUHAIL NAJIM ABDULLAH AL SHIMARI, et al.,

Plaintiffs,

v.

CACI INTERNATIONAL INC, et ano.,

Defendants.

Case No. 1:08-CV-00827-GBL-JFA

MOTION OF THE CACI DEFENDANTS TO STAY DISCOVERY

Defendants CACI International Inc and CACI Premier Technology, Inc. (collectively, the "CACI Defendants") respectfully request that the Court enter an order staying discovery in this action pending resolution of the CACI Defendants' motion to dismiss, which will be filed during the week of September 29, 2008.¹ Under Fourth Circuit precedent, a stay of discovery is required when the Court has before it a dispositive motion that asserts immunity from suit, which is one of the basis on which the CACI Defendants will seek dismissal of Plaintiffs' Amended Complaint. In addition, discovery should be stayed because the discovery needed for this action largely consists of sensitive and/or classified documents in the hands of the United States government. Therefore, discovery should not commence prior to resolution of the CACI Defendants' motion to dismiss. The bases for the CACI Defendants' motion are set forth in greater detail in the accompanying Memorandum. Counsel for the CACI Defendants conferred

¹ Plaintiffs' counsel filed an Amended Complaint on September 15, 2008. As a result, the CACI Defendants' deadline for responding to Plaintiffs' Amended Complaint is October 2, 2008.

with Plaintiffs' counsel with respect to the relief requested in this Motion, and Plaintiffs decline to consent to such relief.

Wherefore, the CACI Defendants respectfully request that the Court grant its motion. A proposed order is attached.

Respectfully submitted,

/s/ J. William Koegel, Jr.

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

September 24, 2008

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of September, 2008, I will electronically file 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:

Susan L. Burke William Gould Attorneys for Plaintiff Burke O'Neil LLC 4112 Station Street Philadelphia, PA 19127 (215) 487-6596 – telephone sburke@burkeoneil.com wgould@burkeoneil.com

/s/ J. William Koegel, Jr.

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