

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re: TERRORIST ATTACKS ON	:	
SEPTEMBER 11, 2001	:	MDL No.: 03-1570 (GBD)
_____	:	
	:	
This Document Relates to:	:	
	:	
<i>Fiona Havlish, et al., v. Bin-Laden, et al.,</i>	:	
1:03-CV-09848	:	
_____	X	

PLAINTIFFS’ UNOPPOSED MOTION FOR LEAVE TO FILE PLAINTIFFS’ FIRST MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR ENTRY OF JUDGMENT BY DEFAULT AGAINST SOVEREIGN DEFENDANTS WHICH EXCEEDS THE PAGE LIMIT SET FORTH IN THE COURT’S INDIVIDUAL PRACTICES

Pursuant to paragraph 2.C. of the Individual Practices of Judge George B. Daniels dated May 1, 2001, Plaintiffs respectfully move for leave to exceed the page limit for Plaintiffs’ First Memorandum of Law in Support of Motion for Entry of Judgment by Default Against Sovereign Defendants. Plaintiffs seek judgment pursuant to the Foreign Sovereign Immunities Act (“FSIA”) 28 U.S.C. § 1602, *et seq.*, as amended. The FSIA provides that a court cannot enter judgment by default against a foreign state “unless the claimant establishes his claim or right to relief by evidence satisfactory to the court.” 28 U.S.C. §1608(e); See also *Roeder v. Islamic Republic of Iran* 333 F.3d 228, 232 (D.C. Cir. 2003) (“The Court still has an obligation to satisfy itself that plaintiffs have established a right to relief.”). Plaintiffs believe exceeding the page limit is necessary in order for Plaintiffs to fully address the evidence establishing the Sovereign Defendants’ material support for the terrorist attacks giving rise to this action. This is especially

true in this case where Plaintiffs will be seeking to enforce their judgment in foreign courts which will require a thorough briefing of the law and evidence in support of the judgment.

Not a single Defendant has appeared in this case and therefore this Motion is unopposed. For the Court's convenience, Plaintiffs' First Memorandum of Law in Support of Motion for Entry of Judgment by Default Against Sovereign Defendants, along with its exhibits, is being filed electronically simultaneously with this Motion.

WHEREFORE, Plaintiffs respectfully request and Order granting Plaintiffs' Motion to exceed the page limit for their Memorandum of Law.

Dated: May 19, 2011

Respectfully submitted,

/s/ Stephen A. Corr

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CERTIFICATE OF SERVICE

I, Stephen A. Corr, Esquire, hereby certify that the defendants in the matter of *Havlish, et al. v. bin Laden, et al.*, are in default and have not registered for ECF and, therefore, those defendants have not been served with the attached Motion. All other interested parties in the consolidated actions are being served through the ECF system this 19th day of May, 2011.

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