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SCSL - 04 - 15 - T
(26065 - 26067)

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SPECIAL COURT FOR SIERRA LEONE
OFFICE OF THE PROSECUTOR
Freetown -- Sierra Leone

Before: Hon. Justice Benjamin Mutanga Iloe, Presiding
Hon. Justice Bankole Thompson
Hon. Justice Pierre Boutet

Registrar: Mr. Herman von Hebel

Date filed: 21 May 2008

THE PROSECUTOR

Against

Issa Hassan Sesay

Morris Kallon

Augustine Gbao

Case No. SCSL-04-15-T

PUBLIC

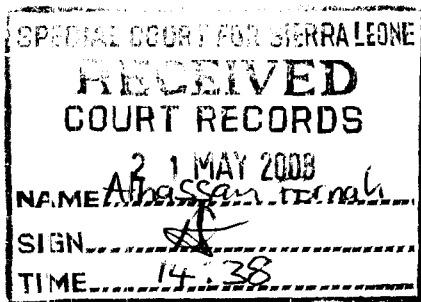
**PROSECUTION RESPONSE TO GBAO AND SESAY URGENT APPLICATION FOR EXTENSION OF
TIME TO FILE EXPERT REPORT**

Office of the Prosecutor:
Pete Harrison
Vincent Wagona

Defence Counsel for Sesay
Wayne Jordash
Sareta Ashraph

Defence Counsel for Kallon
Charles Taku
Kennedy Ogetto
Lansana Dumbuya
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Court Appointed Defence Counsel for Gbao
John Cammegh
Scott Martin




I. SUBMISSION

1. On 19 May the Trial Chamber issued an order that the report of Johan Hederstedt be disclosed no later than 4 p.m. on 20 May 2008.¹ On 20 May 2008 the First and Third Accused filed an “Urgent Application for Extension of Time to File Expert Report,” (“Application”).² The order for expedited filing requires a Reply by 4 p.m. on 22 May 2008.³ The Application seeks an extension of time to 26 May 2008 to file the expert report. The practical considerations of this Application are obvious.
2. The Prosecution does not object to an extension of time for filing the expert report but requests that the draft referred to in the Gbao filing of 30 April 2008,⁴ which states that the draft was delivered to the Accused on 11 April 2008, be disclosed forthwith.
3. Prosecution expert reports were disclosed over a year before the witnesses testified. Fairness dictates that the Prosecution be provided a commensurate and fair amount of time to review the Hederstedt report
4. The Prosecution reserves its right to apply at a later time, should circumstances so require, to adjourn the cross-examination of the defence military expert.

Filed in Freetown,

21 May 2008

For the Prosecution,



Pete Harrison

¹ *Prosecutor v. Sesay et al*, SCSL-2004-15-T-1127, “Decision on Gbao – Request for Leave to Call Four Additional Witnesses and for Order for Protective Measures, With Annex A,” 30 April 2008.

² *Prosecutor v. Sesay et al*, SCSL-2004-15-T-1130, “Gbao and Sesay – Urgent Application for Extension of Time to File Expert Report,” 20 May 2008.

³ *Prosecutor v. Sesay et al*, SCSL-2004-15-T-1131, “Order for Expedited Filing,” 20 May 2008.

⁴ *Prosecutor v. Sesay et al*, SCSL-2004-15-T-1107, “Gbao Request for Leave to Call Four Additional Witnesses and for Order for Protective Measures, With Annex A,” 30 April 2008, para. 14.

List of Authorities

Decisions and Judgements

Prosecutor v. Sesay et al, SCSL-2004-15-T-1127, “Decision on Gbao – Request for Leave to Call Four Additional Witnesses and for Order for Protective Measures, With Annex A,” 30 April 2008.

Prosecutor v. Sesay et al, SCSL-2004-15-T-1130, “Gbao and Sesay – Urgent Application for Extension of Time to File Expert Report,” 20 May 2008

Prosecutor v. Sesay et al, SCSL-2004-15-T-1131, “Order for Expedited Filing,” 20 May 2008.

Prosecutor v. Sesay et al, SCSL-2004-15-T-1107, “Gbao Request for Leave to Call Four Additional Witnesses and for Order for Protective Measures, With Annex A,” 30 April 2008.