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SCSL-2004-15-T  
(9661 - 9663)

9661

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

Before: Judge Benjamin Mutanga Itoe, Presiding Judge  
Judge Bankole Thompson  
Judge Pierre Boutet

Registrar: Mr. Robin Vincent

Date filed: 8 December 2004

**THE PROSECUTOR**

**Against**

**ISSA HASSAN SESAY  
MORRIS KALLON  
AUGUSTINE GBAO**

Case No. SCSL - 2004 - 15 - T

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**PROSECUTION RESPONSE TO THE COUNTER MOTION OF THE ACCUSED  
KALLON FOR AN ORDER THAT WITNESSES TF1-103, TF1-106, TF1-146,  
TF1-189, TF1-274, TF1-276, TF1-013 AND TF1-302 BE EXCLUDED FROM THE  
PROSECUTION RENEWED WITNESS LIST**

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Office of the Prosecutor:  
Luc Côté  
Lesley Taylor  
Sharan Parmar

Defence Counsel for Issa Sesay  
Wayne Jordash

Defence Counsel for Morris Kallon  
Shekou Touray

Defence Counsel for Augustine Gbao  
Andreas O'Shea  
John Cammegh

*MAUREEN EDWARDS*  
*M Edwards*  
*10.57*

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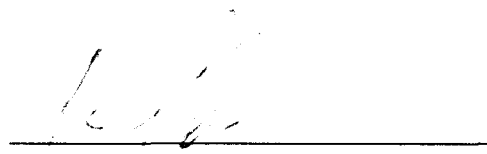
1. The Accused filed a document titled “Kallon – Defence Response And Counter Motion To Prosecution Request For Leave To Call Additional Witness And Disclose Additional Witness Statements Pursuant To Rules 66(A)(ii) and 73bis(E)” on 3 December 2004.
2. The Prosecution filed a Consolidated Reply to the Kallon Defence Response, and the Defence Responses of the Accused Sesay and Gbao on today’s date.
3. The Prosecution responds to the Kallon Counter Motion in this pleading.
4. By its Order of 3 December 2004, this Court held that the Prosecution must seek leave of this Chamber to add Witnesses TF1-189, TF1-274, TF1-126 and TF1-210 to the Prosecution’s Renewed Witness List, and Witnesses TF1-106, TF1-146, TF1-

103, TF1-276, TF1-013, TF1-155 and TF1-302 to the “back-up list”. The Prosecution takes the view that this Order renders moot the Counter Motion of the Accused Kallon.<sup>1</sup>

23. The Prosecution accepts the Court’s Decision and Order, and wishes to express its apology to the Court and the parties for the inadvertent errors found in the Prosecution’s witness list. The Prosecution will respond more fully to this matter when it files a corrected witness list of “core” and “back-up” witnesses.

All of which is respectfully submitted,

Filed in Freetown, 8 December 2004



Luc Côté  
Chief of Prosecutions



Pete Harrison

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<sup>1</sup> The relief is sought at para. 31(1) of the Kallon – Defence Response and Counter Motion, and the grounds on which the relief is sought are found at paras. 7, 12, 15-18 and 23.