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SCSL-04-14-T  
(20756-20758)

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**SPECIAL COURT FOR SIERRA LEONE**

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**TRIAL CHAMBER I**

**Before:** Hon. Justice Bankole Thompson, Presiding Judge  
Hon. Justice Pierre Boutet  
Hon. Justice Benjamin Mutanga Itoe

**Registrar:** Mr. Lovemore G. Munlo, SC

**Date:** 27<sup>th</sup> of November 2006

**PROSECUTOR**                      **Against**                      **SAM HINGA NORMAN**  
**MOININA FOFANA**  
**ALLIEU KONDEWA**  
(Case No.SCSL-04-14-T)

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**Public Document**

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**DECISION ON PROSECUTION REQUEST TO FILE TWO ADDITIONAL ANNEXES TO THE PROSECUTION FINAL TRIAL BRIEF**

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**Office of the Prosecutor:**

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James Johnson  
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**Court Appointed Counsel for Sam Hinga Norman:**

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**Court Appointed Counsel for Moinina Fofana:**

Victor Koppe  
Arrow Bockarie  
Michiel Pestman  
Steven Powles

**Court Appointed Counsel for Allieu Kondewa:**

Charles Margai  
Yada Williams  
Ansu Lansana  
Susan Wright

**SPECIAL COURT FOR SIERRA LEONE**  
**RECEIVED**  
**COURT MANAGEMENT**  
27 NOV 2006  
NAME Adwaga Nsiima K.  
SIGN Nsiima  
TIME 13:10

**TRIAL CHAMBER I** (“The Chamber”) of the Special Court for Sierra Leone (“Special Court”) composed of Hon. Justice Bankole Thompson, Presiding Judge, Hon. Justice Pierre Boutet and Hon. Justice Benjamin Mutanga Itoe;

**SEIZED OF** the “Prosecution Request For Leave to File Two Additional Annexes to the Prosecution Final Trial Brief”, filed *confidentially* on the 27<sup>th</sup> of November 2006 (“Request”),<sup>1</sup> wherein the Prosecution request permission to file Annex III (“Count 7 Materials”) and Annex IV (“Count 8 Materials”) to the Prosecution Final Trial Brief, for the reason they were inadvertently omitted from the filed Brief;

**NOTING** the “Prosecution Final Trial Brief”, filed *confidentially* on the 22<sup>nd</sup> of November 2006;<sup>2</sup>

**CONSIDERING** the Prosecution’s submission that the Defence will not be unduly prejudiced because the legal and factual bases for Counts 7 and 8 have previously been discussed in the Prosecution Pre-Trial Brief<sup>3</sup> and the Prosecution Rule 98 Response;<sup>4</sup>

**CONSIDERING**, however, that should any prejudice be claimed by the Defence, The Chamber shall determine any appropriate remedy, if needed, in due course;

**RECALLING** the “Order to the Prosecution to Re-File Final Trial Brief” issued by The Chamber on the 23<sup>rd</sup> of November 2006, ordering the Prosecution to file a public version of the Final Trial Brief with redactions as necessary to protect the identity of the witnesses no later than Monday, the 27<sup>th</sup> of November 2006 by 2 p.m., and reiterating the reasons stipulated for such filing;

**RECALLING** further that the closing arguments of the Parties are scheduled to commence in open session on the 28<sup>th</sup> and continue, if necessary, on the 29<sup>th</sup> of November 2006, where the Parties, *inter alia*, “may respond orally to the other Party’s written submissions”;<sup>5</sup>

**THE CHAMBER HEREBY GRANTS** the Motion and deems the Annexes III and IV are hereby part of the *confidential* Prosecution Final Trial Brief filed on the 22<sup>nd</sup> of November 2006;

**THE CHAMBER ORDERS** the Prosecution to attach Annexes III and IV, redacted as necessary, to the public version of its Final Trial Brief, to be filed by no later than the 27<sup>th</sup> of November 2006 by 2 p.m.

<sup>1</sup> SCSL-04-14-T-744.

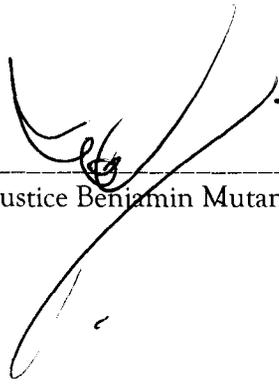
<sup>2</sup> SCSL-04-14-T-737.

<sup>3</sup> SCSL-04-14-T-24, SCSL-04-14-T-63.

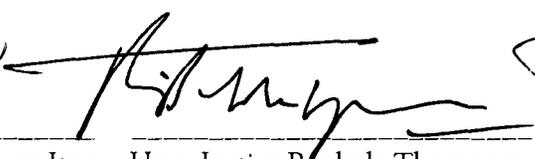
<sup>4</sup> SCSL-04-14-T-468.

<sup>5</sup> *Prosecutor v. Norman, Fofana, Kondewa*, SCSL-04-14-T-703, “Order for Filing Final Trial Briefs and Presenting Closing Arguments”, of the 29<sup>th</sup> of September 2006, Order No. 8.

Done in Freetown, Sierra Leone, this 27<sup>th</sup> day of November 2006.

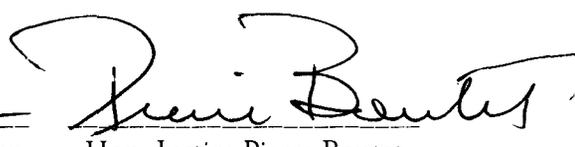


Hon. Justice Benjamin Mutanga Itoe



Hon. Justice Bankole Thompson

Presiding Judge  
Trial Chamber I



Hon. Justice Pierre Boutet

[Seal of the Special Court for Sierra Leone]

