

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SHABTAI SCOTT SHATSKY,)
et al.,)

Plaintiffs,)

v.)

THE SYRIAN ARAB REPUBLIC,)
et al.,)

Defendants.)

Civil Action No. 02-02280 (RJL)

FILED
NOV 20 2015

ORDER

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

For the reasons stated in the accompanying Memorandum Opinion filed this
20th day of November 2015, it is hereby

ORDERED that Defendants' Motion for Sanctions [Dkt. #270] is **GRANTED IN PART** and **DENIED IN PART** and it is further

ORDERED that Exhibits Nos. 151, 152, 154, 155, 156, 158, 159, 160, 161, 162, 163, 164, and 165 to plaintiffs' Opposition to Defendants' Motion for Summary Judgment [Dkt. #252] will remain in the record, and it is further

ORDERED that the following sanctions are imposed pursuant to Rules 16(f)(1)(C) and 37(b)(2)(A)(ii) of the Federal Rules of Civil Procedure:

- (1) Plaintiffs are **PRECLUDED** from using on summary judgment or for any other purpose in this case, including trial, the Declaration of Robert J. Tolchin, dated November 12, 2013 [Dkt. #253];
- (2) Plaintiffs are **PRECLUDED** from using on summary judgment or for any


other purpose in this case, including for trial, the following exhibits appended to or identified in plaintiffs' Opposition to Defendants' Motion for Summary Judgment [Dkt. #252], plaintiffs' Statement of Material Facts As To Which There Is A Genuine Issue To Be Tried [Dkt. #252-1] and the Declaration of Robert J. Tolchin: Exhibit Nos. 15, 16, 19, 20, 26, 27, 31, 35, 37, 42, 43, 45, 50, 51, 52, 53, 54, 55, 56, 57, 59, 62, 63, 64, 65, 66, 67, 68, 69, 71, 72, 73, 74, 75, 76, 77, 78, 79, 81, 87, 89, 91, 92, 100, 106, 109, 111, 112, 113, 115, 116, 117, 118, 119, 131, 132, 133, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 150, 167, 168, and 169; and

- (3) Plaintiffs are **PRECLUDED** from using on summary judgment or for any other purpose in this case, including trial, any other documents that plaintiffs produced in this action after the September 19, 2012 fact discovery deadline; and it is further

ORDERED that plaintiffs shall be given an opportunity to reconstitute their Opposition to Defendants' Motion for Summary Judgment in accordance with this Order and that Defendants shall thereafter be given an opportunity to reconstitute their Reply in Further Support of their Motion for Summary Judgment and it is further

ORDERED that the parties shall, within 14 days of the date of this Order, jointly propose a schedule to reconstitute their Summary Judgment Opposition and Reply briefs consistent with this Court's Order.

SO ORDERED.



RICHARD J. LEON
United States District Judge