

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ROBIN BEATY, et al.,

Plaintiffs,

v.

REPUBLIC OF IRAQ,

Defendant.

Civil Action No. 03-0215 (JDB)

ORDER

Upon consideration of defendant's motion to dismiss; plaintiffs' motion for partial summary judgment; the Statements of Interest filed by the United States; the responses and replies thereto; the arguments presented at the motions hearing held on March 2, 2007; and the entire record herein; and for the reasons stated in the Memorandum Opinion issued on this date; it is this 20th day of March, 2007, hereby

ORDERED that defendant's motion to dismiss is **GRANTED IN PART** and **DENIED IN PART**; it is further

ORDERED that defendant's motion to dismiss Count I of the Third Amended Complaint is **DENIED**; it is further

ORDERED that defendant's motion to dismiss Counts II and III of the Third Amended Complaint is **GRANTED**, and these counts are dismissed with prejudice; it is further

ORDERED that plaintiffs' motion for partial summary judgment is **GRANTED IN PART** and **DENIED IN PART**; it is further

ORDERED that plaintiffs' motion for partial summary judgment as to liability pursuant to Fed. R. Civ. P. 56(c) is **DENIED**; it is further

ORDERED that plaintiffs' motion for partial summary adjudication pursuant to Fed. R. Civ. P. 56(d) is **GRANTED**, and the facts set forth in paragraphs 7-20 of the Third Amended Complaint, and paragraphs 1-3, 7-8, and 14-17 of plaintiffs' Rule 56.1 statement shall be deemed established for the purposes of all further proceedings in this case; and it is further

ORDERED that the parties shall appear for a Status Conference at 9:00 a.m. on April 24, 2007 to discuss further proceedings in this matter.

SO ORDERED.

/s/
JOHN D. BATES
United States District Judge

Dated: March 20, 2007