

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

SHABTAI SCOTT SHATSKY, *et al.*,

Plaintiffs,

Civil Action No. 02-2280-RJL

v.

THE SYRIAN ARAB REPUBLIC, *et al.*,

Defendants.

**NOTICE OF APPEAL**

Notice is hereby given this 9<sup>th</sup> day of January 2013, that all Plaintiffs hereby appeal to the United States Court of Appeals for the District of Columbia Circuit from the Minute Order entered in the above-referenced case on January 2, 2013.

The Minute Order the district court entered on January 2, 2013, is in multiple parts. By granting DE 170 and denying DE 189, DE 201, and DE 202 the Minute Order orders the immediate destruction of certain critically important documents and the destruction or return to the Defendant Palestinian Authority of other key documents in this case, including all attorneys' notes and more related to those documents. The materials at issue include a document and deposition testimony that are at the heart of the facts of the crime underlying this case, brought under the Antiterrorism Act, 18 U.S.C. Sec. 2333, and charging the Defendants Palestinian Authority and Palestine Liberation Organization with providing material support for a brutal terrorist bombing that murdered two American teenaged girls and critically wounded four other Americans. Based on the Minute Order Plaintiffs now appeal and an earlier sequestration agreement under F.R.C.P. 26(b)(5)(B), Plaintiffs cannot and will not disclose the contents of such materials, except under seal for a determination of the claim.

The effect of the January 2, 2013 Minute Order in this regard conclusively determines the disputed question at issue, resolves an important issue completely separate from the merits of the action, and, because of the specific nature of the relief ordered (i.e. the destruction of key documents), is effectively unreviewable on appeal. Accordingly, such Minute Order is a final appealable Order within the ambit of the Collateral Order Doctrine. *See Cohen v. Beneficial Industrial Loan Corp. et al.*, 337 U.S. 541 (1949).

Plaintiffs, by their Attorneys,  
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