

[ORAL ARGUMENT SCHEDULED FOR JANUARY 21, 2016]

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

SUSAN WEINSTEIN, et al.,

Appellants,

v.

ISLAMIC REPUBLIC OF IRAN, et al.,

Appellees,

INTERNET CORPORATION FOR
ASSIGNED NAMES AND NUMBERS,

Garnishee-Appellee,

UNITED STATES,

Amicus Curiae.

Nos. 14-7193, 14-7194,
14-7195, 14-7198,
14-7202, 14-7203, 14-7204

**MOTION OF THE UNITED STATES
FOR LEAVE TO PARTICIPATE IN ORAL ARGUMENT**

Pursuant to Federal Rules of Appellate Procedure 27 and 29(g) and Circuit Rule 34(e), the United States respectfully requests leave to participate in the oral argument in this matter, which is scheduled for January 21, 2016, and to be allotted 10 minutes of argument time in order to support the judgment of the district court.

1. Plaintiffs in these consolidated appeals seek review of the district court's order quashing writs of attachment served by plaintiffs on non-party ICANN to

enforce money judgments held by the plaintiffs against the governments of Iran, Syria, and North Korea. *See Stern v. Islamic Republic of Iran*, No. 00-2602 (D.D.C. Dec. 15, 2014) (Lamberth, J.), Dkt. No. 116; *see also Rubin v. Islamic Republic of Iran*, No. 01-1655 (D.D.C.); *Haim v. Islamic of Iran*, No. 02-1811 (D.D.C.); *Haim v. Islamic Republic of Iran*, No. 08-520 (D.D.C.); *Weinstein v. Islamic Republic of Iran*, No. 00-2601 (D.D.C.); *Wyatt v. Syrian Arab Republic*, No. 08-502 (D.D.C.); and *Calderon-Cardona v. Democratic People's Republic of North Korea*, No. 14-mc-648 (D.D.C.).

2. At the invitation of the Court, the United States filed an amicus brief. As the government's brief explains, country-code top-level domains are not the "property of" or "assets of" the defendant foreign states within the meaning of the Foreign Sovereign Immunities Act (FSIA) and the Terrorism Risk Insurance Act (TRIA), and Federal Rule of Civil Procedure 69 does not authorize attachment here.

3. Oral argument is scheduled for January 21, 2016. The Court has not yet allotted the time for argument. For the reasons explained in our brief, the United States has a strong interest in the issues presented in these appeals, and we believe it will assist the Court for government counsel to be available to answer questions. We therefore respectfully request that the Court allocate 10 minutes of argument time to the United States.

4. Counsel for ICANN consent to the government's request. *See* Circuit Rule 34(e). Counsel for the plaintiffs oppose this motion. Plaintiffs further state that, if

the Court grants argument time to the government, that time “should be divided with (*i.e.*, subtracted from) ICANN.”

CONCLUSION

For the foregoing reasons, the Court should grant the United States leave to participate in the oral argument in this matter, and should allot 10 minutes of argument time to the government.

Respectfully submitted,

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JANUARY 2016

CERTIFICATE OF SERVICE

I hereby certify that on January 6, 2016, I electronically filed the foregoing with the Clerk of Court for the United States Court of Appeals for the District of Columbia Circuit by using the appellate CM/ECF system. The participants in the case are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

/s/ Sonia K. McNeil
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