

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

)	
JOHN DOE, a.k.a. KIDANE)	
)	
Plaintiff,)	
v.)	Civil Action No. 1:14-cv-00372-RDM
)	
FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA)	
)	
Defendant.)	
)	
)	
)	

**DEFENDANT FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA’S
RESPONSE TO PLAINTIFF’S SECOND REQUEST FOR ORAL ARGUMENT**

Defendant opposes Plaintiff’s second request for oral argument for three independent reasons. First, Plaintiff has failed to comply with Local Civil Rule 7(m), which requires a movant to “include in its [nondispositive] motion a statement that the required discussion occurred, and a statement as to whether the motion is opposed.” Plaintiff’s motion contains no such statement.¹ In this Court, “[i]f a party files a nondispositive motion without certifying its compliance with Rule 7(m), the motion will be denied.” *Ellipso v. Mann*, 460 F.Supp.2d 99, 102 (D.D.C. 2006) (Lamberth, J.) (quoting *Alexander v. FBI*, 186 F.R.D. 185, 187 (D.D.C. 1999)).

Second, the instant motion is not authorized and is arguably foreclosed by this Court’s Rules. Specifically, this Court’s Local Rule authorizes a party to request oral argument “in a motion or opposition.” L. Civ. R. 7(f). Plaintiff has already requested oral argument in his Response to Defendant’s Motion to Dismiss, as permitted by that Local Rule. *See* Doc. # 28 at 3 (“Plaintiff Kidane respectfully requests, under Local Rule 7(f), that this Court permit an oral

¹ The parties did speak about this motion, and Defendant indicated that it would oppose the same.

hearing on Defendant's motion."'). This second request is therefore both redundant and unauthorized. Redundant filings are disfavored. *See, e.g.*, Rule 12(f), Federal Rules of Civil Procedure.

Third, the issues in this case have been fully briefed by both parties, making oral argument unnecessary and costly. As this Court has noted, "oral argument is not necessary given the complete and comprehensive written submissions." *Provea Hospitals v. Sebelius*, 662 F.Supp.2d 140, 142 n.2 (D.D.C. 2009). The fact that this is a Foreign Sovereign Immunities Act case adds nothing to the mix; such cases are common in this District and in this Circuit. Indeed, *Provea Hospitals* involved the "arcane" world of Medicare reimbursement. If the court found oral argument unnecessary in that case, the same result should follow here.

For the foregoing reasons, Defendant respectfully submits that Plaintiff's second request for oral argument should be denied.

Respectfully submitted,

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[PROPOSED] ORDER

UPON CONSIDERATION of Plaintiff’s second request for oral argument (Doc. #31), it
is this _____ day of _____, _____ hereby,

ORDERED that Plaintiff’s Motion be, and hereby is,

DENIED.

Hon. Randolph D. Moss
Judge, U.S. District Court for the
District of Columbia