

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
500 PEARL STREET
NEW YORK, NEW YORK 10007-1312

CHAMBERS OF
SIDNEY H. STEIN
UNITED STATES DISTRICT JUDGE

August 16, 2006

John B. Bellinger III, Esq.
Legal Adviser, U.S. Department of State
2201 C Street NW
Washington, D.C. 20520-6419

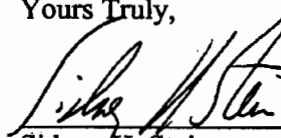
Re: Doe et al. v. Constant, 04 Civ. 10108 (S.D.N.Y.) (SHS)

Dear Mr. Bellinger:

A default judgment was entered today against defendant Emmanuel Constant, a.k.a "Toto Constant," in the litigation entitled Doe v. Constant, 04 Civ. 10108 (S.D.N.Y.). The action concerns allegations that members of a former Haitian paramilitary organization led by defendant Constant tortured and exacted other forms of violence upon three pseudonymous plaintiffs during a period of unrest in Haiti in the early 1990s. The plaintiffs' claims of torture, attempted extrajudicial killing, and crimes against humanity were brought pursuant to the Alien Tort Statute, 28 U.S.C. § 1350, and the Torture Victims Protection Act, 28 U.S.C. § 1350 (note). A hearing on damages will be held in Courtroom 23A, U.S. Courthouse, 500 Pearl St., New York, NY 10007, beginning on August 29, 2006 at 9:30 a.m. I am attaching a copy of the Complaint.

This letter is to inform you of the existence of this litigation and pending hearing. Should the government wish to be heard in any way in this litigation, see Banco Nacional de Cuba v. Sabbatino, 376 U.S. 398, 416, 11 L. Ed. 2d 804, 84 S. Ct. 923 (1964), please respond to this letter before the damages hearing commences on August 29.

Yours Truly,


Sidney H. Stein
U.S. District Judge

CC: Emmanuel Constant
Jennifer M. Green, Esq.
Monica Pa, Esq.
(attachment)