

01 December 2010

Note to file **ASC-10-0052**

Attention: Chief Registrar

From: Presiding Judge

Note to the registry regarding publication

1. Please publish the decision in the above case in accordance with Section 9.6 REG 2008/4, Section 51 AD 2008/6 and Section 6 of the Additional Procedural Rulings and Direction of the President of the SCSC, as of 25 January 2010.

2. Please quote the following keywords and references to legislation:

decision taken by a single judge ultra vires, as not in line with a delegation order, has to be set aside ex officio according to Section 70 para.3 UNMIK AD 2008/6, Article 365 para.2, 354 para.2 LCP; proper composition of the court; Section 11 UNMIK AD 2008/6; substantial breach of procedure; structure of the SCSC; Section 2.2 lit.h UNMIK AD 2008/6; Section 65 lit.c UNMIK AD 2008/6 retrial of a case in front of a different group of the Trial Panel (ASC-10-0042; ASC-09-0013); Article 54 Law on Court Fees 1987, no court fees if retrial in front of another group of the Trial Panel is ordered

3. Attacked decision's fate:

SCA-09-0022 set aside

4. The decision shall be stored under:

L:\Cases\ASC\2010\ ASC-10-0052\ ASC-10-0052_EN_20101201_final_decision

5. and a document containing the keywords shall be stored under:

L:\Cases\ASC\2010\ ASC-10-0052\ ASC-10-0052_EN_20101201_final_decision
_KEYWORDS

The Legal Officer in charge of the case shall be responsible to save these two documents in the format of a word document in the quoted locations together with translations.

Best regards,