

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 06-7175

September Term 2008

03cv00691  
03cv00888

Filed On: July 31, 2009

Robert Simon, et al.,

Appellants

v.

Republic of Iraq, et al.,

Appellees  
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Consolidated with 06-7178

**BEFORE:** Sentelle, Chief Judge, and Ginsburg and Brown, Circuit Judges

**J U D G M E N T**

It is **ORDERED**, on the court's own motion, that in light of the Supreme Court's opinion in Republic of Iraq v. Simon, \_\_\_ U.S. \_\_\_, 129 S.Ct. 2183 (2009), this court's judgment filed June 24, 2008, be vacated. It is

**FURTHER ORDERED and ADJUDGED** that the judgment of the District Court, dismissing these complaints as untimely, be affirmed because "the District Court lost jurisdiction over [the] suits when the President exercised his authority to make § 1605(a)(7) inapplicable with respect to Iraq." See Iraq v. Simon, 129 S.Ct. at 2194.

The Clerk is directed to issue the mandate forthwith.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Michael C. McGrail  
Deputy Clerk