

08-1555 SAMANTAR V. O'BRIEN

DECISION BELOW:552 F.3d 371

LOWER COURT CASE NUMBER: 07-1893

QUESTIONS PRESENTED:

1. Whether a foreign state's immunity from suit under the Foreign Sovereign Immunities Act (FSIA), 28 U.S.C. § 1604, extends to an individual acting in his official capacity on behalf of a foreign state.
2. Whether an individual who is no longer an official of a foreign state at the time suit is filed retains immunity for acts taken in the individual's former capacity as an official acting on behalf of a foreign state.

CERT. GRANTED 9/30/2009