

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RUSORO MINING LIMITED, :
 :
 Plaintiff, :
 :
 v. : Misc. No. 21-481-LPS
 :
 BOLIVARIAN REPUBLIC OF :
 VENEZUELA, :
 :
 Defendant. :

MEMORANDUM ORDER

At Wilmington this **15th** day of **June, 2022**:

Having reviewed the parties' filings (*see, e.g.*, D.I. 2, 8, 14, 17, 19), **IT IS HEREBY ORDERED** that:

1. PDVSA's motion to intervene (D.I. 14), which is unopposed, is GRANTED.¹
2. Rusoro's motion for a writ of attachment (D.I. 2) is GRANTED to the extent that the Court holds that, pursuant to Section 1610(c) of the Foreign Sovereign Immunities Act, a reasonable time has elapsed following the entry of a judgment in favor of Rusoro and against the Bolivarian Republic of Venezuela, and yet Rusoro has not been paid.² *See* 28 U.S.C. § 1610(c). In all other respects, Rusoro's motion will be held in abeyance until further order of the Court, which likely will not be issued until after the Court of Appeals for the Third Circuit determines whether it will certify an interlocutory appeal from the recent decisions in the related matters. *See, e.g., OI Eur. Grp. B.V. v. Bolivarian Republic of Venezuela*, Misc. No. 19-290 D.I. 114 (D.

¹ Rusoro's request that the Court treat its motion as unopposed (*see* D.I. 10 at 1-2) is denied.

² Rusoro's motion is not opposed with respect to this point, given the Court's rulings in similar matters, although PDVSA reserves its right to appeal the Court's decision. (*See* D.I. 19 at 2)

Del. May 4, 2022); *id.* D.I. 109 at 25-26; *Crystallex Int'l Corp. v. Bolivarian Republic of Venezuela*, Misc. No. 17-151-LPS D.I. 463 (D. Del. May 4, 2022; *id.* D.I. 443 at 44-47. This resolution does not place Rusoro at any disadvantage relative to Venezuela's other creditors.

3. PDVSA's request that briefing on Rusoro's motion be stayed (*see* D.I. 14 at 7-8) is GRANTED, subject to any further order of the Court.

A handwritten signature in black ink, appearing to read "Leonard P. Stark". The signature is written in a cursive, somewhat stylized font.

HONORABLE LEONARD P. STARK
UNITED STATES CIRCUIT JUDGE