

IN THE SUPREME COURT OF THE UNITED STATES

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No. 18-1447

REPUBLIC OF HUNGARY, ET AL., PETITIONERS

v.

ROSALIE SIMON, ET AL.

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ON WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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MOTION OF THE UNITED STATES FOR LEAVE TO  
PARTICIPATE IN ORAL ARGUMENT AS AMICUS CURIAE  
AND FOR DIVIDED ARGUMENT

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Pursuant to Rules 28.4 and 28.7 of this Court, the Solicitor General, on behalf of the United States, respectfully moves for leave to participate in the oral argument in this case as amicus curiae supporting petitioners and requests that the United States be allowed ten minutes of argument time. Petitioners have agreed to cede ten minutes of argument time to the United States and therefore consent to this motion.

This case presents the question of whether a court may invoke the doctrine of international comity to abstain from exercising jurisdiction under the Foreign Sovereign Immunities Act of 1976

(FSIA), 28 U.S.C. 1330, 1441(d), 1602 et seq. The United States has a substantial interest in the resolution of that question, because the exercise of jurisdiction by United States courts in suits against other sovereigns has implications for the foreign relations of the United States and the treatment of the United States in foreign courts. At the Court's invitation, the Solicitor General filed an amicus brief on behalf of the United States at the petition stage of this case, explaining that the FSIA does not bar a court from abstaining from the exercise of jurisdiction in a suit against a foreign sovereign, based on a case-specific application of the doctrine of international comity. The United States has also filed a brief as amicus curiae in support of petitioners at the merits stage.

The United States has previously presented oral argument as amicus curiae in cases concerning the interpretation and application of the FSIA. E.g., Opati v. Republic of Sudan, 140 S. Ct. 1601 (2020); Republic of Sudan v. Harrison, 139 S. Ct. 1048 (2019); Rubin v. Islamic Republic of Iran, 138 S. Ct. 816 (2018); Bolivarian Republic of Venezuela v. Helmerich & Payne Int'l Drilling Co., 137 S. Ct. 1312 (2017); OBB Personenverkehr AG v. Sachs, 136 S. Ct. 390 (2015); Republic of Argentina v. NML Capital, Ltd., 134 S. Ct. 5 2250 (2014); Samantar v. Yousuf, 560 U.S. 305

(2010). The United States' participation in oral argument is therefore likely to be of material assistance to the Court.

Respectfully submitted.

JEFFREY B. WALL  
Acting Solicitor General  
Counsel of Record

OCTOBER 2020