



United States Department of State

Washington, D.C. 20520

September 30, 2014

Joyce R. Branda
Acting Assistant Attorney General
Civil Division
U.S. Department of Justice
Washington, D.C. 20530

Re: *American Justice Center et al. v. Modi*, No. 14-CV-7780

Dear Joyce:

The above-referenced suit names as a defendant Narendra Modi, who is currently the Prime Minister of the Republic of India. In light of his current status as India's Head of Government, the Republic of India has asked the Department of State to take the steps necessary to have this action against the Prime Minister dismissed on the basis of his immunity from jurisdiction as a sitting foreign head of government.

The Department of State recognizes and allows the immunity of Prime Minister Modi as a sitting head of government from the jurisdiction of the United States District Court in this suit. Under common law principles of immunity articulated by the Executive Branch in the exercise of its constitutional authority over foreign affairs and informed by customary international law, Prime Minister Modi, as the sitting head of government of a foreign state, is immune from the jurisdiction of the United States District Court in this suit while in office. Accordingly, the Department of State requests that the Department of Justice submit a suggestion of immunity to the district court at the earliest opportunity.

This letter recognizes the particular importance attached by the United States to obtaining the prompt dismissal of the proceedings against Prime Minister Modi in view of the significant foreign policy implications of such an action.

Sincerely,

A handwritten signature in cursive script that reads "Mary E. McLeod".

Mary E. McLeod
Acting Legal Adviser