



United States Department of State

Washington, D.C. 20520

December 2, 2019

Joseph H. Hunt
Assistant Attorney General
Civil Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington D.C. 20530

Re: *France.com, Inc. v. The French Republic, et al.* (E.D. VA. 1:18-cv-00460)

Dear Mr. Hunt:

The above-referenced suit names as a defendant, among others, Jean-Yves Le Drian, who is currently the Minister of Foreign Affairs of the French Republic. In light of Foreign Minister Le Drian's current status as the Minister of Foreign Affairs of the French Republic, France has asked the Department of State to take the steps necessary to have this action dismissed as against Minister Le Drian on the basis of his immunity from jurisdiction as a sitting foreign minister.

The Department of State recognizes and allows the immunity of Foreign Minister Le Drian as a sitting foreign minister 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, Foreign Minister Le Drian, as the sitting foreign minister of a foreign state, is immune while in office from the jurisdiction of the United States District Court in this suit. The immunity enjoyed by Foreign Minister Le Drian is based upon his status as the sitting foreign minister; there is therefore no need for the Court to inquire or permit discovery into any question whether Foreign Minister Le Drian's conduct constituted official acts.

I would emphasize the particular importance of obtaining the prompt dismissal of the proceedings as against Foreign Minister Le Drian in view of the significant foreign policy implications. Accordingly, the Department of State requests that the Department of Justice submit a suggestion of immunity to the district court at the earliest opportunity.

Sincerely,

A handwritten signature in blue ink that reads "Marik A. String".

Marik A. String
Performing the Duties of
Legal Adviser