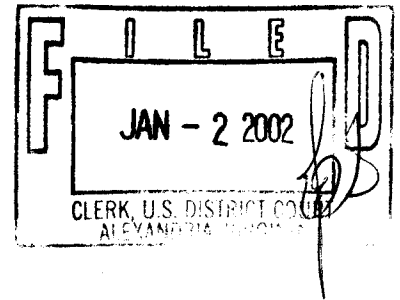


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION



UNITED STATES OF AMERICA )  
 )  
 v. ) Criminal No. 01-455-A  
 )  
 ZACARIAS MOUSSAOUI )  
 a/k/a "Shaqil," )  
 a/k/a "Abu Khalid )  
 al Sahrawi," )  
 )  
 Defendant. )

ORDER

For the reasons stated in open court, it is hereby  
ORDERED that any affirmative, preliminary criminal motions  
by either party must be filed no later than Wednesday, March 13,  
2002. Any oppositions must be filed by Wednesday, March 27,  
2002. Oral argument of these motions will be heard on Thursday,  
April 4, 2002 at 9:00 am in Courtroom 700;<sup>1</sup> and it is further  
ORDERED that, as stated in our Order dated December 27,  
2001, the government must file its Notice of Intent to seek the  
death penalty by Friday, March 29, 2002. Any objection to the  
applicability of the death penalty to this case must be filed by  
Thursday, April 18, 2002, and the government's response is due by  
Friday, May 3, 2002. Oral argument will be heard on Thursday,  
May 16, 2002 at 9:00 am; and it is further  
ORDERED that any additional standard, criminal motions must

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<sup>1</sup> Oral argument of the adequacy of the government's Notice  
of Intent to seek the death penalty has been rescheduled to  
Thursday, May 16, 2002.

be filed by Friday, May 31, 2002.<sup>2</sup> Any oppositions must be filed by Friday, June 14, 2002. Oral argument of these motions will be heard on Thursday, June 20, 2002 at 9:00 am; and it is further

ORDERED that the government must produce all classified discovery to the defense by Saturday, June 1, 2002.<sup>3</sup> Pursuant to Section 5(a) of the Classified Information Procedures Act ("CIPA"), 18 U.S.C. App. 3 (2001), the defendant must file his notice of intent to disclose classified information by Friday, July 26, 2002. Any government objections must be filed by Friday, August 9, 2002. Any hearing "concerning the use, relevance or admissibility" of defendant's proposed Section 5 disclosures will occur on Thursday, August 15, 2002 at 9:00 am. See 18 U.S.C. App. 3 § 6(a).<sup>4</sup>

Pursuant to Section 6(b) of CIPA, the government must provide the defendant with notice of the classified information it intends to use as evidence at trial by Friday, August 23,

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<sup>2</sup> In the interim, if discovery disputes arise, the parties are directed to attempt to resolve them without Court intervention. If unable to do so, the parties must immediately bring such issues to the Court's attention. We will resolve the disputes in open court or on the record via telephone conference.

<sup>3</sup> We note that although the June 1, 2002 production date is a Saturday, this date was requested by defense counsel in open court and not opposed by the government.

<sup>4</sup> If the Attorney General certifies to the Court "that a public proceeding may result in the disclosure of classified information," this proceeding will be closed to the public. See 18 U.S.C. App. 3 § 6(a).

2002. Any defense objections must be filed by Friday, August 30, 2002. Any hearing "concerning the use, relevance or admissibility" of the government's proposed Section 6 disclosures will occur on Thursday, September 5, 2002 at 9:00 am, see 18 U.S.C. App. 3 § 6(a);<sup>5</sup> and it is further

ORDERED that trial of this matter will begin on Monday, September 30, 2002, with jury selection to start on that date at a time and in a courtroom not yet determined. Opening arguments are tentatively scheduled to start approximately two weeks later.<sup>6</sup>

The Clerk is directed to forward copies of this Order to counsel of record, the United States Marshal, and United States Department of Justice Security Specialist, Christine Gunning.

Entered this 2<sup>ND</sup> day of January, 2002.

/s/

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Leonie M. Brinkema  
United States District Judge

Alexandria, Virginia

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<sup>5</sup> If the Attorney General certifies to the Court "that a public proceeding may result in the disclosure of classified information," this proceeding will be closed to the public. See 18 U.S.C. App. 3 § 6(a).

<sup>6</sup> Because Monday, October 14, 2002 is a federal holiday, barring unusual circumstances, proceedings will not take place on that date. Trial proceedings will take place on Fridays.