

JAN - 8 2002

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

Alexandria Division

UNITED STATES OF AMERICA)
)
v.)
)
ZACARIAS MOUSSAOUI)
)

Criminal No. 01-455-A
(In re: Motion of Court TV)

MOTION OF NATIONAL NARROWCAST NETWORK, L.P.
FOR LEAVE TO FILE AMICUS CURIAE MEMORANDUM REGARDING
MOTION OF INTERVENOR COURTROOM TELEVISION NETWORK LLC TO RECORD
AND TELECAST PRETRIAL AND TRIAL PROCEEDINGS AND THE GOVERNMENT'S
OPPOSITION THERETO

National Narrowcast Network, L.P., ("NNN") hereby moves for an order granting NNN leave to file the attached Amicus Curiae Memorandum Regarding the Motion of Intervenor Courtroom Television Network LLC to Record and Telecast Pretrial and Trial Proceedings and the Government's Opposition Thereto ("Amicus Memorandum").

The Amicus Memorandum suggests that even if this Court agrees with the Government that it cannot or should not permit the televising of the proceedings in this case, the Court can and should adopt another option that meets the meritorious purposes of the Intervenor's Motion without raising the potential risks suggested by the Government. That option is allowance of live and archived audio-only coverage of the proceedings. As detailed in the Amicus Memorandum, this is the course taken *ad hoc* by the United States Supreme Court and United States Court of Appeals for the D.C. Circuit in recent cases of "extraordinary public interest and concern," despite longstanding rules and/or practices to the contrary.

NNN is a D.C.-based news agency which provides its services both to other news media and directly to the public. It believes that its views as amicus will be helpful to this Court

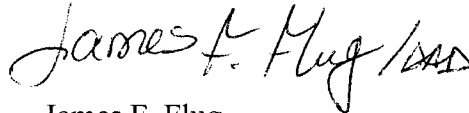
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because for over ten years it has been in the business of providing gavel-to-gavel audio coverage of proceedings in all three branches of the federal government, as well as other venues. From 1991 to 2000 NNN provided its coverage (as Hearings-On-The-Line[®]) live by telephone, and archived on audiotapes. Since July 2000, its coverage (as Hearings.comsm) has also been available live and archived on its website (www.Hearings.com), which now contains some 4000 archived events from Congressional agencies, federal departments and agencies, and the Ninth Circuit, the D.C. Circuit, the Supreme Court, and certain state courts and agencies. Some of these agencies have, in the interests of public convenience, chosen to make the public aware of the availability of NNN's audio services. See, e.g., <http://www.ferc.gov/Electric/RTO/workshops/RTOWork1-10-5.PDF>, at p. 2. In the Ninth Circuit's Napster case ([A&M Records, Inc. v. Napster, Inc.](#), Case 00-16401 et al.), where there was great demand for remote access to the audio of the oral argument, NNN served as the pool source of such remote access by telephone or on the web for other media. See, Ninth Circuit Media Release, Sept. 28, 2000, at web address [http://www.ca9.uscourts.gov/ca9/Documents.nsf/8e0e7f41ebb23094882567f50054bd5f/c40a714a22cd2cf08825696800730713/\\$FILE/napster.PDF](http://www.ca9.uscourts.gov/ca9/Documents.nsf/8e0e7f41ebb23094882567f50054bd5f/c40a714a22cd2cf08825696800730713/$FILE/napster.PDF), p. 2. Thus NNN is experienced in the matters raised by the Court TV Motion and the Government's Opposition, and its views and suggestions should be of assistance to the Court.

CONCLUSION

For the reasons stated, the Court should grant NNN's Motion for Leave to File, and order that the attached Amicus Memorandum be filed, and, if the Court deems it useful, that Counsel for NNN be permitted to participate in the Hearing on the Court TV Motion on January 9, 2002.

Respectfully submitted,



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Date: January 7, 2002

Certificate of Service

I certify that a true and correct copy of the foregoing MOTION OF NATIONAL NARROWCAST NETWORK, L.P. FOR LEAVE TO FILE AMICUS CURIAE MEMORANDUM was served by telecopier and U.S. mail, on January 7, 2002, on the counsel listed below:

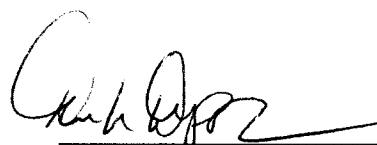
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