

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,)	
)	
Defendant,)	
)	
THE NEW YORK TIMES,)	
)	
Intervenor.)	

UNOPPOSED MOTION OF THE UNITED STATES FOR A TWO-DAY
ENLARGEMENT OF THE TIME TO RESPOND TO THE INTERVENOR'S
MOTION FOR CLARIFICATION OR MODIFICATION OF PROTECTIVE ORDER

The government's response to the motion of the intervenor New York Times to clarify or modify the Protective Order in this case (#560) is due today. The government moves this Court for a two-day enlargement of the time to file its response, and in support of its motion states as follows:

1. The intervenor's motion was filed eight days ago. Since that time, the counsel for the government and for the intervenor have engaged in several discussions in an attempt to resolve the issues raised by the intervenor's motion.

2. The government believes that it can reach an agreement with the intervenor regarding most, if not all, of the outstanding issues, but some additional time is needed to complete these discussions and draft an agreed order for the Court regarding the motion. The parties believe that two days (until October 4, 2002) will be sufficient.

3. An agreed resolution of the motion will save the Court, the government and the intervenor substantial time and other resources.

4. Counsel for the intervenor has authorized counsel for the government to represent to this Court that the intervenor has no objection to the proposed two-day enlargement of the time within which to file a response to the intervenor's motion.

For the reasons stated, this Court should grant the government's unopposed motion for a two-day enlargement of the time to respond to the intervenor's motion to clarify or modify the Protective Order until October 4, 2002.

Respectfully submitted,

Paul J. McNulty
United States Attorney

By: _____ /s/
Brian D. Miller, VSB # 42519
Michael J. Elston, VSB #48008
Assistant United States Attorneys
2100 Jamieson Avenue
Alexandria, Virginia 22314
Telephone: (703) 299-3700

CERTIFICATE OF SERVICE

I certify that on October 2, 2002, a copy of the foregoing pleading and proposed Order was sent by hand delivery, via the United States Marshal's Service to:

Zacarias Moussaoui
Alexandria Detention Center
2001 Mill Road
Alexandria, Virginia 22314

I further certify that on the same day a copy of the same attached pleading was sent by facsimile and regular mail to:

Frank Dunham, Jr., Esq.
Office of the Federal Public Defender
1650 King Street
Suite 500
Alexandria, Virginia 22314
Facsimile: (703) 600-0880

Gerald Zerkin, Esq.
Assistant Public Defender
One Capital Square, 11th Floor
830 East Main Street
Richmond, VA 23219
Facsimile: (804)648-5033

Alan H. Yamamoto, Esq.
108 N. Alfred St., 1st Floor
Alexandria, Va. 22314-3032
Facsimile: (703) 684-9700

Edward B. MacMahon, Jr., Esq.
107 East Washington Street
Middleburg, VA 20118
Facsimile: (540) 687-6366

Jay Ward Brown, Esq.
Levine, Sullivan & Koch, L.L.P.
1050 Seventeenth Street, N.W., Suite 800
Washington, D.C. 20036
Facsimile: (202) 861-9888

Brian D. Miller
Assistant U.S. Attorney