

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

_____	)	
UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action No. 01-455-A
	)	
ZACARIAS MOUSSAOUI,	)	
	)	
Defendant.	)	
_____	)	

**MOTION OF AIR LINE PILOTS ASSOCIATION, INTERNATIONAL  
FOR LEAVE TO INTERVENE TO OPPOSE GANNETT  
SATELLITE NETWORK, INC.'S OPPOSITION TO THE GOVERNMENT'S  
REQUEST FOR PROTECTIVE ORDER REGARDING COCKPIT VOICE  
RECORDERS, AND MOTION FOR PROTECTIVE ORDER**

The Air Line Pilots Association, International ("ALPA"), the union that represents 66,000 airline pilots, moves for leave to intervene in this proceeding to contest the application of Gannett Satellite Information Network, Inc. for access to the September 11, 2001 audiotapes from the cockpit voice recorders of United Airlines Flight 93 and ExecuJet Flight 596.

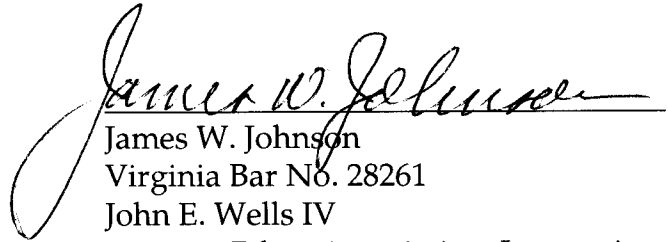
The movants strongly oppose any release of the CVR tapes, or any use of the tapes beyond that specified by statute, 49 U.S.C. § 1154. ALPA opposes such release of the tapes or transcripts because any such release would be contrary to the statutory protections for CVR tapes instituted at ALPA's behest -- protections that were instituted

to protect legitimate and sensitive privacy interests of pilots and the victims of aviation disasters and their families; and to prevent the foreseeable trauma that the pilots and victims of aviation disasters and their families would suffer from the public disclosure of the CVR tapes or transcripts.

As the party with a primary interest in the release of the tapes and the party most likely to be harmed by release of a CVR tape contrary to statute, and as the party with peculiar expertise in matters concerning the handling of cockpit voice recorder tapes, leave is respectfully requested to file the attached brief. In the event the Court determines to hold a hearing on the issues raised by the Government's Motion for Protective Order Regarding Cockpit Voice Recorders Pursuant to 49 U.S.C. § 1154, Docket No. 399, ALPA requests notice and an opportunity to be heard.

WHEREFORE, ALPA prays that its motion for leave to intervene and file the attached brief be granted; that the Court grant the motion of the United States, which ALPA joins, for a protective order sealing the CVR tapes and transcripts of the cockpit voice recorders from United Airlines Flight 93 and ExecuJet Flight 593 on September 11, 2001 in accordance with 49 U.S.C. § 1154; and that the Court further grant ALPA's motion to close the courtroom to the press and public during any actual playing of the CVR tapes.

Respectfully submitted,

A handwritten signature in black ink, reading "James W. Johnson". The signature is written in a cursive style with a large, sweeping initial "J".

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Dated: October 8, 2002

Certificate of Service

The undersigned hereby certifies that on the 8<sup>th</sup> day of October 2002 a copy of the foregoing **Motion of Air Line Pilots Association, International for Leave to Intervene to Oppose Gannett Satellite Network, Inc.'s Opposition to the Government's Request for Protective Order Regarding Cockpit Voice Recorders, and Motion for Protective Order and Brief of Intervenor Air Line Pilots Association, International in Opposition to Motion of Gannett Satellite Information Network, Inc. for Access to Cockpit Voice Recorder Tapes** was served by overnight courier service, on the following:

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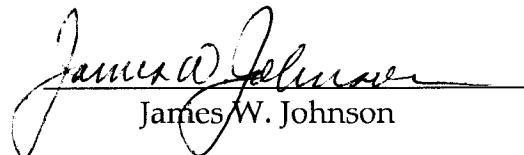
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