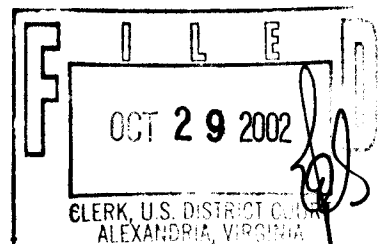


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION



UNITED STATES OF AMERICA)
)
 v.)
)
 ZACARIAS MOUSSAOUI)
 a/k/a "Shaqil,")
 a/k/a "Abu Khalid)
 al Sahrawi,")
)
 Defendant.)

Criminal No. 01-455-A

UNDER SEAL

Unsealed 5/30/03

ORDER

The defendant, pro se, has filed a Motion to Oppose the American Cross-Examination of Brother Bafana (Docket #644), in which he opposes the scheduled deposition of Bafana arguing that the witness' willingness to testify is the product of blackmail or coercion.

The defendant has failed to articulate a legitimate reason to support his objection to the Bafana deposition. Mr. Moussaoui's concerns about what has motivated the witness to testify may legitimately be probed during cross-examination. Accordingly, the defendant's motion is DENIED. However, because of scheduling problems, the deposition cannot go forward on November 4, 2002, and will have to be rescheduled when all logistical problems are resolved. For these reasons, it is hereby

ORDERED that the sealed deposition of Faiz Bafana scheduled for November 4, 2002 is cancelled until further notice; and it is further

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ORDERED that this Order and the defendant's motion be maintained under seal because both discuss a pending material witness issue.

The Clerk is directed to forward copies of this Order to the defendant, pro se; counsel for the United States; standby defense counsel; the Court Security Officer; and the United States Marshal.

Entered this 29th day of October, 2002.

/s/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia