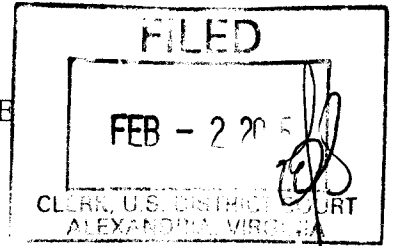


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division



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

Crim. No. 01-455-A

The Honorable Leonie M. Brinkema

SEALING ORDER

This matter having come before the Court on the Government’s Motion to Seal Documents pursuant to Local Criminal Rule 49(E) and for good cause shown, the Court finds:

1. The Government seeks to file certain documents under seal.
2. Sealing of these materials is necessary because this Court has not yet ruled on the issue of whether the information contained in the materials filed under seal may be released to the public.
3. The Court has considered procedures other than sealing, but none would suffice to protect the information subject to sealing.
4. The Court has the inherent power to seal materials submitted to it. See United States v. Wuagneux, 683 F.2d 1343, 1351 (11th Cir. 1982); State of Arizona v. Maypenny, 672 F.2d 761, 765 (9th Cir. 1982); Times Mirror Company v. United States, 873 F.2d 1210 (9th Cir. 1989); see also Shea v. Gabriel, 520 F.2d 879 (1st Cir. 1975); United States v. Hubbard, 650 F.2d 293 (D.C. Cir. 1980); In re Braughton, 520 F.2d 765, 766 (9th Cir. 1975). “The trial court has supervisory power over its own records and may, in its discretion, seal documents if the public’s right of access is outweighed by competing interests.” In re Knight Pub. Co., 743 F.2d 231, 235 (4th Cir. 1984).

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5. The Government requests that the pertinent materials be sealed until this Court rules on the Department of Justice Office of the Inspector General's motion for leave to publicly release its unclassified Report. The Government will file a motion to unseal the documents before the automatic unsealing if circumstances permit earlier unsealing.

NOW THEREFORE,

IT IS ORDERED that:

1. The Government's Motion to Seal is GRANTED.
2. The documents filed under seal will remain under seal until this Court rules on the OIG's motion for leave to publicly release the unclassified version of its Report. The Government will file a motion to unseal before the items are set to be unsealed automatically if circumstances warrant earlier unsealing.

SO ORDERED:

/s/

Leonie M. Brinkema
United States District Judge

Date: 2/2/05