

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

UNITED STATES OF AMERICA )  
 )  
 v. ) 1:01cr455 (LMB)  
 )  
 ZACARIAS MOUSSAOUI )  
 a/k/a "Shaqil," )  
 a/k/a "Abu Khalid )  
 al Sahrawi," )  
 )  
 Defendant. )

ORDER

Based on the government's Objections By Flight 93 Victims's Family Members to the Public Release of Cockpit Voice Recorder (Docket #1773), and a pleading entitled Motion to File Under Seal (Docket #1776), filed by an attorney representing a family member of a Flight 93 victim, it appears that at least three individuals oppose the public dissemination of the audiotape of the Cockpit Voice Recorder ("CVR"). None of the objectors oppose the playing of the audiotape in open court or the public availability of the transcript of the CVR.

The Court finds that the privacy rights of the victims and the concerns of family members about public disclosure of the audiotape outweigh any right of the public to have access to the recording. Moreover, the public availability of the transcript provides sufficient public access to the contents of the CVR. For these reasons, the relief sought in the two pleadings is GRANTED.

Lastly, the request of both the government and private counsel to maintain these two pleadings under seal to prevent the

disclosure of the family members who object to public availability of the tape is GRANTED. Accordingly, it is hereby

ORDERED that Docket #'s 1773 and 1776 be filed and maintained under seal.

The Clerk is directed to forward copies of this Order to counsel of record.

Entered this 10<sup>th</sup> day of April, 2006.

/s/

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Leonie M. Brinkema  
United States District Judge

Alexandria, Virginia