

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

UNITED STATES OF AMERICA, )  
 )  
 v. ) No. 1:01cr455  
 )  
 ZACARIAS MOUSAOUI, )  
 )  
 Defendant, )  
 )  
 ALL PLAINTIFFS NAMED IN )  
 21 MC 97, 21 MC 101, AND 03 CV )  
 9849 )

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ORDER

For the reasons stated in open court, it is hereby

ORDERED that the movants-intervenors' Motion to Intervene for the Limited Purpose of Being Heard in Connection With Access to Certain Portions of the Record (Docket #1726) be and is GRANTED; and it is further

ORDERED that the movants-intervenors' Motion for Access to Certain Portions of the Record (Docket #1728) be and is GRANTED IN PART. As to the request for immediate and identical access to all evidence ordered to be released to the media-intervenors pursuant to the Fourth Circuit's Order dated March 23, 2006, the request is moot. This evidence is already publicly available pursuant to the Court's Order of March 25, 2006 (Docket #1700), and the government has agreed to assist the movants-intervenors in obtaining immediate access to this information.

As to the request for access, at the conclusion of the

trial, to all evidence presented to the jury for its consideration, the government will be required to provide such access.

Lastly, as to evidence produced to defense counsel during discovery but not admitted into evidence, the government must provide access once the criminal trial is completed. Such access shall be limited to non-classified and non-SSI evidence. Moreover, the movants-intervenors must provide the government with specific categories of evidence sought by no later than the close-of-business Friday, April 14, 2006. Finally, the cost of production, by whatever mechanism is worked out by the parties or the Court, will be born by the movants-intervenors.

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

Entered this 7<sup>th</sup> day of April, 2006.

/s/

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Leonie M. Brinkema  
United States District Judge

Alexandria, Virginia