

Criminal Notice of Appeal - Form A

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DATE FILED: 25 JAN 2011

NOTICE OF APPEAL

United States District Court

Southern District of NEW YORK

Caption:

U.S.

et Hage, incl Ahmed Khalfan Ghailani

Docket No.: 98-cr-1023 (LAK) #9
HON. LEWIS KAPLAN
(District Court Judge)

Notice is hereby given that Ahmed Khalfan Ghailani appeals to the United States Court of Appeals for the Second Circuit from the judgment other

entered in this action on 1/25/11 (date) (specify)

This appeal concerns: Conviction only Sentence only Conviction & Sentence Other

Defendant found guilty by plea trial N/A

Offense occurred after November 1, 1987? Yes No N/A

Date of sentence: 1/25/11 N/A

Bail/Jail Disposition: Committed Not committed N/A

Appellant is represented by counsel? Yes No If yes, provide the following information:

Defendant's Counsel: PETER ENRIQUE QUISANO, ESQ

Counsel's Address: 381 PARK AVENUE SOUTH, #701

NEW YORK, N.Y. 10016

Counsel's Phone: (212) 686-0666

Assistant U.S. Attorney: AUSA MICHAEL FARBINZ

AUSA's Address: ONE ST. ANDREW'S PLAZA

NEW YORK, N.Y. 10007

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**U.S. District Court
Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:98-cr-01023-LAK All Defendants**

Case title: USA v. Hage, et al
Magistrate judge case numbers: 1:98-mj-02140
1:98-mj-02166

Date Filed: 09/21/1998

Assigned to: Judge Lewis A. Kaplan

Appeals court case number:
01-1535L,01-1550con,01-15

Defendant (1)

Wadiah El Hage
TERMINATED: 10/22/2001
also known as
"Abdus Sabbur,"

represented by **Bruce McIntyre**
361 Broadway
Suite 510
New York, NY 10013
(212) 219-3100
TERMINATED: 03/15/1999
LEAD ATTORNEY
Designation: CJA Appointment

Joshua Lewis Dratel
Law Offices of Joshua L. Dratel, P.C.
14 Wall Street 28th Floor
New York, NY 10005
212-732-0707
Fax: 212-571-6341
Email: jdratel@joshuadratel.com
TERMINATED: 10/22/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Sam A. Schmidt
Sam A. Schmidt Law Office
111 Broadway
Suite 1305
New York, NY 10006
212 346-4666
Fax: 212 346-4665
Email: lawschmidt@aol.com
TERMINATED: 10/22/2001
LEAD ATTORNEY
Designation: CJA Appointment

Pending Counts

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1ssssss)

Disposition

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total of LIFE IMPRISONMENT on counts 1 and 3; TWENTY (20) YEARS on count 5, to run concurrently with counts 1 and 3; FIVE (5) YEARS on counts 287,288,289 and 291 thru 305 to run concurrently with each other and concurrently to counts 1,3 and 5. Upon release from imprisonment, the defendant shall be

18:114.F MAIMING WITHIN
SPECIAL MARITIME OR
TERRITORIAL JURISDICTION –
Title 18 USC 114, 116 and 117.
(3sssssss)

18:844G.F POSSESS EXPLOSIVES
ON FEDERAL PROPERTY – Title
18 USC 844(n).
(5sssssss)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287sssssss–289sssssss)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(291sssssss–305sssssss)

on supervised release for a term of FIVE (5) YEARS on counts 1 and 3, and THREE (3) YEARS on counts 5,287,288, 289 and counts 291 thru 305. All terms to run concurrently with each other. The defendant shall pay a restitution in the amount of \$33,816,561.75.

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total of LIFE IMPRISONMENT on counts 1 and 3; TWENTY (20) YEARS on count 5, to run concurrently with counts 1 and 3; FIVE (5) YEARS on counts 287,288,289 and 291 thru 305 to run concurrently with each other and concurrently to counts 1,3 and 5. Upon release from imprisonment, the defendant shall be on supervised release for a term of FIVE (5) YEARS on counts 1 and 3, and THREE (3) YEARS on counts 5,287,288, 289 and counts 291 thru 305. All terms to run concurrently with each other. The defendant shall pay a restitution in the amount of \$33,816,561.75.

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thru 305. All terms to run concurrently with each other. The defendant shall pay a restitution in the amount of \$33,816,561.75.

Highest Offense Level (Opening)

Felony

Terminated Counts

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(PERJURY)
(1-8)

18:2332(b),(d) CONSPIRACY TO
MURDER U.S. NATIONALS
(1s)

18:2332(b) CONSPIRACY TO
MURDER U.S. NATIONALS
(1ss)

18:2332(b) CONSPIRACY TO
MURDER U.S. NATIONALS
(1sss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1ssss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1sssss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1ssssss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1sssssss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – 18 USC 956(a)(1)
&(a)(2)(A)
(2ssssss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC
956(a)(1) and (a)(2)(A).
(2sssssss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT
(2ssssssss)

18:1111.F MURDER, FIRST
DEGREE – 18 USC Sections 1111,
1114, 1116 &1117
(3ssssss)

18:1114.F PROTECTION OF
OFFICERS AND EMPLOYEES OF
U.S.
(3ssssssss)

Disposition

All Open Counts of Indictments' are dismissed on the motion of the United States.

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All Open Counts of Indictments' are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC
Sections 2332(a)(1) &(a)(3)
(4ssssss)

All Open Counts of Indictments' are dismissed on
the motion of the United States.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections 2332(a)(1) and (a)(3).
(4ssssssss)

All Open Counts of Indictments' are dismissed on
the motion of the United States.

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section
844(f)(1)(f)(3), &844(n)
(5ssssss)

All Open Counts of Indictments' are dismissed on
the motion of the United States.

18:844A.F PENALTIES FOR
18:842A–I
(5ssssssss)

All Open Counts of Indictments' are dismissed on
the motion of the United States.

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE
MATERIALS – 18 USC Section
2155(a) &(b)
(6ssssss)

All Open Counts of Indictments' are dismissed on
the motion of the United States.

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE
MATERIALS – Title 18 USC 2155(a)
and (b).
(6ssssssss)

All Open Counts of Indictments' are dismissed on
the motion of the United States.

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE
MATERIALS
(6ssssssss)

All Open Counts of Indictments' are dismissed on
the motion of the United States.

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section
844(f)(1), (f)(3) and 2.
(7ssssssss)

All Open Counts of Indictments' are dismissed on
the motion of the United States.

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section
844(f)(1), (f)(3) and 2.
(8ssssssss)

All Open Counts of Indictments' are dismissed on
the motion of the United States.

18:1001.F STATEMENTS OR
ENTRIES GENERALLY (FALSE
STATEMENTS)
(9–11)

All Open Counts of Indictments' are dismissed on
the motion of the United States.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9ssssssss)

All Open Counts of Indictments' are dismissed on
the motion of the United States.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332 a(a)(1), (a)(3) and 2.
(10ssssssss)

All Open Counts of Indictments' are dismissed on
the motion of the United States.

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY) –
Title 18 USC Section 930(c), 1111 and
2.
(11ssssssss–223ssssssss)

All Open Counts of Indictments' are dismissed on
the motion of the United States.

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY) –
Title 18 USC Section 930(c), 1111 and
2.

All Open Counts of Indictments' are dismissed on
the motion of the United States.

(224ssssssss-234ssssssss)

18:1623 PERJURY BEFORE
FEDERAL GRAND JURIES
(228s-235s)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1623 PERJURY
(228ss-235ss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1623 PERJURY
(228sss-235sss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1623.F PERJURY
(228ssss-235ssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(228ssss-235ssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(235ssssssss-275ssssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1001 FALSE STATEMENTS
(236s-238s)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1001 FALSE STATEMENTS
(236ss-238ss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1001 FALSE STATEMENTS
(236sss-238sss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1001.F FALSE STATEMENTS
(236ssss-238ssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1001.F STATEMENTS OR
ENTRIES GENERALLY
(236ssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1001.F STATEMENTS OR
ENTRIES GENERALLY
(237ssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1001.F STATEMENTS OR
ENTRIES GENERALLY
(238ssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(245ssssss-264ssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1001.F STATEMENTS OR
ENTRIES GENERALLY
(265ssssss-267ssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(276ssssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(277ssssssss-278ssssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(279ssssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1116 and 2.

All Open Counts of Indictments' are dismissed on the motion of the United States.

(280ssssssss-281ssssssss)

18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1116 and 2. (282ssssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1116 and 2. (283ssssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:844H.F EXPLOSIVES USED IN COMMISSION OF FELONY – Title 18 USC Sections 844(h)(1), 844(h)(2) and 2. (284ssssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:924C.F VIOLENT CRIME/DRUGS/MACHINE GUN – Title 18 USC Section 924(c) and 2. (285ssssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:924C.F VIOLENT CRIME/DRUGS/MACHINE GUN – Title 18 USC Section 924(c) and 2. (286ssssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1623.F FALSE DECLARATIONS BEFORE GRAND JURY/COURT (287ssssssss-305ssssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1623.F FALSE DECLARATIONS BEFORE GRAND JURY/COURT (290ssssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1001.F STATEMENTS OR ENTRIES GENERALLY (306ssssssss-308ssssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

18:1001.F STATEMENTS OR ENTRIES GENERALLY (306ssssssss-308ssssssss)

All Open Counts of Indictments' are dismissed on the motion of the United States.

Highest Offense Level (Terminated)

Felony

Complaints

18 U.S.C. 1001: FALSE STATEMENTS. [1:98-m -2166]

Disposition

Assigned to: Judge Lewis A. Kaplan

Defendant (2)

Fazul Abdullah Mohammed

also known as
Harun Fazhl
also known as
Fazhl Abdullah
also known as
Fazhl Khan

Pending Counts

Disposition

18:2332(b)(d) CONSPIRACY TO
MURDER U.S. NATIONALS

(1)

18:2332(b) CONSPIRACY TO MURDER
U.S. NATIONALS

(1s)

18:2332(b) CONSPIRACY TO MURDER
U.S. NATIONALS

(1ss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

(1sss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

(1ssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

(1sssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

(1ssssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

(1sssssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Section
2332(b).

(1ssssssss)

18:844(f)(1),(f)(3),2 MURDER DURING
BOMBING AT U.S. PROPERTY

(2–3)

18:844(f)(1),(f)(3),2 MURDER DURING
BOMBING OF U.S. PROPERTY

(2s–3s)

18:844(f)(1),(f)(3),2 MURDER DURING
BOMBING OF U.S. PROPERTY

(2ss–3ss)

18:844F.F MURDER
DURING BOMBING OF U.S.
PROPERTY

(2sss)

18:844F.F PENALTIES – IF DEATH
RESULTS

(2ssss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).

(2ssssssss)

18:844F.F MURDER DURING
BOMBING OF U.S. PROPERTY

(3sss)

18:844F.F PENALTIES – IF DEATH
RESULTS

(3ssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Sections 1111, 1114, 1116 & 1117
(3sssss)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – Title 18 USC 114, 116
and 117.
(3ssssss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.
(3sssssss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18
USC 1114, 1116 and 1117.
(3ssssssss)

18:930(c),2 MURDER
(4–227)

18:930(c),2 MURDER
(4s–227s)

18:930(c),1111,2 MURDER
(4ss–216ss)

18:930.F MURDER
(4sss–216sss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(4ssss–216ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Sections
2332(a)(1) & (a)(3)
(4sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(4ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(4sssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections 2332(a)(1) and (a)(3).
(4ssssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section
844(f)(1)(f)(3), & 844(n)
(5sssss)

18:844G.F POSSESS EXPLOSIVES ON
FEDERAL PROPERTY – Title 18 USC
844(n).
(5ssssss)

18:844A.F PENALTIES FOR 18:842A–I
(5sssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).
(5ssssssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –

18 USC Section 2155(a) &(b)
(6sssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC 2155(a) and (b).
(6ssssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(6sssssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).
(6ssssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section 844(f)(1),
(f)(3) &2
(7sssss–8sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(7ssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS
(7sssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section
844(f)(1), (f)(3) and 2.
(7ssssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(8ssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS
(8sssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section
844(f)(1), (f)(3) and 2.
(8ssssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Section
2332a(a)(1) &(a)(3)
(9sssss–10sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(9ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(9sssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9ssssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).

(10ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.

(10sssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332 a(a)(1), (a)(3) and 2.

(10ssssssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – 18
USC Section 930(c), 1111 &2

(11sssss–233sssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.

(11ssssss–223ssssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)

(11ssssssss–223ssssssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.

(11ssssssss–223ssssssss)

18:930(c),1111,2 MURDER

(217ss–227ss)

18:930.F MURDER

(217sss–227sss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)

(217ssss–227ssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.

(224ssssss–234ssssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)

(224ssssssss–234ssssssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.

(224ssssssss–234ssssssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 7(3), 1111 &2

(234sssss–235sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.

(235ssssss–275ssssss)

18:1111.F MURDER, FIRST DEGREE

(235ssssssss–275ssssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.

(235ssssssss–275ssssssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1114 &2

(236sssss–237sssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1116 &2
(238sssss–239sssss)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – 18 USC Section 114
&2
(240sssss–241sssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – 18 USC
Section 844(h)(1), 844(h)(2) &2
(242sssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – 18
USC Section 924(c) &2
(243sssss–244sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(276sssss)

18:1111.F MURDER, FIRST DEGREE
(276sssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(276ssssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(277sssss–278sssss)

18:1111.F MURDER, FIRST DEGREE
(277sssssss–279sssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(277ssssssss–278ssssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(279sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(279ssssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(280sssss–281sssss)

18:1111.F MURDER, FIRST DEGREE
(280sssssss–282sssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(280ssssssss–281ssssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(282sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(282ssssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(283ssssss)

18:1111.F MURDER, FIRST DEGREE
(283sssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(283sssssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC 844(h)(1), 844(h)(2) and 2.
(284ssssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY
(284sssssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC Sections 844(h)(1), 844(h)(2) and 2.
(284sssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(285ssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(285sssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Section 924(c) and 2.
(285sssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(286ssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(286sssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Section 924(c) and 2.
(286sssssss)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287sssssss–305sssssss)

18:1001.F STATEMENTS OR ENTRIES
GENERALLY
(306sssssss–308sssssss)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

Disposition

None

Assigned to: Judge Lewis A. Kaplan

Defendant (3)

Mohamed Sadeek Odeh

TERMINATED: 10/24/2001

also known as

Abu Moath

also known as

Noureldine

also known as

"Marwan"

also known as

Hydar

represented by **Anthony L. Ricco**

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TERMINATED: 10/24/2001

LEAD ATTORNEY

Anthony L. Ricco

(See above for address)

TERMINATED: 10/24/2001

LEAD ATTORNEY

Designation: CJA Appointment

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TERMINATED: 10/24/2001

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TERMINATED: 06/02/2000

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Pending Counts

18:2332B.F CONSPIRACY TO KILL

A U.S. CITIZEN

(1sssss)

Disposition

Imprisonment: Life imprisonment on counts 1,3,4,5,7,9,11 thru 223,235 thru 275,276,280,281,282, to be followed by a mandatory 10 years imprisonment on count 284 to be served consecutively to the above referenced counts, followed by a mandatory 30 years

18:114.F MAIMING WITHIN
SPECIAL MARITIME OR
TERRITORIAL JURISDICTION –
Title 18 USC 114, 116 and 117.
(3ssssss)

imprisonment on count 285 to be served
consecutively to the above referenced counts;
Supervised Release: 60 months on counts
1,3,4,5,7,9,11 thru 223, 235 thru
275,276,280,281,282 and 285 and 36 months on
count 284. All counts to run concurrently wi th
each other.

Imprisonment: Life imprisonment on counts
1,3,4,5,7,9,11 thru 223,235 thru
275,276,280,281,282, to be followed by a
mandatory 10 years imprisonment on count 284 to
be served consecutively to the above referenced
counts, followed by a mandatory 30 yea rs
imprisonment on count 285 to be served
consecutively to the above referenced counts;
Supervised Release: 60 months on counts
1,3,4,5,7,9,11 thru 223, 235 thru
275,276,280,281,282 and 285 and 36 months on
count 284. All counts to run concurrently wi th
each other.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(4ssssss)

Imprisonment: Life imprisonment on counts
1,3,4,5,7,9,11 thru 223,235 thru
275,276,280,281,282, to be followed by a
mandatory 10 years imprisonment on count 284 to
be served consecutively to the above referenced
counts, followed by a mandatory 30 yea rs
imprisonment on count 285 to be served
consecutively to the above referenced counts;
Supervised Release: 60 months on counts
1,3,4,5,7,9,11 thru 223, 235 thru
275,276,280,281,282 and 285 and 36 months on
count 284. All counts to run concurrently wi th
each other.

18:844G.F POSSESS EXPLOSIVES
ON FEDERAL PROPERTY – Title
18 USC 844(n).
(5ssssss)

Imprisonment: Life imprisonment on counts
1,3,4,5,7,9,11 thru 223,235 thru
275,276,280,281,282, to be followed by a
mandatory 10 years imprisonment on count 284 to
be served consecutively to the above referenced
counts, followed by a mandatory 30 yea rs
imprisonment on count 285 to be served
consecutively to the above referenced counts;
Supervised Release: 60 months on counts
1,3,4,5,7,9,11 thru 223, 235 thru
275,276,280,281,282 and 285 and 36 months on
count 284. All counts to run concurrently wi th
each other.

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1),
(f)(3) and 2.
(7ssssss)

Imprisonment: Life imprisonment on counts
1,3,4,5,7,9,11 thru 223,235 thru
275,276,280,281,282, to be followed by a
mandatory 10 years imprisonment on count 284 to
be served consecutively to the above referenced
counts, followed by a mandatory 30 yea rs
imprisonment on count 285 to be served
consecutively to the above referenced counts;
Supervised Release: 60 months on counts
1,3,4,5,7,9,11 thru 223, 235 thru
275,276,280,281,282 and 285 and 36 months on
count 284. All counts to run concurrently wi th
each other.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).

Imprisonment: Life imprisonment on counts
1,3,4,5,7,9,11 thru 223,235 thru
275,276,280,281,282, to be followed by a

(9ssssss)

mandatory 10 years imprisonment on count 284 to be served consecutively to the above referenced counts, followed by a mandatory 30 years imprisonment on count 285 to be served consecutively to the above referenced counts; Supervised Release: 60 months on counts 1,3,4,5,7,9,11 thru 223, 235 thru 275,276,280,281,282 and 285 and 36 months on count 284. All counts to run concurrently with each other.

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – Title 18 USC 930(c), 1111 and 2. (11ssssss–223ssssss)

Imprisonment: Life imprisonment on counts 1,3,4,5,7,9,11 thru 223,235 thru 275,276,280,281,282, to be followed by a mandatory 10 years imprisonment on count 284 to be served consecutively to the above referenced counts, followed by a mandatory 30 years imprisonment on count 285 to be served consecutively to the above referenced counts; Supervised Release: 60 months on counts 1,3,4,5,7,9,11 thru 223, 235 thru 275,276,280,281,282 and 285 and 36 months on count 284. All counts to run concurrently with each other.

18:1111.F MURDER, FIRST DEGREE – Title 18 USC 1111, 1114 and 2. (235ssssss–275ssssss)

Imprisonment: Life imprisonment on counts 1,3,4,5,7,9,11 thru 223,235 thru 275,276,280,281,282, to be followed by a mandatory 10 years imprisonment on count 284 to be served consecutively to the above referenced counts, followed by a mandatory 30 years imprisonment on count 285 to be served consecutively to the above referenced counts; Supervised Release: 60 months on counts 1,3,4,5,7,9,11 thru 223, 235 thru 275,276,280,281,282 and 285 and 36 months on count 284. All counts to run concurrently with each other.

18:1111.F MURDER, FIRST DEGREE – Title 18 USC 1111, 1114 and 2. (276ssssss)

Imprisonment: Life imprisonment on counts 1,3,4,5,7,9,11 thru 223,235 thru 275,276,280,281,282, to be followed by a mandatory 10 years imprisonment on count 284 to be served consecutively to the above referenced counts, followed by a mandatory 30 years imprisonment on count 285 to be served consecutively to the above referenced counts; Supervised Release: 60 months on counts 1,3,4,5,7,9,11 thru 223, 235 thru 275,276,280,281,282 and 285 and 36 months on count 284. All counts to run concurrently with each other.

18:1111.F MURDER, FIRST DEGREE – Title 18 USC 1111, 1116 and 2. (280ssssss–281ssssss)

Imprisonment: Life imprisonment on counts 1,3,4,5,7,9,11 thru 223,235 thru 275,276,280,281,282, to be followed by a mandatory 10 years imprisonment on count 284 to be served consecutively to the above referenced counts, followed by a mandatory 30 years imprisonment on count 285 to be served consecutively to the above referenced counts; Supervised Release: 60 months on counts 1,3,4,5,7,9,11 thru 223, 235 thru 275,276,280,281,282 and 285 and 36 months on count 284. All counts to run concurrently with each other.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1116
and 2.
(282ssssss)

Imprisonment: Life imprisonment on counts
1,3,4,5,7,9,11 thru 223,235 thru
275,276,280,281,282, to be followed by a
mandatory 10 years imprisonment on count 284 to
be served consecutively to the above referenced
counts, followed by a mandatory 30 yeas
imprisonment on count 285 to be served
consecutively to the above referenced counts;
Supervised Release: 60 months on counts
1,3,4,5,7,911 thru 223, 235 thru
275,276,280,281,282 and 285 and 36 months on
count 284. All counts to run concurrently wi th
each other.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title
18 USC 844(h)(1), 844(h)(2) and 2.
(284ssssss)

Imprisonment: Life imprisonment on counts
1,3,4,5,7,9,11 thru 223,235 thru
275,276,280,281,282, to be followed by a
mandatory 10 years imprisonment on count 284 to
be served consecutively to the above referenced
counts, followed by a mandatory 30 yeas
imprisonment on count 285 to be served
consecutively to the above referenced counts;
Supervised Release: 60 months on counts
1,3,4,5,7,911 thru 223, 235 thru
275,276,280,281,282 and 285 and 36 months on
count 284. All counts to run concurrently wi th
each other.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC 924(c) and 2.
(285ssssss)

Imprisonment: Life imprisonment on counts
1,3,4,5,7,9,11 thru 223,235 thru
275,276,280,281,282, to be followed by a
mandatory 10 years imprisonment on count 284 to
be served consecutively to the above referenced
counts, followed by a mandatory 30 yeas
imprisonment on count 285 to be served
consecutively to the above referenced counts;
Supervised Release: 60 months on counts
1,3,4,5,7,911 thru 223, 235 thru
275,276,280,281,282 and 285 and 36 months on
count 284. All counts to run concurrently wi th
each other.

Highest Offense Level (Opening)

Felony

Terminated Counts

18:2332(b)(d) CONSPIRACY TO
MURDER U.S. NATIONALS
(1)

18:2332(b) CONSPIRACY TO
MURDER U.S. NATIONALS
(1s)

18:2332(b) CONSPIRACY TO
MURDER U.S. NATIONALS
(1ss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1sss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1ssss)

Disposition

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1sssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1sssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN – Title 18 USC
Section 2332(b).
(1ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:844(f)(1),(f)(3),2 MURDER
DURING BOMBING AT U.S.
PROPERTY
(2-3)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:844(f)(1),(f)(3),2 MURDER
DURING BOMBING OF U.S.
PROPERTY
(2s-3s)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:844(f)(1),(f)(3),2 MURDER
DURING BOMBING OF U.S.
PROPERTY
(2ss-3ss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:844F.F MURDER
DURING BOMBING OF U.S.
PROPERTY
(2sss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH
RESULTS
(2ssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC
Sections 956(a)(1) and (a)(2)(A).
(2ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:844F.F MURDER DURING
BOMBING OF U.S. PROPERTY
(3sss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH
RESULTS
(3ssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – 18 USC Sections 1111,
1114, 1116 & 1117
(3sssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:1114.F PROTECTION OF
OFFICERS AND EMPLOYEES OF
U.S.
(3sssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:1114.F PROTECTION OF
OFFICERS AND EMPLOYEES OF
U.S. – Title 18 USC 1114, 1116 and
1117.
(3ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:930(c),2 MURDER
(4-227)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:930(c),2 MURDER
(4s-227s)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:930(c),1111,2 MURDER (4ss-216ss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:930.F MURDER (4sss-216sss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) (4ssss-216ssss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – 18 USC Sections 2332(a)(1) &(a)(3) (4sssss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. (4sssssss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Sections 2332(a)(1) and (a)(3). (4ssssssss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:844F.F PENALTIES – IF DEATH RESULTS – 18 USC Section 844(f)(1)(f)(3), &844(n) (5sssss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:844A.F PENALTIES FOR 18:842A-I (5sssssss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC Section 844(n). (5ssssssss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS – 18 USC Section 2155(a) &(b) (6sssss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS – Title 18 USC 2155(a) and (b). (6sssssss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS (6sssssss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS – Title 18 USC Section 2155(a) and (b). (6ssssssss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:844F.F PENALTIES – IF DEATH RESULTS – 18 USC Section 844(f)(1), (f)(3) &2 (7sssss-8sssss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:844F.F PENALTIES – IF DEATH RESULTS (7sssssss)	All open counts on all (S) Indictments are dismissed on the motion of the United States.
18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC Section	All open counts on all (S) Indictments are dismissed on the motion of the United States.

844(f)(1), (f)(3) and 2.
(7sssssss)

18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC 844(f)(1), (f)(3) and 2.
(8ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH RESULTS
(8sssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC Section 844(f)(1), (f)(3) and 2.
(8sssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – 18 USC Section 2332a(a)(1) &(a)(3)
(9sssss–10sssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S.
(9sssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Section 2332(a)(1), (a)(3) and 2.
(9sssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC 2332a(a)(1) and (a)(3).
(10ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S.
(10sssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Section 2332 a(a)(1), (a)(3) and 2.
(10sssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – 18 USC Section 930(c), 1111 &2
(11sssss–233sssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY)
(11sssssss–223sssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – Title 18 USC Section 930(c), 1111 and 2.
(11sssssss–223sssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:930(c),1111,2 MURDER
(217ss–227ss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:930.F MURDER
(217sss–227sss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY)
(217ssss–227ssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) –

All open counts on all (S) Indictments are dismissed on the motion of the United States.

Title 18 USC 930(c), 1111 and 2.
(224ssssss-234ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY)
(224ssssss-234ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY) –
Title 18 USC Section 930(c), 1111
and 2.
(224ssssss-234ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – 18 USC Section 7(3),
1111 &2
(234sssss-235sssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE
(235ssssss-275ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(235ssssss-275ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – 18 USC Section 1111,
1114 &2
(236sssss-237sssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – 18 USC Section 1111,
1116 &2
(238sssss-239sssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:114.F MAIMING WITHIN
SPECIAL MARITIME OR
TERRITORIAL JURISDICTION –
18 USC Section 114 &2
(240sssss-241sssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – 18
USC Section 844(h)(1), 844(h)(2) &2
(242sssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
18 USC Section 924(c) &2
(243sssss-244sssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE
(276ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(276ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1114
and 2.
(277ssssss-278ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE
(277ssssss-279ssssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(277ssssssss–278ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1114
and 2.
(279ssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(279ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE
(280ssssssss–282ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1116 and 2.
(280ssssssss–281ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1116 and 2.
(282ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1116
and 2.
(283ssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE
(283ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1116 and 2.
(283ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY
(284ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title
18 USC Sections 844(h)(1), 844(h)(2)
and 2.
(284ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(285ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC Section 924(c) and 2.
(285ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC 924(c) and 2.
(286ssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(286ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC Section 924(c) and 2.
(286ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287ssssssss–305ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

18:1001.F STATEMENTS OR
ENTRIES GENERALLY
(306ssssssss–308ssssssss)

All open counts on all (S) Indictments are
dismissed on the motion of the United States.

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: Judge Kevin Thomas
Duffy

Appeals court case number:
'05–0920–cr'

Defendant (4)

**Mohamed Rashed Daoud
Al-'Owhali**
TERMINATED: 10/23/2001
also known as
Khalid Salim Saleh Bin Rashed
also known as
"Moath"
also known as
Abdul Jabbar Ali Abel–Latif

represented by **David Baugh**
223 South Cherry St.
P.O. Box 12137
Richmond, VA 23241
(804)643–8111
TERMINATED: 10/23/2001
LEAD ATTORNEY
Designation: CJA Appointment

Frederick H. Cohen
500 Fifth Avenue
33rd Floor
New York, NY 10110
(212) 768–1110
TERMINATED: 10/23/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Frederick Harvey Cohn
500 Fifth Avenue
33rd Floor
New York, NY 10110
(212) 768–1110
Email: fcohn@frederickhcohn.com
TERMINATED: 10/23/2001
LEAD ATTORNEY

Pending Counts

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1ssssss)

Imprisonment: LIFE IMPRISONMENT.
Supervised Release: 5 Years.

18:114.F MAIMING WITHIN
SPECIAL MARITIME OR
TERRITORIAL JURISDICTION –

Imprisonment: LIFE IMPRISONMENT.
Supervised Release: 5 Years.

Title 18 USC 114, 116 and 117.
(3ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(4ssssss)

Imprisonment: LIFE IMPRISONMENT.
Supervised Release: 5 Years.

18:844G.F POSSESS EXPLOSIVES
ON FEDERAL PROPERTY – Title
18 USC 844(n).
(5ssssss)

Imprisonment: LIFE IMPRISONMENT.
Supervised Release: 5 Years.

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1),
(f)(3) and 2.
(7ssssss)

Imprisonment: LIFE IMPRISONMENT.
Supervised Release: 5 Years.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(9ssssss)

Imprisonment: LIFE IMPRISONMENT.
Supervised Release: 5 Years.

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY)
– Title 18 USC 930(c), 1111 and 2.
(11ssssss–223ssssss)

Imprisonment: LIFE IMPRISONMENT.
Supervised Release: 5 Years.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1114
and 2.
(235ssssss–275ssssss)

Imprisonment: LIFE IMPRISONMENT.
Supervised Release: 5 Years.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1114
and 2.
(276ssssss)

Imprisonment: LIFE IMPRISONMENT.
Supervised Release: 5 Years.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1116
and 2.
(280ssssss–281ssssss)

Imprisonment: LIFE IMPRISONMENT.
Supervised Release: 5 Years.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1116
and 2.
(282ssssss)

Imprisonment: LIFE IMPRISONMENT.
Supervised Release: 5 Years.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title
18 USC 844(h)(1), 844(h)(2) and 2.
(284ssssss)

Imprisonment: LIFE IMPRISONMENT.
Supervised Release: 5 Years.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC 924(c) and 2.
(285ssssss)

Imprisonment: LIFE IMPRISONMENT.
Supervised Release: 5 Years.

Highest Offense Level (Opening)

Felony

Terminated Counts

18:2332(b)(d) CONSPIRACY TO
MURDER U.S. NATIONALS
(1)

18:2332(b) CONSPIRACY TO
MURDER U.S. NATIONALS

Disposition

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

(1s)

18:2332(b) CONSPIRACY TO
MURDER U.S. NATIONALS
(1ss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1sss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1ssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1sssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1sssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN – Title 18 USC
Section 2332(b).
(1ssssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:844(f)(1),(f)(3),2 MURDER
DURING BOMBING AT U.S.
PROPERTY
(2-3)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:844(f)(1),(f)(3),2 MURDER
DURING BOMBING OF U.S.
PROPERTY
(2s-3s)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:844(f)(1),(f)(3),2 MURDER
DURING BOMBING OF U.S.
PROPERTY
(2ss-3ss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:844F.F MURDER
DURING BOMBING OF U.S.
PROPERTY
(2sss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH
RESULTS
(2ssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC
Sections 956(a)(1) and (a)(2)(A).
(2ssssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:844F.F MURDER DURING
BOMBING OF U.S. PROPERTY
(3sss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH
RESULTS
(3ssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – 18 USC Sections 1111,
1114, 1116 & 1117
(3sssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1114.F PROTECTION OF
OFFICERS AND EMPLOYEES OF

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

U.S.

(3sssssss)

18:1114.F PROTECTION OF OFFICERS AND EMPLOYEES OF U.S. – Title 18 USC 1114, 1116 and 1117.

(3ssssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:930(c),2 MURDER (4–227)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:930(c),2 MURDER (4s–227s)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:930(c),1111,2 MURDER (4ss–216ss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:930.F MURDER (4sss–216sss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) (4ssss–216ssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – 18 USC Sections 2332(a)(1) &(a)(3) (4sssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. (4sssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Sections 2332(a)(1) and (a)(3). (4ssssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH RESULTS – 18 USC Section 844(f)(1)(f)(3), &844(n) (5sssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:844A.F PENALTIES FOR 18:842A–I (5sssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC Section 844(n). (5ssssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS – 18 USC Section 2155(a) &(b) (6sssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS – Title 18 USC 2155(a) and (b). (6sssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS (6sssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:2155A.F DESTRUCTION OF NATIONAL DEFENSE

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

MATERIALS – Title 18 USC Section 2155(a) and (b).
(6ssssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH RESULTS – 18 USC Section 844(f)(1), (f)(3) &2
(7sssss–8sssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH RESULTS
(7ssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC Section 844(f)(1), (f)(3) and 2.
(7ssssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC 844(f)(1), (f)(3) and 2.
(8ssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH RESULTS
(8ssssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC Section 844(f)(1), (f)(3) and 2.
(8ssssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – 18 USC Section 2332a(a)(1) &(a)(3)
(9sssss–10sssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S.
(9ssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Section 2332(a)(1), (a)(3) and 2.
(9ssssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC 2332a(a)(1) and (a)(3).
(10ssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S.
(10ssssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Section 2332 a(a)(1), (a)(3) and 2.
(10ssssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – 18 USC Section 930(c), 1111 &2
(11sssss–233sssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY)
(11ssssss–223ssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – Title 18 USC Section 930(c), 1111

and 2.

(11sssssss-223sssssss)

18:930(c),1111,2 MURDER
(217ss-227ss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:930.F MURDER
(217sss-227sss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY)
(217ssss-227ssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY)
- Title 18 USC 930(c), 1111 and 2.
(224ssssss-234ssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY)
(224ssssss-234ssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY)
- Title 18 USC Section 930(c), 1111
and 2.
(224ssssssss-234ssssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE - 18 USC Section 7(3),
1111 &2
(234sssss-235sssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE
(235ssssss-275ssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE - Title 18 USC Sections
1111, 1114 and 2.
(235ssssssss-275ssssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE - 18 USC Section 1111,
1114 &2
(236sssss-237sssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE - 18 USC Section 1111,
1116 &2
(238sssss-239sssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:114.F MAIMING WITHIN
SPECIAL MARITIME OR
TERRITORIAL JURISDICTION -
18 USC Section 114 &2
(240sssss-241sssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY - 18
USC Section 844(h)(1), 844(h)(2) &2
(242sssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN -
18 USC Section 924(c) &2
(243sssss-244sssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE
(276ssssss)

All Open Counts on All (s) Indictments are dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(276ssssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1114
and 2.
(277ssssss–278ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE
(277ssssss–279ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(277ssssss–278ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1114
and 2.
(279ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(279ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE
(280ssssss–282ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1116 and 2.
(280ssssss–281ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1116 and 2.
(282ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1116
and 2.
(283ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE
(283ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1116 and 2.
(283ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY
(284ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title
18 USC Sections 844(h)(1), 844(h)(2)
and 2.
(284ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(285ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC Section 924(c) and 2.
(285ssssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC 924(c) and 2.
(286ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(286ssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC Section 924(c) and 2.
(286ssssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287ssssssss–305ssssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

18:1001.F STATEMENTS OR
ENTRIES GENERALLY
(306ssssssss–308ssssssss)

All Open Counts on All (s) Indictments are
dismissed on the motion of the United States.

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: Judge Lewis A. Kaplan

Defendant (5)

Usama Bin Laden
also known as
Usamah Bin–Muhammad Bin–Ladin
also known as
Shaykh Usamah Bin–Ladin
also known as
Mujahid Shaykh
also known as
Hajj
also known as
al Qaqa
also known as
the Director

represented by **Lloyd Epstein**
EPSTEIN & WEIL
225 Broadway
New York, NY 10007
(212) 732–4888
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

18:2332(b) CONSPIRACY TO
MURDER U.S. NATIONALS
(1)

Disposition

18:2332(b) CONSPIRACY TO
MURDER U.S. NATIONALS
(1s)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1ss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1sss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1ssss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1sssss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1ssssss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN – Title 18 USC
Section 2332(b).
(1sssssss)

18:844(f)(1),(f)(3),2 MURDER
DURING BOMBING OF U.S.
PROPERTY
(2–3)

18:844(f)(1),(f)(3),2 MURDER
DURING BOMBING OF U.S.
PROPERTY
(2s–3s)

18:844F.F MURDER
DURING BOMBING OF U.S.
PROPERTY
(2ss)

18:844F.F PENALTIES – IF DEATH
RESULTS
(2sss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC
Sections 956(a)(1) and (a)(2)(A).
(2sssssss)

18:844F.F MURDER DURING
BOMBING OF U.S. PROPERTY
(3ss)

18:844F.F PENALTIES – IF DEATH
RESULTS
(3sss)

18:1111.F MURDER, FIRST
DEGREE – 18 USC Sections 1111,
1114, 1116 & 1117
(3ssss)

18:114.F MAIMING WITHIN
SPECIAL MARITIME OR
TERRITORIAL JURISDICTION –
Title 18 USC 114, 116 and 117.
(3sssss)

18:1114.F PROTECTION OF
OFFICERS AND EMPLOYEES OF
U.S.
(3ssssss)

18:1114.F PROTECTION OF
OFFICERS AND EMPLOYEES OF

U.S. – Title 18 USC 1114, 1116 and 1117.

(3sssssss)

18:930(c) MURDER

(4–227)

18:930(c),1111,2 MURDER

(4s–216s)

18:930.F MURDER

(4ss–216ss)

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY)

(4sss–216sss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – 18 USC

Sections 2332(a)(1) &(a)(3)

(4ssss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC

2332a(a)(1) and (a)(3).

(4sssss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S.

(4ssssss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC

Sections 2332(a)(1) and (a)(3).

(4sssssss)

18:844F.F PENALTIES – IF DEATH RESULTS – 18 USC Section

844(f)(1)(f)(3), &844(n)

(5ssss)

18:844G.F POSSESS EXPLOSIVES ON FEDERAL PROPERTY – Title 18

USC 844(n).

(5ssss)

18:844A.F PENALTIES FOR

18:842A–I

(5ssssss)

18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC Section

844(n).

(5sssssss)

18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS

– 18 USC Section 2155(a) &(b)

(6ssss)

18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS

– Title 18 USC 2155(a) and (b).

(6ssss)

18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS

(6ssssss)

18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS

– Title 18 USC Section 2155(a) and

(b).

(6sssssss)

18:844F.F PENALTIES – IF DEATH RESULTS – 18 USC Section 844(f)(1), (f)(3) & 2
(7ssss–8ssss)

18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC 844(f)(1), (f)(3) and 2.
(7sssss)

18:844F.F PENALTIES – IF DEATH RESULTS
(7ssssss)

18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC Section 844(f)(1), (f)(3) and 2.
(7sssssss)

18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC 844(f)(1), (f)(3) and 2.
(8sssss)

18:844F.F PENALTIES – IF DEATH RESULTS
(8ssssss)

18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC Section 844(f)(1), (f)(3) and 2.
(8sssssss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – 18 USC Section 2332a(a)(1) & (a)(3)
(9ssss–10ssss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC 2332a(a)(1) and (a)(3).
(9sssss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S.
(9ssssss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Section 2332(a)(1), (a)(3) and 2.
(9sssssss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC 2332a(a)(1) and (a)(3).
(10sssss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S.
(10ssssss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Section 2332 a(a)(1), (a)(3) and 2.
(10sssssss)

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – 18 USC Section 930(c), 1111 & 2

(11ssss-233ssss)

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY) –
Title 18 USC 930(c), 1111 and 2.

(11sssss-223sssss)

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY)

(11ssssss-223ssssss)

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY) –
Title 18 USC Section 930(c), 1111 and
2.

(11sssssss-223sssssss)

18:930(c),1111,2 MURDER

(217s-227s)

18:930.F MURDER

(217ss-227ss)

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY)

(217sss-227sss)

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY) –
Title 18 USC 930(c), 1111 and 2.

(224sssss-234sssss)

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY)

(224ssssss-234ssssss)

18:930.F POSSESS W/INTENT/USE
IN CRIME (FEDERAL FACILITY) –
Title 18 USC Section 930(c), 1111 and
2.

(224sssssss-234sssssss)

18:1111.F MURDER, FIRST
DEGREE – 18 USC Section 7(3), 1111
&2

(234ssss-235ssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1114
and 2.

(235sssss-275sssss)

18:1111.F MURDER, FIRST
DEGREE

(235ssssss-275ssssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.

(235sssssss-275sssssss)

18:1111.F MURDER, FIRST
DEGREE – 18 USC Section 1111,
1114 &2

(236ssss-237ssss)

18:1111.F MURDER, FIRST
DEGREE – 18 USC Section 1111,
1116 &2

(238ssss-239ssss)

18:114.F MAIMING WITHIN
SPECIAL MARITIME OR
TERRITORIAL JURISDICTION – 18
USC Section 114 &2
(240ssss–241ssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – 18
USC Section 844(h)(1), 844(h)(2) &2
(242ssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
18 USC Section 924(c) &2
(243ssss–244ssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1114
and 2.
(276sssss)

18:1111.F MURDER, FIRST
DEGREE
(276ssssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(276sssssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1114
and 2.
(277sssss–278sssss)

18:1111.F MURDER, FIRST
DEGREE
(277ssssss–279ssssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(277sssssss–278sssssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1114
and 2.
(279sssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(279sssssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1116
and 2.
(280sssss–281sssss)

18:1111.F MURDER, FIRST
DEGREE
(280ssssss–282ssssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1116 and 2.
(280sssssss–281sssssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1116
and 2.

(282sssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1116 and 2.

(282sssssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1116
and 2.

(283sssss)

18:1111.F MURDER, FIRST
DEGREE

(283sssssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1116 and 2.

(283sssssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title
18 USC 844(h)(1), 844(h)(2) and 2.

(284sssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY

(284sssssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title
18 USC Sections 844(h)(1), 844(h)(2)
and 2.

(284sssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC 924(c) and 2.

(285sssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN

(285sssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC Section 924(c) and 2.

(285sssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC 924(c) and 2.

(286sssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN

(286sssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC Section 924(c) and 2.

(286sssssss)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT

(287sssssss–305sssssss)

18:1001.F STATEMENTS OR
ENTRIES GENERALLY

(306sssssss–308sssssss)

Highest Offense Level (Opening)

Felony

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints

Disposition

None

Assigned to: Judge Lewis A. Kaplan

Defendant (6)

Muhammad Atef

also known as

Abu Hafs

also known as

Abu Hafs el Masry

also known as

Abu Abu Hafs el Masry el Khabir

also known as

Taysir

also known as

Aheikh Taysir Abdullah

Pending Counts

Disposition

18:2332(b) CONSPIRACY TO MURDER
U.S. NATIONALS
(1)

18:2332(b) CONSPIRACY TO MURDER
U.S. NATIONALS
(1s)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1ss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1sss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1ssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1sssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1ssssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Section
2332(b).
(1sssssss)

18:844(f)(1),(f)(3),2 MURDER DURING
BOMBING OF U.S. PROPERTY
(2-3)

18:844(f)(1),(f)(3),2 MURDER DURING
BOMBING OF U.S. PROPERTY
(2s-3s)

18:844F.F MURDER
DURING BOMBING OF U.S.
PROPERTY
(2ss)

18:844F.F PENALTIES – IF DEATH
RESULTS
(2sss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).
(2sssssss)

18:844F.F MURDER DURING
BOMBING OF U.S. PROPERTY
(3ss)

18:844F.F PENALTIES – IF DEATH
RESULTS
(3sss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Sections 1111, 1114, 1116 & 1117
(3ssss)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – Title 18 USC 114, 116
and 117.
(3sssss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.
(3ssssss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18
USC 1114, 1116 and 1117.
(3ssssss)

18:930(c) MURDER
(4-227)

18:930(c),1111,2 MURDER
(4s-216s)

18:930.F MURDER
(4ss-216ss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(4sss-216sss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Sections
2332(a)(1) & (a)(3)
(4ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(4sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(4ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections 2332(a)(1) and (a)(3).
(4sssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section
844(f)(1)(f)(3), &844(n)
(5sssss)

18:844G.F POSSESS EXPLOSIVES ON
FEDERAL PROPERTY – Title 18 USC
844(n).
(5sssss)

18:844A.F PENALTIES FOR 18:842A–I
(5ssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).
(5sssssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
18 USC Section 2155(a) &(b)
(6sssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC 2155(a) and (b).
(6sssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(6sssssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).
(6sssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section 844(f)(1),
(f)(3) &2
(7sssss–8sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(7sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS
(7sssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section
844(f)(1), (f)(3) and 2.
(7sssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(8sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS
(8sssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section
844(f)(1), (f)(3) and 2.
(8sssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Section
2332a(a)(1) &(a)(3)
(9ssss–10ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(9sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(9ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9sssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(10sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(10ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332 a(a)(1), (a)(3) and 2.
(10sssssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – 18
USC Section 930(c), 1111 &2
(11ssss–233ssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.
(11sssss–223sssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(11ssssss–223ssssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(11sssssss–223sssssss)

18:930(c),1111,2 MURDER
(217s–227s)

18:930.F MURDER
(217ss–227ss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(217sss–227sss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.
(224sssss–234sssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(224ssssss-234ssssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(224ssssss-234ssssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 7(3), 1111 &2
(234ssss-235ssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(235ssss-275ssss)

18:1111.F MURDER, FIRST DEGREE
(235ssss-275ssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(235ssss-275ssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1114 &2
(236ssss-237ssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1116 &2
(238ssss-239ssss)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – 18 USC Section 114
&2
(240ssss-241ssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – 18 USC
Section 844(h)(1), 844(h)(2) &2
(242ssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – 18
USC Section 924(c) &2
(243ssss-244ssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(276ssss)

18:1111.F MURDER, FIRST DEGREE
(276ssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(276ssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(277ssss-278ssss)

18:1111.F MURDER, FIRST DEGREE
(277ssss-279ssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(277ssss-278ssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(279ssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(279sssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(280sssss–281sssss)

18:1111.F MURDER, FIRST DEGREE
(280ssssss–282ssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(280sssssss–281sssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(282sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(282sssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(283sssss)

18:1111.F MURDER, FIRST DEGREE
(283ssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(283sssssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC 844(h)(1), 844(h)(2) and 2.
(284sssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY
(284ssssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC Sections 844(h)(1), 844(h)(2) and 2.
(284sssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(285sssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(285ssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Section 924(c) and 2.
(285sssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(286sssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(286ssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title

18 USC Section 924(c) and 2.
(286sssssss)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287sssssss-305sssssss)

18:1001.F STATEMENTS OR ENTRIES
GENERALLY
(306sssssss-308sssssss)

Highest Offense Level (Opening)

Felony

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints

Disposition

None

Assigned to: Judge Lewis A. Kaplan

Defendant (7)

Mustafa Mohamed Fadhil

also known as
Mustafa Ali Elbishy
also known as
"Hussein"
also known as
Hassan Ali

Pending Counts

Disposition

18:2332(b) CONSPIRACY TO MURDER
U.S. NATIONALS
(1)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1s)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1ss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1sss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1ssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1sssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Section
2332(b).

(1ssssss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).

(2ssssss)

18:844(f)(1),(f)(3),2 MURDER DURING
BOMBING OF U.S. PROPERTY

(3)

18:844F.F MURDER DURING
BOMBING OF U.S. PROPERTY

(3s)

18:844F.F PENALTIES – IF DEATH
RESULTS

(3ss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Sections 1111, 1114, 1116 &1117

(3sss)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – Title 18 USC 114, 116
and 117.

(3ssss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.

(3sssss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18
USC 1114, 1116 and 1117.

(3ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Sections
2332(a)(1) &(a)(3)

(4sss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).

(4ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.

(4sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections 2332(a)(1) and (a)(3).

(4ssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section
844(f)(1)(f)(3), &844(n)

(5sss)

18:844G.F POSSESS EXPLOSIVES ON
FEDERAL PROPERTY – Title 18 USC
844(n).

(5ssss)

18:844A.F PENALTIES FOR 18:842A–I

(5ssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).
(5sssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
18 USC Section 2155(a) &(b)
(6sss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC 2155(a) and (b).
(6sssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(6sssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).
(6sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section 844(f)(1),
(f)(3) &2
(7sss–8sss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(7sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS
(7sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section
844(f)(1), (f)(3) and 2.
(7sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(8sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS
(8sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section
844(f)(1), (f)(3) and 2.
(8sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Section
2332a(a)(1) &(a)(3)
(9sss–10sss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(9sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(9sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC

Section 2332(a)(1), (a)(3) and 2.
(9ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(10ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(10ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332 a(a)(1), (a)(3) and 2.
(10ssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – 18
USC Section 930(c), 1111 &2
(11sss–233sss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.
(11ssss–223ssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(11sssss–223sssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(11ssssss–223ssssss)

18:930(c),1111,2 MURDER
(217–227)

18:930.F MURDER
(217s–227s)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(217ss–227ss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.
(224ssss–234ssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(224sssss–234sssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(224ssssss–234ssssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 7(3), 1111 &2
(234sss–235sss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(235ssss–275ssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(235ssssss–275ssssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1114 &2
(236sss–237sss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1116 &2
(238sss–239sss)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – 18 USC Section 114
&2
(240sss–241sss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – 18 USC
Section 844(h)(1), 844(h)(2) &2
(242sss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – 18
USC Section 924(c) &2
(243sss–244sss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(276sssss)

18:1111.F MURDER, FIRST DEGREE
(276sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(276sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(277sssss–278sssss)

18:1111.F MURDER, FIRST DEGREE
(277sssss–279sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(277sssss–278sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(279sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(279sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(280sssss–281sssss)

18:1111.F MURDER, FIRST DEGREE
(280sssss–282sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(280sssss–281sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(282sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(282sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(283ssss)

18:1111.F MURDER, FIRST DEGREE
(283sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(283ssssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC 844(h)(1), 844(h)(2) and 2.
(284ssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY
(284sssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC Sections 844(h)(1), 844(h)(2) and 2.
(284ssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(285ssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(285sssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Section 924(c) and 2.
(285ssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(286ssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(286sssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Section 924(c) and 2.
(286ssssss)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287ssssss–305ssssss)

18:1001.F STATEMENTS OR ENTRIES
GENERALLY
(306ssssss–308ssssss)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

Disposition

None

Assigned to: Judge Lewis A. Kaplan

Defendant (8)

Khalfan Khamis Mohamed
TERMINATED: 10/22/2001
also known as
Khalfan Khamis

represented by **David Arthur Ruhnke**
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TERMINATED: 10/22/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
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LEAD ATTORNEY
Designation: CJA Appointment

Pending Counts

18:2332B.F CONSPIRACY TO
KILL A U.S. CITIZEN
(1ssss)

18:114.F MAIMING WITHIN
SPECIAL MARITIME OR
TERRITORIAL JURISDICTION –
Title 18 USC 114, 116 and 117.
(3ssss)

Disposition

Imprisonment: LIFE IMPRISONMENT on counts 1,3,4,5,8,10,224 thru 234,277,278,279 and 283; followed by a mandatory TEN (10) Years imprisonment on count 284 and a mandatory THIRTY (30) Years on count 286, to be served CONSECUTIVELY to the above-referene d counts. Supervised Release: FIVE (5) Years on counts 1,3,4,5,8,10,224 thru 234,277,278,279,283 and 286 to run CONCURRENTLY with each other and THREE (3) Years on count 284 to run CONCURRENTLY with all other counts.

Imprisonment: LIFE IMPRISONMENT on counts 1,3,4,5,8,10,224 thru 234,277,278,279 and 283; followed by a mandatory TEN (10) Years imprisonment on count 284 and a mandatory THIRTY (30) Years on count 286, to be served CONSECUTIVELY to the above-referene d counts. Supervised Release: FIVE (5) Years on

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(4ssss)

18:844G.F POSSESS EXPLOSIVES
ON FEDERAL PROPERTY – Title
18 USC 844(n).
(5ssss)

18:844F.F PENALTIES – IF
DEATH RESULTS – Title 18 USC
844(f)(1), (f)(3) and 2.
(8ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(10ssss)

18:930.F POSSESS
W/INTENT/USE IN CRIME
(FEDERAL FACILITY) – Title 18
USC 930(c), 1111 and 2.
(224ssss–234ssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1114
and 2.

counts 1,3,4,5,8,10,224 thru 234,277,278,279,283
and 286 to run CONCURRENTLY with each other
and THREE (3) Years on count 284 to run
CONCURRENTLY with all other counts.

Imprisonment: LIFE IMPRISONMENT on counts
1,3,4,5,8,10,224 thru 234,277,278,279 and 283;
followed by a mandatory TEN (10) Years
imprisonment on count 284 and a mandatory
THIRTY (30) Years on count 286, to be served
CONSECUTIVELY to the above–referene d
counts. Supervised Release: FIVE (5) Years on
counts 1,3,4,5,8,10,224 thru 234,277,278,279,283
and 286 to run CONCURRENTLY with each other
and THREE (3) Years on count 284 to run
CONCURRENTLY with all other counts.

Imprisonment: LIFE IMPRISONMENT on counts
1,3,4,5,8,10,224 thru 234,277,278,279 and 283;
followed by a mandatory TEN (10) Years
imprisonment on count 284 and a mandatory
THIRTY (30) Years on count 286, to be served
CONSECUTIVELY to the above–referene d
counts. Supervised Release: FIVE (5) Years on
counts 1,3,4,5,8,10,224 thru 234,277,278,279,283
and 286 to run CONCURRENTLY with each other
and THREE (3) Years on count 284 to run
CONCURRENTLY with all other counts.

Imprisonment: LIFE IMPRISONMENT on counts
1,3,4,5,8,10,224 thru 234,277,278,279 and 283;
followed by a mandatory TEN (10) Years
imprisonment on count 284 and a mandatory
THIRTY (30) Years on count 286, to be served
CONSECUTIVELY to the above–referene d
counts. Supervised Release: FIVE (5) Years on
counts 1,3,4,5,8,10,224 thru 234,277,278,279,283
and 286 to run CONCURRENTLY with each other
and THREE (3) Years on count 284 to run
CONCURRENTLY with all other counts.

Imprisonment: LIFE IMPRISONMENT on counts
1,3,4,5,8,10,224 thru 234,277,278,279 and 283;
followed by a mandatory TEN (10) Years
imprisonment on count 284 and a mandatory
THIRTY (30) Years on count 286, to be served
CONSECUTIVELY to the above–referene d
counts. Supervised Release: FIVE (5) Years on
counts 1,3,4,5,8,10,224 thru 234,277,278,279,283
and 286 to run CONCURRENTLY with each other
and THREE (3) Years on count 284 to run
CONCURRENTLY with all other counts.

Imprisonment: LIFE IMPRISONMENT on counts
1,3,4,5,8,10,224 thru 234,277,278,279 and 283;
followed by a mandatory TEN (10) Years
imprisonment on count 284 and a mandatory
THIRTY (30) Years on count 286, to be served
CONSECUTIVELY to the above–referene d
counts. Supervised Release: FIVE (5) Years on
counts 1,3,4,5,8,10,224 thru 234,277,278,279,283
and 286 to run CONCURRENTLY with each other
and THREE (3) Years on count 284 to run
CONCURRENTLY with all other counts.

Imprisonment: LIFE IMPRISONMENT on counts
1,3,4,5,8,10,224 thru 234,277,278,279 and 283;
followed by a mandatory TEN (10) Years

(277ssss–278ssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1114
and 2.
(279ssss)

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC 1111, 1116
and 2.
(283ssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title
18 USC 844(h)(1), 844(h)(2) and 2.
(284ssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC 924(c) and 2.
(286ssss)

imprisonment on count 284 and a mandatory THIRTY (30) Years on count 286, to be served CONSECUTIVELY to the above–referene d counts. Supervised Release: FIVE (5) Years on counts 1,3,4,5,8,10,224 thru 234,277,278,279,283 and 286 to run CONCURRENTLY with each other and THREE (3) Years on count 284 to run CONCURRENTLY with all other counts.

Imprisonment: LIFE IMPRISONMENT on counts 1,3,4,5,8,10,224 thru 234,277,278,279 and 283; followed by a mandatory TEN (10) Years imprisonment on count 284 and a mandatory THIRTY (30) Years on count 286, to be served CONSECUTIVELY to the above–referene d counts. Supervised Release: FIVE (5) Years on counts 1,3,4,5,8,10,224 thru 234,277,278,279,283 and 286 to run CONCURRENTLY with each other and THREE (3) Years on count 284 to run CONCURRENTLY with all other counts.

Imprisonment: LIFE IMPRISONMENT on counts 1,3,4,5,8,10,224 thru 234,277,278,279 and 283; followed by a mandatory TEN (10) Years imprisonment on count 284 and a mandatory THIRTY (30) Years on count 286, to be served CONSECUTIVELY to the above–referene d counts. Supervised Release: FIVE (5) Years on counts 1,3,4,5,8,10,224 thru 234,277,278,279,283 and 286 to run CONCURRENTLY with each other and THREE (3) Years on count 284 to run CONCURRENTLY with all other counts.

Imprisonment: LIFE IMPRISONMENT on counts 1,3,4,5,8,10,224 thru 234,277,278,279 and 283; followed by a mandatory TEN (10) Years imprisonment on count 284 and a mandatory THIRTY (30) Years on count 286, to be served CONSECUTIVELY to the above–referene d counts. Supervised Release: FIVE (5) Years on counts 1,3,4,5,8,10,224 thru 234,277,278,279,283 and 286 to run CONCURRENTLY with each other and THREE (3) Years on count 284 to run CONCURRENTLY with all other counts.

Imprisonment: LIFE IMPRISONMENT on counts 1,3,4,5,8,10,224 thru 234,277,278,279 and 283; followed by a mandatory TEN (10) Years imprisonment on count 284 and a mandatory THIRTY (30) Years on count 286, to be served CONSECUTIVELY to the above–referene d counts. Supervised Release: FIVE (5) Years on counts 1,3,4,5,8,10,224 thru 234,277,278,279,283 and 286 to run CONCURRENTLY with each other and THREE (3) Years on count 284 to run CONCURRENTLY with all other counts.

Highest Offense Level (Opening)

Felony

Terminated Counts

18:2332(b) CONSPIRACY TO
MURDER U.S. NATIONALS
(1)

Disposition

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2332B.F CONSPIRACY TO
KILL A U.S. CITIZEN
(1s)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:2332B.F CONSPIRACY TO
KILL A U.S. CITIZEN
(1ss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:2332B.F CONSPIRACY TO
KILL A U.S. CITIZEN
(1sss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:2332B.F CONSPIRACY TO
KILL A U.S. CITIZEN
(1sssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:2332B.F CONSPIRACY TO
KILL A U.S. CITIZEN – Title 18
USC Section 2332(b).
(1ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:956.F CONSPIRACY TO
INJURE PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC
Sections 956(a)(1) and (a)(2)(A).
(2ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:844(f)(1),(f)(3),2 MURDER
DURING BOMBING OF U.S.
PROPERTY
(3)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:844F.F MURDER DURING
BOMBING OF U.S. PROPERTY
(3s)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:844F.F PENALTIES – IF
DEATH RESULTS
(3ss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – 18 USC Sections 1111,
1114, 1116 & 1117
(3sss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1114.F PROTECTION OF
OFFICERS AND EMPLOYEES OF
U.S.
(3sssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1114.F PROTECTION OF
OFFICERS AND EMPLOYEES OF
U.S. – Title 18 USC 1114, 1116 and
1117.
(3ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC
Sections 2332(a)(1) & (a)(3)
(4sss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(4sssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections 2332(a)(1) and (a)(3).
(4ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:844F.F PENALTIES – IF
DEATH RESULTS – 18 USC

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

Section 844(f)(1)(f)(3), &844(n)
(5sss)

18:844A.F PENALTIES FOR
18:842A-I
(5sssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF
DEATH RESULTS – Title 18 USC
Section 844(n).
(5ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE
MATERIALS – 18 USC Section
2155(a) &(b)
(6sss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE
MATERIALS – Title 18 USC
2155(a) and (b).
(6sssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE
MATERIALS
(6sssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE
MATERIALS – Title 18 USC
Section 2155(a) and (b).
(6ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF
DEATH RESULTS – 18 USC
Section 844(f)(1), (f)(3) &2
(7sss–8sss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF
DEATH RESULTS – Title 18 USC
Section 844(f)(1), (f)(3) and 2.
(7ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF
DEATH RESULTS
(8sssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:844F.F PENALTIES – IF
DEATH RESULTS – Title 18 USC
Section 844(f)(1), (f)(3) and 2.
(8ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC
Section 2332a(a)(1) &(a)(3)
(9sss–10sss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9ssssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(10sssss)

All open counts on all (S) Indictments are dismissed on the motion of the United States.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332 a(a)(1), (a)(3) and 2.

All open counts on all (S) Indictments are dismissed on the motion of the United States.

(10ssssss)

18:930.F POSSESS
W/INTENT/USE IN CRIME
(FEDERAL FACILITY) – 18 USC
Section 930(c), 1111 &2
(11sss–233sss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:930.F POSSESS
W/INTENT/USE IN CRIME
(FEDERAL FACILITY) – Title 18
USC Section 930(c), 1111 and 2.
(11ssssss–223ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:930(c),1111,2 MURDER
(217–227)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:930.F MURDER
(217s–227s)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:930.F POSSESS
W/INTENT/USE IN CRIME
(FEDERAL FACILITY)
(217ss–227ss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:930.F POSSESS
W/INTENT/USE IN CRIME
(FEDERAL FACILITY)
(224ssssss–234ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:930.F POSSESS
W/INTENT/USE IN CRIME
(FEDERAL FACILITY) – Title 18
USC Section 930(c), 1111 and 2.
(224ssssss–234ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – 18 USC Section 7(3),
1111 &2
(234sss–235sss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(235ssssss–275ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – 18 USC Section 1111,
1114 &2
(236sss–237sss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – 18 USC Section 1111,
1116 &2
(238sss–239sss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:114.F MAIMING WITHIN
SPECIAL MARITIME OR
TERRITORIAL JURISDICTION –
18 USC Section 114 &2
(240sss–241sss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – 18
USC Section 844(h)(1), 844(h)(2) &2
(242sss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
18 USC Section 924(c) &2
(243sss–244sss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(276ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE
(277sssss–279sssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(277ssssss–278ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1114 and 2.
(279ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1116 and 2.
(280ssssss–281ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1116 and 2.
(282ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE
(283ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1111.F MURDER, FIRST
DEGREE – Title 18 USC Sections
1111, 1116 and 2.
(283ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY
(284ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title
18 USC Sections 844(h)(1),
844(h)(2) and 2.
(284ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC Section 924(c) and 2.
(285ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(286ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN –
Title 18 USC Section 924(c) and 2.
(286ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1623.F FALSE
DECLARATIONS BEFORE
GRAND JURY/COURT
(287ssssss–305ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

18:1001.F STATEMENTS OR
ENTRIES GENERALLY
(306ssssss–308ssssss)

All open counts on all (S) Indictments are dismissed
on the motion of the United States.

Highest Offense Level
(Terminated)

Felony

Complaints

None

Disposition

Assigned to: Judge Lewis A. Kaplan

Defendant (9)

Ahmed Khalfan Ghailani

TERMINATED: 01/25/2011

also known as

Fupi

TERMINATED: 01/25/2011

also known as

Abubakary Khalfan Ahmed Ghailiani

TERMINATED: 01/25/2011

represented by **Gregory E. Cooper**

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TERMINATED: 01/20/2010

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ATTORNEY TO BE NOTICED

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TERMINATED: 06/29/2009

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

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TERMINATED: 01/25/2011

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TERMINATED: 12/03/2010
ATTORNEY TO BE NOTICED

Pending Counts

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section
844(n).
(5ssssss)

Disposition

Imprisonment: Life

Highest Offense Level (Opening)

Felony

Terminated Counts

18:2332(b) CONSPIRACY TO
MURDER U.S. NATIONALS
(1)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1s)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1ss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1sss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1ssss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN
(1sssss)

18:2332B.F CONSPIRACY TO KILL
A U.S. CITIZEN – Title 18 USC
Section 2332(b).
(1ssssss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC
Sections 956(a)(1) and (a)(2)(A).
(2ssssss)

18:844(f)(1),(f)(3),2 MURDER
DURING BOMBING OF U.S.
PROPERTY
(3)

18:844F.F MURDER DURING
BOMBING OF U.S. PROPERTY

Disposition

Dismissed

Dismissed

Dismissed

Dismissed

Dismissed

Dismissed

Dismissed

Dismissed

Dismissed

Dismissed

(3s)	
18:844F.F PENALTIES – IF DEATH RESULTS (3ss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – 18 USC Sections 1111, 1114, 1116 & 1117 (3sss)	Dismissed
18:114.F MAIMING WITHIN SPECIAL MARITIME OR TERRITORIAL JURISDICTION – Title 18 USC 114, 116 and 117. (3ssss)	Dismissed
18:1114.F PROTECTION OF OFFICERS AND EMPLOYEES OF U.S. (3sssss)	Dismissed
18:1114.F PROTECTION OF OFFICERS AND EMPLOYEES OF U.S. – Title 18 USC 1114, 1116 and 1117. (3ssssss)	Dismissed
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – 18 USC Sections 2332(a)(1) &(a)(3) (4sss)	Dismissed
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC 2332a(a)(1) and (a)(3). (4ssss)	Dismissed
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. (4sssss)	Dismissed
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Sections 2332(a)(1) and (a)(3). (4ssssss)	Dismissed
18:844F.F PENALTIES – IF DEATH RESULTS – 18 USC Section 844(f)(1)(f)(3), &844(n) (5sss)	Dismissed
18:844G.F POSSESS EXPLOSIVES ON FEDERAL PROPERTY – Title 18 USC 844(n). (5ssss)	Dismissed
18:844A.F PENALTIES FOR 18:842A–I (5sssss)	Dismissed
18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS – 18 USC Section 2155(a) &(b) (6sss)	Dismissed
18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS – Title 18 USC 2155(a) and (b).	Dismissed

(6ssss)	
18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS	Dismissed
(6sssss)	
18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS – Title 18 USC Section 2155(a) and (b).	Dismissed
(6ssssss)	
18:844F.F PENALTIES – IF DEATH RESULTS – 18 USC Section 844(f)(1), (f)(3) &2	Dismissed
(7sss–8sss)	
18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC 844(f)(1), (f)(3) and 2.	Dismissed
(7ssss)	
18:844F.F PENALTIES – IF DEATH RESULTS	Dismissed
(7sssss)	
18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC Section 844(f)(1), (f)(3) and 2.	Dismissed
(7ssssss)	
18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC 844(f)(1), (f)(3) and 2.	Dismissed
(8ssss)	
18:844F.F PENALTIES – IF DEATH RESULTS	Dismissed
(8sssss)	
18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC Section 844(f)(1), (f)(3) and 2.	Dismissed
(8ssssss)	
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – 18 USC Section 2332a(a)(1) &(a)(3)	Dismissed
(9sss–10sss)	
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC 2332a(a)(1) and (a)(3).	Dismissed
(9ssss)	
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S.	Dismissed
(9sssss)	
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Section 2332(a)(1), (a)(3) and 2.	Dismissed
(9ssssss)	
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC 2332a(a)(1) and (a)(3).	Dismissed
(10ssss)	
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S.	Dismissed

(10sssss)	
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Section 2332 a(a)(1), (a)(3) and 2. (10ssssss)	Dismissed
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – 18 USC Section 930(c), 1111 &2 (11sss–233sss)	Dismissed
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – Title 18 USC 930(c), 1111 and 2. (11ssss–223ssss)	Dismissed
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) (11ssss–223ssss)	Dismissed
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – Title 18 USC Section 930(c), 1111 and 2. (11ssss–223ssss)	Dismissed
18:930(c),1111,2 MURDER (217–227)	Dismissed
18:930.F MURDER (217s–227s)	Dismissed
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) (217ss–227ss)	Dismissed
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – Title 18 USC 930(c), 1111 and 2. (224ssss–234ssss)	Dismissed
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) (224ssss–234ssss)	Dismissed
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – Title 18 USC Section 930(c), 1111 and 2. (224ssss–234ssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – 18 USC Section 7(3), 1111 &2 (234sss–235sss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – Title 18 USC 1111, 1114 and 2. (235ssss–275ssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE (235ssss–275ssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1114 and 2. (235ssss–275ssss)	Dismissed
	Dismissed

18:1111.F MURDER, FIRST DEGREE – 18 USC Section 1111, 1114 &2 (236sss–237sss)	
18:1111.F MURDER, FIRST DEGREE – 18 USC Section 1111, 1116 &2 (238sss–239sss)	Dismissed
18:114.F MAIMING WITHIN SPECIAL MARITIME OR TERRITORIAL JURISDICTION – 18 USC Section 114 &2 (240sss–241sss)	Dismissed
18:844H.F EXPLOSIVES USED IN COMMISSION OF FELONY – 18 USC Section 844(h)(1), 844(h)(2) &2 (242sss)	Dismissed
18:924C.F VIOLENT CRIME/DRUGS/MACHINE GUN – 18 USC Section 924(c) &2 (243sss–244sss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – Title 18 USC 1111, 1114 and 2. (276sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE (276sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1114 and 2. (276sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – Title 18 USC 1111, 1114 and 2. (277sssss–278sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE (277sssss–279sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1114 and 2. (277sssss–278sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – Title 18 USC 1111, 1114 and 2. (279sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1114 and 2. (279sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – Title 18 USC 1111, 1116 and 2. (280sssss–281sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE	Dismissed

(280sssss-282sssss) 18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1116 and 2. (280sssss-281sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – Title 18 USC 1111, 1116 and 2. (282sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1116 and 2. (282sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – Title 18 USC 1111, 1116 and 2. (283sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE (283sssss)	Dismissed
18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1116 and 2. (283sssss)	Dismissed
18:844H.F EXPLOSIVES USED IN COMMISSION OF FELONY – Title 18 USC 844(h)(1), 844(h)(2) and 2. (284sssss)	Dismissed
18:844H.F EXPLOSIVES USED IN COMMISSION OF FELONY (284sssss)	Dismissed
18:844H.F EXPLOSIVES USED IN COMMISSION OF FELONY – Title 18 USC Sections 844(h)(1), 844(h)(2) and 2. (284sssss)	Dismissed
18:924C.F VIOLENT CRIME/DRUGS/MACHINE GUN – Title 18 USC 924(c) and 2. (285sssss)	Dismissed
18:924C.F VIOLENT CRIME/DRUGS/MACHINE GUN (285sssss)	Dismissed
18:924C.F VIOLENT CRIME/DRUGS/MACHINE GUN – Title 18 USC Section 924(c) and 2. (285sssss)	Dismissed
18:924C.F VIOLENT CRIME/DRUGS/MACHINE GUN – Title 18 USC 924(c) and 2. (286sssss)	Dismissed
18:924C.F VIOLENT CRIME/DRUGS/MACHINE GUN (286sssss)	Dismissed
18:924C.F VIOLENT CRIME/DRUGS/MACHINE GUN – Title 18 USC Section 924(c) and 2.	Dismissed

(286ssssss)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287ssssss-305ssssss) Dismissed

18:1001.F STATEMENTS OR
ENTRIES GENERALLY
(306ssssss-308ssssss) Dismissed

Highest Offense Level (Terminated)

Felony

Complaints

Disposition

None

Assigned to: Judge Lewis A. Kaplan

Defendant (10)

Fahid Mohammed Msalam
also known as
Fahad M. Ally

Pending Counts

Disposition

18:2332(b) CONSPIRACY TO MURDER
U.S. NATIONALS
(1)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1s)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1ss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1sss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1ssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1sssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Section
2332(b).
(1ssssss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).
(2ssssss)

18:844(f)(1),(f)(3),2 MURDER DURING
BOMBING OF U.S. PROPERTY
(3)

18:844F.F MURDER DURING
BOMBING OF U.S. PROPERTY

(3s)

18:844F.F PENALTIES – IF DEATH RESULTS

(3ss)

18:1111.F MURDER, FIRST DEGREE – 18 USC Sections 1111, 1114, 1116 &1117 (3sss)

18:114.F MAIMING WITHIN SPECIAL MARITIME OR TERRITORIAL JURISDICTION – Title 18 USC 114, 116 and 117.

(3ssss)

18:1114.F PROTECTION OF OFFICERS AND EMPLOYEES OF U.S.

(3sssss)

18:1114.F PROTECTION OF OFFICERS AND EMPLOYEES OF U.S. – Title 18 USC 1114, 1116 and 1117.

(3ssssss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – 18 USC Sections 2332(a)(1) &(a)(3)

(4sss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC 2332a(a)(1) and (a)(3).

(4ssss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S.

(4sssss)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Sections 2332(a)(1) and (a)(3).

(4ssssss)

18:844F.F PENALTIES – IF DEATH RESULTS – 18 USC Section

844(f)(1)(f)(3), &844(n)

(5sss)

18:844G.F POSSESS EXPLOSIVES ON FEDERAL PROPERTY – Title 18 USC

844(n).

(5ssss)

18:844A.F PENALTIES FOR 18:842A–I

(5sssss)

18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC Section 844(n).

(5ssssss)

18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS – 18 USC Section 2155(a) &(b)

(6sss)

18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS – Title 18 USC 2155(a) and (b).

(6ssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(6sssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).
(6ssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section 844(f)(1),
(f)(3) &2
(7sss–8sss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(7ssss)

18:844F.F PENALTIES – IF DEATH
RESULTS
(7sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section
844(f)(1), (f)(3) and 2.
(7ssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(8ssss)

18:844F.F PENALTIES – IF DEATH
RESULTS
(8sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section
844(f)(1), (f)(3) and 2.
(8ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Section
2332a(a)(1) &(a)(3)
(9sss–10sss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(9ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(9sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(10ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(10sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC

Section 2332 a(a)(1), (a)(3) and 2.
(10ssssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – 18
USC Section 930(c), 1111 &2
(11sss–233sss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.
(11ssss–223ssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(11sssss–223sssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(11ssssss–223ssssss)

18:930(c),1111,2 MURDER
(217–227)

18:930.F MURDER
(217s–227s)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(217ss–227ss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.
(224ssss–234ssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(224sssss–234sssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(224ssssss–234ssssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 7(3), 1111 &2
(234sss–235sss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(235ssss–275ssss)

18:1111.F MURDER, FIRST DEGREE
(235sssss–275sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(235ssssss–275ssssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1114 &2
(236sss–237sss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1116 &2
(238sss–239sss)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – 18 USC Section 114
&2

(240sss–241sss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – 18 USC
Section 844(h)(1), 844(h)(2) &2
(242sss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – 18
USC Section 924(c) &2
(243sss–244sss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(276sssss)

18:1111.F MURDER, FIRST DEGREE
(276sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(276sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(277sssss–278sssss)

18:1111.F MURDER, FIRST DEGREE
(277sssss–279sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(277sssss–278sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(279sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(279sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(280sssss–281sssss)

18:1111.F MURDER, FIRST DEGREE
(280sssss–282sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(280sssss–281sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(282sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(282sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(283sssss)

18:1111.F MURDER, FIRST DEGREE
(283sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(283sssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18

USC 844(h)(1), 844(h)(2) and 2.
(284ssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY
(284sssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC Sections 844(h)(1), 844(h)(2) and 2.
(284ssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(285ssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(285sssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Section 924(c) and 2.
(285ssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(286ssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(286sssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Section 924(c) and 2.
(286ssssss)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287ssssss–305ssssss)

18:1001.F STATEMENTS OR ENTRIES
GENERALLY
(306ssssss–308ssssss)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Assigned to: Judge Lewis A. Kaplan

Defendant (11)

Sheikh Ahmed Salim Swedan

also known as
Sheikh Bahamadi
also known as
Ahmed Ally

Pending Counts

Disposition

18:2332(b) CONSPIRACY TO MURDER
U.S. NATIONALS

(1)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

(1s)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

(1ss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

(1sss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

(1ssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

(1sssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Section
2332(b).

(1ssssss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).

(2ssssss)

18:844(f)(1),(f)(3),2 MURDER DURING
BOMBING OF U.S. PROPERTY

(3)

18:844F.F MURDER DURING
BOMBING OF U.S. PROPERTY

(3s)

18:844F.F PENALTIES – IF DEATH
RESULTS

(3ss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Sections 1111, 1114, 1116 &1117

(3sss)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – Title 18 USC 114, 116
and 117.

(3ssss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.

(3sssss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18

USC 1114, 1116 and 1117.

(3ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Sections
2332(a)(1) &(a)(3)

(4sss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).

(4sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.

(4sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections 2332(a)(1) and (a)(3).

(4sssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section
844(f)(1)(f)(3), &844(n)

(5sss)

18:844G.F POSSESS EXPLOSIVES ON
FEDERAL PROPERTY – Title 18 USC
844(n).

(5sssss)

18:844A.F PENALTIES FOR 18:842A–I

(5sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).

(5sssssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
18 USC Section 2155(a) &(b)

(6sss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC 2155(a) and (b).

(6sssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS

(6sssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).

(6sssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section 844(f)(1),
(f)(3) &2

(7sss–8sss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.

(7sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS

(7sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section
844(f)(1), (f)(3) and 2.
(7ssssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(8ssss)

18:844F.F PENALTIES – IF DEATH
RESULTS
(8sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section
844(f)(1), (f)(3) and 2.
(8ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Section
2332a(a)(1) &(a)(3)
(9sss–10sss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(9ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(9sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9ssssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(10ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(10sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332 a(a)(1), (a)(3) and 2.
(10ssssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – 18
USC Section 930(c), 1111 &2
(11sss–233sss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.
(11ssss–223ssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(11sssss–223sssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(11ssssss–223ssssss)

18:930(c),1111,2 MURDER
(217-227)

18:930.F MURDER
(217s-227s)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(217ss-227ss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.
(224ssss-234ssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(224sssss-234sssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(224ssssss-234ssssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 7(3), 1111 &2
(234sss-235sss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(235ssss-275ssss)

18:1111.F MURDER, FIRST DEGREE
(235sssss-275sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(235ssssss-275ssssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1114 &2
(236sss-237sss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1116 &2
(238sss-239sss)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – 18 USC Section 114
&2
(240sss-241sss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – 18 USC
Section 844(h)(1), 844(h)(2) &2
(242sss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – 18
USC Section 924(c) &2
(243sss-244sss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(276ssss)

18:1111.F MURDER, FIRST DEGREE
(276sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(276ssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(277ssss–278ssss)

18:1111.F MURDER, FIRST DEGREE
(277sssss–279sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(277ssssss–278ssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(279ssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(279ssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(280ssss–281ssss)

18:1111.F MURDER, FIRST DEGREE
(280sssss–282sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(280ssssss–281ssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(282ssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(282ssssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(283ssss)

18:1111.F MURDER, FIRST DEGREE
(283sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(283ssssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC 844(h)(1), 844(h)(2) and 2.
(284ssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY
(284sssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC Sections 844(h)(1), 844(h)(2) and 2.
(284ssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(285ssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(285sssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Section 924(c) and 2.
(285ssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(286ssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(286ssssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Section 924(c) and 2.
(286ssssss)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287ssssss–305ssssss)

18:1001.F STATEMENTS OR ENTRIES
GENERALLY
(306ssssss–308ssssss)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Assigned to: Judge Lewis A. Kaplan

Defendant (12)

Mamdouh Mahmud Salim
also known as
"Abu Hajer al Iraqi,"
also known as
"Abu Hajer,"

represented by **Allan Paul Haber**
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LEAD ATTORNEY
Designation: CJA Appointment

Pending Counts

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1s)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1ss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1sss)

Disposition

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1ssss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Sections
2332(b).
(1sssss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).
(2sssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Sections 1111, 1114, 1116 &1117
(3ss)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – Title 18 USC 114, 116
and 117.
(3sss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.
(3ssss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18
USC Sections 1114, 1116 and 1117.
(3sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Sections
2332(a)(1) &(a)(3)
(4ss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1) and (a)(3).
(4sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section
844(f)(1)(f)(3), &844(n)
(5ss)

18:844G.F POSSESS EXPLOSIVES ON
FEDERAL PROPERTY – Title 18 USC
844(n).
(5sss)

18:844A.F PENALTIES FOR 18:842A–I
(5ssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).
(5sssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
18 USC Section 2155(a) &(b)
(6ss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC 2155(a) and (b).
(6sss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(6ssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).
(6sssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Sections
844(f)(1), (f)(3) and 2.
(7sssss–8sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9sssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections a(a)(1), (a)(3) and 2.
(10sssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(11sssss–234sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(235sssss–279sssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(280sssss–283sssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC Sections 844(h)(1), 844(h)(2) and 2.
(284sssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Sections 924(c) and 2.
(285sssss–286sssss)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287sssss–305sssss)

18:1001.F STATEMENTS OR ENTRIES
GENERALLY
(306sssss–308sssss)

18:1203.F HOSTAGE TAKING
(309ssss)

18:1203.F HOSTAGE TAKING
(310ssss)

18:1117.F CONSPIRACY TO MURDER
(311ssss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.
(312ssss)

18:111.F
ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES
(313ssss–314ssss)

18:371.F CONSPIRACY TO DEFRAUD
THE UNITED STATES
(315ssss)

18:751A.F PRISONER IN CUSTODY OF
INSTITUTION OR OFFICER
(316ssss)

18:1791A.F TRAFFIC IN
CONTRABAND ARTICLES –
FIREARMS
(317ssss–319ssss)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Assigned to: Judge Lewis A. Kaplan

Defendant (13)

Ali Mohamed

also known as

Omar

also known as

Ali Abdelseoud Mohamed

also known as

Abu Omar

also known as

Haydara

also known as

Taymour Ali Nasser

also known as

Ahmed Bahaa Adam

Pending Counts

Disposition

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1s)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1ss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1sss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Sections

2332(b).
(1ssss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – 18 USC 956(a)(1)
&(a)(2)(A)
(2s)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC 956(a)(1)
and (a)(2)(A).
(2ss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).
(2ssss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Sections 1111, 1114, 1116 &1117
(3s)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – Title 18 USC 114, 116
and 117.
(3ss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.
(3sss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18
USC Sections 1114, 1116 and 1117.
(3ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Sections
2332(a)(1) &(a)(3)
(4s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1) and (a)(3).
(4ssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section
844(f)(1)(f)(3), &844(n)
(5s)

18:844G.F POSSESS EXPLOSIVES ON
FEDERAL PROPERTY – Title 18 USC
844(n).
(5ss)

18:844A.F PENALTIES FOR 18:842A–I
(5sss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).
(5ssss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
18 USC Section 2155(a) &(b)
(6s)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC 2155(a) and (b).
(6ss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(6sss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).
(6ssss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Sections
844(f)(1), (f)(3) and 2.
(7ssss–8ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9ssss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections a(a)(1), (a)(3) and 2.
(10ssss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(11ssss–234ssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(235ssss–279ssss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(280ssss–283ssss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC Sections 844(h)(1), 844(h)(2) and 2.
(284ssss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Sections 924(c) and 2.
(285ssss–286ssss)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287ssss–305ssss)

18:1001.F STATEMENTS OR ENTRIES
GENERALLY
(306ssss–308ssss)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

Disposition

None

Assigned to: Judge Lewis A. Kaplan

Defendant (14)

Ayman Al Zawahiri

also known as

Abdel Muaz

also known as

Dr. Ayman Al Zawahiri

also known as

the Doctor

Pending Counts

Disposition

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1s)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1ss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Sections
2332(b).
(1sss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).
(2sss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1114 1116 &1117
(3)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – Title 18 USC 114, 116
and 117.
(3s)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.
(3ss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18
USC Sections 1114, 1116 and 1117.
(3sss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Section
2332(a)(1) &(a)(3)
(4)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC

2332a(a)(1) and (a)(3).
(4s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(4ss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1) and (a)(3).
(4sss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section
844(f)(1)(f)(3) &844(n)
(5)

18:844G.F POSSESS EXPLOSIVES ON
FEDERAL PROPERTY – Title 18 USC
844(n).
(5s)

18:844A.F PENALTIES FOR 18:842A–I
(5ss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).
(5sss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
18 USC Section 2155(a) &(b)
(6)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC 2155(a) and (b).
(6s)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(6ss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).
(6sss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section
844(f)(1),(f)(3) &2
(7–8)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(7s)

18:844F.F PENALTIES – IF DEATH
RESULTS
(7ss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Sections
844(f)(1), (f)(3) and 2.
(7sss–8sss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(8s)

18:844F.F PENALTIES – IF DEATH
RESULTS
(8ss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Section
2332a(a)(1) &(a)(3)
(9–10)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(9s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(9ss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9sss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(10s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(10ss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections a(a)(1), (a)(3) and 2.
(10sss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – 18
USC Section 930(c), 1111 &2
(11–233)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.
(11s–223s)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(11ss–223ss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(11sss–234sss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.
(224s–234s)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(224ss–234ss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 7(3), 1111 &2
(234–235)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(235s–275s)

18:1111.F MURDER, FIRST DEGREE
(235ss-275ss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(235sss-279sss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1114 &2
(236-237)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1116 &2
(238-239)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – 18 USC Section 114
&2
(240-241)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – 18 USC
Section 844(h)(1), 844(h)(2) &2
(242)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – 18
USC Section 924(c) &2
(243-244)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(276s)

18:1111.F MURDER, FIRST DEGREE
(276ss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(277s-278s)

18:1111.F MURDER, FIRST DEGREE
(277ss-279ss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(279s)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(280s-281s)

18:1111.F MURDER, FIRST DEGREE
(280ss-282ss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(280sss-283sss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(282s)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(283s)

18:1111.F MURDER, FIRST DEGREE
(283ss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18

USC 844(h)(1), 844(h)(2) and 2.
(284s)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY
(284ss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC Sections 844(h)(1), 844(h)(2) and 2.
(284sss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(285s)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(285ss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Sections 924(c) and 2.
(285sss–286sss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(286s)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(286ss)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287sss–305sss)

18:1001.F STATEMENTS OR ENTRIES
GENERALLY
(306sss–308sss)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Assigned to: Judge Lewis A. Kaplan

Defendant (15)

Khaled Al Fawwaz

also known as

Abu Omar

also known as

Khaled Abdul Khaled Abdul Rahman

Hamad al Fawwaz
also known as
Hamad

Pending Counts

Disposition

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1s)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1ss)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Sections
2332(b).
(1sss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).
(2sss)

18:1111.F MURDER, FIRST DEGREE –
18 USC Section 1111, 1114 1116 &1117
(3)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – Title 18 USC 114, 116
and 117.
(3s)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.
(3ss)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18
USC Sections 1114, 1116 and 1117.
(3sss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – 18 USC Section
2332(a)(1) &(a)(3)
(4)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1) and (a)(3).
(4sss)

18:844F.F PENALTIES – IF DEATH
RESULTS – 18 USC Section
844(f)(1)(f)(3) &844(n)
(5)

18:844G.F POSSESS EXPLOSIVES ON
FEDERAL PROPERTY – Title 18 USC
844(n).
(5s)

18:844A.F PENALTIES FOR 18:842A–I
(5ss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).
(5sss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
18 USC Section 2155(a) &(b)
(6)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC 2155(a) and (b).
(6s)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(6ss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).
(6sss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Sections
844(f)(1), (f)(3) and 2.
(7sss–8sss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9sss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections a(a)(1), (a)(3) and 2.
(10sss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(11sss–234sss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(235sss–279sss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(280sss–283sss)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC Sections 844(h)(1), 844(h)(2) and 2.
(284sss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Sections 924(c) and 2.
(285sss–286sss)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287sss–305sss)

18:1001.F STATEMENTS OR ENTRIES
GENERALLY
(306sss–308sss)

Highest Offense Level (Opening)

Felony

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints

Disposition

None

Assigned to: Judge Lewis A. Kaplan

Defendant (16)

Ibrahim Eidarous

TERMINATED: 12/03/2008

also known as

Ibrahim H.A. Eidarous

TERMINATED: 12/03/2008

also known as

Daoud

TERMINATED: 12/03/2008

also known as

Abu Abdullah

TERMINATED: 12/03/2008

also known as

Ibrahim

TERMINATED: 12/03/2008

Pending Counts

Disposition

None

Highest Offense Level (Opening)

None

Terminated Counts

Disposition

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

Nolle Prosequi.

(1)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

Nolle Prosequi.

(1s)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Sections
2332(b).

Nolle Prosequi.

(1ss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).

Nolle Prosequi.

(2ss)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – Title 18 USC 114, 116
and 117.

Nolle Prosequi.

(3)
18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.
(3s) Nolle Prosequi.

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18
USC Sections 1114, 1116 and 1117.
(3ss) Nolle Prosequi.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(4) Nolle Prosequi.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(4s) Nolle Prosequi.

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1) and (a)(3).
(4ss) Nolle Prosequi.

18:844G.F POSSESS EXPLOSIVES ON
FEDERAL PROPERTY – Title 18 USC
844(n).
(5) Nolle Prosequi.

18:844A.F PENALTIES FOR 18:842A–I
(5s) Nolle Prosequi.

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).
(5ss) Nolle Prosequi.

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC 2155(a) and (b).
(6) Nolle Prosequi.

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(6s) Nolle Prosequi.

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).
(6ss) Nolle Prosequi.

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(7) Nolle Prosequi.

18:844F.F PENALTIES – IF DEATH
RESULTS
(7s) Nolle Prosequi.

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Sections
844(f)(1), (f)(3) and 2.
(7ss–8ss) Nolle Prosequi.

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(8) Nolle Prosequi.

18:844F.F PENALTIES – IF DEATH
RESULTS Nolle Prosequi.

(8s) 18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC 2332a(a)(1) and (a)(3). (9)	Nolle Prosequi.
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. (9s)	Nolle Prosequi.
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Section 2332(a)(1), (a)(3) and 2. (9ss)	Nolle Prosequi.
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC 2332a(a)(1) and (a)(3). (10)	Nolle Prosequi.
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. (10s)	Nolle Prosequi.
18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Sections a(a)(1), (a)(3) and 2. (10ss)	Nolle Prosequi.
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – Title 18 USC 930(c), 1111 and 2. (11–223)	Nolle Prosequi.
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) (11s–223s)	Nolle Prosequi.
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – Title 18 USC Section 930(c), 1111 and 2. (11ss–234ss)	Nolle Prosequi.
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – Title 18 USC 930(c), 1111 and 2. (224–234)	Nolle Prosequi.
18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) (224s–234s)	Nolle Prosequi.
18:1111.F MURDER, FIRST DEGREE – Title 18 USC 1111, 1114 and 2. (235–275)	Nolle Prosequi.
18:1111.F MURDER, FIRST DEGREE (235s–275s)	Nolle Prosequi.
18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1114 and 2. (235ss–279ss)	Nolle Prosequi.
18:1111.F MURDER, FIRST DEGREE – Title 18 USC 1111, 1114 and 2. (276)	Nolle Prosequi.
18:1111.F MURDER, FIRST DEGREE (276s)	Nolle Prosequi.
18:1111.F MURDER, FIRST DEGREE – Title 18 USC 1111, 1114 and 2.	Nolle Prosequi.

(277–278)

18:1111.F MURDER, FIRST DEGREE
(277s–279s) Nolle Prosequi.

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(279) Nolle Prosequi.

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(280–281) Nolle Prosequi.

18:1111.F MURDER, FIRST DEGREE
(280s–282s) Nolle Prosequi.

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(280ss–283ss) Nolle Prosequi.

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(282) Nolle Prosequi.

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(283) Nolle Prosequi.

18:1111.F MURDER, FIRST DEGREE
(283s) Nolle Prosequi.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC 844(h)(1), 844(h)(2) and 2.
(284) Nolle Prosequi.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY
(284s) Nolle Prosequi.

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC Sections 844(h)(1), 844(h)(2) and 2.
(284ss) Nolle Prosequi.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(285) Nolle Prosequi.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(285s) Nolle Prosequi.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Sections 924(c) and 2.
(285ss–286ss) Nolle Prosequi.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(286) Nolle Prosequi.

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(286s) Nolle Prosequi.

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287ss–305ss) Nolle Prosequi.

Nolle Prosequi.

18:1001.F STATEMENTS OR ENTRIES
GENERALLY
(306ss–308ss)

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: Judge Lewis A. Kaplan

Defendant (17)

Adel Abdel Bary

also known as

Adel M.A.A.A. Bary

also known as

Abbas

also known as

Abu Dia

also known as

Adel

Pending Counts

Disposition

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1s)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Sections
2332(b).
(1ss)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).
(2ss)

18:114.F MAIMING WITHIN SPECIAL
MARITIME OR TERRITORIAL
JURISDICTION – Title 18 USC 114, 116
and 117.
(3)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.
(3s)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18
USC Sections 1114, 1116 and 1117.
(3ss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(4)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(4s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1) and (a)(3).
(4ss)

18:844G.F POSSESS EXPLOSIVES ON
FEDERAL PROPERTY – Title 18 USC
844(n).
(5)

18:844A.F PENALTIES FOR 18:842A–I
(5s)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).
(5ss)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC 2155(a) and (b).
(6)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(6s)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).
(6ss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(7)

18:844F.F PENALTIES – IF DEATH
RESULTS
(7s)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Sections
844(f)(1), (f)(3) and 2.
(7ss–8ss)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC 844(f)(1), (f)(3)
and 2.
(8)

18:844F.F PENALTIES – IF DEATH
RESULTS
(8s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(9)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(9s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9ss)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
2332a(a)(1) and (a)(3).
(10)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(10s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections a(a)(1), (a)(3) and 2.
(10ss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.
(11–223)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(11s–223s)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(11ss–234ss)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC 930(c), 1111 and 2.
(224–234)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(224s–234s)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(235–275)

18:1111.F MURDER, FIRST DEGREE
(235s–275s)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(235ss–279ss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(276)

18:1111.F MURDER, FIRST DEGREE
(276s)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(277–278)

18:1111.F MURDER, FIRST DEGREE
(277s–279s)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1114 and 2.
(279)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(280–281)

18:1111.F MURDER, FIRST DEGREE
(280s–282s)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(280ss–283ss)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(282)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC 1111, 1116 and 2.
(283)

18:1111.F MURDER, FIRST DEGREE
(283s)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC 844(h)(1), 844(h)(2) and 2.
(284)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY
(284s)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC Sections 844(h)(1), 844(h)(2) and 2.
(284ss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(285)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(285s)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Sections 924(c) and 2.
(285ss–286ss)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC 924(c) and 2.
(286)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(286s)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287ss–305ss)

18:1001.F STATEMENTS OR ENTRIES
GENERALLY
(306ss–308ss)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

Disposition

None

Assigned to: Judge Lewis A. Kaplan

Defendant (18)

Saif Al Adel
also known as
Saif

Pending Counts

Disposition

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Sections
2332(b).
(1s)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).
(2s)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.
(3)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18
USC Sections 1114, 1116 and 1117.
(3s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1) and (a)(3).
(4s)

18:844A.F PENALTIES FOR 18:842A–I
(5)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).
(5s)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(6)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).
(6s)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Sections
844(f)(1), (f)(3) and 2.
(7s–8s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections a(a)(1), (a)(3) and 2.
(10s)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(11s–234s)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(235s–279s)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(280s–283s)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC Sections 844(h)(1), 844(h)(2) and 2.
(284s)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Sections 924(c) and 2.
(285s–286s)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287s–305s)

18:1001.F STATEMENTS OR ENTRIES
GENERALLY
(306s–308s)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Assigned to: Judge Lewis A. Kaplan

Defendant (19)

Abdullah Ahmed Abdullah

also known as

Abu Mohamed el Masry

also known as

Saleh

also known as

Abu Marium

Pending Counts

Disposition

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Sections
2332(b).
(1s)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).
(2s)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.
(3)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18
USC Sections 1114, 1116 and 1117.
(3s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(4)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1) and (a)(3).
(4s)

18:844A.F PENALTIES FOR 18:842A–I
(5)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).
(5s)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(6)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).
(6s)

18:844F.F PENALTIES – IF DEATH
RESULTS
(7)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Sections
844(f)(1), (f)(3) and 2.
(7s–8s)

18:844F.F PENALTIES – IF DEATH
RESULTS
(8)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(9)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(10)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections a(a)(1), (a)(3) and 2.
(10s)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(11–223)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY) – Title
18 USC Section 930(c), 1111 and 2.
(11s–234s)

18:930.F POSSESS W/INTENT/USE IN
CRIME (FEDERAL FACILITY)
(224–234)

18:1111.F MURDER, FIRST DEGREE
(235–275)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1114 and 2.
(235s–279s)

18:1111.F MURDER, FIRST DEGREE
(276)

18:1111.F MURDER, FIRST DEGREE
(277–279)

18:1111.F MURDER, FIRST DEGREE
(280–282)

18:1111.F MURDER, FIRST DEGREE –
Title 18 USC Sections 1111, 1116 and 2.
(280s–283s)

18:1111.F MURDER, FIRST DEGREE
(283)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY
(284)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY – Title 18
USC Sections 844(h)(1), 844(h)(2) and 2.
(284s)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(285)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN – Title
18 USC Sections 924(c) and 2.
(285s–286s)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(286)

18:1623.F FALSE DECLARATIONS
BEFORE GRAND JURY/COURT
(287s–305s)

18:1001.F STATEMENTS OR ENTRIES
GENERALLY

(306s–308s)

Highest Offense Level (Opening)

Felony

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints

Disposition

None

Assigned to: Judge Lewis A. Kaplan

Defendant (20)

Muhsin Musa Matwalli Atwah

also known as

Abdel Rahman al Muhajer

also known as

Abdel Rahman

Pending Counts

Disposition

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

(1)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Sections
2332(b).

(1s)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).

(2s)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.

(3)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18
USC Sections 1114, 1116 and 1117.

(3s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1) and (a)(3).

(4s)

18:844A.F PENALTIES FOR 18:842A–I

(5)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).

(5s)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS

(6)

18:2155A.F DESTRUCTION OF NATIONAL DEFENSE MATERIALS – Title 18 USC Section 2155(a) and (b). (6s)

18:844F.F PENALTIES – IF DEATH RESULTS – Title 18 USC Sections 844(f)(1), (f)(3) and 2. (7s–8s)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Section 2332(a)(1), (a)(3) and 2. (9s)

18:2332A.F KILLING A CITIZEN OUTSIDE THE U.S. – Title 18 USC Sections a(a)(1), (a)(3) and 2. (10s)

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – Title 18 USC Section 930(c), 1111 and 2. (11s–234s)

18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1114 and 2. (235s–279s)

18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1116 and 2. (280s–283s)

18:844H.F EXPLOSIVES USED IN COMMISSION OF FELONY – Title 18 USC Sections 844(h)(1), 844(h)(2) and 2. (284s)

18:924C.F VIOLENT CRIME/DRUGS/MACHINE GUN – Title 18 USC Sections 924(c) and 2. (285s–286s)

18:1623.F FALSE DECLARATIONS BEFORE GRAND JURY/COURT (287s–305s)

18:1001.F STATEMENTS OR ENTRIES GENERALLY (306s–308s)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition



Assigned to: Judge Lewis A. Kaplan

Defendant (21)

Anas Al Liby
also known as
Nazih al Raghie
also known as
Anas al Sebai

Pending Counts

Disposition

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1)

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN – Title 18 USC Sections
2332(b).
(1s)

18:956.F CONSPIRACY TO INJURE
PROPERTY OF FOREIGN
GOVERNMENT – Title 18 USC Sections
956(a)(1) and (a)(2)(A).
(2s)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S.
(3)

18:1114.F PROTECTION OF OFFICERS
AND EMPLOYEES OF U.S. – Title 18
USC Sections 1114, 1116 and 1117.
(3s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1) and (a)(3).
(4s)

18:844A.F PENALTIES FOR 18:842A–I
(5)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Section 844(n).
(5s)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(6)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS –
Title 18 USC Section 2155(a) and (b).
(6s)

18:844F.F PENALTIES – IF DEATH
RESULTS – Title 18 USC Sections
844(f)(1), (f)(3) and 2.
(7s–8s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Section 2332(a)(1), (a)(3) and 2.
(9s)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. – Title 18 USC
Sections a(a)(1), (a)(3) and 2.

(10s)

18:930.F POSSESS W/INTENT/USE IN CRIME (FEDERAL FACILITY) – Title 18 USC Section 930(c), 1111 and 2. (11s–234s)

18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1114 and 2. (235s–279s)

18:1111.F MURDER, FIRST DEGREE – Title 18 USC Sections 1111, 1116 and 2. (280s–283s)

18:844H.F EXPLOSIVES USED IN COMMISSION OF FELONY – Title 18 USC Sections 844(h)(1), 844(h)(2) and 2. (284s)

18:924C.F VIOLENT CRIME/DRUGS/MACHINE GUN – Title 18 USC Sections 924(c) and 2. (285s–286s)

18:1623.F FALSE DECLARATIONS BEFORE GRAND JURY/COURT (287s–305s)

18:1001.F STATEMENTS OR ENTRIES GENERALLY (306s–308s)

Highest Offense Level (Opening)

Felony

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints

Disposition

None

Assigned to: Judge Lewis A. Kaplan

Defendant (22)

L'Houssiane Kherchtou

also known as

Abu Talal

also known as

"Talal"

also known as

"Yusuf"

also known as

"Joseph."

also known as

"Jamal."

Pending Counts

Disposition

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN–18:2332(b) Conspiracy to
Kill United States Nationals.
(1)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Assigned to: Judge Lewis A. Kaplan

Defendant (23)

Mohamed Suleiman Al Nalfi
TERMINATED: 02/21/2003
also known as
Nalfi
also known as
Abu Musab
also known as
Mohamed Suleiman Adam

represented by **Joshua Lewis Dratel**
(See above for address)
TERMINATED: 02/21/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

18:2155B.F CONSPIRACY –
DESTRUCTION OF NATIONAL
DEFENSE MATERIALS
(1s)

Disposition

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total of 121 MONTHS. Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 YEARS.

Highest Offense Level (Opening)

Felony

Terminated Counts

18:2332B.F CONSPIRACY TO
KILL A U.S. CITIZEN – Title 18
USC Section 2332(b).
(1)

Disposition

The underlying indictment is dismissed on the motion of the United States.

18:1114.F PROTECTION OF
OFFICERS AND EMPLOYEES
OF U.S. – Title 18 USC Sections
1114, 1116 and 1117.
(3)

The underlying indictment is dismissed on the motion of the United States.

18:844F.F PENALTIES – IF
DEATH RESULTS – Title 18 USC
Section 844(n).
(5)

The underlying indictment is dismissed on the motion of the United States.

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE
MATERIALS – Title 18 USC
Section 2155(a) and (b).
(6)

The underlying indictment is dismissed on the
motion of the United States.

Highest Offense Level
(Terminated)

Felony

Complaints

None

Disposition

Assigned to: Judge Lewis A. Kaplan

Defendant (24)

Jamal Ahmed Mohammed Ali
Al-Badawi
also known as
Abu Abed Al Rahman Al-Badawi

Pending Counts

Disposition

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN
(1)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.
(2–18)

18:1111.F MURDER, FIRST DEGREE
(CONSPIRACY TO MURDER U.S.
MILITARY PERSONNEL)
(19)

18:1111.F MURDER, FIRST DEGREE
(MURDER OF U.S. MILITARY
PERSONNEL)
(20–36)

18:1111.F MURDER, FIRST DEGREE
(ATTEMPTED MURDER OF U.S.
MILITARY PERSONNEL)
(37)

18:1111.F MURDER, FIRST DEGREE
(ATTEMPTED MURDER OF U.S.
MILITARY PERSONNEL)
(38)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. (CONSPIRACY TO
USE A WEAPON OF MASS
DESTRUCTION)
(39)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. (USE/ATTEMPTED
USE OF WEAPON OF MASS
DESTRUCTION)
(40)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. (USE/ATTEMPTED

USE OF WEAPON OF MASS
DESTRUCTION)
(41)

18:844F.F PENALTIES – IF DEATH
RESULTS (CONSPIRACY TO
DESTROY U.S. BUILDINGS AND
PROPERTY)
(42)

18:844F.F PENALTIES – IF DEATH
RESULTS (DAMAGING AND
DESTROYING U.S. PROPERTY)
(43)

18:844F.F PENALTIES – IF DEATH
RESULTS (ATTEMPTING TO
DAMAGE AND DESTROY U.S.
PROPERTY)
(44)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(CONSPIRACY TO ATTACK U.S.
DEFENSE FACILITIES)
(45)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(USING AND CARRYING A
DANGEROUS DEVICE DURING A
FEDERAL CRIME OF VIOLENCE)
(46)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY (USING
AND CARRYING AN EXPLOSIVE
DURING A FEDERAL CRIME
VIOLENCE)
(47)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN
(USING AND CARRYING A
DANGEROUS DEVICE DURING A
FEDERAL CRIME OF VIOLENCE)
(48)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY
(49)

18:2339A.F TERRORIST ACTIVITY
(PROVIDING AND CONSPIRING TO
PROVIDE MATERIAL SUPPORT TO A
TERRORIST ORGANIZATION)
(50–51)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

Disposition

None

Assigned to: Judge Lewis A. Kaplan

Defendant (25)

Fahd Al-Quso

also known as

Abu Hathayfah Al-Adani

Pending Counts

Disposition

18:2332B.F CONSPIRACY TO KILL A
U.S. CITIZEN

(1)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S.

(2-18)

18:1111.F MURDER, FIRST DEGREE
(CONSPIRACY TO MURDER U.S.
MILITARY PERSONNEL)

(19)

18:1111.F MURDER, FIRST DEGREE
(MURDER OF U.S. MILITARY
PERSONNEL)

(20-36)

18:1111.F MURDER, FIRST DEGREE
(ATTEMPTED MURDER OF U.S.
MILITARY PERSONNEL)

(37)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. (CONSPIRACY TO
USE A WEAPON OF MASS
DESTRUCTION)

(39)

18:2332A.F KILLING A CITIZEN
OUTSIDE THE U.S. (USE/ATTEMPTED
USE OF WEAPON OF MASS
DESTRUCTION)

(40)

18:844F.F PENALTIES – IF DEATH
RESULTS (CONSPIRACY TO
DESTROY U.S. BUILDINGS AND
PROPERTY)

(42)

18:844F.F PENALTIES – IF DEATH
RESULTS (DAMAGING AND
DESTROYING U.S. PROPERTY)

(43)

18:2155A.F DESTRUCTION OF
NATIONAL DEFENSE MATERIALS
(CONSPIRACY TO ATTACK U.S.
DEFENSE FACILITIES)

(45)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN

(USING AND CARRYING A
DANGEROUS DEVICE DURING A
FEDERAL CRIME OF VIOLENCE)
(46)

18:844H.F EXPLOSIVES USED IN
COMMISSION OF FELONY (USING
AND CARRYING AN EXPLOSIVE
DURING A FEDERAL CRIME
VIOLENCE)
(47)

18:2339A.F TERRORIST ACTIVITY
(PROVIDING AND CONSPIRING TO
PROVIDE MATERIAL SUPPORT TO A
TERRORIST ORGANIZATION)
(50-51)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Amicus

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Date Filed	#	Docket Text
09/14/1998	1	COMPLAINT as to Mamdouh Mahmud Salim in violation of 18 U.S.C. 2332 & 2332a. (signed by Magistrate Judge James C. Francis IV) [1:98-m -2140] (gq) (Entered: 09/29/1998)
09/14/1998	2	ARREST WARRANT issued as to Mamdouh Mahmud Salim. [1:98-m -2140] (gq) (Entered: 09/29/1998)
09/16/1998		ARREST of Wadih El Hage. [1:98-m -2166] (gq) (Entered: 09/22/1998)
09/17/1998	1	COMPLAINT as to Wadih El Hage in violation of 18 U.S.C. 1001. (signed by Magistrate Judge James C. Francis IV) [1:98-m -2166] (gq) Modified on 09/22/1998 (Entered: 09/22/1998)
09/17/1998	2	CJA 23 Financial Affidavit as to Wadih El Hage : (Signed by Magistrate Judge James C. Francis IV) [1:98-m -2166] (gq) Modified on 09/22/1998 (Entered: 09/22/1998)
09/17/1998	3	CJA 20 as to Wadih El Hage : Appointment of Attorney Bruce McIntyre. (Signed by Magistrate Judge James C. Francis IV) [1:98-m -2166] (gq) (Entered: 09/22/1998)
09/17/1998	4	NOTICE of Appearance for Wadih El Hage by Attorney Bruce McIntyre. [1:98-m -2166] (gq) Modified on 09/22/1998 (Entered: 09/22/1998)
09/17/1998		First Appearance as to Wadih El Hage held. Deft appears with CJA atty Bruce McIntyre. AUSA Patrick Fitzgerald present for the gov't. Preliminary Examination set for 10/1/98 for Wadih El Hage ; Detention Hearing set for 2:00 9/21/98 for Wadih El Hage ; (Mag. Judge Francis, IV). [1:98-m -2166] (gq) (Entered: 09/22/1998)
09/21/1998		Detention hearing as to Wadih El Hage held. Deft appears with CJA atty Bruce McIntyre. AUSA Patrick Fitzgerald present for the gov't. Detention hearing adjourned on deft's request until 9/23/98 at 2:30 p.m. Deft to be detained until hearing. (Mag. Judge Pitman). [1:98-m -2166] (gq) (Entered: 09/22/1998)
09/21/1998	5	INDICTMENT as to Wadih El Hage (1) count(s) 1-8, 9-11 (Preliminary Examination cancelled.) (jm) (Entered: 09/22/1998)
09/23/1998		Detention hearing as to Wadih El Hage held. Deft present w/atty Bruce McIntyre, AUSA Patrick Fitzgerald present. Deft detained (Bernikow, MJ). (bh) (Entered: 09/24/1998)

09/23/1998	6	ORDER OF DETENTION as to Wadih El Hage defendant has ties to other countries, risk of flight.(Signed by Magistrate Judge Leonard Bernikow) (bh) (Entered: 09/24/1998)
09/24/1998		Arraignment as to Wadih El Hage held. Deft. Hage pres. w/atty. Bruce McIntyre. AUSA, Patrick Fitzgerald and Ken Karas. Deft. Wadih El Hage (1) enters a plea of not guilty to count(s) 1-8, 9-11 before Magistrate Judge Leonard Bernikow. Case has been assigned to Judge Sprizzo for all purposes. Deft's. bail-status detained. (Magistrate Judge Bernikow) (ba) (Entered: 09/29/1998)
09/24/1998		PLEA entered by Wadih El Hage . Court accepts plea. Not Guilty: Wadih El Hage (1) count(s) 1-8, 9-11 (ba) (Entered: 09/29/1998)
09/24/1998		CASE assigned to Judge John E. Sprizzo (ba) (Entered: 09/29/1998)
09/24/1998	7	NOTICE of Appearance for Wadih El Hage by Attorney Bruce McIntyre. (ba) (Entered: 09/29/1998)
09/25/1998	3	ORDER as to Mamdouh Mahmud Salim, unsealing Complaint 98 Mag. 2140. (Signed by Judge Loretta A. Preska); Copies mailed. [1:98-m -2140] (gq) (Entered: 09/29/1998)
09/29/1998	4	AMENDED COMPLAINT as to Mamdouh Mahmud Salim in violation of 18 U.S.C. 2332A, 2332(b), 844(n), 2155. (Signed by Mag. Judge Douglas F. Eaton). [1:98-m -2140] (gq) (Entered: 09/30/1998)
09/29/1998	5	AMENDED ARREST WARRANT issued as to Mamdouh Mahmud Salim. [1:98-m -2140] (gq) (Entered: 09/30/1998)
10/01/1998		Status conference as to Wadih El Hage held. Dft. present with atty. Bruce McIntyre. AUSA Patrick Fitzgerald present. Case reassigned to Judge Sand. Dft. continued detained.....Eaton, J. (mb) Modified on 10/06/1998 (Entered: 10/06/1998)
10/01/1998		CASE reassigned to Judge Leonard B. Sand. (mb) (Entered: 10/07/1998)
10/01/1998	8	Pursuant to the memorandum of the Case Processing Asst. the above entitled action is reassigned to Judge Sand as to Wadih El Hage. Copies sent to attorney of record on 10/7/98. Documents received on 10/9/98 by Elizabeth Stanton. . (mb) Modified on 10/14/1998 (Entered: 10/07/1998)
10/07/1998		Status conference as to Wadih El Hage held. Deft. El Hage present w/atty Bruce McIntyre. AUSA Patrick Fitzgerald and Ken Karas present. Conference held. Govt' will need a month to gather facts as to how much discovery time will be needed. Status conference set for 11/10/98 at 9:30 a.m. Gov't submit order excluding time thru Nov. 10, 1998. Deft. cont'd detained. Gov't will file a S-Ind this day. (rag) (Entered: 10/08/1998)
10/07/1998		Status conference as to Wadih El Hage set at 9:30 11/10/98 for Wadih El Hage (rag) (Entered: 10/08/1998)
10/07/1998	11	(S1) SUPERSEDING INDICTMENT as to Wadih El Hage (1) count(s) 1s, 228s-235s, 236s-238s , Fazul Abdullah Mohammed (2) count(s) 1, 2-3, 4-227, Mohamed Sadeek Odeh (3) count(s) 1, 2-3, 4-227, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1, 2-3, 4-227 (rag) (Entered: 10/30/1998)
10/08/1998	9	ORDER as to Wadih El Hage, Time is excluded from 10/7/98 until 11/10/9 pursuant to the Speedy Trial Act and to Continue in Interests of Justice (Signed by Judge Leonard B. Sand); Copies mailed. (mb) (Entered: 10/14/1998)
10/08/1998		First Appearance as to Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali held (rag) (Entered: 10/30/1998)
10/08/1998		Arraignment as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali held Wadih El Hage (1) count(s) 1s, 228s-235s, 236s-238s, Mohamed Sadeek Odeh (3) count(s) 1, 2-3, 4-227, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1, 2-3, 4-227 before Judge Leonard B. Sand. Deft. El Hage present w/atty Bruce McIntyre, Esq. Deft. Odeh present w/atty Michael Young, Esq. Deft. Al-Owhali present w/atty Leonard Joy, Esq. AUSA Patrick Fitzgerald and Kenneth Karas present. Interpreter Hassan Moawa (Arabic) present. Deft. El Hage is arraigned and pleads not guilty on each of counts 1 and 228 thru 238 as charged on S Indictment. Deft. Mohamed Odeh is arraigned on S Indictment and pleads not guilty on counts 1 and 2 thru 227 as charged. Deft. Mohamed Rashed Daoud Al'Owhali is arraigned on S-Ind. and pleads not guilty on counts 1 and 2 thru 227 as charged. All defts remain detained. Govt' submit order excluding time thru 11/10/98. Further status conference on 11/10/98 at 9:30. (rag) (Entered: 10/30/1998)
10/08/1998		PLEA entered by Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali . Court accepts plea. Not Guilty: Wadih El Hage (1) count(s) 1s, 228s-235s, 236s-238s, Mohamed Sadeek Odeh (3) count(s) 1, 2-3, 4-227, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1, 2-3, 4-227 (rag) (Entered: 10/30/1998)

10/08/1998		Status conference as to Wadiah El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali set at 9:30 11/10/98 for Wadiah El Hage, for Mohamed Sadeek Odeh, for Mohamed Rashed Daoud Al-'Owhali (rag) (Entered: 10/30/1998)
10/09/1998	10	ORDER as to Wadiah El Hage, Time excluded from 10/7/98 until 11/10/98 to Continue in Interests of Justice (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 10/14/1998)
10/09/1998	6	AFFIDAVIT by USA as to Mamdouh Mahmud Salim Re: in support of the request for an extradition of Mamdouh Mahmud Salim [1:98-m -2140] (vb) (Entered: 10/13/1998)
10/10/1998	15	LETTER filed as to Mohamed Rashed Daoud Al-'Owhali From Leonard F. Joy, Dated 11/6/98, Addressed to: Patrick Fitzgerald,AUSA Re: Discovery Issues (mb) (Entered: 11/16/1998)
11/04/1998	13	(S2) SUPERSEDING INDICTMENT as to Wadiah El Hage (1) count(s) 1ss, 228ss-235ss, 236ss-238ss, Fazul Abdullah Mohammed (2) count(s) 1s, 2s-3s, 4s-227s, Mohamed Sadeek Odeh (3) count(s) 1s, 2s-3s, 4s-227s, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1s, 2s-3s, 4s-227s , Usama Bin Laden (5) count(s) 1, 2-3, 4-227, Muhammad Atef (6) count(s) 1, 2-3, 4-227 (rag) (Entered: 11/12/1998)
11/04/1998	16	Arrest WARRANT issued as to Usama Bin Laden (mb) (Entered: 11/18/1998)
11/04/1998	19	Arrest WARRANT issued as to Fazul Abdullah Mohammed (rag) (Entered: 11/19/1998)
11/04/1998	17	ARREST WARRANT issued as to Muhammad Atef (mr) (Entered: 06/10/1999)
11/09/1998	12	LETTER filed by USA, Dated 11/5/98, Addressed to: Hon. Leonard B. Sand Re: Status Update For The Court In Advance Of The Conference On Next Tuesday, November 10, 1998 At 9:30am. (rag) (Entered: 11/09/1998)
11/10/1998		Arraignment as to Wadiah El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali held Wadiah El Hage (1) count(s) 1ss, 228ss-235ss, 236ss-238ss, Mohamed Sadeek Odeh (3) count(s) 1s, 2s-3s, 4s-227s, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1s, 2s-3s, 4s-227s before Judge Leonard B. Sand. Conference and arraignments held. Deft. El Hage present w/atty Bruce McIntyre. Deft. Odeh present w/atty Michael A. Young. Deft. Al-'Owhali present w/atty Leonard Joy. AUSA Patirck Fitzgerald present. AUSA Ken Kara present. Deft. El Hage is arraigned on S(2) indictment and pleads not guilty on counts 1 and counts 228 thur 238 as charged. Deft. Mohamed Sadeek Odeh is arraigned on S(2) indictment 98-1023 and pleads not guilty on counts 1 thru 227 as charged. Deft. Mohamed Rashed Daoud Al-'Owhali is arraigned on S(2) Ind. 98 cr 1023 and pleads not guilty on counts 1 thru 227 as charged. Conference held. First wave of discovery to be completed by early Feb. 99. Hearing to be held on 11/16/98 at 3 p.m. on prison conditions at MCC and on Government's right to make an application for protective order under R-16(d). Further conference 1/14/99 at 10 a.m. Govt. submit order excluding time thru 1/14/99. All (3) defts' cont'd remanded. Interpreter Fouad Kheir (Arabic) present. (rag) (Entered: 11/12/1998)
11/10/1998		PLEA entered by Wadiah El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali . Court accepts plea. Not Guilty: Wadiah El Hage (1) count(s) 1ss, 228ss-235ss, 236ss-238ss, Mohamed Sadeek Odeh (3) count(s) 1s, 2s-3s, 4s-227s, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1s, 2s-3s, 4s-227s (rag) (Entered: 11/12/1998)
11/10/1998	14	LETTER filed by Wadiah El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef From Michael A. Young, Dated 11/5/98, Addressed to: Mr. Fitzgerald Re: objecting to the Special Administration Measures which were issued regarding our clients on or about 10/22/98. (mr) (Entered: 11/13/1998)
11/16/1998		Status conference as to Wadiah El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali held. Defendant El Hage present with attorney Bruce McIntyre. Defendant Odeh present with attorney Michael A. Young. Defendant Al-'Owhali present with attorney Leonard Joy and David I. Bruck. Hearing begun on conditions of confinement at MCC and proposed protective order, and adjourned to 11/17/98. Also present Dominique Raia, attorney for MCC, and Warden Dennis Hasty. (mr) (Entered: 11/20/1998)
11/17/1998		Status conference as to Wadiah El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali held. No defendants present. Bruce McIntyre present for defendant El Hage. Leonard Joy and Davd Bruck present for defendant Al-'Owhali. Michael Young, Esq present for defendant Oden. AUSA Patrick Fitzgerald present. Count concludes that it is satisfied that conditions at 10-south (at MCC) are not worse that conditions at 9-south and in some respects more comfortable. Measures are reasonably based on security needs and needs of the institution. Government submits amended order revising S.A.M. conditions. (mr) (Entered: 11/20/1998)

11/17/1998	21	Filed Memo—Endorsement on letter dated 11/12/98 to Judge Sand from Leonard F. Joy, Esq. as to Mohamed Rashed Daoud Al-'Owhali. Re: Request that the Court appoint David Bruck pro hac vice for purposes of representing the dft. in this case. Application granted. (Signed by Judge Leonard B. Sand); Copies mailed. (mb) (Entered: 11/30/1998)
11/18/1998	18	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef for dates of 9/23/98. (mr) (Entered: 11/18/1998)
11/19/1998	20	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef (da) (Entered: 11/20/1998)
12/04/1998	22	TRANSCRIPT of record of proceedings before Judge Sand as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, and Mohamed Daoud Al-'Owhali on 10/8/98. (kw) (Entered: 12/08/1998)
12/04/1998	23	TRANSCRIPT of record of proceedings before Judge Sand as to Wadih El Hage on 10/7/98. (kw) (Entered: 12/09/1998)
12/10/1998	25	ORDER as to Wadih El Hage, that the Government shall produce copies of the grand jury testimony of El Hage to Bruce McIntyre, counsel for defendant El Hage, Michael Young, counsel for defendant Mohamed Sadeek Odeh, and Leonard Joy, counsel for defendant Mohamed Rashed Daoud Al-'Owhali. , that these grand jury materials shall be kept securely in the offices of counsel named in the preceding paragraph and shall not be further disseminated by defense counsel to anyone until further order of this Court. , that, pending further order of this Court, any papers to be served upon the Court by the defense which includes copies of, or otherwise refer to, such grand jury materials, shall be filed under seal. , and that, pending further order of the Court, any papers served by the defense in conformity with the preceding paragraph defense shall be filed under seal. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 12/17/1998)
12/11/1998	24	Filed Appointment of and Authority to pay court appointed counsel David I. Buck in a Death Penalty Proceeding as to Mohamed Rashed Daoud Al-'Owhali (mr) (Entered: 12/14/1998)
12/14/1998		Status conference as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali held; Deft El Hage present w/atty Bruce McIntyre. Deft Odeh pres w/atty Michael A. Young. Deft Al-'Owhali present w/atty Leonard Joy – Conference held on issue of protective order and prison conditions. Gov't submit proposed order on issue of protective order. Further conference in January on a date to be announced. All defts detained. (bw) (Entered: 12/17/1998)
12/14/1998	26	ORDER as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali; regarding amendments to the Special Administrative Measures imposed by the Warden of the MCC (Signed by Judge Leonard B. Sand); Copies mailed. (emil) (Entered: 12/21/1998)
12/16/1998	31	(S3) SUPERSEDING INDICTMENT as to Wadih El Hage (1) count(s) 1ss, 228sss–235sss, 236sss–238sss, Fazul Abdullah Mohammed (2) count(s) 1ss, 2ss–3ss, 4ss–216ss, 217ss–227ss, Mohamed Sadeek Odeh (3) count(s) 1ss, 2ss–3ss, 4ss–216ss, 217ss–227ss, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1ss, 2ss–3ss, 4ss–216ss, 217ss–227ss, Usama Bin Laden (5) count(s) 1s, 2s–3s, 4s–216s, 217s–227s, Muhammad Atef (6) count(s) 1s, 2s–3s, 4s–216s, 217s–227s , Mustafa Mohamed Fadhil (7) count(s) 1, 3, 217–227, Khalfan Khamis Mohamed (8) count(s) 1, 3, 217–227, Ahmed Khalfan Ghailani (9) count(s) 1, 3, 217–227, Fahid Mohammed Msalam (10) count(s) 1, 3, 217–227, Sheikh Ahmed Salim Swedan (11) count(s) 1, 3, 217–227 (rag) (Entered: 01/14/1999)
12/16/1998		ORAL ORDER as to Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan , A bench warrent has been issued for the above stated defendants. (Entered by Judge Leonard B. Sand) (mr) (Entered: 06/10/1999)
12/17/1998	27	PROTECTIVE ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef; regarding procedures that will govern the handling of discovery materials produced by the Government (Signed by Judge Leonard B. Sand); Copies mailed. (emil) (Entered: 12/28/1998)
12/20/1998		ARREST of Mamdouh Mahmud Salim. Arrested in Munich on 9/16/98. [1:98–m –2140] (gq) (Entered: 12/22/1998)
12/21/1998	7	CJA 23 Financial Affidavit as to Mamdouh Mahmud Salim : (Signed by Magistrate Judge Ronald L. Ellis) [1:98–m –2140] (gq) (Entered: 12/22/1998)

12/21/1998	8	CJA 20 as to Mamdouh Mahmud Salim : Appointment of Attorney Paul J. McAllister. (Signed by Magistrate Judge Ronald L. Ellis) [1:98-m -2140] (gq) (Entered: 12/22/1998)
12/21/1998		First Appearance as to Mamdouh Mahmud Salim held. Deft appears with CJA atty Paul McAllister. AUSA Pat Fitzgerald present for the gov't. Consent to detention without prejudice. Preliminary Examination set for 1/8/99 for Mamdouh Mahmud Salim ; (Mag. Judge Ellis). [1:98-m -2140] (gq) (Entered: 12/22/1998)
12/21/1998	9	ORDER OF DETENTION as to Mamdouh Mahmud Salim (Signed by Magistrate Judge Ronald L. Ellis) [1:98-m -2140] (gq) (Entered: 12/22/1998)
01/06/1999	35	(S4) SUPERSEDING INDICTMENT as to Wadih El Hage (1) count(s) 1ssss, 228ssss-235ssss, 236ssss-238ssss, Fazul Abdullah Mohammed (2) count(s) 1sss, 2sss, 3sss, 4sss-216sss, 217sss-227sss, Mohamed Sadeek Odeh (3) count(s) 1sss, 2sss, 3sss, 4sss-216sss, 217sss-227sss, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1sss, 2sss, 3sss, 4sss-216sss, 217sss-227sss, Osama Bin Laden (5) count(s) 1ss, 2ss, 3ss, 4ss-216ss, 217ss-227ss, Muhammad Atef (6) count(s) 1ss, 2ss, 3ss, 4ss-216ss, 217ss-227ss, Mustafa Mohamed Fadhil (7) count(s) 1s, 3s, 217s-227s, Khalfan Khamis Mohamed (8) count(s) 1s, 3s, 217s-227s, Ahmed Khalfan Ghailani (9) count(s) 1s, 3s, 217s-227s, Fahid Mohammed Msalam (10) count(s) 1s, 3s, 217s-227s, Sheikh Ahmed Salim Swedan (11) count(s) 1s, 3s, 217s-227s, Mamdouh Mahmud Salim (12) count(s) 1 (mr) (Entered: 02/03/1999)
01/07/1999	28	TRANSCRIPT of record of proceedings before Judge Sand as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali for dates of 11/17/98. (jp) (Entered: 01/07/1999)
01/07/1999	29	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Osama Bin Laden, Muhammad Atef for dates of November 16, 1998 before the Hon. Leonard B. Sand (dj) (Entered: 01/12/1999)
01/07/1999	30	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Osama Bin Laden, Muhammad Atef filed before Judge Sand for dates of November 10, 1998. (sac) (Entered: 01/12/1999)
01/14/1999		Arraignment as to Wadih El Hage held Wadih El Hage (1) count(s) 1ssss, 228ssss-235ssss, 236ssss-238ssss before Judge Leonard B. Sand. Deft. Wadih El Hage present w/atty Bruce McIntyre. AUSA Patrick Fitzgerald, Kenneth Karros and Michael Garcia. Interpreter Andre Codouni. Deft. El Hage is arraigned on S(4) Ind. 98 cr 1023 and pleads not guilty on counts 1 and 228 thru 235 as charged. Bulk of Govt. discovery by mid-February 99. Further status conference on 4/15/99 at 9:30 a.m. Govt. submit order excluding time thru 4/15/99. Deft. cont'd detained. (rag) (Entered: 02/03/1999)
01/14/1999		PLEA entered by Wadih El Hage . Court accepts plea. Not Guilty: Wadih El Hage (1) count(s) 1ssss, 228ssss-235ssss, 236ssss-238ssss (rag) (Entered: 02/03/1999)
01/14/1999		Status conference as to Wadih El Hage set at 9:30 4/15/99 for Wadih El Hage (rag) (Entered: 02/03/1999)
01/14/1999		Arraignment as to Mohamed Sadeek Odeh held Mohamed Sadeek Odeh (3) count(s) 1sss, 2sss, 3sss, 4sss-216sss, 217sss-227sss before Judge Leonard B. Sand. Deft. Odeh present w/atty Michael Young. AUSA Patrick Fitzgerald Kenneth Karas and Michael Garcia. Interpreter Andre Codouni. Deft. Odeh is arraigned on S(4) Ind and pleads not guilty on each of counts 1 thru 227 as charged. Bulk of Govt discovery by mid-February 99. Further status conference on 4/15/99 at 9:30 a.m. Govt. submit order excluding time thru 4/15/99. Deft. cont'd detained. (rag) (Entered: 02/03/1999)
01/14/1999		PLEA entered by Mohamed Sadeek Odeh . Court accepts plea. Not Guilty: Mohamed Sadeek Odeh (3) count(s) 1sss, 2sss, 3sss, 4sss-216sss, 217sss-227sss (rag) (Entered: 02/03/1999)
01/14/1999		Status conference as to Mohamed Sadeek Odeh set at 9:30 4/15/99 for Mohamed Sadeek Odeh (rag) (Entered: 02/03/1999)
01/14/1999		Arraignment as to Mohamed Rashed Daoud Al-'Owhali held Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1sss, 2sss, 3sss, 4sss-216sss, 217sss-227sss before Judge Leonard B. Sand. Deft. Mohamed Rashed Dsoud Al-'Owhali present w/attys' Leonard Joy, LAS, David Bruck and Robert Tucker, Esqs. Interpreter Andre Codouni. Deft. Al-'Owhali is arraigned on S(4) Ind. 98 cr 1023 and pleads not guilty on each of counts 1 thru 227 as charged. Bulk of Govt discovery by mid-February 99. Further status confernece on 4/15/99 at 9:30 a.m. Govt. submit order excluding time thru 4/15/99. Deft. cont'd detained. (rag) (Entered: 02/03/1999)
01/14/1999		PLEA entered by Mohamed Rashed Daoud Al-'Owhali . Court accepts plea. Not Guilty: Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1sss, 2sss, 3sss, 4sss-216sss, 217sss-227sss (rag) (Entered: 02/03/1999)

01/14/1999		Status conference as to Mohamed Rashed Daoud Al-'Owhali set at 9:30 4/15/99 for Mohamed Rashed Daoud Al-'Owhali (rag) (Entered: 02/03/1999)
01/14/1999		Arraignment as to Mamdouh Mahmud Salim held Mamdouh Mahmud Salim (12) count(s) 1 before Judge Leonard B. Sand. Deft. Mamdouh Mahmud Salim present w/atty Paul J. McAllister. AUSA Patrick Fitzgerald, Kenneth Karos and Michael Garcia. Interpreter Andre Codouni. Deft. Salim is arraigned on superseding (4) indictment 98 cr 1023 and pleads not guilty on count 1 as charged. Bulk of Govt. discovery by mid-February 99. Further status conference on 4/15/99 at 9:30 a.m. Govt. to submit order excluding time thru 4/15/99. Deft. cont'd detained. (rag) (Entered: 02/03/1999)
01/14/1999		PLEA entered by Mamdouh Mahmud Salim . Court accepts plea. Not Guilty: Mamdouh Mahmud Salim (12) count(s) 1 (rag) (Entered: 02/03/1999)
01/14/1999		Status conference as to Mamdouh Mahmud Salim set at 9:30 4/15/99 for Mamdouh Mahmud Salim (rag) (Entered: 02/03/1999)
01/15/1999	32	ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan. Purs. to the Speedy Trial Act, 18 USC Sec. 3161(h)(8)(A), and the consent of the defts, all time running from 1/14/99, until 4/15/99, shall be excluded from the time within which trial must commence in this case, the Court having found that the ends of justice served by this exclusion outweigh the best interests of the public and defts in a speedy trial (Signed by Judge Whitman Knapp, Part I); Copies mailed. (emil) (Entered: 01/21/1999)
01/28/1999	33	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan (kb) (Entered: 01/28/1999)
02/01/1999	36	ORDER as to Mohamed Sadeek Odeh. Pursuant to 18 USC Sec. 3005 and 21 USC Sec. 848(q)(4), Carl J. Herman, Esq. shall be assigned to represent Mohamed Sadeek Odeh, along with Michael A. Young, previously appointed by this Court. Because of the complexity of the deft's trial, the expected length of trial in this case, and the anticipated hardship on counsel in undertaking representation full-time for such a period without compensation, purs. to paragraph 2.30 B of the Guidelines for the Administration of the Criminal Justice Act, counsel shall submit to this Court, every thirty days, an interim CJA Form 30. (Signed by Judge Leonard B. Sand); Copies mailed. (emil) (Entered: 02/04/1999)
02/02/1999	34	Copy of LETTER addressed to Michael Young, Esq. from Patrick J. Fitzgerald, AUSA, dated 11/13/98. Re: submitted in response to Mr. Young's letters of 11/5/98 and 11/11/98, concerning the conditions of confinement of the three defts in this case and, in particular, the restrictions imposed by the Special Administrative Measures. (emil) (Entered: 02/02/1999)
02/02/1999		Status conference as to Wadih El Hage held. (S4 98 Cr. 1023) Deft El Hage present w/atty Bruce McIntyre. AUSAs Patrick Fitzgerald and Kenneth Karas present. Conference held. Deft seeks permission to contact his mosque, the Islamic Society of Arlington, Tx. and as to whether the Mosque would consider a bail package on behalf of defendant. Bail hearing set for 2/8/99 at 10 a.m. Deft cont'd detained. (Held before Judge Sand) (bw) (Entered: 02/17/1999)
02/02/1999		ORAL ORDER as to Wadih El Hage , Bail hearing set for 2/8/99 at 10 a.m. (Entered by Judge Leonard B. Sand) (bw) (Entered: 02/17/1999)
02/08/1999		Bail hearing as to Wadih El Hage held. (S4 98 Cr. 1023) Deft El Hage present w/atty Bruce McIntyre. AUSAs Patrick Fitzgerald and Kenneth Karas present. Bail hearing held. Court denies deft El Hage's application for bail, both as to risk of flight and danger to community. Remanded. (Held before Judge Sand) (bw) (Entered: 02/17/1999)
02/09/1999	37	TRANSCRIPT of record of proceedings before Judge Sand as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim for dates of 12/14/98. (jp) (Entered: 02/16/1999)
02/23/1999	38	CJA 30 as to Mohamed Sadeek Odeh Death Penalty Proceedings: Appointment of and authority to pay Court Appointed Counsel Michael R. Young (Signed by Judge Leonard B. Sand) (mb) (Entered: 02/24/1999)

02/23/1999	39	CJA 30 Death Penalty Proceeding as to Mohamed Sadeek Odeh : Appointment of and authority to pay court appointed counsel. (Signed by Judge Leonard B. Sand) (mb) (Entered: 02/24/1999)
03/02/1999	40	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim (af) (Entered: 03/02/1999)
03/09/1999	41	TRANSCRIPT of record of proceedings as to Usama Bin Laden filed before Judge Sand for dates of 1/14/99. (sac) (Entered: 03/11/1999)
03/15/1999		Pre-Trial Conference as to (S4 98 Cr. 1023 -1) Wadih El Hage held. Deft El Hage present w/attorney Bruce McIntyre, AUSAs Patrick Fitzgerald, Ken Karas and Michael Garcia - Conference held. Deft moves to have his present attorney Bruce McIntyre substituted and new counsel be appointed. Court grants deft's motion, no objection from Government. Sam Schmidt, CJA attorney on assignment this day is assigned to represent El Hage. Deft continued detained. (Held before Judge Sand) (bw) (Entered: 03/18/1999)
03/15/1999		ORAL ORDER as to (S4 98 Cr. 1023 -1) Wadih El Hage , substituting attorney: terminated attorney Bruce McIntyre for Wadih El Hage, Added Sam A. Schmidt. (Entered by Judge Leonard B. Sand) (bw) (Entered: 03/18/1999)
03/16/1999	42	ORDER as to Wadih El Hage, substituting attorney Bruce McIntyre, Esq. terminated Added Sam A Schmidt (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 03/25/1999)
03/17/1999	43	Filed Memo-Endorsement letter addressed to Judge Batts from Wadih El Hage, dated 3/10/99. granting substitution of attorney McIntyre (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 03/26/1999)
03/26/1999	44	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim (da) (Entered: 03/29/1999)
03/30/1999	45	CJA 20 as to Wadih El Hage : Appointment of Attorney Sam Schmidt.(Signed by Judge Leonard B. Sand) (mr) (Entered: 03/30/1999)
03/31/1999	46	ORDER as to Wadih El Hage (S4 98 Cr. 1023 -1). It is hereby ORDERED that attorney Deborah I. Meyer shall be included in the term "attorney" for all matters referred to in the SAM (Special Administrative Measures) and orders of this court. Dated: 3/30/99. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 04/09/1999)
04/12/1999	47	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim (af) (Entered: 04/13/1999)
04/12/1999	48	TRANSCRIPT of record of proceedings as to Usama Bin Laden, Muhammad Atef, Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali before Judge Leonard B. Sand for dates of February 8, 1999 at 10:25 A.M. (sn) (Entered: 04/15/1999)
04/12/1999	50	TRANSCRIPT of record of proceedings as to Wadih El Hage before Judge Leonard B. Sand for dates of February 2, 1999 at 10:15 A.M. (sn) (Entered: 04/16/1999)
04/14/1999	49	REDACTED LETTER filed by USA as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim From Patrick J. Fitzgerald, Dated 4/14/99, Addressed to: Judge Sand Re: To provide a status update for the Court and Counsel in advance of the conference on Thursday 4/15/99 at 9:30 AM. (sl) (Entered: 04/15/1999)
04/15/1999		Pre-Trial Conference (S4 98 Cr. 1023) as to Mamdouh Mahmud Salim (12), Wadih El Hage (1), Mohamed Sadeek Odeh (3), Mohamed Rashed Daoud Al-'Owhali (4) held. Deft SALIM present w/attorney Paul McAllister. Deft EL HAGE present w/attorney Sam Schmidt. Deft ODEH present w/attorneys Michael Young and Carl J. Herman. Deft AL-OWHAL present w/attorneys Leonard Joy and David Bruck. Interpreter Andre Codouni present. Conference held. Attorney for deft ODEH motion objecting to need for a security clearance as to certain certified documents is to be filed by 5/17/99; Gov't response by 6/2/99 and any further reply by 6/9/99; Status conference and Oral argument on 6/22/99 at 10 a.m. Gov't submit order excluding time thru 6/22/99. All depts continued remanded. (Held before Judge

		Sand) (bw) Modified on 04/20/1999 (Entered: 04/20/1999)
04/15/1999		ORAL ORDER (S4 98 Cr. 1023) as to Mamdouh Mahmud Salim (12), Wadih El Hage (1), Mohamed Sadeek Odeh (3), Mohamed Rashed Daoud Al-'Owhali (4) , SET scheduling order deadlines: Motion (objecting to need for a security clearance as to certain certified documents) Filing to 5/17/99 Mohamed Sadeek Odeh ; Response to motion deadline 6/2/99 USA ; Reply to response to motion deadline 6/9/99 for Mohamed Sadeek Odeh ; Status Conference for 10:00 a.m. 6/22/99 for Mamdouh Mahmud Salim, for Wadih El Hage, for Mohamed Sadeek Odeh, for Mohamed Rashed Daoud Al-'Owhali. (Entered by Judge Leonard B. Sand) (bw) (Entered: 04/20/1999)
04/15/1999	52	ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Time excluded from 4/15/99 until 6/22/99 to Continue in Interests of Justice (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 04/22/1999)
04/21/1999	51	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim (kb) (Entered: 04/21/1999)
05/12/1999	53	TRANSCRIPT of record of proceedings before Judge Sand as to Wadih El Hage for dates of 3/15/99. (jp) (Entered: 05/12/1999)
05/13/1999	54	SEALED DOCUMENT as to Wadih El Hage (af) (Entered: 05/14/1999)
05/19/1999	55	(S5) SUPERSEDING INDICTMENT as to Wadih El Hage (1) count(s) 1sssss, 228sssss-235sssss, 236sssss, 237sssss, 238sssss, Fazul Abdullah Mohammed (2) count(s) 1sssss, 2sssss, 3sssss, 4sssss-216sssss, 217sssss-227sssss, Mohamed Sadeek Odeh (3) count(s) 1sssss, 2sssss, 3sssss, 4sssss-216sssss, 217sssss-227sssss, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1sssss, 2sssss, 3sssss, 4sssss-216sssss, 217sssss-227sssss, Usama Bin Laden (5) count(s) 1sss, 2sss, 3sss, 4sss-216sss, 217sss-227sss, Muhammad Atef (6) count(s) 1sss, 2sss, 3sss, 4sss-216sss, 217sss-227sss, Mustafa Mohamed Fadhil (7) count(s) 1ss, 3ss, 217ss-227ss, Khalfan Khamis Mohamed (8) count(s) 1ss, 3ss, 217ss-227ss, Ahmed Khalfan Ghailani (9) count(s) 1ss, 3ss, 217ss-227ss, Fahid Mohammed Msalam (10) count(s) 1ss, 3ss, 217ss-227ss, Sheikh Ahmed Salim Swedan (11) count(s) 1ss, 3ss, 217ss-227ss, Mamdouh Mahmud Salim (12) count(s) 1s , Ali Mohamed (13) count(s) 1 (mr) (Entered: 06/23/1999)
05/24/1999	56	ORDER as to Ali Mohamed, Time excluded from 5/24/99 until 6/22/99 to Continue in Interests of Justice (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 06/23/1999)
05/25/1999	58	Filed Defense Memorandum of Security Clearance as to Mohamed Odeh. (mr) (Entered: 06/04/1999)
05/27/1999		First Appearance as to Ali Mohamed held (mr) (Entered: 06/23/1999)
05/27/1999		Arraignment as to Ali Mohamed held Ali Mohamed (13) count(s) 1 before Judge Leonard B. Sand (mr) (Entered: 06/23/1999)
05/27/1999		PLEA entered by Ali Mohamed . Court accepts plea. Not Guilty: Ali Mohamed (13) count(s) 1 (mr) (Entered: 06/23/1999)
06/02/1999	59	ORDER as to Ali Mohamed, that the sealing order issued by Judge Scheindlin on 1/15/99 is amended as follows: (1) All sealed documents filed and docketed and all sealed proceedings docketed in the case of U.S. v Jone Doe, 98m2332 through 5/28/99 shall remain sealed until further order of this Court. (2) Redacted copies of the sealed submissions filed and docketed in the case of U.S. v John Doe, 98m2332, shall be publicly filed and docketed. The redacted copies of these documents are attached hereto. The copies of these submissions shall remain in their present redacted form until further order of this Court. (3) A redacted copy of the transcript of the tape recording of the presentment of Mohamed before Magistrate Judge Andrew J. Pck on 9/11/98 is to be publicly filed. A copy of this redacted transcript is attached hereto. The copy of this transcript is to remain in its present redacted form until further order of this Court. , and that this order shall be publicly filed and docketed in the case US v. John Doe 98m2332 and U.S. v. Usama Bin Laden., (S5) 98cr1023 (LBS). (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 06/14/1999)
06/04/1999	57	AFFIRMATION by AUSA Kenneth M. Karas as to Ali Mohamed with attached accompanying papers. This affiramation is submitted in support of a proposed order to unseal portions of certain submissions and proceedings relating to deft. Ali Mohamed. (rag) (Entered: 06/04/1999)

06/08/1999	65	RESPONSE by U.S.A. re as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed opposing Security Clearances. (mr) (Entered: 06/23/1999)
06/08/1999	66	AFFIRMATION signed by A.U.S.A. Kenneth M. Karas as to Mohamed Sadeek Odeh Re: providing background facts relevant to the Government's memorandum in opposition to the motion of the defendant Mohamed Sadeek Adeh seeking a ruling that counsel for Odeh need no obtain a security clearance prior to receiving classified information. (mr) (Entered: 06/23/1999)
06/09/1999	60	TRANSCRIPT of record of proceedings as to Mamdouh Mahmud Salim, Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali before Judge Leonard B. Sand for dates of April 15, 1999 at 9:45 A.M. (sn) (Entered: 06/14/1999)
06/14/1999	61	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed (kb) (Entered: 06/15/1999)
06/14/1999	62	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed (kb) (Entered: 06/15/1999)
06/14/1999	63	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed (kb) (Entered: 06/15/1999)
06/14/1999	64	ORDER as to Wadih El Hage (S5 98 Cr. 1023 -1), having been detained under the Special Administrative Measures (SAM) pursuant to 28 Code of Federal Regulations, Sections 501.3 as modified by the orders of this court; it is hereby Ordered, that the SAM is modified to permit a contact visit between the defendant, WADIH EL HAGE and his wife, April Ray and their children at the same time in the Metropolitan Correctional Center that shall consist of two days within a period of three days ; and it is further Ordered that WADIH EL HAGE will be permitted to speak Arabic to his children ; and it is further Ordered, that the United States Bureau of Prisons may strip search the defendant, WADIH EL HAGE, prior to and subsequent to the contact visit ; and it is further Ordered, that at the discretion of the Bureau of Prisons, they may require an approved Arabic interpreter to be present in the visiting room during the contact visits. (Signed on 6/14/99 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 06/21/1999)
06/16/1999	73	(S6 - Part 1 of 2) SUPERSEDING INDICTMENT as to Ayman Al Zawahiri (14) count(s) 1, 3, 4, 5, 6, 7-8, 9-10, 11-233, 234-235, 236-237, 238-239, 240-241, 242, 243-244, Khaled Al Fawwaz (15) count(s) 1, 3, 4, 5, 6. ; Added defendants: Ayman Al Zawahiri (14) &Khaled Al Fawwaz (15); [Due to too many counts on S6, it was broken down into 2 parts to be entered on the docket.] (dcap) Modified on 07/09/1999 (Entered: 07/08/1999)
06/16/1999	73	(S6 - Part 2 of 2) SUPERSEDING INDICTMENT as to Wadih El Hage (1) count(s) 1ssssss, 2ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 245ssssss-264ssssss, 265ssssss-267ssssss, Fazul Abdullah Mohammed (2) count(s) 1sssss, 3sssss, 4sssss, 5sssss, 6sssss, 7sssss-8sssss, 9sssss-10sssss, 11sssss-233sssss, 234sssss-235sssss, 236sssss-237sssss, 238sssss-239sssss, 240sssss-241sssss, 242sssss, 243sssss-244sssss, Mohamed Sadeek Odeh (3) count(s) 1sssss, 3sssss, 4sssss, 5sssss, 6sssss, 7sssss-8sssss, 9sssss-10sssss, 11sssss-233sssss, 234sssss-235sssss, 236sssss-237sssss, 238sssss-239sssss, 240sssss-241sssss, 242sssss, 243sssss-244sssss, Usama Bin Laden (5) count(s) 1ssss, 3ssss, 4ssss, 5ssss, 6ssss, 7ssss-8ssss, 9ssss-10ssss, 11ssss-233ssss, 234ssss-235ssss, 236ssss-237ssss, 238ssss-239ssss, 240ssss-241ssss, 242ssss, 243ssss-244ssss, Muhammad Atef (6) count(s) 1ssss, 3ssss, 4ssss, 5ssss, 6ssss, 7ssss-8ssss, 9ssss-10ssss, 11ssss-233ssss, 234ssss-235ssss, 236ssss-237ssss, 238ssss-239ssss, 240ssss-241ssss, 242ssss, 243ssss-244ssss, Mustafa Mohamed Fadhil (7) count(s) 1sss, 3sss, 4sss, 5sss, 6sss, 7sss-8sss, 9sss-10sss, 11sss-233sss, 234sss-235sss, 236sss-237sss, 238sss-239sss, 240sss-241sss, 242sss, 243sss-244sss, Khalfan Khamis Mohamed (8) count(s) 1sss, 3sss, 4sss, 5sss, 6sss, 7sss-8sss, 9sss-10sss, 11sss-233sss, 234sss-235sss, 236sss-237sss, 238sss-239sss, 240sss-241sss, 242sss, 243sss-244sss, Ahmed Khalfan Ghailani (9) count(s) 1sss, 3sss, 4sss, 5sss, 6sss, 7sss-8sss, 9sss-10sss, 11sss-233sss, 234sss-235sss, 236sss-237sss, 238sss-239sss, 240sss-241sss, 242sss, 243sss-244sss, Fahid

		Mohammed Msalam (10) count(s) 1sss, 3sss, 4sss, 5sss, 6sss, 7sss–8sss, 9sss–10sss, 11sss–233sss, 234sss–235sss, 236sss–237sss, 238sss–239sss, 240sss–241sss, 242sss, 243sss–244sss, Sheikh Ahmed Salim Swedan (11) count(s) 1sss, 3sss, 4sss, 5sss, 6sss, 7sss–8sss, 9sss–10sss, 11sss–233sss, 234sss–235sss, 236sss–237sss, 238sss–239sss, 240sss–241sss, 242sss, 243sss–244sss, Mamdouh Mahmud Salim (12) count(s) 1ss, 3ss, 4ss, 5ss, 6ss, Ali Mohamed (13) count(s) 1s, 2s, 3s, 4s, 5s, 6s ; [Due to too many counts on S6, it was broken down into two parts to be entered on the docket.] (dcap) Modified on 07/09/1999 (Entered: 07/09/1999)
06/16/1999		ORAL ORDER (on S6 98 Cr. 1023 –) as to Usama Bin Laden (5), Muhammad Atef (6), Ayman Al Zawahiri (14), Khaled Al Fawwaz (15), Fazul Abdullah Mohammed (2), Mustafa Mohamed Fadhil (7), Ahmed Khalfan Ghailani (9), Khalfan Khamis Mohamed (8), Fahid Mohammed Ally Msalam (10), Sheikh Ahmed Salim Swedan (11). Filed superseding Indictment (S6). A/W issued as to the above named defendants. (Held before Judge Grubin) Swedan , (Entered by Judge Leonard B. Sand) (bw) (Entered: 07/09/1999)
06/17/1999	67	Defense Reply MEMORANDUM by Mohamed Sadeek Odeh (3) (by attorney Michael Young, Esq., on Security Clearance. (Certificate of Service attached.) (bw) (Entered: 06/28/1999)
06/22/1999		Arraignment (S6 98 Cr. 1023 –) as to Mamdouh Mahmud Salim (12), Ali Mohamed (13), Wadih El Hage (1), Mohamed Sadeek Odeh (3), Mohamed Rashed Daoud Al-'Owhali (4) held: Mamdouh Mahmud Salim (12) count(s) 1ss, 3ss, 4ss, 5ss, 6ss, Ali Mohamed (13) count(s) 1s, 2s, 3s, 4s, 5s, 6s, Wadih El Hage (1) count(s) 1ssssss, 2ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 245ssssss–264ssssss, 265ssssss–267ssssss, Mohamed Sadeek Odeh (3) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss–8ssssss, 9ssssss–10ssssss, 11ssssss–233ssssss, 234ssssss–235ssssss, 236ssssss–237ssssss, 238ssssss–239ssssss, 240ssssss–241ssssss, 242ssssss, 243ssssss–244ssssss, Mohamed Rashed Daoud (4) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss–8ssssss, 9ssssss–10ssssss, 11ssssss–233ssssss, 234ssssss–235ssssss, 236ssssss–237ssssss, 238ssssss–239ssssss, 240ssssss–241ssssss, 242ssssss, 243ssssss–244ssssss. Deft SALIM (12) present w/atty Paul McAllister.; Deft ALI MOHAMED (13) present w/atty James Roth.; Deft EL HAGE (1) present w/atty Sam Schmidt.; Deft ODEH (3) present w/attys Michael Young & Cael J. Herman.; Deft AL-'OWHALI (4) present w/atty Leonard Joy.; AUSAs Patrick Fitzgerald, Ken Karas, Michael Garcia, Paul Butler present.; Arabic Interpreter Mohsen Fhawarby.; Deft SALIM (12) is arraigned on S6 Indictment and pleads Not Guilty on counts 1, and 3 thru 6 as charged.; Deft ALI MOHAMED (13) is arraigned and pleads Not Guilty on counts 1,2,3,4,5 & 6 as charged.; Deft EL HAGE (1) is arraigned on S6 Indictment and pleads Not Guilty on counts 1 thru 6, and 245 thru 267 as charged.; Deft ODEH (13) is arraigned on S6 Indictment and pleads Not Guilty on counts 1, and 3 thru 244 as charged.; Deft AL-'OWHALI (4) is arraigned on S6 Indictment and pleads Not Guilty as charged, that is, counts 1, and 3 thru 244.; Conference held – all discovery of non-classified material has been produced. Timing of death penalty submissions to be determined by defts' attys. Oral argument held on atty Michael Young's motion re: Security Clearance and concluded. Decision reserved. Further conference 9/28/99 at 9:30 a.m. All defts continued remanded. (Held before Judge Leonard B. Sand) (bw) (Entered: 07/09/1999)
06/22/1999		PLEA (on S6 98 Cr. 1023 –) entered by Mamdouh Mahmud Salim (12), Ali Mohamed (13), Wadih El Hage (1), Mohamed Sadeek Odeh (3), Mohamed Rashed Daoud Al-'Owhali (4). Court accepts plea. Not Guilty: Mamdouh Mahmud Salim (12) count(s) 1ss, 3ss, 4ss, 5ss, 6ss, Ali Mohamed (13) count(s) 1s, 2s, 3s, 4s, 5s, 6s, Wadih El Hage (1) count(s) 1ssssss, 2ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 245ssssss–264ssssss, 265ssssss–267ssssss, Mohamed Sadeek Odeh (3) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss–8ssssss, 9ssssss–10ssssss, 11ssssss–233ssssss, 234ssssss–235ssssss, 236ssssss–237ssssss, 238ssssss–239ssssss, 240ssssss–241ssssss, 242ssssss, 243ssssss–244ssssss, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss–8ssssss, 9ssssss–10ssssss, 11ssssss–233ssssss, 234ssssss–235ssssss, 236ssssss–237ssssss, 238ssssss–239ssssss, 240ssssss–241ssssss, 242ssssss, 243ssssss–244ssssss. (bw) (Entered: 07/09/1999)
06/22/1999		ORAL ORDER (on S6 98 Cr. 1023 –) as to Mamdouh Mahmud Salim (12), Ali Mohamed (13), Wadih El Hage (1), Mohamed Sadeek Odeh (3), Mohamed Rashed Daoud Al-'Owhali (4) , SET pre-trial conference for 9:30 a.m. 9/28/99 for Mamdouh Mahmud Salim, for Ali Mohamed, for Wadih El Hage, for Mohamed Sadeek Odeh, for Mohamed Rashed Daoud Al-'Owhali. (Entered by Judge Leonard B. Sand) (bw) (Entered: 07/09/1999)
06/24/1999	68	ORDER as to Mamdouh Mahmud Salim, Ali Mohamed, Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, to Continue in Interests of Justice. Time excluded from June 22, 1999, until September 23, 1999. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 07/02/1999)
06/29/1999		Pre-Trial Conference as to Wadih El Hage held. Deft present w/atty Sam Schmidt, Patrick Fitzgerald, Kan Karas, Paul Butler. Publication of deft El Hage's ltr to court and his family visitation rights. Court

		finds no particular need to have the El Hage letter docketed & published. Atty Schmidt may prepare a paraphrase of the letter and give to Govt, and if gov't has not objection it can be made public. As to visitation rights. gov't's request that family visitation rights be allowed, but with no physical contact is granted. Govt previous order of 6/14/99 is cancelled without prejudice, to making of another similar order. All future visitation rights will be non-contact. Deft continued detained. (sl) (Entered: 07/27/1999)
06/30/1999	69	LETTER filed by U.S.A. as to Mohamed Sadeek Odeh From AUSA, Dated 6/21/99, Addressed to: Judge Sand Re: Mohamed Sadeek Odeh (sl) (Entered: 07/06/1999)
06/30/1999	70	LETTER filed as to Mohamed Sadeek Odeh From Michael Young, Esq., Dated 6/24/99, Addressed to: Hon. Leonard B. Sand Re: Security Clearance (rag) (Entered: 07/07/1999)
06/30/1999	71	AFFIRMATION as to Mohamed Sadeek Odeh by Michael A. Young, Esq. Re: Security Clearance. (rag) (Entered: 07/07/1999)
06/30/1999	74	OPINION # 82515 as (S6 98 Cr. 1023 –all) to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz. CONCLUSION: On the facts of this case, there can be no serious question about the need of some inquiry into counsels' backgrounds and we have no difficulty choosing between the competing methods proposed by the parties. We find unacceptable the contention of counsel for ODEH that it would be preferable for the Court to direct that an investigation of counsel be conducted but that he not be required to cooperate or give answers to specific background questions. The goal should not be to establish how time-consuming and expensive an investigation, conducted without the subjects' cooperation, might prove to be. The Department of Justice ("DOJ")-initiated procedure offers a far more efficient mechanism for resolving clearance questions and it evinces a greater respect for the rights asserted in the Moving Defendants' briefs. We have considered all of the Moving Defendants' contentions, as well as those offered by counsel for Defendant Odeh, and find them to be without merit. Accordingly, both Motions are denied. The Court directs that the parties confer regarding possible alterations to the protective order that might more clearly spell out the highly confidential nature of counsels' clearance applications and the methods that will be undertaken to insure that no information regarding these applications is disclosed to anyone in the prosecution team. See, e.g., United States v. Musa, 833 F.Supp. 752, 756 (E.D. Mo. 1993). The Court further directs the Government to inquire about the feasibility of modifying Standard Form 86 in any ways that might minimize needless intrusion into Defense counsels' backgrounds. Although the Department of Justice may believe that every aspect of its review procedure is essential, counsel are not seeking Government employment and it is conceivable that certain portions of the clearance can be modified. Finally, the parties should confer and contact the Court with a proposed date for a conference during the week of July 12, at which time the Court can consider any outstanding issues with respect to the protective order. (Signed on 6/30/99 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 07/09/1999)
07/02/1999	72	AFFIRMATION by Mohamed Sadeek Odeh as to Mohamed Sadeek Odeh Re: Security Clearance. (rag) (Entered: 07/07/1999)
07/08/1999	76	AMENDED ORDER as to (S6 98 Cr. 1023 –) Mamdouh Mahmud Salim (12), Ali Mohamed (13), Wadih El Hage (1), Mohamed Sadeek Odeh (3), Mohamed Rashed Daoud Al-'Owhali (4). It is hereby ORDERED, that pursuant to the Speedy Trial Act, 18 U.S.C. Section 3161(h)(8)(A), and the consent of the defendants, all time running from June 22, 1999, until September 28, 1999, shall be excluded from the time within which trial must commence in the above-captioned case, the Court having found that the ends of justice served by this exclusion outweigh the best interests of the public and the defendants in a speedy trial. (Signed on 7/8/99 by Judge Leonard B. Sand); Copies mailed. (bw) Modified on 07/14/1999 (Entered: 07/14/1999)
07/12/1999	75	SEALED DOCUMENT as to Wadih El Hage (af) (Entered: 07/12/1999)
07/15/1999		Pre-Trial Conference as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Mamdouh Mahmud Salim, Ali Mohamed held. All 5 defts' waive their appearance. Sam Schmidt Esq present for El Hage, Paul McAllister present for Salim, James Roth present for Ali Mohamed, Michael Toring & Carl J Herman present for deft Odeh. James Roth present in lieu of Leonard Joy for deft Al- Onhali. AUSA Patrick Fitzgerald, Ken Karas. Also present Charlse L Alliman & James Londergan Dept of Justice security office. Court considered charge made to security clearance Process and certain deft's atty continuing objections to the process. All counsel either have submitted or are likely to submit clearance forms not withstanding their objections parties to advise court of status next week. (sl) (Entered: 07/27/1999)

07/27/1999	77	ORDER as to Wadih El Hage, that the United States Marshal and the Warden of the Metropolitan Correctional Center shall provide a suitable place for the administration of said examination, such place to consist of a private room without distraction of noise, a small table and chairs. , and that Stuart Grassian, M.D., be permitted to enter said institution for the purpose of examining the defendant on 8/11/99. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 07/27/1999)
07/29/1999	78	ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Filed PROTECTIVE ORDER to prevent the unauthorized disclosure or dissemination of classified national security information and documents belonging to the United States Government which may be reviewed by, made available to, or may otherwise come to be in the possession of the defendants and defesne counsel in this case. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 07/30/1999)
08/05/1999		CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL as to Wadih El Hage : Appointment of Attorney Joshua L. Dratel (Signed by Judge Leonard B. Sand) (mh) (Entered: 12/03/1999)
08/09/1999	79	ORDER as to Wadih El Hage, that Joshua Dratel, Esq is assigned pursuant to CJA as co-counsel for the deft. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 08/09/1999)
08/10/1999	80	TRANSCRIPT of record of proceedings before Judge Sand as to Mamdouh Mahmud Salim, Khalfan Khamis Mohamed, Wadih El Hage, Mohamed Odeh, Mohamed Rashed Daoud Al-'Owhali for dates of 6/22/99 (ls) (Entered: 08/10/1999)
08/10/1999	81	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz for dates of 6/29/99. (jp) (Entered: 08/10/1999)
08/16/1999	82	ORDER as to Mohamed Sadeek Odeh, (1) Pursuant to 18USC Sec 3005 and 21 USC Sec. 848(q)(4), Sandra A. Babcock, 4905 16th ave South, Minneapolis, Minnesota 55417, shall be assigned to represent Mohamed Sadeek Odeh, along with Michael A. Young and Carl J. Herman, previously appointed by this court. (2) Ms. Babcock shall have her compensation fixed at a rate of \$125 per hour, for in court time, with respect to all matters affecting the representation of Mr. Odeh. Because of the complexity of the defendant's trial, the expected length of trial in this case, and the anticipated hardship on counsel in undertaking representation full-time for such a period without compensation, pursuant to paragraph 2.30B of the Guidelines for the Administration of the Criminal Justice Act, counsel shall submit to the Court, every thirty days, an interim CJA Form 30, "Death Penalty Proceedings: appointment of and Authority to pay court appointed counsel. Counsel shall strike the pre-printed numbers on all but the first CJA Form 30 submitted and substitute the number appearing on the firt voucher. All interim vouchers shall be supported by detailed and itemized time and expense statements. Chapter VII, as well as the applicable provisions of Chapter II, Part C of the Guidelines for the administration of the Criminal Justice Act, outlines the procedures and rules for claims by CJA attorney and should be followed regarding each voucher. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 08/17/1999)
08/18/1999	83	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (kb) (Entered: 08/18/1999)
08/23/1999	87	LETTER filed by Wadih El Hage From Sam A. Schmidt, Dated 6/28/99, Addressed to: Judge Sand Re: Submitted in response to the government's leter dated June 24, 1999 that opposes the release of a letter written to Judge Sand by the deft. Wadih El-Hage. (rag) (Entered: 08/30/1999)
08/27/1999	84	FAXED LETTER filed by U.S.A. as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz From AUSA Patrick J. Fitzgerald, Dated 7/20/99, Addressed to: All Defense Counsel Re: Package of letters as it will be filed tomorrow morning, July 21, 1999, absent hearing objections from any counsel. (rag) (Entered: 08/27/1999)

08/27/1999	85	LETTER filed by Wadih El Hage From Sam A. Schmidt, Esq., Dated July 2, 1999, Addressed to: Mr. Fitzgerald Re: This letter paraphrases the letter May 31, 1990 of Mr. El-Hague pursuant to the authorization of Judge Sand. (rag) (Entered: 08/27/1999)
08/27/1999	86	LETTER filed by U.S.A. as to Wadih El Hage From Alan R. Kaufman, Dated 6/24/99, Addressed to: Judge Sand Re: The Government respectfully submits this letter to set forth its reasons why the letter of Wadih el Hage to the Court dated May 31, 1999, should not be made part of the public record. (rag) (Entered: 08/27/1999)
08/27/1999	88	LETTER filed by U.S.A. as to Wadih El Hage From AUSA Patrick J. Fitzgerald, Dated 6/28/99, Addressed to: Judge Sand Re: The Government respectfully submits this letter to set forth the reasons why it seeks to have this court's Order of June 14, 1999, vacated to the extent it allows defendant Wadih el Hage a contact visit which would otherwise be prohibited by the Special Administrative Measures ("Sam") imposed on el Hage by the Bureau of Prisons ("BOP"). (rag) (Entered: 08/30/1999)
09/13/1999	89	TRANSCRIPT of record of proceedings as to (S6 98 Cr. 1023 –all defts) Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Al Fawwaz for dates of July 15, 1999. (Before: Hon. Leonard B. Sand) (bw) (Entered: 09/13/1999)
09/28/1999	90	LETTER filed by U.S.A. as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz From AUSA Patrick J. Fitzgerald, Dated 9/24/99, Addressed to: Judge Sand Re: Status of Discovery (sl) (Entered: 09/28/1999)
09/28/1999		Status conference as to (S6 98 Cr. 1023 –) Mohamed Rashed Daoud Al-'Owhali (4), Mohamed Sadeek Odeh (3), Wadih El Hage (1), Mamdouh Mahmud Salim (12), Ali Mohamed (13) held. Conference held and concluded. Deft 'OWHALI present w/attorney Leonard Joy; Deft ODEH waives presence, his attorneys Michael Young, Carl J. Herman, and Sandra Babcock, Esqs., present; Deft EL HAGE waives presence, his attorneys Sam A. Schmidt and Joshua Dratel, Esqs. present; Deft SALIM waives presence, his attorney Paul J. McAllister present; Deft ALI MOHAMED waives presence, his attorney James Roth present; Interpreter Mohsen Shawarby present; AUSAs Patrick J. Fitzgerald, Ken Karas, Michael Garcia and Paul Butler present. All defense motions to be filed by 12/6/99, Gov't response by 1/25/2000, and defts' reply by 2/22/2000. Oral argument on 2/29/2000 at 10 a.m., or any matter w/respect to Section 4 of C.I.P.A. (Classified Information Procedures Act); Trial on September 5, 2000; Gov't submit order excluding time thru 2/29/2000; Deft 'OWHALI continued remanded. (Held before Judge Sand) (bw) (Entered: 10/05/1999)
09/28/1999		ORAL ORDER as to Mohamed Rashed Daoud Al-'Owhali (4), Mohamed Sadeek Odeh (3), Wadih El Hage (1), Mamdouh Mahmud Salim (12), Ali Mohamed (13) . Set scheduling order deadlines: Motion Filing deadline set to 12/6/99 for Mohamed Rashed Daoud Al-'Owhali, for Mohamed Sadeek Odeh, for Wadih El Hage, for Mamdouh Mahmud Salim, for Ali Mohamed; Response to motion deadline set to 1/25/2000 for U.S.A.; Reply to response to motion deadline set to 2/22/2000 for Mohamed Rashed Daoud Al-'Owhali, for Mohamed Sadeek Odeh, for Wadih El Hage, for Mamdouh Mahmud Salim, for Ali; Jury Trial set for 9/5/2000 for Mohamed Rashed Daoud for Mohamed Sadeek Odeh, for Wadih El Hage, for Mamdouh Mahmud Salim, for Ali Mohamed; and Set oral argument to 2/29/2000 at 10 a.m. (Entered by Judge Leonard B. Sand) (bw) (Entered: 10/05/1999)
09/29/1999	91	ORDER as to (S6 98 Cr. 1023 – all) Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz. Upon the application of Mary Jo White, U.S. Attorney for the S.D.N.Y., by Patrick J. Fitzgerald, Kenneth M. Karas, Michael J. Garcia and Paul Butler, AUSAs, and in the absence of objection by the defts MAMDOUH MAHMUD SALIM (12), ALI MOHAMED (13), WADIH EL HAGE (1), MOHAMED SADEEK ODEH (3) and MOHAMED RASHED DAOUD AL-'OWHALI (4), it is hereby ORDERED, that pursuant to the Speedy Trial Act, 18 U.S.C. Section 3161(h)(8)(A), all time running from September 28, 1999, until February 29, 2000, shall be excluded from the time within which trial must commence in the above-captioned case, the Court having found that the ends of justice served by this exclusion outweigh the best interests of the public and the defendants in a speedy trial, particularly in light of: (i) the voluminous discovery in this matter, (ii) the complexity of the case which involves an alleged international terrorism conspiracy spanning a number of years; (iii) the need to review classified material; (iv) the need for two defendants to make submissions concerning the death penalty; and (v) the need for

		all defendants to consider and prepare pre-trial motions. (Signed on by Judge Leonard B. Sand); Copies mailed. (bw) Modified on 09/29/1999 (Entered: 09/29/1999)
10/08/1999		Arraignment as to Khalfan Khamis Mohamed held Khalfan Khamis Mohamed (8) count(s) 1sss, 3sss, 4sss, 5sss, 6sss, 7sss-8sss, 9sss-10sss, 11sss-233sss, 234sss-235sss, 236sss-237sss, 238sss-239sss, 240sss-241sss, 242sss, 243sss-244sss. Deft Khalfan Kamis MOhamed present w/atty David Stern in lieu of his partner Jeremy Schneider. AUSA Patrick Fitzgerald, Kenneth Karas, Michael J. Garcia. Arabic Interpreter Sadika Mahmoud present Deft is arraigned &pleads not guilty on counts 1,and 3 thru 244 as charged on (S)6 indictment. Same Timetable for motions shall apply to deft Khalfan Khamis Mohamed as previously set for all defts, that is all defense motions on matters other than these related to discovery not made as of 9/28/99, or which relate to the death penalty determination by 12/6/99, by 1/18/00 govt file notices pursuant to section 6 4of classified information act, Govt response to deft's reply in support of defts motin by 2/22/00 and oral argument at 10AM on 2/29/00 on any pending motions and any matters in respect to CIPA scheduling for further motions or any necessary hearings. Trial 9/5/99. Terms of confinement for deft Khamis Mohamed should be under same conditions as to all other defts. Deft remanded. (before Judge Leonard B. Sand) (sl) (Entered: 10/08/1999)
10/08/1999	92	NOTICE of Appearance for Khalfan Khamis Mohamed by Attorney Jeremy Schneider (sl) Modified on 03/09/2000 (Entered: 10/08/1999)
10/08/1999		CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL as to Khalfan Khamis Mohamed : Appointment of Attorney Jeremy Schneider (Signed by Judge Leonard B. Sand) (mh) (Entered: 12/03/1999)
10/18/1999	93	ORDER as to Khalfan Khamis Mohamed (S6 98 Cr. 1023 -8). The C.J.A. attorney assigned to receive cases on this day, JEREMY SCHNEIDER, ESQ. is hereby ordered to assume representation of the defendant in the above captioned matter. (Signed on 10/8/99 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 10/19/1999)
10/21/1999	94	ORDER as to Wadih El Hage, for Psychiatric Exam of the defendant by Dr. N.G. Berrill and Jennifer Hope, on October 30, 1999, with an Arabic interpreter; it is hereby ordered, that the U.S. Marshal and the Warden of the Metropolitan Correction Center shall provide a suitable place for the administration of said examination, such place to consist of a private room without distractions or noise, a small table and chairs; and it is further ordered that Dr. N.G. Berrill, Jennifer Hope and a previously authorized Arabic interpreter, be permitted to enter said institution for the purpose of examining the defendant on October 30, 1999, or any day thereafter. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 10/21/1999)
11/01/1999	95	ORDER as to Mamdouh Mahmud Salim, the Court has received a request from counsel to Mamdouh Mahmud Salim to defer the date for the filing of motions on his behalf until "at least January 31, 2000." For the reasons set forth herein, that request is denied. As the Court has previously stated, it will sympathetically entertain any motion filed subsequent to December 6, 1999 which are predicated on matters which were not previously known by defendants or the significance of which was not previously apparent to them. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 11/02/1999)
11/02/1999	96	Filed Memo-Endorsement on letter to Judge Sand dtd. 10/26/99 from Paul J. McAllister as to Mamdouh Mahmud Salim, the request for an extension of the time in which to serve and file motions is denied per order this date (11/1/99). (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 11/03/1999)
11/08/1999	97	ORDER as to Mamdouh Mahmud Salim, that Charles D. Adler and George Goltzer of Goltzer &Adler, 598 Madision Avenue, New York, New York 10022, (212) 421-7600 be assigned as co-counsel to Paul J. McAllister (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 11/09/1999)
11/08/1999	98	ORDER as to Khalfan Khamis Mohamed, Pursuant to 18USC3005 and 21USC848(q)(4), David Ruhnke, Esq. of Ruhnky and Parrett, 47 Park Street, 2nd Fl. Montclair, New Jersey 07042, and attorney learned in the law of capital cases and David Stern, Esq. of Rothman, Schneider, Soloway and Stern, P.C., 70 Lafayette Street, 7th floor, NY, NY, 10013 shall be assigned to represent Khalfan Khamis Mohamed along with Jeremy Schneider, previously appointed by this Court. , Mr. Schnieder, Mr. Stern and Mr. Ruhnke shall have compensation fixed at a rate of \$125 per hour, for in court and out of court time, with respect to all matters affecting the representation of Mr. Mohamed. , and Because of the complexity of the Defendant's trial, the expected length of trial in this case, and the anticipate hardship on counsel in undertaking representation full-time for such a period without compensation, pursuant to paragraph 2.30B of the "Guidelines for the Administration of the Criminal Justice Act" counsel shall submit to the Court, every thirty days, an interim CJA form 30, "Death Penalty Proceedings: Appointment and Authority to Pay Court appointed Court". Counsel shall strike the pre-printed numbers on all but the first CJA form 30 submitted and substitute the number appearing on the first voucher. All interim vouchers

		shall be supported by detailed and itemized time and expense statements. Chapter VII, as well as the applicable provisions of Chapter II, Part C of the "Guidelines for the Administration of the Criminal Justice Act", outlines the procedures and rules for claims by CJA attorneys and should be followed regarding each voucher. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 11/09/1999)
11/08/1999		CJA 30 DEATH PENALTY PROCEEDINGS: APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL as to Khalfan Khamis Mohamed : Appointment of Attorney David Ruhnke (Signed by Judge Leonard B. Sand) (df) (Entered: 12/21/1999)
11/09/1999	99	CJA 23 Financial Affidavit as to Khalfan Khamis Mohamed (8) : (Signed on 10/18/99 by Judge Leonard B. Sand) (bw) (Entered: 11/10/1999)
11/15/1999	100	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz for dates of 9/28/99 before Judge Sand. (mr) (Entered: 11/15/1999)
11/24/1999	101	SEALED DOCUMENT as to Usama Bin Laden (af) (Entered: 11/24/1999)
12/01/1999	102	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (da) (Entered: 12/01/1999)
12/02/1999	103	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (da) (Entered: 12/02/1999)
12/02/1999	104	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (da) (Entered: 12/02/1999)
12/03/1999	105	ORDER as to Mohamed Sadeek Odeh, The attorneys representing M. Odeh are authorized to employ Mohsen A. Shawarby, 3570 Ellis Street, Mohegan Lake, NY 10547, as a consultant in data management and Islamic affairs at a rate of \$65.00 per hour. This order shall apply nunc pro tunc to 9/1/99. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 12/03/1999)
12/06/1999	106	TRANSCRIPT of record of proceedings as to (S6 98 Cr. 1023 -) Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz for date of 10/8/99 11:30 a.m. before Judge Leonard B. Sand. (bw) (Entered: 12/06/1999)
12/06/1999	107	AFFIRMATION signed by Paul McAllister as to Mamdouh Mahmud Salim re: in support of obtaining expert services. (mr) (Entered: 12/06/1999)
12/06/1999	108	ORDER as to Usama Bin Laden, that the following Investigator may be retained by Paul J McAllister, Counsel for Mr. Salim. That Mr McAllister counsel for Mr Salim and his investigators, may retain the services of local investigators outside the US. The above investigator shall be permitted to file vouchers for his services (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 12/07/1999)
12/06/1999	109	MOTION by Mohamed Rashed Daoud Al-'Owhali to dismiss the indictment. Order dismissing Count one of indictment. An order dismissing counts 11 through 222 and counts 223 through 234 as multiplicitous , to direct the govt to elect between Count 4 and Counts 9 and 10. Order directing the govt to elect amount Counts 7, 8, 9, 10, 11-222, 223-234, 242, 243 and 244 because Congress did not intend to multiple punishments for the single act of bombing US property. , Permission for deft to join in the motion filed by the Deft Odeh for dismissal of counts 5, 7, 8 and 11 through 236 and 240, 241, 243 and 244 on the grounds that the Court lacks extraterritorial jurisdiction over the crimes alleged in those Counts , to compel additional discovery as requested by counsel for deft al Owhali in letters dated 11/6/98 and 10/25/99 , for Bill of Particulars , to suppress evidence at trial of certain statements alleged to have been made by deft al-'Owhali following his arrest in Kenya and to suppress all identification

		testimony based on out of court identification proceedings or granting and evidentiary hearing. (sl) (Entered: 12/07/1999)
12/06/1999	110	MEMORANDUM by Mohamed Rashed Daoud Al-'Owhali in support of [109-1] motion to dismiss the indictment. Order dismissing Count one of indictment. An order dismissing counts 11 through 222 and counts 223 through 234 as multiplicitous, [109-2] motion to direct the govt to elect between Count 4 and Counts 9 and 10. Order directing the govt to elect amount Counts 7, 8, 9, 10, 11-222, 223-234, 242, 243 and 244 because Congress did not intend to multiple punishments for the single act of bombing US property., [109-3] motion Permission for deft to join in the motion filed by the Deft Odeh for dismissal of counts 5, 7, 8 and 11 through 236 and 240, 241, 243 and 244 on the grounds that the Court lacks extraterritorial jurisdiction over the crimes alleged in those Counts, [109-4] motion to compel additional discovery as requested by counsel for deft al Owhali in letters dated 11/6/98 and 10/25/99, [109-5] motion for Bill of Particulars, [109-6] motion to suppress evidence at trial of certain statements alleged to have been made by deft al-Owhali following his arrest in Kenya and to suppress all identification testimony based on out of court identification proceedings or granting and evidentiary hearing. (sl) (Entered: 12/07/1999)
12/06/1999	111	MOTION by Mamdouh Mahmud Salim for Bill of Particulars , to strike surplusage , to suppress physical evidence and derivative fruits , to suppress alleged statement of accused , to suppress evidence consisting of both in court and out of court identification. , to direct the govt to provide witness list , in limine and pursuant to Rule 607, 608, 609 of FR of evidence , in limine pursuant to Ruel 104, 403 and 404b of FR of evidence , to direct the govt to provide timely fashion exculpatory or mitigating evidence , to amend Mr Salem's previously imposed detention order , for leave to file motions , to join [109-1] to dismiss the indictment. Order dismissing Count one of indictment. An order dismissing counts 11 through 222 and counts 223 through 234 as multiplicitous, [109-2] motion to direct the govt to elect between Count 4 and Counts 9 and 10. Order directing the govt to elect amount Counts 7, 8, 9, 10, 11-222, 223-234, 242, 243 and 244 because Congress did not intend to multiple punishments for the single act of bombing US property., [109-3] motion Permission for deft to join in the motion filed by the Deft Odeh for dismissal of counts 5, 7, 8 and 11 through 236 and 240, 241, 243 and 244 on the grounds that the Court lacks extraterritorial jurisdiction over the crimes alleged in those Counts, [109-4] motion to compel additional discovery as requested by counsel for deft al Owhali in letters dated 11/6/98 and 10/25/99, [109-5] motion for Bill of Particulars, [109-6] motion to suppress evidence at trial of certain statements alleged to have been made by deft al-Owhali following his arrest in Kenya and to suppress all identification testimony based on out of court identification proceedings or granting and evidentiary hearing. (sl) (Entered: 12/07/1999)
12/07/1999	112	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (af) (Entered: 12/07/1999)
12/07/1999	113	MOTION by Wadih El Hage for dismissal of Counts 248(all), 252(all), 253(all), 254(a), 256(e), 257(b), (c) and (d), 258(a),(c),(d),(e),(f), and (g), 259(all), 260(m) and (n), 263(c), and 264 (all) because they are multiplicitous; , for exclusion of U.S. citizens from the jury, or, in the alternative, implementaiton of measures to ensure that they do not dominate the jury numerically , for Bill of Particulars , leave to join Mr. El-Hage's co-defendants' motion to the extent they benefit him , leave to file additional motions when they become appropriate Return date 2/29/2000 at 9:30. With attached declaration of Joshua L. Dratel in support. (rag) (Entered: 12/07/1999)
12/07/1999	114	MEMORANDUM by Wadih El Hage in support of [113-1] motion for dismissal of Counts 248(all), 252(all), 253(all), 254(a), 256(e), 257(b), (c) and (d), 258(a),(c),(d),(e),(f), and (g), 259(all), 260(m) and (n), 263(c), and 264 (all) because they are multiplicitous;, [113-2] motion for exclusion of U.S. citizens from the jury, or, in the alternative, implementaiton of measures to ensure that they do not dominate the jury numerically, [113-3] motion for Bill of Particulars, [113-4] motion leave to join Mr. El-Hage's co-defendants' motion to the extent they benefit him, [113-5] motion leave to file additional motions when they become appropriate (rag) (Entered: 12/07/1999)
12/07/1999	115	MOTION by Mohamed Sadeek Odeh to dismiss counts for lack of jurisdiction (sl) (Entered: 12/10/1999)
12/07/1999	116	MEMORANDUM by Mohamed Sadeek Odeh in support of [115-1] motion to dismiss counts for lack of jurisdiction (sl) (Entered: 12/10/1999)
12/07/1999	117	MOTION by Mohamed Sadeek Odeh to dismiss for lack of venue (sl) (Entered: 12/10/1999)
12/07/1999	118	MEMORANDUM by Mohamed Sadeek Odeh in support of [117-1] motion to dismiss for lack of venue (sl) (Entered: 12/10/1999)

12/07/1999	119	MOTION by Mohamed Sadeek Odeh for partial disqualification of certain prosecutors . (sl) (Entered: 12/10/1999)
12/07/1999	120	MEMORANDUM by Mohamed Sadeek Odeh in support of [119-1] motion for partial disqualification of certain prosecutors (sl) (Entered: 12/10/1999)
12/13/1999		Pre-Trial Conference as to Wadih El Hage held. Deft El Hage present w/atty Sam Schmidt. AUSA Patrick Fitzgerald Kenneth Karas and Michael Garcia present. Conference held on scheduling oral argument for setting bail, modification of special administration measure as it pertains to deft El Hage. Govt response by 12/30/99. Deft reply by 1/5/00 and oral argument on 1/7/00 at 4:30 PM. Deft continued remanded (sl) (Entered: 12/16/1999)
12/15/1999	121	MOTION by Wadih El Hage an order setting reasonable bail for Mr. El-Hage's release. , for recission of the Special Adminstrative Measures as they pertain to Mr. El-Hage. , and substantial modification of the Special Administrative Measures as they pertain to Mr. El_hage. , and to transfer Mr. El-Hage to general population withon the United States Bureau of Prisons pretrial systems. (mr) (Entered: 12/15/1999)
12/15/1999	122	MEMORANDUM by Wadih El Hage in support of [121-1] motion an order setting reasonable bail for Mr. El-Hage's release., [121-2] motion for recission of the Special Adminstrative Measures as they pertain to Mr. El-Hage., [121-3] motion and substantial modification of the Special Administrative Measures as they pertain to Mr. El_hage., [121-4] motion to transfer Mr. El-Hage to general population withon the United States Bureau of Prisons pretrial systems. (mr) (Entered: 12/15/1999)
01/01/2000	143	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (da) (Entered: 02/02/2000)
01/04/2000	123	Filed Memo-Endorsement on letter dated 12/29/99 to Judge Sand signed by Leonard F. Joy as to Mohamed Rashed Daoud Al-'Owhali, asking the Court to extend their time for submissions until 2/7/00....Extension to 2/7/00 on behalf of defendant Al-Owhali is granted. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 01/04/2000)
01/07/2000	124	TRANSCRIPT of record of proceedings as to Wadih El Hage for dates of 2/2/99. (sl) (Entered: 01/07/2000)
01/10/2000		Bail hearing as to Wadih El Hage held before Judge Sand. Deft present w/atty's Sam Schmidt & Joshua Dratel. AUSA's Patrick Fitzgerald, Ken Karas, Michael Garcia, Paul Butler. Bail proceedings held as to deft El-Hage. Oral argument begun for a reasonable bail, or for an evidentiary hearing w/respect to dangerous & risk of flight. Motion denied. Court urges all sides to consider what steps can be taken to ameliorate conditions of confinement (SAM) & to report to court within 2 weeks what ameliorative steps can be taken with respect to grievances of confinement. Conditions of confinement will be subject to continuous review in this case. Deft continued remanded. (sl) (Entered: 01/26/2000)
01/12/2000	125	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (af) (Entered: 01/12/2000)
01/12/2000	126	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (af) (Entered: 01/13/2000)
01/12/2000		Filed Memo-Endorsement on Notice Of Motion In Support Of Motion For Bail And/Or Other Relief (doc. #121) as to Wadih El Hage (S6 98 Cr. 1023 -1). Judge endorsed: Denied without prejudice to renewal as set forth in oral opinion. See Transcript, Jan. 10, 2000.; This Memo Endorsement denied [121-1] motion an order setting reasonable bail for Mr. El-Hage's release, denied [121-2] motion for recission of the Special Adminstrative Measures as they pertain to Mr. El-Hage, denied [121-3] motion and substantial modification of the Special Administrative Measures as they pertain to Mr. El_hage, denied [121-4] motion to transfer Mr. El-Hage to general population withon the States Bureau of Prisons pretrial systems. (Signed on 1/10/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 01/13/2000)

01/18/2000	127	Filed Memo—Endorsement letter addressed to Judge Sand from James Roth as to Usama Bin Laden, substituting attorney Added Lloyd Epstein. Granted. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 01/18/2000)
01/18/2000	128	Filed Memo—Endorsement on letter addressed to Judge Sand from AUSA Patrick J. Fitzgerald (signed), dated 1/13/00, as to (S6 98 Cr. 1023 –) defts Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz. The Gov't submits this letter to request that the Court order (by endorsement on this letter) that the portions of the grand jury minutes of Wadih el Hage's testimony in Sept. 1997 and Sept. 1998 which were appended as exhibits to the Gov't's papers in opposition to the motion by Wadih el Hage for bail and other relief be unsealed pursuant to Rule 6(e)(3)(C)(i) as matters that were disclosed in connection with the Court's direction that the Gov't respond to el Hage's motion. If the Court so orders, then Exhibits 18 and 24 to Mr. Fitzgerald's affidavit will no longer be sealed and the Gov't's papers, as redacted with notice to defense counsel, will be publicly filed; Judge approved request. (Signed on 1/14/00 by Judge Leonard B. Sand); Copies mailed.(bw) Modified on 01/18/2000 (Entered: 01/18/2000)
01/18/2000	129	NOTICE OF APPEAL by Wadih El Hage ; from ; the Order of Denial of Bail and Mtion to eliminate Special Administrative Order entered in this action on 1/10/00. Copies mailed to the attorneys of record: Kenneth M. Karas and Court Reporters. *(CJA)*. (dt) (Entered: 01/18/2000)
01/18/2000		Notice of Appeal with copy of order/judgment and two copies of docket entries as to Wadih El Hage transmitted to USCA re: [129–1] appeal on 1/18/00. (dt) (Entered: 01/18/2000)
01/19/2000	130	SEALED DOCUMENT as to Mohamed Rashed Daoud Al-'Owhali (af) (Entered: 01/19/2000)
01/19/2000	131	ORDER as to Usama Bin Laden, that Nadia Kahf is authorized to perform services as indicated above and that she shall be compensated at the rate of \$18 per hour for services rendered on behalf of the defense. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 01/20/2000)
01/19/2000	132	Filed Memo—Endorsement on letter addressed to Judge Sand from Joshua L. Dratel, Atty to Wadih El Hage; counsel requests permission to submit copy of redacted version of Reply Memorandum of law with exhibits. The Clerk shall accept the Reply Memorandum of in Support of Defendant Wadih El Hage's motion for bail for filing. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) Modified on 01/27/2000 (Entered: 01/20/2000)
01/19/2000	133	MEMORANDUM by Wadih El Hage in support of [121–1] motion an order setting reasonable bail for Mr. El–Hage's release. (sl) Modified on 01/21/2000 (Entered: 01/20/2000)
01/19/2000	135	ORDER as to defts (S6 98 Cr. 1023 –) Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz. ... Copies of all briefs, motions, etc., redacted by the government and defense counsel, (the original of which were sealed) shall be docketed and filed in the Clerk's office until otherwise notified by the Court. (Signed on 1/19/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 01/21/2000)
01/19/2000	136	REDACTED COPY of Declaration Of Dennis W. Hasty by U.S.A. as to defts (S6 98 Cr. 1023 –) Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz. [Refer to Order, doc #135] (bw) (Entered: 01/21/2000)
01/19/2000	137	REDACTED COPY of Government's Memorandum of Law in Response To Defendant's Motion For Bail And Modifications Of Prison Conditions by U.S.A. as to defts (S6 98 Cr. 1023 –) Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz. [Refer to Order, doc #135] (bw) (Entered: 01/21/2000)
01/19/2000	138	REDACTED COPY of Affirmation of AUSA Patrick J. Fitzgerald by U.S.A. as to defts (S6 98 Cr. 1023 –) Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz. [Refer to Order, doc #135] (bw)

		(Entered: 01/21/2000)
01/19/2000	139	REDACTED COPY of Exhibits In Support of Fitzgerald's Affidavit by U.S.A. as to defts (S6 98 Cr. 1023 -) Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz. [Refer to Order, doc #135] (bw) Modified on 01/21/2000 (Entered: 01/21/2000)
01/20/2000	134	Filed Memo-Endorsement on letter addressed to Judge Sand from AUSA Patrick J. Fitzgerald (signed), dated 1/18/00, as to defts (S6-98-Cr-1023 -) Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz. The Gov't requests a brief extension of time within which to file its notices pursuant to Sections 2 and 6 of the Classified Information Procedures Act. The Gov't requests that it be allowed to files its notices due 1/18/00 one week from tomorrow, i.e. on 1/26/00. The Gov't would request that the defense be given a corresponding additional eight (8) days in which to file their notices pursuant to Section 5, i.e. until 2/23/00; Judge endorsed - Extension granted as requested. (Signed on 1/17/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 01/21/2000)
01/24/2000	140	Filed Memo-Endorsement on letter addressed to Judge Sand from AUSA Patrick J. Fitzgerald, dated 1/21/00, as to defts (S6 98 Cr. 1023 -) Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz. ... The Gov't requests that the Court endorse this letter to allow copies of Exhibit 26 (attached, consists of five pages containing travel stamps of Kenya and Pakistan) to be added to the Court docket in this case; Judge granted request. (Signed on 1/24/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 01/24/2000)
01/24/2000	141	SEALED DOCUMENT as to Wadih El Hage (af) (Entered: 01/26/2000)
01/27/2000	142	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (da) (Entered: 01/28/2000)
02/07/2000	144	File notice that the record on appeal as to Wadih El Hage has been certified and transmitted to USCA on 2/7/00 [129-1] appeal. (dt) (Entered: 02/07/2000)
02/08/2000	145	TRANSCRIPT of record of proceedings as to Wadih El Hage for dates of 12/13/99 before Judge Sand. (rag) (Entered: 02/08/2000)
02/09/2000	146	ORDER as to Wadih El Hage, that the defendant Wadih El Hage undergo a psychiatric examination by Dr. Robert H. Berger, M.D., with the assistance of Dr. Erica Weissman, Ph.D., to assess the effects, if any, or the conditions of confinement upon Mr. El Hage's mental condition, including whether he is presently suffering from a mental disease or defect that renders him incapable of assisting properly in his own defense or mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him; and it is further ordered that Dr. Robert H. Berger and Dr. Erica Weissman be granted access to Mr. El Hage at the Manhattan Correctional Center ("MCC") as frequently as reasonably necessary to complete their examination of Mr. El Hage; and it is further ordered that a report of the psychiatric examination be provided to Assistant United States Attorneys Patrick J. Fitzgerald and Paul W. Butler of the Office of the United States Attorney for the Southern District of New York (One Saint Andrew's Plaza, New York, New York 10007), with copies provided to Sam Schmidt, Esq., and Joshua Dratel, Esq., counsel for the defendant, and that the report be provided to the United States District Judge Leonard B. Sand, United States District Court for the Southern District of New York, but not publicly filed. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 02/09/2000)
02/09/2000	147	ORDER as to Wadih El Hage, that Pan International Conference and Language Services may submit interimvouchers for full payment. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 02/09/2000)
02/09/2000	148	RESPONSE by U.S.A. re [113-1] motion for dismissal of Counts 248(all), 252(all), 253(all), 254(a), 256(e), 257(b), (c) and (d), 258(a),(c),(d),(e),(f), and (g), 259(all), 260(m) and (n), 263(c), and 264 (all)

		because they are multiplicitous; [113-2] motion for exclusion of U.S. citizens from the jury, or, in the alternative, implementation of measures to ensure that they do not dominate the jury numerically, [113-3] motion for Bill of Particulars, [113-4] motion leave to join Mr. El-Hage's co-defendants' motion to the extent they benefit him, [113-5] motion leave to file additional motions when they become appropriate, [119-1] motion for partial disqualification of certain prosecutors, [117-1] motion to dismiss for lack of venue, [115-1] motion to dismiss counts for lack of jurisdiction, [111-1] motion for Bill of Particulars, [111-2] motion to strike surplusage, [111-3] motion to suppress physical evidence and derivative fruits, [111-4] motion to suppress alleged statement of accused, [111-5] motion to suppress evidence consisting of both in court and out of court identification., [111-6] motion to direct the govt to provide witness list, [111-7] motion in limine and pursuant to Rule 607, 608, 609 of FR of evidence, [111-8] motion in limine pursuant to Ruel 104, 403 and 404b of FR of evidence, [111-9] motion to direct the govt to provide timely fashion exculpatory or mitigating evidence, [111-10] motion to amend Mr Salem's previously imposed detention order, [111-11] motion for leave to file motions, [111-12] motion to join [109-1] to dismiss the indictment. Order dismissing Count one of indictment. An order dismissing counts 11 through 222 and counts 223 through 234 as multiplicitous, [109-2] motion to direct the govt to elect between Count 4 and Counts 9 and 10. Order directing the govt to elect amount Counts 7, 8, 9, 10, 11-222, 223-234, 242, 243 and 244 because Congress did not intend to multiple punishments for the single act of bombing US property., [109-3] motion Permission for deft to join in the motion filed by the Deft Odeh for dismissal of counts 5, 7, 8 and 11 throught 236 and 240, 241, 243 and 244 on the grounds that the Court lacks extraterritorial jurisdiction over the crimes alleged in those Counts, [109-4] motion to compel additional discovery as requested by counsel for deft al Owali in letters dated 11/6/98 and 10/25/99, [109-5] motion for Bill of Particulars, [109-6] motion to suppress evidence at trial of certain statements alleged to have been made by deft al-Owhali following his arrest in Kenya and to suppress all identification testimony based on out of court identification proceedings or granting and evidentiary hearing., [109-1] motion to dismiss the indictment. Order dismissing Count one of indictment. An order dismissing counts 11 through 222 and counts 223 thourgh 234 as multiplicitous, [109-2] motion to direct the govt to elect between Count 4 and Counts 9 and 10. Order directing the govt to elect amount Counts 7, 8, 9, 10, 11-222, 223-234, 242, 243 and 244 because Congress did not intend to multiple punishments for the single act of bombing US property., [109-3] motion Permission for deft to join in the motion filed by the Deft Odeh for dismissal of counts 5, 7, 8 and 11 throught 236 and 240, 241, 243 and 244 on the grounds that the Court lacks extraterritorial jurisdiction over the crimes alleged in those Counts, [109-4] motion to compel additional discovery as requested by counsel for deft al Owali in letters dated 11/6/98 and 10/25/99, [109-5] motion for Bill of Particulars, [109-6] motion to suppress evidence at trial of certain statements alleged to have been made by deft al-Owhali following his arrest in Kenya and to suppress all identification testimony based on out of court identification proceedings or granting and evidentiary hearing. as to Wadih El Hage, Mohamed Rashed Daoud Al-'Owhali, Mamdouh Mahmud Salim (sl) (Entered: 02/09/2000)
02/09/2000	149	Sealed envelope. (rag) Modified on 02/10/2000 (Entered: 02/10/2000)
02/09/2000	150	Filed affirmation of AUSA Patrick J. Fitzgerald as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz Re: Submitted to provide background facts relevant to the Government's memorandum in opposition to the motion of the defendant Mohamed Sadeek Odeh ("Odeh") to disqualify an Assistant U.S. Attorney who participated in the interview of Odeh in Kenya from participating in either pre-trial proceedings or the trial of Odeh as well as Odeh's motion to dismiss certain counts for lack of jurisdiction. Document previously filed under seal on 1/27/00. Unsealed on 2/9/00 pursuant to endorsement on envelope unsealing documents (attached to document #149). (rag) (Entered: 02/10/2000)
02/22/2000	151	REPLY by Mohamed Sadeek Odeh to response to [115-1] motion to dismiss counts for lack of jurisdiction (sl) (Entered: 02/23/2000)
02/22/2000	152	REPLY by Mohamed Sadeek Odeh to response to [117-1] motion to dismiss for lack of venue (sl) (Entered: 02/23/2000)
02/25/2000	153	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (af) (Entered: 02/28/2000)
02/29/2000		Oral argument as to El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan,

		Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz held. Oral argument held on various motions by depts'. All depts' except Al-Owhali waive their appearance. Def. Al-Owhali present w/attys' Leonard Joy, Mark Gombiner and Robert Tucker of Legal Aid Society, Federal Defender Division. Def. Odeh not present, his attys' Michael Young present and Sandra Babcock and Carl J. Herman. Def. El Hage not present, his attys' Sam Schmidt and Joshua Dratel present. Def. Salim not present, his attys' Paul J. McAllister, Esq and Charles Adler and George Goltzer of Goltzer and Adler present. Def. Ali Mohamed not present, his atty's James Roth and Lloyd Epstein present. Def. Khalfan Khamis Mohamed not present, his attys' Jeremy Schneider and David Stern and David Ruhuke, Esq. present—Motions are as follow: 1) Def. Al-Owhali's motion to dismiss Indictment on due process grounds; 2) Def. Odeh motion to dismiss indictment on venue grounds; 3) def. Al-Owhali motion to dismiss count 1 of indictment for failure to state an offense. 4) various depts' motions to dismiss particular counts of indictment as multiplicitous. 5) various depts' motions for bill of particulars; 6) def. Odeh motion to disqualify certain assistant U.S. Attorneys from participating in trial of this case; 7) Def. Salim motion to strike surplusage from Indictment; and 8) Def. El-Hage's motion to disqualify U.S. citizens from serving on jury. Decision Reserved. Discovery Hearings scheduled 4/11/00. Govt. submit order excluding time thru 4/11/00. Def. Al-Owhali cont'd remanded. (rag) Modified on 03/15/2000 (Entered: 03/15/2000)
03/08/2000	154	TRANSCRIPT of record of proceedings as to Wadih El Hage for dates of 1/10/00 before Judge Sand. (mb) (Entered: 03/08/2000)
03/08/2000	155	MOTION by Khalfan Khamis Mohamed An order dismissing the indictment for lack of venue. (in this regard, Khalfan Khamis Mohamed hereby joins, and adopts by refernce, the motion made by co-def. Mohamed Sadeek Odeh and the supporting affirmation of Michael Young, Esquire. An order dismissing various counts of the indictment for lack of jurisdiction. (In this regard, Kahlfan Khamis Mohmamed hereby joins, and adopts by reference, the motion made by co-def. Mohamed Sadeek Odeh and the supporting affirmation of Sandra Babcock, Esquire.) , An order disqualifying an Assistant U.S. Attorney from participation in the government's case or, in the alternative, for an agreement among the parties on certain conditions that will obviate the problem of the "unsworn witness." An order for a Bill of Particulars as specified in the accompanying memorandum. An order granting leave to jjoin in all motions filed on behalf of co-defs. (whether specifically referred to in these pleadings or not) to the extent that such motions benefit Khalfan Khamis Mohamed. An order granting leave to file additional motions when they become appropriate. An order granting such additional relief as the Court deems just and proper. (mb) Modified on 03/09/2000 (Entered: 03/09/2000)
03/08/2000	156	Memorandum of Law by Khalfan Khamis Mohamed in support of [155-1] motion An order dismissing the indictment for lack of venue. (in this regard, Khalfan Khamis Mohamed hereby joins, and adopts by refernce, the motion made by co-def. Mohamed Sadeek Odeh and the supporting affirmation of Michael Young, Esquire., [155-2] motion An order dismissing various counts of the indictment for lack of jurisdiction. (In this regard, Kahlfan Khamis Mohmamed hereby joins, and adopts by reference, the motion made by co-def. Mohamed Sadeek Odeh and the supporting affirmation of Sandra Babcock, Esquire.), [155-3] motion An order disqualifying an Assistant U.S. Attorney from participation in the government's case or, in the alternative, for an agreement among the parties on certain conditions that will obviate the problem of the "unsworn witness.", [155-4] motion An order for a Bill of Particulars as specified in the accompanying memorandum., [155-5] motion An order granting leave to jjoin in all motions filed on behalf of co-defs. (whether specifically referred to in these pleadings or not) to the extent that such motions benefit Khalfan Khamis Mohamed., [155-6] motion An order granting leave to file additional motions when they become appropriate. An order granting such additional relief as the Court deems just and proper. (mb) Modified on 03/09/2000 (Entered: 03/09/2000)
03/10/2000	158	ORDER as to (\$6 98 Cr. 1023 -) Usama Bin Laden (5), Mamdouh Mahmud Salim (12). It is hereby ORDERED that the following investigator may be retained by Paul J. McAllister, counsel for Mr. Salim, at the stated hourly rate. [Thomas Weihmann, Amalienburgstraase #13, Munchen, Germany 81247, 0 11 49 89 812-2858, Fee: \$75 per hour.] It is further ORDERED that Paul J. McAllister, Esq. Counsel for Mr. Salim, and his investigators, may retain the services of other local investigators outside of the U.S. as and when it may become necessary to do so; It is further ORDERED that the above named investigator shall be permitted to file interim vouchers for his services; It is further ORDERED that the CJA clerk shall prepare the voucher(s) for the above named investigator. (Signed on 3/9/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 03/13/2000)
03/13/2000	157	MEMORANDUM OPINION # 83614 as to Mohamed Sadeek Odeh granting in part, denying in part [117-1] motion to dismiss for lack of venue as to Mohamed Sadeek Odeh (3), granting in part, denying in part [115-1] motion to dismiss counts for lack of jurisdiction as to Mohamed Sadeek Odeh (3) (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 03/13/2000)

03/13/2000		Filed Memo–Endorsement on 'Notice of Motion To Dismiss Counts For Lack of Jurisdiction' [doc #115] as to Mohamed Sadeek Odeh (S6 98 Cr. 1023 –3). Endorsement – Motion granted in part and denied in part. SO ORDERED. (Signed on 3/13/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 03/14/2000)
03/15/2000	160	Memorandum and Order as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Defendants are charged with numerous offenses arising out of their alleged involvement with an international terrorist organization led by Dft. Bin Laden ("Bin Laden"). Presently before the Court are four motions, filed by Dfts. Wadih El Hage (" El Hage"), Mamdouh Mahmud Salim (" Salim"), Mohamed Sadeek Odeh ("Odeh"), and Khalfan Khamis Mohamed ("K.K. Mohamed") seeking an order compelling the government to file a bill of particulars that is responsive to over 150 separate requests for information. For the reasons set forth below, those motions are granted in part and denied in part. The government is ordered to file a bill of particulars, but that bill need only be responsive to those specific requests that we identify below. (Signed by Judge Leonard B. Sand) (mb) Modified on 5/28/2009 (rw). (Entered: 03/17/2000)
03/16/2000	159	SEALED DOCUMENT as to Khalfan Khamis Mohamed (af) (Entered: 03/16/2000)
03/24/2000	161	True Copy of Order from USCA as to Wadih El Hage Re: that the motions, and each of them are hereby, DENIED. An opinion of the Court will follow in due course. (mr) Modified on 03/30/2000 (Entered: 03/24/2000)
03/30/2000	162	Filed Memo–Endorsement on Motion (Doc. #117) as to Mohamed Sadeek Odeh, Motion denied. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 03/30/2000)
03/30/2000	163	OPINION # 83736 as to (S6 98 Cr. 1023 –) Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz denying [155–1] motion An order dismissing the indictment for lack of venue. (in this regard, Khalfan Khamis Mohamed hereby joins, and adopts by refernce, the motion made by co–deft Mohamed Sadeek Odeh and the supporting affirmation of Michael Young, Esquire. as to Khalfan Khamis Mohamed (8), denying [155–2] motion An order dismissing various counts of the indictment for lack of jurisdiction. (In this regard, Kahlfan Khamis Mohmamed hereby joins, and adopts by reference, the motion made by co–deft. Mohamed Sadeek Odeh and the supporting affirmation of Sandra Babcock, Esquire.) as to Khalfan Khamis Mohamed (8), denying [155–3] motion An order disqualifying an Assistant U.S. Attorney from participation in the government's case or, in the alternative, for an agreement among the parties on certain conditions that will obviate the problem of the "unsworn witness." as to Khalfan Khamis Mohamed (8), denying [155–4] motion An order for a Bill of Particulars as specified in the accompanying memorandum. as to Khalfan Khamis Mohamed (8), denying [155–5] motion An order granting leave to jpoint in all motions filed on behalf of co–defts. (whether specifically referred to in these pleadings or not) to the extent that such motions benefit Khalfan Khamis Mohamed. as to Khalfan Khamis Mohamed (8), denying [155–6] motion An order granting leave to file additional motions when they become appropriate. An order granting such additional relief as the Court deems just and proper. as to Khalfan Khamis Mohamed (8), denying [113–1] motion for dismissal of Counts 248(all), 252(all), 253(all), 254(a), 256(e), 257(b), (c) and (d), 258(a),(c),(d),(e),(f), and (g), 259(all), 260(m) and (n), 263(c), and 264 (all) because they are multiplicitious; as to Wadih El Hage (1), denying [113–2] motion for exclusion of U.S. citizens from the jury, or, in the alternative, implementaiton of measures to ensure that they do not dominate the jury numerically as to Wadih El Hage (1), denying [113–3] motion for Bill of Particulars as to Wadih El Hage (1), denying [113–4] motion leave to join Mr. El–Hage's co–defendants' motion to the extent they benefit him as to Wadih El Hage (1), denying [113–5] motion leave to file additional motions when they become appropriate as to Wadih El Hage (1), denying [119–1] motion for partial disqualification of certain prosecutors as to Mohamed Sadeek Odeh (3), denying [111–1] motion for Bill of Particulars as to Mamdouh Mahmud Salim (12), denying [111–2] motion to strike surplusage as to Mamdouh Mahmud Salim (12), denying [111–3] motion to suppress physical evidence and derivative fruits as to Mamdouh Mahmud Salim (12), denying [111–4] motion to suppress alleged statement of accused as to Mamdouh Mahmud Salim (12), denying [111–5] motion to suppress evidence consisting of both in court and out of court identification. as to Mamdouh Mahmud Salim (12), denying [111–6] motion to direct the govt to provide witness list as to Mamdouh Mahmud Salim (12), denying [111–7] motion in limine and pursuant to Rule 607, 608, 609 of FR of evidence as to Mamdouh Mahmud Salim (12), denying [111–8] motion in limine pursuant to Ruel 104, 403 and 404b of FR of evidence as to Mamdouh Mahmud Salim (12), denying [111–9] motion to direct the govt to provide timely fashion exculpatory or mitigating evidence as to Mamdouh Mahmud Salim (12), denying

		<p>[111-10] motion to amend Mr Salem's previously imposed detention order as to Mamdouh Mahmud Salim (12), denying [111-11] motion for leave to file motions as to Mamdouh Mahmud Salim (12), denying [111-12] motion to join [109-1] to dismiss the indictment. Order dismissing Count one of indictment. An order dismissing counts 11 through 222 and counts 223 through 234 as multiplicitous, [109-2] motion to direct the govt to elect between Count 4 and Counts 9 and 10. Order directing the govt to elect amount Counts 7, 8, 9, 10, 11-222, 223-234, 242, 243 and 244 because Congress did not intend to multiple punishments for the single act of bombing US property., [109-3] motion Permission for deft to join in the motion filed by the Deft Odeh for dismissal of counts 5, 7, 8 and 11 through 236 and 240, 241, 243 and 244 on the grounds that the Court lacks extraterritorial jurisdiction over the crimes alleged in those Counts, [109-4] motion to compel additional discovery as requested by counsel for deft al Owahli in letters dated 11/6/98 and 10/25/99, [109-5] motion for Bill of Particulars, [109-6] motion to suppress evidence at trial of certain statements alleged to have been made by deft al-Owahli following his arrest in Kenya and to suppress all identification testimony based on out of court identification proceedings or granting and evidentiary hearing. as to Mamdouh Mahmud Salim (12), denying [109-1] motion to dismiss the indictment. Order dismissing Count one of indictment. An order dismissing counts 11 through 222 and counts 223 through 234 as multiplicitous as to Mohamed Rashed Daoud Al-Owahli (4), denying [109-2] motion to direct the govt to elect between Count 4 and Counts 9 and 10. Order directing the govt to elect amount Counts 7, 8, 9, 10, 11-222, 223-234, 242, 243 and 244 because Congress did not intend to multiple punishments for the single act of bombing US property. as to Mohamed Rashed Daoud Al-Owahli (4), denying [109-3] motion Permission for deft to join in the motion filed by the Deft Odeh for dismissal of counts 5, 7, 8 and 11 through 236 and 240, 241, 243 and 244 on the grounds that the Court lacks extraterritorial jurisdiction over the crimes alleged in those Counts as to Mohamed Rashed Daoud Al-Owahli (4), denying [109-4] motion to compel additional discovery as requested by counsel for deft al Owahli in letters dated 11/6/98 and 10/25/99 as to Mohamed Rashed Daoud Al-Owahli (4), denying [109-5] motion for Bill of Particulars as to Mohamed Rashed Daoud Al-Owahli (4), denying [109-6] motion to suppress evidence at trial of certain statements alleged to have been made by deft al-Owahli following his arrest in Kenya and to suppress all identification testimony based on out of court identification proceedings or granting and evidentiary hearing. as to Mohamed Rashed Daoud Al-Owahli (4). ... CONCLUSION of Opinion: For the foregoing reasons, all of the motions presently before the Court are denied. The Defendants may file additional motions when they become appropriate. (Signed on 3/30/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 03/30/2000)</p>
03/30/2000		<p>Filed Memo-Endorsement on Motion for Partial Disqualification of Certain Prosecutors (Document # 119) as to Mohamed Sadeek Odeh, Motion Denied (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 03/30/2000)</p>
03/30/2000	164	<p>Filed Memo-Endorsement on letter addressed to Judge Sand from Attorney Sam A. Schmidt, dated 3/21/00, as to deft Wadih El Hage (1). Mr. Schmidt writes on behalf of deft El-Hage concerning the conditions of confinement and the conduct of the Bureau of Prisons. He requests that Mr. El-Hage be able to publish this letter to the public should he wish to do so; Judge endorsed - Request to publish granted. (Signed on 3/29/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 03/31/2000)</p>
04/05/2000	165	<p>TRANSCRIPT of record of proceedings as to Wadih El Hage for dates of 2/16/00 before Judge Sand. (mr) (Entered: 04/05/2000)</p>
04/05/2000	166	<p>TRANSCRIPT of record of proceedings before Judge Leonard B. Sand as to (S6 98 Cr. 1023 -) Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-Owahli, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz for date of 2/29/00 11:30 a.m. (bw) (Entered: 04/05/2000)</p>
04/11/2000	167	<p>ORDER as to (S6 98 Cr. 1023 -) Wadih El Hage (1), Fazul Abdullah Mohammed (2), Mohamed Sadeek Odeh (3), Mohamed Rashed Daoud Al-Owahli (4), Usama Bin Laden (5), Muhammad Atef (6), Mustafa Mohamed Fadhil (7), Khalfan Mohamed (8), Ahmed Khalfan Ghailani (9), Fahid Mohammed Msalam (10), Sheikh Ahmed Salim Swedan (11), Mamdouh Mahmud Salim (12), Ali Mohamed (13), Ayman Al Zawahiri (14), Khaled Al Fawwaz (15). ... Upon the application of Mary Jo White, U.S. Attorney for the S.D.N.Y., by Patrick J. Fitzgerald, Kenneth M. Karas, Michael J. Garcia and Paul W. Butler, A.U.S.A., and in the absence of objection by the defendants MAMDOUH MAHMUD SALIM, ALI MOHAMED, WADIIH EL HAGE, MOHAMED SADEEK ODEH, MOHAMED RASHED DAOUD AL-OHWALI and KHALFAN KHAMIS MOHAMED, it is hereby ORDERED, that pursuant to the Speedy Trial Act, 18 U.S.C. Section 3161(h)(8)(A), all time running from 4/11/00, until 9/5/00 (the date set by the Court for the commencement of trial) shall be excluded from the time within which trial must commence in the above-captioned case, the Court having found that the ends of justice served by this exclusion outweigh the best interests of the public and the defendants in a speedy trial. (Signed on 4/10/00 by Judge Leonard</p>

		B. Sand); Copies mailed. (bw) (Entered: 04/11/2000)
04/14/2000		Status conference as to Mohamed Rashed Daoud Al-'Owhali held. Deft. Al'Owhali present w/attys' Leonard Joy, David Bruck. Ex party conference held and concluded. Deft. cont'd detained. (rag) (Entered: 05/11/2000)
04/18/2000	169	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (af) (Entered: 04/19/2000)
04/18/2000	168	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (af) (Entered: 04/19/2000)
04/18/2000	171	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (da) (Entered: 04/19/2000)
04/18/2000	172	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (da) (Entered: 04/19/2000)
04/19/2000	170	ORDER as to (S6 98 Cr. 1023 –) Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz. ... THIS MATTER having been opened to the Court upon the application of counsel for defendant Mohamed Odeh on behalf of all defendants for authorization to obtain database management and ongoing computerized assistance to the defendants, and counsel having submitted a proposal by AAIM, Inc. dated March 22, 2000 to the Court for review, and the Court having determined that such service is necessary for the preparation of the defense in this case: IT IS ON THIS 18 day of April, 2000 ordered that the proposal submitted by AAIM, Inc. to provide computerized database services to the defense is hereby approved, and that the Office of the Clerk is directed to establish an appropriate system of payment for the implementation of said database management system. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) Modified on 04/19/2000 (Entered: 04/19/2000)
04/20/2000	173	Filed Memo–Endorsement on letter dated 4/18/00 to Judge Sand signed by Sam A. Schmidt as to Usama Bin Laden, requesting authorization of the purchase of 8 transcribing machines....Expenditure authorized. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 04/20/2000)
04/20/2000	174	MEMORANDUM And ORDER as to Mohamed Rashed Daoud Al-'Owhali (S6 98 Cr. 1023 –4). The Defendants are charged with numerous offenses arising out of their alleged involvement in an international terrorist organization led by Defendant Usama Bin Laden ("Bin Laden") and that organization's alleged involvement in the August, 1998 bombings of the United States Embassies in Nairobi, Kenya and Dar es Salaam, Tanzania. Presently before the Court is Defendant Al-'Owhali's motion to dismiss Count One of the Indictment on the ground that it fails to state an offense. For the reasons set forth in this Memorandum And Order, that motion is denied. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 04/21/2000)
04/25/2000	175	MOTION by Wadih El Hage (S6 98 Cr. 1023 –1) for the following relief: (1) for an Order for discovery that is necessary for the preparation of Mr. El–Hage's pretrial motions for (i) suppression of evidence seized; (ii) suppression of statements; (iii) suppression of electronic surveillance; (iv) severance; and/or (v) other relief ; and 2) for an Order granting leave to join Mr. El–Hage's co–defts' motions to the extent they benefit him. ; Return date 5/16/00. (Declaration of Joshua L. Dratel in Support, Exhibits 1–4 attached) (bw) (Entered: 04/26/2000)
04/25/2000	176	MEMORANDUM Of Law by Wadih El Hage in support of [175–1] motion (1) for an Order for discovery that is necessary for the preparation of Mr. El–Hage's pretrial motions for (i) suppression of evidence seized; (ii) suppression of statements; (iii) suppression of electronic surveillance; (iv) severance;

		and/or (v) other relief, [175-2] motion 2) for an Order granting leave to join Mr. El-Hage's co-defts' motions to the extent they benefit him. (bw) (Entered: 04/26/2000)
05/01/2000	177	SEALED DOCUMENT as to Mohamed Sadeek Odeh (af) (Entered: 05/02/2000)
05/03/2000	179	ORDER as to Wadih El Hage, that the following additional investigator may be retained by Sam A. Schmidt, counsel for Wadih El Hage, at the stated hourly rate. Metro One Investigations, 4225 Laclede Avenue, St. Louis, MO 63108, 877-533-0010/314-533-0090-fax, Fee: \$65/hour. It is hereby further ordered that the above named investigator shall be permitted to file interim vouchers for their services; It is further ordered that the CJA clerk shall prepare the vouchers for the above named investigator, if necessary. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 05/05/2000)
05/04/2000	178	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz (af) (Entered: 05/05/2000)
05/08/2000	186	(S7) SUPERSEDING INDICTMENT (part 1) as to Wadih El Hage (1) count(s) 1sssssss, 2sssssss, 3sssssss, 5sssssss, 6sssssss, 287sssssss-305sssssss, 306sssssss-308sssssss, Fazul Mohammed (2) count(s) 1sssssss, 3sssssss, 4sssssss, 5sssssss, 6sssssss, 7sssssss, 8sssssss, 9sssssss, 10sssssss, 11sssssss-223sssssss, 224sssssss-234sssssss, 235sssssss-275sssssss, 276sssssss, 277sssssss-278sssssss, 279sssssss, 280sssssss-281sssssss, 282sssssss, 283sssssss, 284sssssss, 285sssssss, 286sssssss, Mohamed Sadeek Odeh (3) count(s) 1sssssss, 3sssssss, 4sssssss, 5sssssss, 6sssssss, 7sssssss, 8sssssss, 9sssssss, 10sssssss, 11sssssss-223sssssss, 224sssssss-234sssssss, 235sssssss-275sssssss, 276sssssss, 277sssssss-278sssssss, 279sssssss, 280sssssss-281sssssss, 282sssssss, 283sssssss, 284sssssss, 285sssssss, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1sssssss, 3sssssss, 4sssssss, 5sssssss, 6sssssss, 7sssssss, 8sssssss, 9sssssss, 10sssssss, 11sssssss-223sssssss, 224sssssss-234sssssss, 235sssssss-275sssssss, 276sssssss, 277sssssss-278sssssss, 279sssssss, 280sssssss-281sssssss, 282sssssss, 283sssssss, 284sssssss, 285sssssss, 286sssssss, Usama Bin Laden (5) count(s) 1sssss, 3sssss, 4sssss, 5sssss, 6sssss, 7sssss, 8sssss, 9sssss, 10sssss, 11sssss-223sssss, 224sssss-234sssss, 235sssss-275sssss, 276sssss, 277sssss-278sssss, 279sssss, 280sssss-281sssss, 282sssss, 283sssss, 284sssss, 285sssss, 286sssss, Muhammad Atef (6) count(s) 1sssss, 3sssss, 4sssss, 5sssss, 6sssss, 7sssss, 8sssss, 9sssss, 10sssss, 11sssss-223sssss, 224sssss-234sssss, 235sssss-275sssss, 276sssss, 277sssss-278sssss, 279sssss, 280sssss-281sssss, 282sssss, 283sssss, 284sssss, 285sssss, Mustafa Mohamed Fadhil (7) count(s) 1sssss, 3sssss, 4sssss, 5sssss, 6sssss, 7sssss, 8sssss, 9sssss, 10sssss, 11sssss-223sssss, 224sssss-234sssss, 235sssss-275sssss, 276sssss, 277sssss-278sssss, 279sssss, 280sssss-281sssss, 282sssss, 283sssss, 284sssss, 285sssss, Khalfan Khamis Mohamed (8) count(s) 1sssss, 3sssss, 4sssss, 5sssss, 6sssss, 8sssss, 10sssss, 224sssss-234sssss, 277sssss-278sssss, 279sssss, 283sssss, 284sssss, 286sssss, Ahmed Khalfan Ghailani (9) count(s) 1sssss, 3sssss, 4sssss, 5sssss, 6sssss, 7sssss, 8sssss, 9sssss, 10sssss, 11sssss-223sssss, 224sssss-234sssss, 235sssss-275sssss, 276sssss, 277sssss-278sssss, 279sssss, 280sssss-281sssss, 282sssss, 283sssss, 284sssss, 285sssss, 286sssss, Fahid Mohammed Msalam (10) count(s) 1sssss, 3sssss, 4sssss, 5sssss, 6sssss, 7sssss, 8sssss, 9sssss, 10sssss, 11sssss-223sssss, 224sssss-234sssss, 235sssss-275sssss, 276sssss, 277sssss-278sssss, 279sssss, 280sssss-281sssss, 282sssss, 283sssss, 284sssss, 285sssss, 286sssss, Sheikh Ahmed Salim Swedan (11) count(s) 1sssss, 3sssss, 4sssss, 5sssss, 6sssss, 7sssss, 8sssss, 9sssss, 10sssss, 11sssss-223sssss, 224sssss-234sssss, 235sssss-275sssss, 276sssss, 277sssss-278sssss, 279sssss, 280sssss-281sssss, 282sssss, 283sssss, 284sssss, 285sssss, 286sssss, Mamdouh Mahmud Salim (12) count(s) 1sss, 3sss, 5sss, 6sss, Ali Mohamed (13) count(s) 1ss, 2ss, 3ss, 5ss, 6ss, Ayman Al Zawahiri (14) count(s) 1s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, 10s, 11s-223s, 224s-234s, 235s-275s, 276s, 277s-278s, 279s, 280s-281s, 282s, 283s, 284s, 285s, 286s, Khaled Al Fawwaz (15) count(s) 1s, 3s, 5s, 6s (dcap) Modified on 06/01/2000 (Entered: 06/01/2000)
05/08/2000	186	(S7) SUPERSEDING INDICTMENT (Part 2) as to Ibrahim Eidaous (16) count(s) 1, 3, 4, 5, 6, 7, 8, 9, 10, 11-223, 224-234, 235-275, 276, 277-278, 279, 280-281, 282, 283, 284, 285, 286, Adel Abdel Bary (17) count(s) 1, 3, 4, 5, 6, 7, 8, 9, 10, 11-223, 224-234, 235-275, 276, 277-278, 279, 280-281, 282, 283, 284, 285, 286 (dcap) (Entered: 06/01/2000)
05/09/2000	180	Filed Memo-Endorsement on letter addresssed to Judge Sand from Patrick J. Fitzgerald , A.U.S.A., Sih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, dated 5/8/00. Re: The Government requests until 5/22/00 to file its response to the pending motions. Extension granted to 5/22/00. (Signed by Judge Leonard B. Sand); Copies mailed to counsel on 5/9/00. (mb) (Entered: 05/10/2000)
05/11/2000	181	LETTER filed by U.S.A. as to Mohamed Rashed Daoud Al-'Owhali From AUSA Michael J. Garcia, Dated 5/4/00, Addressed to: Mr. Joy Re: death penalty. (mr) (Entered: 05/12/2000)

05/16/2000	182	SEALED DOCUMENT as to Mohamed Sadeek Odeh (afo) (Entered: 05/16/2000)
05/17/2000	183	Filed Memo–Endorsement on letter addressed to Judge Sand from James Roth, Esq., counsel for Ali Mohamed, dated 5/16/00. Re: Request to have the dft. excused from the scheduled conference on 5/23/00. Application denied. No sound basis has been advanced to waive dft's. presence at the arraignment. Matters may well arise at the conference which will either require the dft's. presence or at a minimum make such presence helpful and appropriate. arraignment (Signed by Judge Leonard B. Sand); Copies mailed. (mb) (Entered: 05/19/2000)
05/22/2000	184	SEALED DOCUMENT as to Ali Mohamed (afo) (Entered: 05/23/2000)
05/23/2000		Arraignment as to Mamdouh Mahmud Salim, Ali Mohamed, Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held Mamdouh Mahmud Salim (12) count(s) 1sss, 3sss, 5sss, 6sss, Ali Mohamed (13) count(s) 1ss, 2ss, 3ss, 5ss, 6ss, Wadih El Hage (1) count(s) 1sssssss, 2sssssss, 3sssssss, 5sssssss, 6sssssss, 287sssssss–305sssssss, 306sssssss–308sssssss, Mohamed Sadeek Odeh (3) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss–223ssssss, 224ssssss–234ssssss, 235ssssss–275ssssss, 276ssssss, 277ssssss–278ssssss, 279ssssss, 280ssssss–281ssssss, 282ssssss, 283ssssss, 284ssssss, 285ssssss, 286ssssss, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss–223ssssss, 224ssssss–234ssssss, 235ssssss–275ssssss, 276ssssss, 277ssssss–278ssssss, 279ssssss, 280ssssss–281ssssss, 282ssssss, 283ssssss, 284ssssss, 285ssssss, 286ssssss, Khalfan Khamis Mohamed (8) count(s) 1ssss, 3ssss, 4ssss, 5ssss, 6ssss, 8ssss, 10ssss, 224ssss–234ssss, 277ssss–278ssss, 279ssss, 283ssss, 284ssss, 286ssss before Judge Leonard B. Sand. Defendant Salim present with attorneys Paul J. McAllister and Charles D. Adler. Defendant arraigned on S(7) indictment and pleads not guilty on counts 1,3,5 and 6 only as charged. Defendant Ali Mohammed present with attorneys James Roth and Lloyd Epstein, and defendant is arraigned on S(7) indictment and pleads not guilty on counts 1,2,3,5 and 6 as charged. Defendant Wadih El Hage present with attorneys Sam A. Schmidt and Joshua Dratel and defendant arraigned on S(7) indictment and pleads not guilty on counts 1,2,3,5 and 6, and 287 thru 308 as charged. Defendant Mohamed Sadeek Odeh present with attorneys Michael Young, Carl J. Herman and Sandra A. Babcock and defendant arraigned and pleads not guilty plea on counts 1,3 thru 286 as charged. Defendant Al-'Owhali present with attorneys Leonard Joy, David Bruck and Robert Tucker and defendant arraigned and pleads not guilty on counts 1, and 3 thru 286 as charged. Defendant Khalfan Khamis Mohamed present with attorneys Jeremy Schneider and David Stern and defendant is arraigned on S(7) indictment and pleads not guilty on counts 1, 3 thru 6,8,10 224 thru 234, 277, 278,279,283, 284, and 286 as charged. By 5/30/00 defendant's notify court with respect to whether defense will submit written reply to government's opposition to defense discovery motion and whether defense will submit CIPA motions and if so, dates of submission by 6/1/00 releasing manes and addresses of jurors and by 6/1/00, defendant's response. Defendant's severance motions due approximately by 6/12/00. Other defendants motions for suppression; FISA; due process; extradition) by 6/15/00. Government to file by 6/17/00. By 6/19/00 government's response to defendants severance motions (if any) by approximately 6/26/00. Government's opposition to defendant's 6/15/00 motions by 7/17/00, and defendant's Al-'Owhali, Odeh, K.K> Mohammed response to governments 6/17/00 notice of aggravating factors, and perhaps other death–penalty related motions also by 7/7/00. Defendant's reply to government's oppositions to defendants' motions by 7/31/00. Parties to submit joint jury questionnaire on 8/15/00. Trial date se–set to 1/31/2001. All defendants' continued detained. (mr) (Entered: 06/01/2000)
05/23/2000		PLEA entered by Mamdouh Mahmud Salim, Ali Mohamed, Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed . Court accepts plea. Not Guilty: Mamdouh Mahmud Salim (12) count(s) 1sss, 3sss, 5sss, 6sss, Ali Mohamed (13) count(s) 1ss, 2ss, 3ss, 5ss, 6ss, Wadih El Hage (1) count(s) 1sssssss, 2sssssss, 3sssssss, 5sssssss, 6sssssss, 287sssssss–305sssssss, 306sssssss–308sssssss, Mohamed Sadeek Odeh (3) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss–223ssssss, 224ssssss–234ssssss, 235ssssss–275ssssss, 276ssssss, 277ssssss–278ssssss, 279ssssss, 280ssssss–281ssssss, 282ssssss, 283ssssss, 284ssssss, 285ssssss, 286ssssss, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss–223ssssss, 224ssssss–234ssssss, 235ssssss–275ssssss, 276ssssss, 277ssssss–278ssssss, 279ssssss, 280ssssss–281ssssss, 282ssssss, 283ssssss, 284ssssss, 285ssssss, 286ssssss, Khalfan Khamis Mohamed (8) count(s) 1ssss, 3ssss, 4ssss, 5ssss, 6ssss, 8ssss, 10ssss, 224ssss–234ssss, 277ssss–278ssss, 279ssss, 283ssss, 284ssss, 286ssss (Terminated motions –) (mr) (Entered: 06/01/2000)
05/26/2000	185	Filed Memo–Endorsement on letter addressed to Judge Sand from Attorney Sam A. Schmidt, dated 5/22/00, as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Osama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz. ... Mr. Schmidt writes to request that the Judge authorizes the purchase of the additional six Marantz PMD–201 machines

		and foot pedals in order to transcribe all the cassettes (of the recently declassified intercepted conversations in Kenya) as soon as possible; Judge endorsed – Authorization granted. (Signed on 5/25/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 05/30/2000)
05/31/2000	187	Reply memorandum of Law by Wadih El Hage to in support of ` [175–1] motion (1) for an Order for discovery that is necessary for the preparation of Mr. El–Hage's pretrial motions for (i) suppression of evidence seized; (ii) suppression of statements; (iii) suppression of electronic surveillance; (iv) severance; and/or (v) other relief (mb) (Entered: 06/01/2000)
05/31/2000		Pre–Trial Conference as to Mohamed Sadeek Odeh held. Dft. present with atty. Michael Young and Carlos J. Herman also present Anthony L. Ricco, Esq. (AUSA Patrick Fitzgerald, AUSA Ken Karas, AUSA Robert Cramer present. Dft. Odeh application to have Michael Young relieved as counsel is granted and attorney L. Ricco is appointed and assigned as counsel in case pursuant to CJA anss a part of defense in case, Edward D. Wilford, Esq. as co–counsel to anthony Ricco. Dft. continued detained.....Sand,J. (mb) (Entered: 06/02/2000)
05/31/2000	189	Notice of Appearance for Mohamed Sadeek Odeh by C.J.A Attorney Edward D. Wilford. (mb) Modified on 06/02/2000 (Entered: 06/02/2000)
05/31/2000	190	Notice of Appearance for Mohamed Sadeek Odeh by CJA Attorney Anthony L. Ricco. (mb) (Entered: 06/02/2000)
05/31/2000		CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL as to Mohamed Sadeek Odeh : Appointment of Attorney Anthony L. Ricco (Signed by Judge Leonard B. Sand) (df) (Entered: 10/04/2000)
06/01/2000	188	ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al–Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary, Time excluded from 9/5/00 until 1/3/01 to Continue in Interests of Justice (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 06/02/2000)
06/02/2000	191	ORDER as to Mohamed Sadeek Odeh, substituting attorney terminated attorney Michael R. Young for Mohamed Sadeek Odeh Added Anthony L. Ricco and co–counsel Edward D. Wilford. (Signed by Judge Leonard B. Sand). (mb) (Entered: 06/07/2000)
06/02/2000		Status conference as to Mohamed Rashed Daoud Al–'Owhali held. Defendant Mohamed Rashed Daou Al–Owhali present with attorneys Robert Tucker and David I. Bruck. Arabic interpreter Andre J. Codouni and Kamal S. Afouni, and court reporter Kathy Klepfer also present. Hearing begun as to defendant's application to have his attorneys removed and have new counsel appointed. Hearing adjourned until 6/5/00, at 2:00 pm, in courtroom 519, 40 Foley square....Fox, F.N., United States Magistrate Judge. (mr) (Entered: 06/27/2000)
06/05/2000		Status conference as to Mohamed Rashed Daoud Al–'Owhali held. Defendant Mohamed Rashed Daoud Al–Owhali present attorneys Robert Tucker and David I. Bruck, Arabic interpreters Andre J. Codouni and Mohsen Shawarby and court reporter Martha Hess also present. Hearing continued as to defendant's application to have his attorneys removed and have new counsel appointed. Hearing concluded, Decision reserved. (mr) (Entered: 06/27/2000)
06/07/2000	192	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al–'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary (af) (Entered: 06/07/2000)
06/07/2000	225	MOTION by Ali Mohamed to sever the defendant's trial of certain co–defendants. , and Granting counsel for the defendant a reasonable amount of time to make such additional motions as are predicated upon the government's response to and necessitated by the court decision on the instant motion. (mr) (Entered: 06/28/2000)
06/08/2000	193	SEALED DOCUMENT as to Khalfan Khamis Mohamed (afo) (Entered: 06/08/2000)
06/08/2000	194	ARREST WARRANT issued as to Sheikh Ahmed Salim Swedan (S7 98 Cr. 1023 –11). (bw) (Entered: 06/09/2000)
06/08/2000	195	ARREST WARRANT issued as to Fahid Mohammed Msalam (S7 98 Cr. 1023 –10). (bw) (Entered: 06/09/2000)

06/08/2000	196	ARREST WARRANT issued as to Ahmed Khalfan Ghailani (S7 98 Cr. 1023 -9). (bw) (Entered: 06/09/2000)
06/08/2000	197	ARREST WARRANT issued as to Mustafa Mohamed Fadhil (S7 98 Cr. 1023 -7). (bw) (Entered: 06/09/2000)
06/08/2000	198	ARREST WARRANT issued as to Fazul Abdullah Mohammed (S7 98 Cr. 1023 -2). (bw) (Entered: 06/09/2000)
06/08/2000	199	ARREST WARRANT issued as to Adel Abdel Bary (S7 98 Cr. 1023 -17). (bw) (Entered: 06/09/2000)
06/08/2000	200	ARREST WARRANT issued as to Ibrahim Eidarous (S7 98 Cr. 1023 -16). (bw) (Entered: 06/09/2000)
06/08/2000	201	ARREST WARRANT issued as to Khaled Al Fawwaz (S7 98 Cr. 1023 -15). (bw) (Entered: 06/09/2000)
06/08/2000	202	ARREST WARRANT issued as to Ayman Al Zawahiri (S7 98 Cr. 1023 -14). (bw) (Entered: 06/09/2000)
06/08/2000	203	ARREST WARRANT issued as to Muhammad Atef (S7 98 Cr. 1023 -6). (bw) (Entered: 06/09/2000)
06/08/2000	204	ARREST WARRANT issued as to Usama Bin Laden (S7 98 Cr. 1023 -5). (bw) (Entered: 06/09/2000)
06/12/2000	205	TRANSCRIPT of record of proceedings as to Mohamed Rashed Daoud Al-'Owhali for dates of 4/14/00 before Judge Sand. (mr) (Entered: 06/12/2000)
06/12/2000	213	Filed declaration of David A. Ruhnke, Esquire, in opposition to Government's motions for an anonymous protected jury and to protect the addresses of jurors. (rag) (Entered: 06/20/2000)
06/12/2000	214	MEMORANDUM OF LAW on behalf of Khalfan Khamis Mohamed in opposition to government's motions for an anonymous protected jury and to protect the addresses of jurors. (rag) (Entered: 06/20/2000)
06/13/2000	206	MOTION by Wadih El Hage for discovery (mr) (Entered: 06/14/2000)
06/13/2000	207	REDACTED MEMORANDUM by Wadih El Hage in support of [206-1] motion for discovery (mr) (Entered: 06/14/2000)
06/13/2000	208	REDACTED REPLY MEMORANDUM by Wadih El Hage in support of [206-1] motion for discovery (mr) (Entered: 06/14/2000)
06/13/2000	209	Filed Memo-Endorsement on letter to Judge Sand dtd. June 8, 2000 from Sam A. Schmidt as to Usama Bin Laden, Acquisition of 5 more translators is authorized (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 06/15/2000)
06/13/2000	210	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (da) (Entered: 06/15/2000)
06/13/2000	220	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (da) (Entered: 06/22/2000)
06/13/2000	221	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (da) (Entered: 06/22/2000)
06/15/2000	211	SEALED DOCUMENT as to Mohamed Rashed Daoud Al-'Owhali (af) (Entered: 06/16/2000)
06/15/2000	212	MOTION by Mamdouh Mahmud Salim for relief consisting of the following: A) An Order pursuant to Rule 12(b)(3) of the FRCP, 18 USC Section 3501, and the Fifth and Sixth Amendments to the U.S. Constitution suppressing evidence of alleged post-arrest statements of the accused, and directing a pre-trial hearing upon the motion ; and B) An Order pursuant to Rule 14 of the FRCP granting deft Salim a severance of his trial from those of his codefendants. Although Mr. Salim would prefer an early trial, if severance depends upon his willingness to consent to a delay, he would agree to do so ; and C) An Order

		granting Mr. Salim leave to join in those applications and arguments of codefendants arguably related and favorable to him ; and D) An Order permitting Mr. Salim to make such further motions as necessary. E) An Order for such order and further relief as the Court deems just and proper. Return date to be set by the Court. (bw) (Entered: 06/19/2000)
06/15/2000	216	MEMORANDUM OF POINTS AND AUTHORITIES ON BEHALF OF MAMDOUTH MAHMUD SALIM in support of [212-1] motion A) An Order pursuant to Rule 12(b)(3) of the FRCP, 18 USC Section 3501, and the Fifth and Sixth Amendments to the U.S. Constitution suppressing evidence of alleged post-arrest statements of the accused, and directing a pre-trial hearing upon the motion, [212-2] motion B) An Order pursuant to Rule 14 of the FRCP granting deft Salim a severance of his trial from those of his codefendants. Although Mr. Salim would prefer an early trial, if severance depends upon his willingness to consent to a delay, he would agree to do so, [212-3] motion C) An Order granting Mr. Salim leave to join in those applications and arguments of codefendants arguably related and favorable to him, [212-4] motion D) An Order permitting Mr. Salim to make such further motions as necessary. E) An Order for such order and further relief as the Court deems just and proper. (rag) (Entered: 06/21/2000)
06/19/2000	218	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdough Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 06/22/2000)
06/20/2000	217	MANDATE OF USCA (certified copy) as to Wadih El Hage Re: [129-1] appeal affirming judgment/order (rag) (Entered: 06/21/2000)
06/21/2000	215	ORDER as to Mohamed Sadeek Odeh, This matter having been opened to the Court upon the application of counsel for defendant Mohamed Odeh for the appointment of Paul Muite, Esq., as an attorney/research assistant in this matter, and the Court having reviewed the documents submitted in behalf of this application, and for good cause; In is on 19th day oof June, 2000 ordered that Paul Muite, esq. be appointed as an attorney/research assistant on behalf of the defense, with authorization to be paid at the \$100.00 per hour for work performed in relation to this case, nunc pro tunc to 5/5/00. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 06/21/2000)
06/21/2000	219	ORDER as to Mohamed Sadeek Odeh, that Carl J. Herman, Esq. shall continue to represent Mohamed Odeh at the rate of \$125.00 per hour for work performed in relation to this case. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 06/22/2000)
06/22/2000	222	NOTICE of Appearance for Mohamed Rashed Daoud Al-'Owhali by Attorney Frederick H. Cohen (rag) (Entered: 06/27/2000)
06/22/2000		Status conference as to Mohamed Rashed Daoud Al-'Owhali held. Defendant Al-'Owhali present with attorneys David Bruck and Robert Tucker and Leonard Joy via telephone. Interpreter Mohsen Shawarby (Arabic) present. Court reporter Martha Hess present. Ex Parte conference held and concluded. Defendant Al-'Owhali's application to replace his defense team is granted and Frederick Cohn, Esq. is appointed pursuant to CJA as new cousenl in case. Defendant continued detained. (mr) (Entered: 06/27/2000)
06/22/2000		CJA 30 DEATH PENALTY PROCEEDINGS: APPOINTMENT OF AND AUTORITY TO PAY COURT APPOINTED COUNSEL as to Mohamed Rashed Daoud Al-'Owhali : Appointment of Attorney Frederick H. Cohn (Signed by Judge Leonard B. Sand) (df) (Entered: 08/30/2000)
06/26/2000	228	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdough Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (da) (Entered: 06/30/2000)
06/26/2000	229	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdough Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (da) (Entered: 06/30/2000)
06/26/2000		CJA 30 DEATH PENALTY PROCEEDINGS: APPOINTMENT OF AND AUTORITY TO PAY COURT APPOINTED COUNSEL as to Mohamed Rashed Daoud Al-'Owhali : Appointment of Attorney David Preston Baugh (Signed by Judge Leonard B. Sand) (df) (Entered: 08/30/2000)
06/27/2000	223	ORDER as to Mohamed Rashed Daoud Al-'Owhali, The Legal Aid attorney assigned to this case Leonard Joy and Robert Tucker Esq are ordered substituted and the representation of the defendant in the

		above captioned matter is assigned to Frederick H. Cohn. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 06/27/2000)
06/27/2000	224	ORDER as to Mohamed Rashed Daoud Al-'Owhali. The C.J.A. attorney assigned to this case David Bruck (death penalty expert) is hereby ordered substituted and the representation of the defendant in the above captioned matter is assigned to David Baugh of Richmond, Virginia (CJA). (Signed on 6/26/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 06/27/2000)
06/27/2000	226	MEMORANDUM by Ali Mohamed in support of [225-1] motion to sever the defendant's trial of certain co-defendants., [225-2] motion Granting counsel for the defendant a reasonable amount of time to make such additional motions as are predicated upon the government's response to and necessitated by the court decision on the instant motion. (mr) (Entered: 06/28/2000)
06/27/2000	227	NOTICE of Intent to seek the Death Penalty signed by U.S. attorney Mary Jo White as to Mohamed Rashed Daoud Al-'Owhali (mr) (Entered: 06/28/2000)
06/28/2000	230	Notice of Intent To Seek The Death Penalty by U.S.A. as to Khalfan Khamis Mohamed. (bw) (Entered: 07/05/2000)
07/06/2000	231	ORDER as to Mohamed Sadeek Odeh, that Sandra L. Babcock shall continue to represent Mohamed Odeh at the rate of \$125 per hour for work performed in relation to this case. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 07/10/2000)
07/07/2000	232	MOTION by Mohamed Sadeek Odeh to suppress all statements made by Mr. Odeh to the Pakistani authorities. , to suppress all statements made by Mr. Odeh to the Kenyan authorities. , to suppress all evidence seized during a search of Mr. Odeh's residence in Witu Kenya. (mr) (Entered: 07/10/2000)
07/07/2000	233	MEMORANDUM by Mohamed Sadeek Odeh in support of [232-1] motion to suppress all statements made by Mr. Odeh to the Pakistani authorities., [232-2] motion to suppress all statements made by Mr. Odeh to the Kenyan authorities., [232-3] motion to suppress all evidence seized during a search of Mr. Odeh's residence in Witu Kenya. (mr) (Entered: 07/10/2000)
07/10/2000	234	TRANSCRIPT of record of proceedings before Judge Leonard B. Sand as to Mamdouh Mahmud Salim, Ali Mohamed, Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed for date of May 23, 2000 10:20 a.m. (bw) (Entered: 07/11/2000)
07/10/2000	236	TRANSCRIPT of record of proceedings as to Mohamed Sadeek Odeh for dates of 5/23/00 before Judge Pitman. (mr) (Entered: 07/12/2000)
07/11/2000	235	TRANSCRIPT of record of proceedings as to Mohamed Sadeek Odeh for dates of 5/31/00 before Judge Sand. (rag) (Entered: 07/11/2000)
07/13/2000	237	MOTION by Ali Mohamed in support of dft's. motion to suppress evidence seized pursuant to Foreign Intelligence Surveillance Act (FISA). (mb) (Entered: 07/14/2000)
07/13/2000	238	Memorandum of Law by Ali Mohamed in support of [237-1] motion in support of dft's. motion to suppress evidence seized pursuant to Foreign Intelligence Surveillance Act (FISA). (mb) (Entered: 07/14/2000)
07/13/2000	239	Redacted exhibits to declaration of Lloyd Epstein, esq. in support of dft. Ali Mohamed's motion to suppress evidence seized pursuant to the Foreign Intelligence Surveillance Act ("FISA"). (mb) (Entered: 07/14/2000)
07/25/2000	240	ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary. ... IT IS SO ORDERED that all approved Swahili and Arabic translators of tape recorded conversations receive \$75 an hour in compensation for the transcription from Arabic and Swahili in English and necessary expenses, such compensation considered to be reasonable for such services; IT IS FURTHER ORDERED that said translators may submit interim vouchers for full payment. (Signed on 7/24/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 07/25/2000)
08/01/2000		Filed Memo-Endorsement on as to Mohamed Sadeek Odeh withdrawing [232-1] motion to suppress all statements made by Mr. Odeh to the Pakistani authorities. as to Mohamed Sadeek Odeh (3), withdrawing [232-2] motion to suppress all statements made by Mr. Odeh to the Kenyan authorities. as to Mohamed Sadeek Odeh (3), withdrawing [232-3] motion to suppress all evidence seized during a search of Mr. Odeh's residence in Witu Kenya. as to Mohamed Sadeek Odeh (3). This action is taken without prejudice to the right of counsel for Mr. Odeh to file a renewed Motion to Suppress consistent with Mr. Odeh's

		statements in open court today. The Court notes in this regard Mr. Ricco's statement that assurances have been given to Mr. Odeh that with respect to this subject matter nothing will be submitted to the Court that does not have his express approval. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 08/04/2000)
08/02/2000	241	SEALED DOCUMENT (afo) (Entered: 08/02/2000)
08/02/2000	242	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary (da) (Entered: 08/04/2000)
08/02/2000		Pre-Trial Conference as to Wadih El Hage (1), Mohamed Sadeek Odeh (3), Mohamed Rashed Daoud Al-'Owhali (4), Khalfan Khamis Mohamed (8), Mamdouh Mahmud Salim (12), Ali Mohamed (13) held. ... Deft AL-'OWHALI present w/atty Frederick H. Cohn. Deft ODEH present w/attys Anthony Ricco, Edward Wilford and Carl J. Herman. Deft EL HAGE present w/attys Sam Schmidt and Joshua Dratel. Deft SALIM present w/attys Paul J. McAllister, Charles Adler and George Goltzer. Deft ALI MOHAMED present w/atty James Roth. Deft KHALFAN KHAMIS MOHAMED present w/attys Jeremy Schneider, David Stern and David Ruhnke. AUSAs Patrick Fitzgerald, Ken Karas, Michael Garcia, Paul Butler and Robert Cramer. Arabic Interpreter Andre J. Codouni, Swahili Interpreter Laura Black. Pretrial Conference and oral argument on severance motions held. Defts El Hage, Salim, and Ali Mohamed motions for severance from trial are denied without prejudice to renewal. Trial will be with a single jury of 12 and 6 alternatives. Court will meet w/attys and Jury Commissioner within (45) days from today and parties to submit a proposed joint Jury questionnaire. Suppression Hearing for deft Salim to commence 9/12/00 at 9:30 a.m. Gov't to respond by 8/21/00 to suppression motions of El Hage and Ali Mohamed. All defts' continued detained. (Held before Judge Sand) (bw) Modified on 08/08/2000 (Entered: 08/08/2000)
08/02/2000		Suppression hearing as to Mamdouh Mahmud Salim set at 9:30 a.m. 9/12/00. (bw) (Entered: 08/08/2000)
08/02/2000		ORAL ORDER as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed, Mamdouh Mahmud Salim, Ali Mohamed. ... Denying [212-2] motion B) An Order pursuant to Rule 14 of the FRCP granting deft Salim a severance of his trial from those of his codefendants. Although Mr. Salim would prefer an early trial, if severance depends upon his willingness to consent to a delay, he would agree to do so as to Mamdouh Mahmud Salim (12), denying [225-1] motion to sever the defendant's trial of certain co-defendants as to Ali Mohamed (13); and SET scheduling order deadlines: Response to suppression motions of defts El Hage and Ali Mohamed deadline set to 8/21/00 for U.S.A. (Entered by Judge Leonard B. Sand) (bw) (Entered: 08/08/2000)
08/03/2000	243	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary (da) (Entered: 08/04/2000)
08/17/2000	244	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary (afo) (Entered: 08/17/2000)
08/17/2000	245	MEMORANDUM OPINION # 84378 as to Mamdouh Mahmud Salim, Wadih El Hage, Fazul Abdullah Mohammed, The severance motions filed by defendant's Salim, El Hage, and Mohamed are denied. The court will proceed with a single trial of all six defendants, before a single jury, on 1/3/01. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 08/18/2000)
08/31/2000	246	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary (af) (Entered: 09/06/2000)
09/07/2000	247	LETTER addressed to Judge Sand from Attorney Paul J. McAllister, dated 9/6/00, filed by deft Mamdouh Mahmud Salim Re: Mr. McAllister writes in reply to the Government's response to Mr. Salim's motion to suppress the statements he (Mr. Salim) allegedly made to American and German authorities in Germany. (bw) (Entered: 09/08/2000)

09/08/2000	248	Filed Memo—Endorsement on letter addressed to Judge Sand from attorney David A. Ruhnke, dated 9/6/00, as to deft Khalfan Khamis Mohamed. Mr. Ruhnke writes to request that the date to file motions (addressed to the death—penalty aspects of this case) be extended by 14 days to 10/2/00; Judge endorsed — Extension granted. No applications for further extension will be entertained. (Signed on 9/7/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 09/08/2000)
09/11/2000	249	ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary. ... This Court has today granted an application on consent to adjourn certain pre—trial motions of defts Wadih el Hage and Ali Mohamed. The application for adjournment was granted subject to the following caveat applicable to all counsel. This Court has heretofore routinely granted applications for adjournments on consent. It has also granted virtually all applications by defts' counsel for additional support personnel and resources. We note, however, that only three full months remain before the date upon which this case is scheduled to go to trial: January 3, 2001. The Court's resolve to commence trial on that date is firm. Accordingly, regardless of consent, this Court will deny all applications for adjournment of previously scheduled filings and proceedings unless: (a) it is clear that the adjournment is necessitated by conditions totally beyond control of the parties — including all U.S. Government agencies. (Applications for adjournments predicated on counsel's involvement in other cases are inappropriate as inconsistent with commitments counsel previously made to this Court); (b) it is clear that when an adjournment request is predicated on the fact that additional material has not yet been furnished by an entity not under the control of any party, that the proceedings sought to be adjourned cannot usefully go forward without the missing material, subject to being revisited at a later date.; If, in the opinion of the party seeking adjournment, granting of the adjournment may jeopardize or adversely impact on the trial starting date, the application for adjournment shall so state. Because of all of the circumstances attending this case, including especially the defts' conditions of confinement, this Court will treat all further applications as being made on the eve of trial. Copies of this Order are being sent to the U.S. Marshal and the Jury Administrator so that they may make appropriate plans. This Court appreciates the diligence, dedication and cooperation which all counsel have heretofore displayed and, the Court is confident, will continue to display in this litigation. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) Modified on 09/12/2000 (Entered: 09/12/2000)
09/11/2000	250	ORDER as to Mohamed Rashed Daoud Al-'Owhali, Ordered, that Mounir Khaddar is assigned to be full time interpreter for the dft. at the rate of \$1,500 per week, nunc pro tunc to 8/30/00 when he actually commenced work, and that he submit voucher bi—weekly therefore or as directed by the CJA Clerk of the U.S.D.C. for the SDNY. This appointment shall expire on 12/31/00 unless renewed by order of this Court. (Signed by Judge Leonard B. Sand). (mb) (Entered: 09/12/2000)
09/12/2000	251	Filed Memo—Endorsement on letter dated 9/11/00 to Judge Sand signed by AUSA Kenneth M. Karas as to Wadih El Hage, Ali Mohamed, requesting a revision of the schedule related to the pending pre—trial motions of defendant Wadih el Hage and Ali Mohamed....Granted on consent but the see order issued this date. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 09/12/2000)
09/15/2000	252	ORDER as to Wadih El Hage, that Joseph Guastaferrero is authorized to spend an additional one hundred and thirty (130) hours of time on this matter and necessary expenses. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 09/18/2000)
09/22/2000	253	Defendant Khalfan Khamis Mohamed's Memorandum regarding Proposed Jury—Selection Procedures. (bw) (Entered: 09/25/2000)
09/26/2000	254	ORDER as to Wadih El Hage. For the reasons set forth in open court and to be set forth more fully in an Opinion to follow, the Motion of defendant Wadih el Hage, dated September 13, 2000, to quash grand jury subpoenas and for other relief, is denied. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 09/27/2000)
09/26/2000		Status conference as to Wadih El Hage held. Defendant El Hage present with attorney's Sam Schmidt and Joshua Dratel. AUSAs Patrick Fitzgerald, Ken Karas, Andrew McCarthy, Paul Butler, Michael Garcia present. Also present Paul McAllister, Frederick Cohn, Chales Adler, James Roth, and David Stern Esqs. Hearing begun on defendant El Hage motion to quash Grand Jury Supeanoas and to delay grand jury's investigation, and concluded. Motion denied. Defendant continued detained. (mr) (Entered: 10/18/2000)
09/27/2000	265	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 10/13/2000)

09/28/2000		Pre-Trial Conference as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary held. Conference held as to issue of jury voire dire and Juror questionnaires. AUSA Patrick Fitzgerald, Michael Garcia, Paul Butler, and AUSA Andrew McCarthy present. Arabic Interpreter Andre Coudouni. Jury Administrator Robert Rogers present. Deft Al-'Owhali present w/attys Frederick Cohn and Laura Gasiorowski. NO OTHER DEFT PRESENT. Attys' Anthony Ricco and Edward Wilford present for deft Odeh. Attys' Carl J. Herman and Sandra Babeock also present for deft Odeh. Attys' Sam Schmidt and Joshua Dratel for deft El Hage. Attys' Paul J. McAllister and Charles D. Adler present for deft Salim. Attys' James Roth and Lloyd Epstein present for deft Ali Mohamed. Attys' Jeremy Schneider, David Stern and David Rukhnke present for deft Khalfan Khamis Mohamed. Deft Al-'Owhali continued detained. (Held before Judge Sand) (bw) (Entered: 10/03/2000)
09/28/2000	255	Filed Court Exhibit A. (Excerpt from proceeding held September 28, 2000 ex parte on application of Sandra A. Babcock, Esq. to withdraw as counsel.). (rag) (Entered: 10/03/2000)
10/02/2000	307	Brief and Aooendix in support of Khalfan Mohamed's Motions regarding the Death Penalty as to Khalfan Khamis Mohamed. (mr) (Entered: 11/21/2000)
10/02/2000	309	MOTION by Khalfan Khamis Mohamed to strike the Notice of Intention to Seek the Death Penalty. , to strike the death -notice on the ground that only a grand jury may find or allege elements of capital murder. , to strike from the death-notice certain of the government's non-statutory aggravating factors. , to strike the non-statutory aggravating factors on the ground that congress may not delete to the Executive Branch the legislative function of designating aggravating factors in a comprehensive death-penalty scheme. , to strike the non-statutory aggravating factors without also providing for preportionality review. , to strike the death-notice because the relaxed evidentiary standards available to the government at a penalty-phase ends any penalty-findings unreliable. , to strike the death penalty on the grounds that Congress, by removing "plain-error" from the scope of appellate review permissible in a case where a verdict of death has been returned, has failed to provide for meaningful appellate review. , for Bill of Particulars , to strike the death-notice in the ground that, by pursuing Mr. Mohamed's execution. , and to strike the death-notice on the grounds that he death penalty. (mr) (Entered: 11/21/2000)
10/03/2000	260	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (da) (Entered: 10/05/2000)
10/04/2000	256	SEALED DOCUMENT as to Mohamed Sadeek Odeh (af) (Entered: 10/04/2000)
10/04/2000	257	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (af) (Entered: 10/04/2000)
10/04/2000	258	SEALED DOCUMENT as to Usama Bin Laden (afo) (Entered: 10/05/2000)
10/04/2000	264	SEALED DOCUMENT as to Wadih El Hage (af) (Entered: 10/13/2000)
10/05/2000	259	OPINION # 84657 as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary. ... The Defendants are charged with numerous offenses arising out of their alleged participation in an international terrorist organization led by Defendant Usama Bin Laden and that organization's alleged involvement in the August 1998 bombings of the U.S. Embassies in Nairobi, Kenya and Dar es Salaam, Tanzania. Presently before the Court are Defendant El-Hage's motions (1) to quash any outstanding grand jury subpoenas issued to Farid Adlouni, Khadar Ibrahim, Khalil Zaidan, Mustafa Elnore and Moataz al-Hallak and (2) to suppress, or alternatively, to provide a copy of the grand jury testimony of Moataz al-Hallak. For the reasons set forth in this Opinion, Mr. El-Hage's motions are denied without prejudice to renewal. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 10/05/2000)

10/05/2000	261	SEALED DOCUMENT as to Mohamed Sadeek Odeh (af) (Entered: 10/05/2000)
10/10/2000	262	SEALED DOCUMENT as to Mohamed Rashed Daoud Al-'Owhali (af) (Entered: 10/10/2000)
10/10/2000	263	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 10/10/2000)
10/10/2000		Status conference as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary held. All counsel regarding viore dire matters and finalizing the proposed jury questionnaire. No defendant's present. AUSAs Patrick Fitzgerald, Paul Butler, Michael Garcia and Andrew McCarthy present. Carl j. Herman, Esq. present for defendant Odeh. Frederick Cohn, Esq is for defendant Al-Owhali, Sam Schmidt and Joshua Dratel present El Hage. Paul McCallister and Charles Adler Esqs, present for defendant Salim, James Roth and Lloyd Epstein present for defendant Ali Mohamed. Jeremy Roth and Lloyd Epstein present. for defendant Ali Mohamed, Jeremy Schneider, David Stern and David Ruhke, Esqs present. fir defendant Khalfan Khamis Mohammed. Conference concluded. (mr) (Entered: 10/18/2000)
10/16/2000	266	TRANSCRIPT of record of proceedings before Judge Sand as to Wadih El Hage for dates of 8/24/00. (lf) (Entered: 10/16/2000)
10/16/2000	267	TRANSCRIPT of record of proceedings before Judge Sand as to Mohamed Rashed Daoud Al-'Owhali, Mohamed Sadeek Odeh, Wadih El Hage, Ali Mohamed, Khalfan Khamis Mohamed for dates of 8/2/00. (lf) (Entered: 10/16/2000)
10/16/2000	268	TRANSCRIPT of record of proceedings before Judge Sand as to Mohamed Rashed Daoud Al-'Owhali, Mohamed Sadeek Odeh, Wadih El Hage, Mamdouh Mahmud Salim, Ali Mohamed, Khalfan Khamis Mohamed for dates of 8/2/00. (lf) (Entered: 10/16/2000)
10/16/2000	269	SEALED DOCUMENT as to Usama Bin Laden (afo) (Entered: 10/16/2000)
10/16/2000	270	SEALED DOCUMENT as to Usama Bin Laden (afo) (Entered: 10/18/2000)
10/18/2000	271	SEALED DOCUMENT as to Usama Bin Laden (da) (Entered: 10/20/2000)
10/18/2000	272	SEALED DOCUMENT as to Usama Bin Laden (da) (Entered: 10/20/2000)
10/18/2000	273	SEALED DOCUMENT as to Mohamed Sadeek Odeh (da) (Entered: 10/20/2000)
10/18/2000		Status conference as to Mamdouh Mahmud Salim held. Defendant Salim present with attorneys' Paul J. McAllister and Charles Adler. AUSA Ken Kavas and Michael Garcia, Arabic interpreters (Andre Codouni and Ariz N. Ismail). Suppression hearing begum on defendant's motion to supress statements allegedly made to American and German authorities in Germany. (mr) (Entered: 10/23/2000)
10/18/2000	278	SEALED DOCUMENT as to Usama Bin Laden (da) (Entered: 10/31/2000)
10/18/2000	279	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (da) (Entered: 10/31/2000)
10/19/2000		Status conference as to Mamdouh Mahmud Salim held. (mr) (Entered: 10/23/2000)
10/20/2000	274	Defendant's acknowledgment of rights regarding guilty plea by Ali Mohamed (rag) (Entered: 10/20/2000)
10/20/2000		Change of Plea Hearing as to Ali Mohamed held. Deft. Ali Mohamed present w/attys' James Roth and Lloyd Epstein. AUSA'S Patrick Fitzgerald, Ken Karas, Paul Butler, Michael Garcia and Andrew McCarthy. Deft. Ali Mohamed withdraws his prior plea of not guilty and pleads guilty on each of counts 1,2,3,5 and 6 as charged. PSI ordered. Sentence July 23, 2001 at 9:30-Control date. Deft. cont'd detained. (rag) (Entered: 10/20/2000)
10/20/2000		Change of Not Guilty Plea to Guilty Plea by Ali Mohamed Ali Mohamed (13) count(s) 1ss, 2ss, 3ss, 5ss, 6ss (rag) (Entered: 10/20/2000)

10/20/2000		PLEA entered by Ali Mohamed . Court accepts plea. Guilty: Ali Mohamed (13) count(s) 1ss, 2ss, 3ss, 5ss, 6ss (Terminated motions – terminating [237–1] motion in support of dft's. motion to suppress evidence seized pursuant to Foreign Intelligence Surveillance Act (FISA). as to Ali Mohamed (1), terminating [225–2] motion Granting counsel for the defendant a reasonable amount of time to make such additional motions as are predicated upon the government's response to and necessitated by the court decision on the instant motion. as to Ali Mohamed (13)) (rag) (Entered: 10/20/2000)
10/20/2000		Court Orders pre–sentence investigation as to Ali Mohamed (rag) (Entered: 10/20/2000)
10/20/2000		Status conference as to Mamdouh Mahmud Salim held. Hearing continued and concluded. Post hearing memorandum by both sides on or before 11/3/00. Decision reserved at that time. Defent continued detained. (mr) Modified on 10/24/2000 (Entered: 10/23/2000)
10/20/2000	275	SEALED DOCUMENT as to Usama Bin Laden (afo) (Entered: 10/23/2000)
10/23/2000	276	SEALED DOCUMENT as to Ali Mohamed (afo) (Entered: 10/23/2000)
10/23/2000	277	SEALED DOCUMENT as to Khalfan Khamis Mohamed (af) (Entered: 10/26/2000)
10/24/2000		Change of Plea Hearing as to Wadih El Hage held. Defendant Wadih El Hage present with attorneys Sam Schmidt and Joshua Dratel. AUSAs Patrick Fitzgerald, Paul Butler, and Marcia Garcia present. Defendant withdrws his previous plea of not guilty and pleads guilt on counts 1,2,3,5,6, 287 thru 308 as charged. Court rejects plea. Plea not accepted. Defendant continued detained. (mr) Modified on 01/09/2001 (Entered: 10/25/2000)
10/31/2000	280	ORDER as to Mamdouh Mahmud Salim. The Court has received a Memorandum from Magistrate Judge Douglas F. Eaton to whom this Court referred some matters relating to Mamdouh Mahmud Salim's representation in this suit. In light of that Memorandum, no further action by this Court is necessary or appropriate. Application for appointment of new counsel is denied. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 11/01/2000)
11/01/2000	281	ORDER as to Mamdouh Mahmud Salim, Order and direct Warden Parks to permit Mr. Salim to telephone or write Mr.Tiger (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 11/02/2000)
11/01/2000	285	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (da) (Entered: 11/03/2000)
11/01/2000	286	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (da) (Entered: 11/03/2000)
11/01/2000	287	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (da) (Entered: 11/03/2000)
11/02/2000	282	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (af) (Entered: 11/02/2000)
11/02/2000	283	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (af) (Entered: 11/02/2000)
11/02/2000	465	(S8) SUPERSEDING INFORMATION as to L'Houssiane Kherchtou (22) count(s) 1 (rag) (Entered: 03/08/2001)

11/02/2000	466	WAIVER OF INDICTMENT by L'Houssiane Kherchtou (rag) (Entered: 03/08/2001)
11/02/2000		First Appearance as to L'Houssiane Kherchtou held (rag) (Entered: 03/08/2001)
11/02/2000		Arraignment as to L'Houssiane Kherchtou held L'Houssiane Kherchtou (22) count(s) 1 before Judge Leonard B. Sand. Deft. L'Houssiane Kherchtou present w/atty Thomas Dunn. AUSA Patrick Fitzgerald and Ken Karas. Deft. signs Waiver of Indictment. Deft. pleads guilty on count 1 of Superseding Information as charged. Court accepts plea. PSI not ordered at this time. Sentence July 23, 2001—a control date only. Deft. cont'd detained. (rag) (Entered: 03/08/2001)
11/02/2000		PLEA entered by L'Houssiane Kherchtou . Court accepts plea. Guilty: L'Houssiane Kherchtou (22) count(s) 1 (rag) (Entered: 03/08/2001)
11/02/2000	467	Defendant's acknowledgment of rights regarding guilty plea. by L'Houssiane Kherchtou (rag) (Entered: 03/08/2001)
11/03/2000	284	SEALED DOCUMENT as to Usama Bin Laden (af) (Entered: 11/03/2000)
11/06/2000	288	RESPONSE by U.S.A. re [212–1] motion A) An Order pursuant to Rule 12(b)(3) of the FRCP, 18 USC Section 3501, and the Fifth and Sixth Amendments to the U.S. Constitution suppressing evidence of alleged post–arrest statements of the accused, and directing a pre–trial hearing upon the motion as to Mamdouh Mahmud Salim (sl) (Entered: 11/06/2000)
11/06/2000	289	MEMORANDUM by Mamdouh Mahmud Salim in support of [212–1] motion A) An Order pursuant to Rule 12(b)(3) of the FRCP, 18 USC Section 3501, and the Fifth and Sixth Amendments to the U.S. Constitution suppressing evidence of alleged post–arrest statements of the accused, and directing a pre–trial hearing upon the motion (sl) (Entered: 11/08/2000)
11/08/2000	290	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 11/08/2000)
11/09/2000	291	SEALED DOCUMENT as to Usama Bin Laden (afo) (Entered: 11/09/2000)
11/09/2000	292	SEALED DOCUMENT as to Usama Bin Laden (afo) (Entered: 11/09/2000)
11/09/2000	293	ORDER as to Mamdouh Mahmud Salim. It is hereby ORDERED, that pursuant to the Speedy Trial Act, 18 U.S.C. Section 3161(h)(8)(A), all time running from 11/8/00 until 12/15/00, shall be excluded from the time within which trial must commence in the above–captioned case, the Court having found that the ends of justice served by this exclusion outweigh the best interests of the public. (Signed on 11/8/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 11/09/2000)
11/09/2000	294	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 11/13/2000)
11/09/2000	298	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (da) (Entered: 11/14/2000)
11/09/2000		Status conference as to Mamdouh Mahmud Salim held. On disposition sheet: AUSA – Michael Garcia; Proceeding – Assign of Counsel; Alan Haber appted as counsel for Mr. Salim. (Held before Magistrate Judge Theodore H. Katz) (bw) (Entered: 11/15/2000)
11/09/2000		CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL as to Mamdouh Mahmud Salim : Appointment of Attorney Allan P. Haber (Signed by Magistrate Judge Theodore H. Katz) (df) (Entered: 11/17/2000)
11/09/2000	312	REDACTED MEMORANDUM by U.S.A. as to Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed in opposition to the motions of defendants Khamis Mohamed and Al-'Owhali to decalre the Federal Death Penalty Act unconsitutional and to strike the Government's Death Penalty Notice. (mr) (Entered: 11/22/2000)

11/13/2000	295	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 11/13/2000)
11/13/2000	296	ORDER as to Mamdouh Mahmud Salim. Because of the potential of being witnesses as set forth in the sealed court proceeding of November 8, 2000, the attorneys Paul J. McAllister, as well as Charles D. Adler and George Goltzer of Goltzer & Adler, are relieved from further representation of Mamdoh Mahmud Salim in this case and the trial of the defendant Salim is severed from that of the other defendants in this case. (Signed on 11/9/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 11/13/2000)
11/13/2000	297	TRANSCRIPT of record of proceedings as to Mohamed Rashed Daoud Al-'Owhali for dates of 9/28/00 before Judge Sand. (sl) (Entered: 11/14/2000)
11/13/2000	299	MEMORANDUM by U.S.A. as to Mamdouh Mahmud Salim in opposition to Salim's Suppression Motion. (bw) (Entered: 11/14/2000)
11/13/2000		Pre-Trial Conference as to Usama Bin Laden held before Judge Sand. No deft present. AUSA Patrick Fitzgerald present. Frederick Cohen. & David Barigh Esq present and concluded. (sl) (Entered: 11/15/2000)
11/14/2000	300	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 11/14/2000)
11/15/2000	301	ORDER as to Wadih El Hage. It is hereby ORDERED, that the Warden of the Metropolitan Correctional Center, or whoever shall have the supervision and control of the deft, shall provide a suitable place for the administration of such an examination, such place to consist of a private room without distractions or noise, a small table and chairs in a non contact manner. If deft is unable or unwilling to participate in the examination, the Warden of the Metropolitan Correctional Center, or whoever shall have the supervision and control of the deft, shall allow Dr. Barrill an opportunity to observe Mr. El-Hage for at least 30 minutes. (Signed on 11/14/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 11/15/2000)
11/15/2000	302	ORDER as to Wadih El Hage. WHEREAS, Sam A. Schmidt, Esq., having been assigned to represent Wadih El Hage, pursuant to the Criminal Justice Act; WHEREAS, it is necessary for the defense to retain the services of Dr. N.G. Berrill of the New York Center for Neuropsychology and Forensic Sciences 26 Court Street, Ste 900 Brooklyn, NY 11242 to assist in the defense; IT IS HEREBY ORDERED that Dr. Berrill is authorized to receive up to \$1500 for his services. (Signed on 11/14/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 11/15/2000)
11/15/2000	303	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 11/15/2000)
11/16/2000	304	ORDER as to Mohamed Rashed Daoud Al-'Owhali. Upon oral motion by Mohammed Al-'Owhali, through undersigned counsel, for leave to bring into the MCC, Ten South, a camera for purposes of preserving evidence, this Court, for good cause shown, hereby grants and orders leave for counsel David P. Baugh to bring into MCC, at 2:30 p.m., this 15th day of November, 2000, a flash camera to photograph evidence. The MCC, through the Warden or other such authority, shall accommodate counsel's need for contact with his client to photograph the evidence, by permitting counsel and defendant a visit in a suitably secure area with appropriate precautions, permitting an unobstructed camera view. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 11/16/2000)
11/16/2000		Pre-Trial Conference as to Mohamed Rashed Daoud Al-'Owhali, Mohamed Sadeek Odeh held. Defendant Khalfan Khamis Mohamed waives his appearance and Defendant El Hage not present. Defendant Al Owhali present with attorneys Frederick H. Cohn, Laura Gasiorowski and David P. Baugh. Defendant Mohamed Sadeek Odeh present with attorneys Carl J. Herman and Anthony L. Ricco, Esq. Arabic interpreter Andre Codouni, dealing with issues of AUSAs Patrick Fitzgerald and Paul Butler security and Jury Questionnaires and viore dired. Bot defendants detained. (mr) (Entered: 11/27/2000)
11/20/2000	305	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil,

		Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 11/21/2000)
11/20/2000	306	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 11/21/2000)
11/21/2000	308	Reply brief in support of Khalfan Khamis Mohamed's Motions regarding the Death Penalty as to Khalfan Khamis Mohamed. (mr) (Entered: 11/21/2000)
11/21/2000		MEMORANDUM by Khalfan Khamis Mohamed in support of [309-1] motion to strike the Notice of Intention to Seek the Death Penalty., [309-2] motion to strike the death -notice on the ground that only a grand jury may find or allege elements of capital murder., [309-3] motion to strike from the death-notice certain of the government's non-statutory aggravating factors., [309-4] motion to strike the non-statutory aggravating factors on the ground that congress may not delete to the Executive Branch the legislative function of designating aggravating factors in a comprehensive death-penalty scheme., [309-5] motion to strike the non-statutory aggravating factors without also providing for preproportionality review., [309-6] motion to strike the death-notice because the relaxed evidentiary standards available to the government at a penalty-phase enders any penalty-findings unreliable., [309-7] motion to strike the death penalty on the grounds that Congress, by removing "plain-error" from the scope of appellate review permissible in a case where a verdict of death has been returned, has failed to provide for meaningful appellate review., [309-8] motion for Bill of Particulars, [309-9] motion to strike the death-notice in the ground that, by pursuing Mr. Mohamed's execution., [309-10] motion to strike the death-notice on the grounds that he death penalty., [309-11] motion, [309-12] motion (mr) (Entered: 11/21/2000)
11/21/2000	313	MEMORANDUM by U.S.A. as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary in opposition to defendant's severence motions. (mr) (Entered: 11/22/2000)
11/21/2000	314	Survey of the Federal Death Penalty System (1988-2000). (mr) (Entered: 11/22/2000)
11/21/2000		Status conference as to Mohamed Rashed Daoud Al-'Owhali held. AUSA Patrick Fitzgerald and Paul Butler present. Attornys Fred Cohn and Laura Gasiowski present and attorney David Baugh by telephone - for defendant Al'Owhali. Defendant not present. Also present Dominique Raia, attorney for MCC and Warden Parks of MCC. (mr) (Entered: 11/27/2000)
11/21/2000	310	MOTION by Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed DEFENDANT MOHAMMAD AL-OWHALI'S MOTION TO ADOPT CO-DEFENDANT KHALFAN KHAMIS MOHAMED'S MOTIONS CONCERNING THE DEATH PENALTY AND SUPPLEMENTAL MOTION REGARDING SPECIFIC ISSUES THEREIN (jb) (Entered: 05/22/2002)
11/22/2000	311	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 11/22/2000)
11/22/2000	315	SEALED DOCUMENT as to Usama Bin Laden (afo) (Entered: 11/22/2000)
11/22/2000	316	ORDER as to Wadih El Hage, that the defendant Wadih el Hage undergo a psychiatric examination by Dr. Eric Goldsmith, and a psychologist to be retained by Dr. Goldsmith, pursuant to 18 USC 4241(a) and (b) in order to determine whether he is presently suffering a mental disease or defect that renders him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or incapable of assisting properly in his own defense. , that Dr. eric Goldsmith, and the psychologist o be retained by Dr. Goldsmith, be granted access to Mr. el Hage at the Manhattan Correctional Center as frequently as reasonably necessary to complete their examination of Mr. el Hage. , and that a report of the psychiatrist examination be filed promptly with the Honorable Leonard B. Sand, U.S.D.C. for the S.D.N.Y., pursuant to 18USC4247, with copies to be provided to the office of the United States Attorney for the Southern District of New York, and Sam Schmidt, esq, counsel for Wadih el hage. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 11/27/2000)

11/22/2000	317	ORDER as to Wadih El Hage, that the defendant Wadih el hage undergo a psychiatric examination by Dr. Stuart B. Klienman, and a psychologist to be retained by Dr. Kleinman, and a psychologist to be retained by Dr. Kleinman, pursuant to 18 USC 4241 (a) and (b) in order to determine whether he is presently suffering from a mental disease that renders him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceeding against him or incable of assisting properly in his own defense. , that Dr. Stuart B. Kleinman, and the psychologist to be retained by Dr. Kleinman, be granted access to Mr. el Hage at the Manhatten Correctional Center as frequently as reasonably necessary to complete their examination of Mr. el Hage. , and that a report of the psychiatric examination be filed promptly with the Honorable Leonard B. Sand, USDC for the SDNY, pursuant to 18 USC 4247, with copiuos to be provided to the office of the United States Attorney for the Southern District of New York and San Schmidt, Esq., counsel for Wadih el Hage. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 11/27/2000)
11/22/2000	320	SEALED DOCUMENT as to Usama Bin Laden (da) (Entered: 11/29/2000)
11/22/2000	321	SEALED DOCUMENT as to Ali Mohamed (da) (Entered: 11/29/2000)
11/22/2000	322	SEALED DOCUMENT as to Mamdouh Mahmud Salim (da) (Entered: 11/29/2000)
11/22/2000	323	SEALED DOCUMENT as to Wadih El Hage (da) (Entered: 11/29/2000)
11/22/2000	324	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (da) (Entered: 11/29/2000)
11/22/2000	325	SEALED DOCUMENT as to Wadih El Hage (da) (Entered: 11/29/2000)
11/22/2000	326	SEALED DOCUMENT as to Usama Bin Laden (da) (Entered: 11/29/2000)
11/27/2000	318	ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, of protection. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 11/27/2000)
11/27/2000	328	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (af) (Entered: 11/29/2000)
11/27/2000	329	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (af) (Entered: 11/29/2000)
11/28/2000	319	SEALED DOCUMENT as to Usama Bin Laden (afo) (Entered: 11/28/2000)
11/29/2000	327	Filed Memo–Endorsement on letter addressed to Judge Sand from Allan P. Haber, Esq. counsel for Mamdouh Mahmud Salim, dated 11/22/00. Re: Request that I be placed on the approved list for transcripts and that I be allowed to received them in minuscrypt rather that full page. Application granted. (Signed by Judge Leonard B. Sand). (mb) Modified on 11/29/2000 (Entered: 11/29/2000)
11/29/2000	330	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (da) (Entered: 11/30/2000)
11/29/2000		Pre–Trial Conference as to Mohamed Rashed Daoud Al-'Owhali, Mohamed Sadeek Odeh, Wadih El Hage, Khalfan Khamis Mohamed held. ... AUSA Patrick Fitzgerald, Ken Karas, Michael Garcia and Paul Butler. Arabic Interpreter Andre Codouni present. Deft Al-'Owhali present w/attys Fred Cohn, Laura Gasiorowski and David P. Baugh. NO OTHER DEFT PRESENT. Attys Carl J. Herman, Anthony Ricco and Edward Wilford present for deft Odeh. Attys Sam Schmidt and Joshua Dratel for deft El Hage. Attys David Ruhnke, David Stein and Jeremy Schneider present for deft Khalfan Khamis Mohamed – on issues

		of jury questionnaires and courtroom security. Parties submit new draft of questionnaire before 12/6 meeting. Further conference on jury questionnaire on 12/6/00 10 a.m. Deft Al-'Owhali continued detained. (Held before Judge Sand) (bw) (Entered: 12/05/2000)
11/29/2000		Pre-Trial Conference as to Mohamed Rashed Daoud Al-'Owhali, Mohamed Sadeek Odeh, Wadih El Hage, Khalfan Khamis Mohamed set at 10:00 a.m. 12/6/00. (bw) (Entered: 12/05/2000)
12/04/2000	331	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 12/04/2000)
12/05/2000	332	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 12/05/2000)
12/05/2000	333	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 12/05/2000)
12/05/2000	334	TRANSCRIPT of record of proceedings before Judge Sand as to Mamdouh Mahmud Salim for date of October 20, 2000. (bw) (Entered: 12/05/2000)
12/05/2000	335	TRANSCRIPT of record of proceedings before Judge Sand as to Mamdouh Mahmud Salim for date of October 19, 2000. (bw) (Entered: 12/05/2000)
12/05/2000	336	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil for dates of 10/10/00. (db) (Entered: 12/05/2000)
12/05/2000	337	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary for dates of 10/24/00. (db) (Entered: 12/05/2000)
12/05/2000	338	TRANSCRIPT of record of proceedings as to Ali Mohamed for dates of 10/20/00 before Judge Sand. (mb) (Entered: 12/06/2000)
12/05/2000	340	AFFIRMATION OF ATTORNEY in support ofobtaining expert services. by Mamdouh Mahmud Salim (sl) (Entered: 12/06/2000)
12/06/2000	339	ORDER as to Mamdouh Mahmud Salim. WHEREAS, Paul J. McAllister, Esq. has been assigned to represent Mr. Mamdouh Salim pursuant to the Criminal Justice Act; WHEREAS, it is necessary for Paul J. McAllister to retain one or more translators in this case because of the extraordinary nature of the charges against Mr. Salim; IT IS HEREBY ORDERED that Paul J. McAllister may retain the following translator at the hourly rate of \$75.00. Ms. Maya Hess, Hess Translations, Inc., 477 West 22nd Street, New York, New York 10011 (212)675-0451; IT IS FURTHER ORDERED that the above named translator shall be permitted to file interim vouchers for his services; IT IS FURTHER ORDERED that the CJA Clerk shall prepare voucher(s) for the above named translator. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 12/06/2000)
12/06/2000		Pre-Trial Conference as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. AUSAs Patrick Fitzgerald, Ken Kavas, Andrew McCarthy, Paul Butler present. Attys Sam Schmidt, Joshua Dratel present for deft El Hage. Attys Anthony Ricco, Edward Wilford present for deft Odeh. Attys David Baugh and Laura Gasicrowski present for deft Al-'Owhali. Attys Jeremy Schneider and David Ruhnke present for deft K.K. Mohamed. Conference held. No deft present. Continued discussions on finalizing the proposed jury questionnaire. Conference adjourned to 12/11/00 at 11 a.m. (Held before Judge Sand) (bw) (Entered: 12/14/2000)
12/06/2000		Pre-Trial Conference as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed set at 11:00 a.m. 12/11/00. (bw) (Entered: 12/14/2000)

12/06/2000	386	SEALED DOCUMENT as to Usama Bin Laden (da) (Entered: 12/28/2000)
12/06/2000	387	SEALED DOCUMENT as to Usama Bin Laden (da) (Entered: 12/28/2000)
12/06/2000	388	SEALED DOCUMENT as to Khalfan Khamis Mohamed (da) (Entered: 12/28/2000)
12/08/2000	341	ORDER as to Mohamed Rashed Daoud Al-'Owhali, A motion and supporting brief by Defendant Mohamed Rashed Daoud al-'Owhali for courtroom closure during a suppression hearing having been filed under seal and docketed on Tuesday, December 5, 2000, the Court hereby schedules a hearing on the closure motion for 10:00 a.m. on Monday, December 11, 2000, in Courtroom 318 at the 40 Foley Square Courthouse. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 12/08/2000)
12/08/2000	342	LETTER addressed to Judge Sand from AUSA Paul W. Butler, dated 11/28/00, filed by U.S.A. as to defts Khalfan Khamis Mohamed, Mohamed Rashed Daoud Al-'Owhali Re: submitted in response to the discovery requests made in the Reply Brief in Support of Khalfan Khamis Mohamed's Motions Regarding the Death Penalty. The Gov't relies on its prior Memorandum of Law in Response to the Motions of Defendants Khamis Mohamed and Al-'Owhali to Declare the Federal Death Penalty Act Unconstitutional and to Strike the Government's Death Penalty Notice in response to the arguments to strike aggravating factors from the Gov't's death notice set forth in the Reply Memorandum of Law in Support of Defendant Mohammed Al-'Owhali's Death Penalty Motion. (bw) (Entered: 12/11/2000)
12/11/2000	343	ORDER as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed, that upon the daily arrival of the jurors at designated locations away from the courthouse, they will be kept in the custody of the United States Marshal for the Southern District of New York until after the close of court each day, as further directed herein, and upon the close of court each day the juror will be transported to designated locations away from the courthouse, and the United States Marshal will make all appropriate arrangements for the transportation of the jurors as aforesaid. , that no Deputy Marshal in attendance with the jury will converse with the jurors except as may be necessary in carryiong out the obligations imposed by this Order and in no event will any Deputy Marshal, while in the presence of any juror, comment in any way whatsoever upon the issues in this case, the defendants, their counsel, the government, or the witnesses. , that any communications with the court by the jury or any individual juror shall be made in writing and that writing shall be placed in a sealed envelope and shall be promptly delivered to the Court by a Deputy Marshal. , that during the day of the Marshal shall provide reading materials, refreshments and muncheon for the juror so empaneled. , and that this Order is effective as of 1/3/01 and may be altered or amended at any time by the direction of the Court. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 12/11/2000)
12/11/2000	344	MEMORANDUM OPINION # 84909 as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Denying defendant's motion to dismiss the Government's death penalty notices, and in the alternative, to compel discovery relating to the Government's capital-approval practices. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 12/12/2000)
12/11/2000		Pre-Trial Conference as to Mohamed Rashed Daoud Al-'Owhali held. (10:00 a.m.) Deft Mohamed Rashed Daoud Al-'Owhali not present. His attys Frederick H. Cohn, Laura Gasiorowski and David P. Baugh. AUSAs Patrick Fitzgerald, Ken Karas, Paul Butler, Andrew McCarthy present. Oral argument on deft's motion to close courtroom for Suppression Hearing. Motion for closure denied. Hearing commences 12/12/00 at 10:00 a.m. (Held before Judge Sand) (bw) Modified on 12/14/2000 (Entered: 12/14/2000)
12/11/2000		Pre-Trial Conference as to Wadih El Hage, Mohamed Sadeek Odeh, Khalfan Khamis Mohamed held. (10:15) Conference held. No deft present. Attys Sam Schmidt, Joshua Dratel present for deft El-Hage; Attys Edward Wilford, Carl J. Herman present for deft Odeh; Atty Jeremy Schneider present for deft Khalfan Khamis Mohamed. Jury questionairres are finalized. Conference concluded. (Held before Judge Sand) (bw) (Entered: 12/14/2000)
12/12/2000	345	ORDER, Joe Guastaferrro may submit a final interim voucher at this time and may submit another voucher at the conclusion of his service (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 12/12/2000)
12/12/2000	346	ORDER as to Wadih El Hage, Dr. Berrill is authorized to receive an additional \$150/hr for ten hours. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 12/12/2000)
12/12/2000		Evidentiary Hearing as to Mohamed Rashed Daoud Al-'Owhali held. Evidentiary Hearing begun on deft Mohamed Rashed Daoud Al-'Owhali motion to suppress. AUSAs Paul Butler, Andrew McCarthy,

		Patrick Fitzgerald present. Deft Al-'Owhali present w/attys Fred Cohn, Laura Gasiorowski and David P. Baugh. Arabic interpreters Andre J. Coudouni and Aziz Ismail. (Held before Judge Sand) (bw) (Entered: 12/15/2000)
12/14/2000		Evidentiary Hearing as to Mohamed Rashed Daoud Al-'Owhali held. Hearing continued and concluded – Decision reserved. (Held before Judge Sand) (bw) (Entered: 12/15/2000)
12/15/2000	347	AFFIRMATION of AUSA Michael J. Garcia by U.S.A. as to Mamdouh Mahmud Salim Re: in support of an application for an Order excluding the time within which trial must commence, pursuant to Title 18, U.S.C., Section 3161(h)(8)(A). (bw) (Entered: 12/15/2000)
12/15/2000	348	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 12/15/2000)
12/15/2000	349	ORDER as to Ali Mohamed, Time excluded from 12/15/00 until 12/22/00 to Continue in Interests of Justice (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 12/18/2000)
12/18/2000	350	LETTER addressed to Judge Sand from AUSA Kenneth M. Karas, dated 7/31/00, filed by U.S.A. as to defts Wadih El Hage, Mamdouh Mahmud Salim, Ali Mohamed Re: submitted in further response to the severance motions submitted by the above defts. (bw) (Entered: 12/19/2000)
12/18/2000	351	LETTER addressed to Judge Sand from AUSA Kenneth M. Karas, dated 12/7/00, filed by U.S.A. as to deft Mohamed Rashed Daoud Al-'Owhali Re: submitted in response to the motion of deft Al-'Owhali to seal the suppression hearing, which is scheduled to begin on 12/12/00. (bw) (Entered: 12/19/2000)
12/18/2000	352	LETTER addressed to Judge Sand from AUSA Andrew C. McCarthy, dated 12/11/00, filed by U.S.A. as to deft Mohamed Rashed Daoud Al-'Owhali Re: submitted to address the application of the Fifth Amendment to the issues raised by deft Al-'Owhali's suppression motion, which is scheduled for a hearing on 12/12/00. (bw) (Entered: 12/19/2000)
12/18/2000	353	REPLY MEMORANDUM OF LAW by Wadih El Hage in support of his Pre-Trial Motion for Severance. (bw) (Entered: 12/19/2000)
12/18/2000	354	Exhibits to Declaration of Lloyd Epstein, Esq. in support of defendant Ali Mohamed's Motion to Suppress Evidence Seized pursuant to the Foreign Intelligence Surveillance Act ("FISA"). (bw) (Entered: 12/19/2000)
12/18/2000	355	LETTER filed as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary From Joshua L. Dratel, Dated 11/17/00, Addressed to: Judge Sand Re: reply to government's surreply (mr) (Entered: 12/19/2000)
12/18/2000	356	LETTER filed as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary From Joshua L. Dratel, Dated 11/20/00, Addressed to: Judge Sand Re: error in his 11/17/00 letter. (mr) (Entered: 12/19/2000)
12/18/2000	357	REPLY MEMORANDUM by Mohamed Rashed Daoud Al-'Owhali in support of defendant's Mohammed Al-'Owhali's death penalty motion. (mr) (Entered: 12/19/2000)
12/18/2000	358	REPLY MEMORANDUM by Ali Mohamed in support of motion to suppress evidence seized pursuant to the Foreign intelligence surveillance act. (mr) (Entered: 12/19/2000)
12/18/2000	367	Memorandum of Law by U.S.A. in response to as to Wadih El Hage, Ali Mohamed motions to suppress evidence derived from electronics surveillance and physical evidence searches authorized under the Foreign Intelligence Surveillance Act. (mb) (Entered: 12/20/2000)
12/18/2000	368	Memorandum of Law by U.S.A. as to Wadih El Hage in opposition to dft's. motion to quash grand jury subpoenas, to compel production of grand jury proceedings, and to delay the grand jury's investigation. (mb) (Entered: 12/20/2000)

12/18/2000	369	AFFIRMATION (REDACTED) by U.S.A. as to Wadih El Hage, Mamdouh Mahmud Salim, Ali Mohamed Re: [212-2] motion B) An Order pursuant to Rule 14 of the FRCP granting deft Salim a severance of his trial from those of his codefendants. Although Mr. Salim would prefer an early trial, if severance depends upon his willingness to consent to a delay, he would agree to do so, [0-0] modifier count (mb) (Entered: 12/20/2000)
12/18/2000	373	MOTION by Ali Mohamed for the following relief: 1) For an order suppressing certain physical evidence and any evidence derived therefrom as having been obtained in violation of the deft's rights under 50 USC Sec.1821-26 ; and 2) For an order suppressing the fruit of certain electronic surveillance, including wiretap evidence as having been obtained in violation of the deft's rights under 50 USC Sec.1801-06 ; and 3) For an order compelling the gov't to disclose to the defense copies of following (see doc) ; and 4) For an order compelling the gov't to disclose to the defense copies of the following (see doc) ; and 5) For an order granting a hearing on the above motions to permit the court to make findings of fact necessary to a determination of the instant motions ; and 6) For an order granting counsel for the deft a reasonable amount of time to make such additional motions as are predicated upon the U.S. Attorney's response to and necessitated by the Court's decision on the instant motions. Return date 6/15/00. [Motion dated 6/15/00] (bw) Modified on 12/20/2000 (Entered: 12/20/2000)
12/18/2000		Filed Memo-Endorsement on 'Motion In Support of Defendant Ali Mohamed's Motion To Suppress Evidence Seized Pursuant to FISA'(doc.#373) as to Ali Mohamed. JUDGE ENDORSED - Mohamed motion moot in light of guilty plea. (Signed on 10/24/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 12/20/2000)
12/19/2000	359	LETTER filed by U.S.A. as to Khalfan Khamis Mohamed From Paul W. Butler, Dated 11/28/00, Addressed to: Judge Sand Re: response to the discovery requests made in the Reply Brief in Support of Khalfan Khamis Motions regarding the Death Penalty. (mr) (Entered: 12/19/2000)
12/19/2000	360	REPLY MEMORANDUM by Wadih El Hage in support of motions to suppress certain evidence, to dismiss the indictment and other releif. (mr) (Entered: 12/19/2000)
12/19/2000	361	REDACTED MEMORANDUM by Wadih El Hage in support of motion to suppress certain evidence to dismiss the indictment,for severance, and for other relief. (mr) (Entered: 12/19/2000)
12/19/2000	362	MEMORANDUM by U.S.A. as to Wadih El Hage in opposition to motion to suppress information obtained during foreign intelligence operations in Kenya. (mr) (Entered: 12/19/2000)
12/19/2000	363	AFFIDAVIT signed by Daniel Coleman as to Wadih El Hage Re: motion for dismissal. (mr) (Entered: 12/19/2000)
12/19/2000	364	MEMORANDUM OF LAW by Ali Mohamed in support of his motion to suppress evidence seized and derived pursuant to the Foreign Intelligence Surveillance Act ("FISA"). (bw) (Entered: 12/19/2000)
12/19/2000	365	[REDACTED] Numbered Exhibits to the June 20, 2000 Declaration of Sam A. Schmidt, Esq. in support of defendant Wadih El Hage's Pre-Trial Motion to Suppress Certain Evidence, To Dismiss the Indictment, For Severance, and For other relief. (bw) (Entered: 12/19/2000)
12/19/2000	366	MEMORANDUM OF LAW by U.S.A. in response to Wadih El Hage's motions to (1) Suppress evidence seized during a search at JFK Airport; (2) Suppress statements made to US Government officials in Kenya; (3) Disqualify an Assistant United States Attorney; (4) Impose sanctions for destruction of evidence; and (5) Dismiss the Indictment for alleged outrageous government conduct. (bw) (Entered: 12/19/2000)
12/19/2000	370	Affidavit by U.S.A. as to Wadih El Hage Re: In connection with the Government's response to the motion by dft. El Hage for dismissal of the Indictment. (mb) (Entered: 12/20/2000)
12/19/2000	371	LETTER filed as to Khalfan Khamis Mohamed From David A. Ruhnke, Dated 12/4/00, Addressed to: Judge Sand Re: In response to AUSA Burler's letter to the court of November 28 concerning the discovery requests set forth in the reply brief filed on behalf of Mr. Mohamed on 11/20/00. (mb) (Entered: 12/20/2000)
12/19/2000	372	LETTER filed as to Wadih El Hage From Kenneth Karas, AUSA, Dated 11/1/00, Addressed to: Judge Sand Re: The government letter in further response to the suppression motion submitted by dft. Hage relating to foreign intelligence operations overseas. (mb) (Entered: 12/20/2000)
12/19/2000	374	Filed Memo-Endorsement on '[Redacted Original] Notice of Motion in Support of Defendant Wadih El-Hage's Pre-Trial Motions To Suppress Evidence, For Dismissal, For Severance And For Other Relief' (motion dated 6/23/00) as to Wadih El Hage. JUDGE ENDORSED - Motion denied. (Signed on 12/18/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 12/20/2000)

12/19/2000	375	OPINION # 84939 as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary. ... The Defendants are charged with numerous offenses arising out of their alleged participation in an international terrorist organization led by Defendant Usama Bin Laden and that organization's alleged involvement in the August 1998 bombings of the U.S. Embassies in Nairobi, Kenya and Dar es Salaam, Tanzania. Presently before the Court are Defendant El-Hage's motions which seek the following: suppression of evidence seized from the search of his residence in Nairobi, Kenya in August 1997 and suppression of evidence obtained from electronic surveillance, conducted from August 1996 to August 1997, of four telephone lines in Nairobi, Kenya. CONCLUSION: For the foregoing reasons, El-Hage's motion to suppress evidence from the physical search of his Kenya residence and electronic surveillance is denied without a hearing. (Signed on 12/5/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 12/20/2000)
12/19/2000	376	ORDER as to Wadih El Hage, that the MCC shall provide a suitable place for the psychological consultation, such place to consist of a private room without distractions or noise. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 12/20/2000)
12/19/2000	377	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 12/20/2000)
12/19/2000	378	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary (af) (Entered: 12/20/2000)
12/19/2000	379	LETTER addressed to Judge Sand from AUSA Paul W. Butler, dated 12/5/00, filed by U.S.A. as to deft Mohamed Rashed Daoud Al-'Owhali Re: submitted in response to the motion submitted by deft Al-'Owhali to suppress statements he made to American and Kenyan law enforcement officials while in Kenyan custody. (bw) (Entered: 12/20/2000)
12/20/2000	380	(S9) SUPERSEDING INDICTMENT (Part 1) as to Wadih El Hage (1) count(s) 1ssssssss, 2ssssssss, 3ssssssss, 5ssssssss, 6ssssssss, 287ssssssss-305ssssssss, 306ssssssss-308ssssssss, Fazul Abdullah Mohammed (2) count(s) 1ssssssss, 3ssssssss, 4ssssssss, 5ssssssss, 6ssssssss, 7ssssssss, 8ssssssss, 9ssssssss, 10ssssssss, 11ssssssss-223ssssssss, 224ssssssss-234ssssssss, 235ssssssss-275ssssssss, 276ssssssss, 277ssssssss-279ssssssss, 280ssssssss-282ssssssss, 283ssssssss, 284ssssssss, 285ssssssss, 286ssssssss, Mohamed Sadeek Odeh (3) count(s) 1ssssssss, 3ssssssss, 4ssssssss, 5ssssssss, 6ssssssss, 7ssssssss, 8ssssssss, 9ssssssss, 10ssssssss, 11ssssssss-223ssssssss, 224ssssssss-234ssssssss, 235ssssssss-275ssssssss, 276ssssssss, 277ssssssss-279ssssssss, 280ssssssss-282ssssssss, 283ssssssss, 284ssssssss, 285ssssssss, 286ssssssss, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1ssssssss, 3ssssssss, 4ssssssss, 5ssssssss, 6ssssssss, 7ssssssss, 8ssssssss, 9ssssssss, 10ssssssss, 11ssssssss-223ssssssss, 224ssssssss-234ssssssss, 235ssssssss-275ssssssss, 276ssssssss, 277ssssssss-279ssssssss, 280ssssssss-282ssssssss, 283ssssssss, 284ssssssss, 285ssssssss, 286ssssssss, Usama Bin Laden (5) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss-223ssssss, 224ssssss-234ssssss, 235ssssss-275ssssss, 276ssssss, 277ssssss-279ssssss, 280ssssss-282ssssss, 283ssssss, 284ssssss, 285ssssss, 286ssssss, Muhammad Atef (6) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss-223ssssss, 224ssssss-234ssssss, 235ssssss-275ssssss, 276ssssss, 277ssssss-279ssssss, 280ssssss-282ssssss, 283ssssss, 284ssssss, 285ssssss, Mustafa Mohamed Fadhil (7) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss-223ssssss, 224ssssss-234ssssss, 235ssssss-275ssssss, 276ssssss, 277ssssss-279ssssss, 280ssssss-282ssssss, 283ssssss, 284ssssss, 285ssssss, Khalfan Khamis Mohamed (8) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 8ssssss, 10ssssss, 224ssssss-234ssssss, 277ssssss-279ssssss, 283ssssss, 284ssssss, 286ssssss, Ahmed Khalfan Ghailani (9) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss-223ssssss, 224ssssss-234ssssss, 235ssssss-275ssssss, 276ssssss, 277ssssss-279ssssss, 280ssssss-282ssssss, 283ssssss, 284ssssss, 285ssssss, Fahid Mohammed Msalam (10) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss-223ssssss, 224ssssss-234ssssss, 235ssssss-275ssssss, 276ssssss, 277ssssss-279ssssss, 280ssssss-282ssssss, 283ssssss, 284ssssss, 285ssssss, Mamdouh Mahmud Salim (12) count(s) 1ssss, 3ssss, 5ssss, 6ssss, 309ssss, 310ssss, 311ssss, 312ssss, 313ssss-314ssss, 315ssss, 316ssss, 317ssss-319ssss, Ali Mohamed (13) count(s) 1sss, 3sss,

		5sss, 6sss, Ayman Al Zawahiri (14) count(s) 1ss, 3ss, 4ss, 5ss, 6ss, 7ss, 8ss, 9ss, 10ss, 11ss-223ss, 224ss-234ss, 235ss-275ss, 276ss, 277ss-279ss, 280ss-282ss, 283ss, 284ss, 285ss, 286ss, Khaled Al Fawwaz (15) count(s) 1ss, 3ss, 5ss, 6ss, Ibrahim Eidaous (16) count(s) 1s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, 10s, 11s-223s, 224s-234s, 235s-275s, 276s, 277s-279s, 280s-282s, 283s, 284s, 285s, 286s, Adel Abdel Bary (17) count(s) 1s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, 10s, 11s-223s, 224s-234s, 235s-275s, 276s, 277s-279s, 280s-282s, 283s, 284s, 285s, 286s (dcap) Modified on 01/10/2001 (Entered: 01/10/2001)
12/20/2000	380	(S9) SUPERSEDING INDICTMENT (Part 2) as to Saif Al Adel (18) count(s) 1, 3, 5, 6, Abdullah Ahmed Abdullah (19) count(s) 1, 3, 4, 5, 6, 7, 8, 9, 10, 11-223, 224-234, 235-275, 276, 277-279, 280-282, 283, 284, 285, 286, Muhsin Musa Matwalli Atwah (20) count(s) 1, 3, 5, 6, Anas Al Liby (21) count(s) 1, 3, 5, 6 . (dcap) (Entered: 01/10/2001)
12/20/2000		Arraignment as to Mamdouh Mahmud Salim (S9 98 Cr. 1023 -12) held: Mamdouh Mahmud Salim (12) count(s) 1ssss, 3ssss, 5ssss, 6ssss, 309ssss, 310ssss, 311ssss, 312ssss, 313ssss-314ssss, 315ssss, 316ssss, 317ssss-319ssss. ... Deft Mamdouh Mahmud Salim present w/atty Allan P. Haber, Esq. AUSA Daniel Himmelfarb, Michael Garcia and Paul Butler. Arabic Interpreter Andre Codouni. Deft is arraigned on Superseding (9) Indictment 98Cr.1023 and pleads not guilty on counts 1, 3, 5, 6, and 309 thru 319 as charged. Case is referred to Magistrate Judge Francis for random selection of a Judge on (S9)98Cr.1023. Allan Haber, Esq. application to be relieved as counsel be referred to Mag. Judge Francis. Gov't submit order excluding time thru 1/29/01. Deft continued remanded. Trial on (S7)98Cr.1023 will proceed 1/3/01 with all 4 defts (El Hage, Al 'Owhali, Odeh and K.K. Mohamed) and to which deft Salim has been severed. (Held before Judge Leonard B. Sand) (bw) Modified on 01/17/2001 (Entered: 01/17/2001)
12/20/2000		PLEA entered by Mamdouh Mahmud Salim (S9 98 Cr. 1023 -12). Court accepts plea. Not Guilty: Mamdouh Mahmud Salim (12) count(s) 1ssss, 3ssss, 5ssss, 6ssss, 309ssss, 310ssss, 311ssss, 312ssss, 313ssss-314ssss, 315ssss, 316ssss, 317ssss-319ssss. (bw) (Entered: 01/17/2001)
12/20/2000		ORAL ORDER as to Wadih El Hage, Mohamed Rashed Daoud Al-'Owhali, Mohamed Sadeek Odeh, Khalfan Khamis Mohamed . SET Jury trial on (S7)98Cr.1023 for 1/3/01. (Entered by Judge Leonard B. Sand) (bw) (Entered: 01/17/2001)
12/21/2000	407	ORDER as to Wadih El Hage, that Dr. Berrill is authorized to receive \$125/HR for 20 hours per week. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) Modified on 02/21/2002 (Entered: 12/22/2000)
12/21/2000	383	MEMORANDUM OF LAW by Mohamed Rashed Daoud Al-'Owhali Re: suppressing statements made by deft Al-'Owhali (bw) Modified on 01/17/2001 (Entered: 12/26/2000)
12/22/2000	381	ORDER as to Mamdouh Mahmud Salim, On Wednesday, 12/20/00, a portion of an indictment was wheeled out to this court: Counts 309 to 319 of indictment number S(9) 98cr1023(LBS). This is an unworkable format: orders entered byu Judge Sand on his indictment will necessarily affect those counts wheeled out to this Court. Accordingly, those ten counts of the indcitmen shall be separated and segregated into its own indictment before this Court. Should a Grand Jury return said indictment, this Court shall retain jurisdiction. (Signed by Judge Deborah A. Batts); Copies mailed. (mr) Modified on 01/18/2001 (Entered: 12/26/2000)
12/22/2000	382	ORDER as to Mamdouh Mahmud Salim, Time is excluded from 12/20/00 to 1/29/01 pursuant to the Speedy Trial Act and to Continue in Interests of Justice (Signed by Judge Leonard B. Sand); Copies mailed. (mb) (Entered: 12/26/2000)
12/22/2000		CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL as to Mamdouh Mahmud Salim : Appointment of Attorney Richard B. Lind (Signed by Judge Deborah A. Batts) (mh) (Entered: 01/03/2001)
12/26/2000	384	ORDER as to Mamdouh Mahmud Salim, Accordingly, the Court hereby appoints Richard Lind, esq. to represent dft. Salim on counts 309 to 319. Mr. lind shall meet with his client during the week of 1/8/01, and reset status conference for 4:30 1/18/01 for Mamdouh Mahmud Salim (Signed by Judge Leonard B. Sand). (mb) (Entered: 12/27/2000)
12/26/2000	393	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary (da) (Entered: 12/29/2000)
12/27/2000	385	Filed Memo-Endorsement on letter dated 12/26/00 to Judge Sand signed by AUSA Kenneth M. Karas as to Ali Mohamed, requesting that the exhibits to the affidavit of Lloyd Epstein, submitted in support of Ali Mohamed's motion to suppress the fruits of FISA electronic surveillance, be re-sealed pending further review....Reseal as requested. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 12/27/2000)

		12/27/2000)
12/27/2000	391	SEALED DOCUMENT as to Usama Bin Laden (afo) (Entered: 12/28/2000)
12/27/2000	392	SEALED DOCUMENT as to Usama Bin Laden (afo) (Entered: 12/28/2000)
12/28/2000	389	Filed Memo–Endorsement on letter addressed to Judge Sand from AUSA Joseph F. Bianco, dated 12/26/00, as to deft Mamdouh Mahmud Salim. The Gov't requests that Mr. Bianco, as the "firewall" AUSA in this case, be given an opportunity to review the sealed transcript from the proceeding involving deft Mamdouh Mahmud Salim before Judge Douglas F. Eaton on 10/26/00. In particular, the review is being conducted to determine whether statements made during that proceeding could be used as evidence in connection with the prosecution of Salim now pending before Judge Deborah A. Batts in connection with the MCC prison assault on 11/1/00. Mr. Bianco stated that the review of that transcript will be conducted by him and will not be disclosed, without making a formal application to the Court, to the prosecution teams on either the case pending before Judge Batts and Judge Sand; JUDGE ENDORSED – Granted subject to strict compliance with last paragraph. So Ordered. (Signed on 12/27/00 by Judge Leonard B. Sand); Copies mailed. (bw) Modified on 12/28/2000 (Entered: 12/28/2000)
12/28/2000	390	ORDER as to Wadih El Hage. WHEREAS, Joshua L. Dratel, having been appointed to represent deft Wadih El–hage in the above–captioned case pursuant to the Criminal Justice Act; WHEREAS, Joshua L. Dratel has filed twelve previous interim vouchers for services rendered on this case and one–third of the fee has presently been withheld; WHEREAS, Joshua L. Dratel has the responsibility to pay employees, vendors, travel expenses incurred during investigations overseas while awaiting payment from vouchers; WHEREAS, Joshua L. Dratel has represented Mr. El–Hage in this case for sixteen months and will continue for perhaps another twelve months and it has become a hardship for Mr. Dratel to have one–third of the fee withheld; IT IS SO ORDERED that Joshua L. Dratel may submit a final interim voucher at this time and may submit another voucher at subsequent intervals not less than three months each. (Signed on 12/26/00 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 12/28/2000)
01/02/2001	394	MOTION by Khalfan Khamis Mohamed for leave of court to file amended notice of intent to seek death penalty. (mr) (Entered: 01/02/2001)
01/02/2001		Filed Memo–Endorsement on as to Khalfan Khamis Mohamed [309–1] motion to strike the Notice of Intention to Seek the Death Penalty. as to Khalfan Khamis Mohamed (8), [309–2] motion to strike the death –notice on the ground that only a grand jury may find or allege elements of capital murder. as to Khalfan Khamis Mohamed (8), [309–3] motion to strike from the death–notice certain of the government's non–statutory aggravating factors. as to Khalfan Khamis Mohamed (8), [309–4] motion to strike the non–statutory aggravating factors on the ground that congress may not delete to the Executive Branch the legislative finction of designating aggravating factors in a comprehensive death–penalty scheme. as to Khalfan Khamis Mohamed (8), [309–5] motion to strike the non–statutory aggravating factors without also providing for preportionality review. as to Khalfan Khamis Mohamed (8), [309–6] motion to strike the death–notice because the relaxed evidentiary standards available to the government at a penalty–phase enders any penalty–findings unreliable. as to Khalfan Khamis Mohamed (8), [309–7] motion to strike the death penalty on the grounds that Congress, by removing "plain–error" from the scope of appellate reveiw permissible in a case where a verdict of death has been returned, has failed to provide for meaningful appellate review. as to Khalfan Khamis Mohamed (8), [309–8] motion for Bill of Particulars as to Khalfan Khamis Mohamed (8), [309–9] motion to strike the death–notice in the ground that, by pursuing Mr. Mohamed's execution. as to Khalfan Khamis Mohamed (8), [309–10] motion to strike the death–notice on the grounds that he death penalty. as to Khalfan Khamis Mohamed (8), [309–11] motion as to Khalfan Khamis Mohamed (8), [309–12] motion as to Khalfan Khamis Mohamed (8), Is granted in part and denied in part. See opinion on this date 1/2/01. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 01/02/2001)
01/02/2001	395	Filed Memo–Endorsement on as to Khalfan Khamis Mohamed granting [394–1] motion for leave of court to file amended notice of intent to seek death penalty. as to Khalfan Khamis Mohamed (8), See opinion this date 1/2/01. So Ordered (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 01/02/2001)
01/02/2001	396	MEMORANDUM OPINION # 84993 as to Mohamed Rashed Daoud Al–Owhali, Khalfan Khamis Mohamed, as to both defendants, the non–statutory aggravating factor of "causing serious injury to surviving victims" be stricken from the government's geath penalty notices, and the non–statutory factor of "victim impact evidence" be amended to include any "injury, harm, and loss" suffered by victims and their families, whether the victims are deceased or surviving: (2) order that, as to both defendants, the non–statutory aggravating factor of "disruption to important governmental functions" be stricken from the government's death penalty notices; (3) order that, as to defendant Al–Owhali, the non–statutory aggravating factor of "Knowledge of simultaneous acts of terrorism" not be stricken from the government's death penalty notice at the present time: (4) order that the Government provide defendant's

		with a limited bill of particulars, as defined in Part V of this opinion; and (5) grant the Government's motion for leave to file and amended death penalty notice as to K.K. Mohamed. All of defendant's other applications are denied, except that defendants' remaining challenges to specific aggravating factors are denied without prejudice as set forth herein. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 01/02/2001)
01/02/2001	397	MEMORANDUM OPINION # 84997 as to Wadih El Hage denying [206-1] motion for discovery as to Wadih El Hage (1), denying [175-1] motion (1) for an Order for discovery that is necessary for the preparation of Mr. El-Hage's pretrial motions for (i) suppression of evidence seized; (ii) suppression of statements; (iii) suppression of electronic surveillance; (iv) severance; and/or (v) other relief as to Wadih El Hage (1), denying [175-2] motion 2) for an Order granting leave to join Mr. El-Hage's co-defts' motions to the extent they benefit him. as to Wadih El Hage (1) (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 01/03/2001)
01/02/2001	398	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (af) (Entered: 01/03/2001)
01/02/2001	399	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (af) (Entered: 01/03/2001)
01/02/2001	400	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (af) (Entered: 01/03/2001)
01/02/2001	401	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary (af) (Entered: 01/03/2001)
01/02/2001		Status conference as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Conference held on issue of defts' objections to hardship determinations made by the Jury Administration and to the time periods during the trial day when defts' may pray. AUSA Paul Butler, Patrick Fitzgerald, Ken Karos. Deft. El Hage present w/atty' Anthony Ricco, Ed Wilford and Carl Herman. Deft. Al-Ouhali present w/atty's Fred Cohn, David Baugh and Laura Gasicrowski. Deft. K.K. Mohamed not present, his attys' David Ruhuke, David Stern and Jeremy Schneider present. Conference concluded. All (3) defts' cont'd remanded. Arabic Interpreter present (Andre Codovni). (rag) (Entered: 03/07/2001)
01/03/2001	402	Filed Memo-Endorsement on letter addressed to Judge Sand from David P.Baugh atty to Mohamed Rashed Daoud Al-'Owhali, dated 1/2/01 As the court explained in open why ample opportunity will be accorded counsel to move the court pose requested inquiries to the panel. DENIED (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 01/04/2001)
01/03/2001		Voir dire begun as to Wadih El Hage (1) count(s) 1ssssssss, 1sssssss, 1ssssss, 1sssss, 1sssss, 1sss, 1ss, 1s, 1-8, 2ssssssss, 2sssssss, 2ssssss, 3ssssssss, 3sssssss, 3ssssss, 4sssssss, 5ssssssss, 5sssssss, 5ssssss, 6ssssssss, 6sssssss, 6ssssss, 9-11, 228sssss-235sssss, 228sssss-235sssss, 228sss-235sss, 228ss-235ss, 228s-235s, 236ssssss, 236sssss-238ssss, 236sss-238sss, 236ss-238ss, 236s-238s, 237ssssss, 238ssssss, 245ssssss-264ssssss, 265ssssss-267ssssss, 287ssssssss-305ssssssss, 287ssssss-305ssssss, 306ssssssss-308ssssssss, 306ssssss-308ssssss, Mohamed Sadeek Odeh (3) count(s) 1sssssss, 1ssssss, 1sssss, 1sssss, 1sss, 1ss, 1s, 1, 2ssss, 2sss, 2ss-3ss, 2s-3s, 2-3, 3sssssss, 3ssssss, 3sssss, 3ssss, 3sss, 4sssssss, 4ssssss, 4sssss, 4ssss-216ssss, 4sss-216sss, 4ss-216ss, 4s-227s, 4-227, 5sssssss, 5ssssss, 5sssss, 6sssssss, 6ssssss, 6sssss, 7sssssss, 7ssssss, 7sssss-8sssss, 8sssssss, 8ssssss, 9sssssss, 9ssssss, 9sssss-10sssss, 10sssssss, 10ssssss, 11sssssss-223ssssss, 11ssssss-223ssssss, 11sssss-233sssss, 217ssss-227ssss, 217sss-227sss, 217ss-227ss, 224ssssss-234ssssss, 224ssssss-234ssssss, 234sssss-235sssss, 235ssssss-275ssssss, 235ssssss-275ssssss, 236sssss-237sssss, 238sssss-239sssss, 240sssss-241sssss, 242sssss, 243sssss-244sssss, 276ssssss, 276ssssss, 277ssssss-279ssssss, 277ssssss-278ssssss, 279ssssss, 280ssssss-282ssssss, 280ssssss-281ssssss, 282ssssss, 283ssssss, 283ssssss, 284ssssss, 284ssssss, 285ssssss, 285ssssss, 286ssssss, 286ssssss, Mohamed Rashed Daoud

		Al-'Owhali (4) count(s) 1sssssss, 1ssssss, 1sssss, 1ssss, 1sss, 1ss, 1s, 1, 2ssss, 2sss, 2ss-3ss, 2s-3s, 2-3, 3sssssss, 3ssssss, 3sssss, 3ssss, 3sss, 4sssssss, 4ssssss, 4sssss, 4ssss-216ssss, 4sss-216sss, 4ss-216ss, 4s-227s, 4-227, 5sssssss, 5ssssss, 5sssss, 6sssssss, 6ssssss, 6sssss, 7sssssss, 7ssssss, 7sssss-8sssss, 8sssssss, 8ssssss, 9sssssss, 9ssssss, 9sssss-10sssss, 10sssssss, 10ssssss, 11sssssss-223sssssss, 11ssssss-223ssssss, 11sssss-233sssss, 217ssss-227ssss, 217sss-227sss, 217ss-227ss, 224sssssss-234sssssss, 224ssssss-234ssssss, 234sssss-235sssss, 235sssssss-275sssssss, 235ssssss-275ssssss, 236ssssss-237sssss, 238ssssss-239sssss, 240sssss-241sssss, 242ssssss, 243sssss-244sssss, 276sssssss, 276ssssss, 277sssssss-279sssssss, 277ssssss-278ssssss, 279ssssss, 280sssssss-282sssssss, 280ssssss-281ssssss, 282ssssss, 283sssssss, 283ssssss, 284sssssss, 284ssssss, 285sssssss, 285ssssss, 286sssssss, 286ssssss, Khalfan Khamis Mohamed (8) count(s) 1sssss, 1ssss, 1sss, 1ss, 1s, 1, 3sssss, 3sssss, 3ssss, 3ss, 3s, 3, 4sssss, 4sssss, 4sss, 5sssss, 5sssss, 5sss, 6sssss, 6ssss, 6sss, 7sss-8sss, 8sssss, 8ssss, 9sss-10sss, 10sssss, 10ssss, 11sss-233sss, 217ss-227ss, 217s-227s, 217-227, 224sssss-234sssss, 224sssss-234sssss, 234sss-235sss, 236sss-237sss, 238sss-239sss, 240sss-241sss, 242sss, 243sss-244sss, 277sssss-279sssss, 277sssss-278sssss, 279sssss, 283sssss, 283ssss, 284sssss, 284ssss, 286sssss, 286ssss Terminated motions: (rag) (Entered: 03/07/2001)
01/03/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed begun. Deft. Odeh present w/atty Anthny Ricco, Edward Wilford, Carl Herman and Sandra Babcock, Esq. Deft. Al-'Owahali present w/attys Frederick Cohn, David Baugh and Laura Gasiorowski. Deft. K.K. Mohamed present w/attys' David Ruhuke, Jeremy Schneider, David Stern. Deft. El Hage present w/attys Sam Schmidt & Joshua Dratel & Kristian Larsen. AUSA's Ken Karas, Patrick Fitzgerald & Paul Butler. Interpreters (Arabic) Andre Codouni, Aziz Ismail and Toufic Maged. Interpreters (Swahili) by Charles Mironko and Laura Black. Jury trial begun as to the above (4) defts' on counts as charged. (rag) (Entered: 03/07/2001)
01/04/2001	403	Redacted Exhibit to declaration of Lloyd Epstein, Esq. in support of defendant Ali Mohamed's motion to suppress evidence seized pursuant to the Foreign Intelligence Surveillance Act by Ali Mohamed (FISA) (sl) Modified on 01/04/2001 (Entered: 01/04/2001)
01/04/2001		Jury selection as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed cont'd. (rag) (Entered: 03/07/2001)
01/05/2001	404	Filed Memo-Endorsement on Defendant Mohammad Al-'Owhali's motion to adopt co-defendant Khalfan Khamis Mohamed's Motions concerning the death penalty and supplemental motion regarding specific issues therein as to Mohamed Rashed Daoud Al-'Owhali, Khaled Al Fawwaz, Motion to adopt is granted. All other motions denied. In accordance with the court's opinion of 12/11/00 and 1/2/01. (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 01/05/2001)
01/05/2001	405	Filed Memo-Endorsement on letter addressed to Judge Sand from Attorney David P. Baugh, dated 1/2/01, as to defts Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Osama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary. ... JUDGE ENDORSED - Deft's Al-'Owhali's motion mailed from Richmond, Virginia on 12/27/00 (with respect to a trial long scheduled to commence on 1/3/01) sought an order directing payment of increased compensation to jurors. The motion made no reference whatsoever to the fact that the rate of juror compensation was controlled by a statute and that the Court had already provided that jurors in this case be paid the maximum permitted pursuant to 28 U.S.C. Section 1871. It was only orally in open court on 1/2/01, that counsel stated that the motion was a challenge to the constitutionality of 28 U.S.C. Section 1871. Serious challenges to the constitutionality of a statute cannot be raised in so casual a manner. Moreover, although the actual incidence of hardship requests was not known until the responses to questionnaires was examined, it should have come as no surprise to anyone that a high percent of panelists would seek to be excused from a trial scheduled to last approximately one year. Nor is it all surprising that there would be a socioeconomic factor operating with respect to those who sought exemption. In fact, the number of panelists who sought hardship exemption for economic or other reasons was somewhat less than the Court had anticipated. The Court adheres to its previous determination that the motion as filed in the letter mailed 12/27/00, was both untimely and without merit. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) Modified on 01/08/2001 (Entered: 01/08/2001)
01/05/2001	406	Redacted Exhibits To Declaration of Lloyd Epstein, Esq. In Support of Defendant Ali Mohamed's Motion To Suppress Evidence Seized Pursuant To The Foreign Intelligence Surveillance Act ("FISA"). (bw) (Entered: 01/08/2001)
01/05/2001	409	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Osama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil,

		Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidalous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (da) (Entered: 01/11/2001)
01/05/2001		Jury selection as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed cont'd and adj. to 1/8/01 at 9:30 a.m. All defendants cont'd detained. (rag) (Entered: 03/07/2001)
01/08/2001		Jury selection as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed cont'd. (rag) (Entered: 03/07/2001)
01/09/2001	408	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidalous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (Contents Withdrawn - So Ordered Sand,J.) (da) Modified on 02/21/2002 (Entered: 01/10/2001)
01/09/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd. Jury selection cont'd. (rag) (Entered: 03/07/2001)
01/10/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd. Jury selection cont'd. Defendants cont'd detained. (rag) (Entered: 03/07/2001)
01/11/2001		Jury selection as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury selection cont'd. All defts' present. (rag) (Entered: 03/07/2001)
01/12/2001		Jury selection as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury selection cont'd. All defendants present and adjourned to 1/16/01. (rag) (Entered: 03/07/2001)
01/16/2001	413	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidalous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (da) (Entered: 01/18/2001)
01/16/2001		Status conference as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Hearing held in Robing Room (Sealed proceeding). (rag) (Entered: 03/07/2001)
01/16/2001		Jury selection as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury selection cont'd and adjourned to 1/29/01 at 9:30. (rag) (Entered: 03/07/2001)
01/17/2001	410	ORDER as to Mohamed Rashed Daoud Al-'Owhali. A motion having been made by Defendant Mohamed Rashed Daoud Al-'Owhali for courtroom closure during a renewal of a suppression hearing, the Court hereby schedules a hearing on the closure motion for 10:00 a.m. on Friday, January 19, 2001 in Courtroom 318 at the 40 Foley Square Courthouse. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 01/17/2001)
01/17/2001	411	AMENDED ORDER as to Mohamed Rashed Daoud Al-'Owhali. A motion having been made by Defendant Mohamed Rashed Daoud Al-'Owhali for courtroom closure during a renewal of a suppression hearing, the Court hereby schedules a hearing on the closure motion for 11:30 a.m. on Friday, January 19, 2001 in Courtroom 318 at the 40 Foley Square Courthouse. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 01/17/2001)
01/17/2001	412	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidalous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (af) (Entered: 01/17/2001)

01/17/2001	609	LETTER filed by U.S.A. as to Mohamed Rashed Daoud Al-'Owhali From AUSA's Paul Butler, Patrick Fitzgerald, Kenneth Karas, & Andrew McCarthy. Dated 01/17/01, Addressed to: Judge Sand Re: US v bin Laden 98 Cr 1023. The Govt submits this Letter Brief in opposition to the motion of Deft al-'Owhali to dismiss an identification of him as the passenger in the bomb truck at the American embassy in Nairobi. For the reasons set forth above, al-'Owhali's motion to suppress the identification as so unduly suggestive as to violate his right to due process should be denied. (ac) (Entered: 08/15/2001)
01/18/2001	414	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (af) (Entered: 01/18/2001)
01/18/2001	415	ORDER as to Mohamed Sadeek Odeh. Upon the application of Anthony L. Ricco, attorney for Mohamed Sadeek Odeh, for an order authorizing necessary investigative services, pursuant to the Criminal Justice Act, Title, 18 U.S.C. 3006A(e)(1). IT IS HEREBY ORDERED, that Kevin Johnson, is appointed as a Para-Mitigation Specialist in the above captioned case at a rate set at Twenty Five (\$25.00) Dollars per hour munc pro tunc to November 1, 2000. (Signed on 1/17/01 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 01/19/2001)
01/19/2001		Status conference as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Hearing held (Closed proceeding) and concluded. All defendants present except Khalfan Khamis Mohamed who waives his appearance. (rag) (Entered: 03/07/2001)
01/22/2001	416	ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby. ... On Friday, 1/19/01, this Court ruled that the evidentiary hearing on the renewed motion to suppress depts' statements would be held in a closed courtroom but that a redacted transcript of the prior days hearing would be made available to the press at 10:00 a.m. the following day. By letter received later that day, representatives of the press have raised questions concerning the cost of obtaining these transcripts and their availability on Saturdays. It is the purpose of this Order to respond to those concerns. The Court hereby ORDERS that one redacted copy of the transcript of the prior days proceedings be made available without charge at 10:00 a.m. in the courthouse press room. We have been advised that a representative of the press will then undertake to make copies available to other members of the press. The transcript to be made available on Saturday morning shall be obtainable at 10:00 a.m. at the offices of the U.S. Attorney. The Court emphasizes that this Order relates solely to the transcript for the above-referenced suppression hearing, now estimated to last approximately five (5) days and is occasioned solely by virtue of the unusual circumstance of the courtroom being closed during such proceedings. The Order should not be construed as suggesting that under normal circumstances the Court reporters have any obligation to furnish a transcript without charge to the press. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 01/22/2001)
01/22/2001	417	ORDER as to Wadih El Hage, for reconsideration of [397-1] order. On reconsideration, this Court's Order of 1/2/01, entered prior to receiving the Government's opposition, is nullified and the motion to take Rule 15 depositions is denied. (Signed by Judge Leonard B. Sand) (sl) (Entered: 01/23/2001)
01/22/2001	423	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (da) (Entered: 01/25/2001)
01/23/2001	418	(REDACTED) MOTION by Wadih El Hage in support of deft Wadih El-Hage's CIPA Section 5 Designation, motion to declare CIPA unconstitutional and for discovery. Return date 9/30/00. (bw) (Entered: 01/24/2001)
01/23/2001	419	(REDACTED) MEMORANDUM by Wadih El Hage in support of [418-1] motion in support of deft Wadih El-Hage's CIPA Section 5 Designation, motion to declare CIPA unconstitutional and for discovery. (bw) (Entered: 01/24/2001)
01/23/2001	420	(REDACTED) MEMORANDUM Of Law by U.S.A. as to Wadih El Hage in response to [418-1] motion in support of deft Wadih El-Hage's CIPA Section 5 Designation, motion to declare CIPA

		unconstitutional and for discovery. (bw) (Entered: 01/24/2001)
01/23/2001	421	(REDACTED) REPLY Memorandum Of Law by Wadih El Hage to in support of [418-1] motion in support of deft Wadih El-Hage's CIPA Section 5 Designation, motion to declare CIPA unconstitutional and for discovery. (bw) (Entered: 01/24/2001)
01/23/2001	422	ORDER as to Mohamed Sadeek Odeh, that Dr. J.B.F. Lloyd is authorized to perform services on behalf of the defense as indicated above, and that he shall be compensated at the rate of \$185.00 per hour for professional services rendered on behalf of the defense and \$92.50 for travel time. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 01/24/2001)
01/23/2001	428	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (da) (Entered: 01/26/2001)
01/23/2001	429	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (da) (Entered: 01/26/2001)
01/23/2001		Evidentiary Hearing as to Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali held. Renewed Evidentiary Hearing on defendants' Al-'Owhali and Odeh's motion to suppress. Adjourned to 1/24/01. (Closed proceeding). (rag) (Entered: 03/07/2001)
01/24/2001	430	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (da) (Entered: 01/26/2001)
01/24/2001		Status conference as to Mohamed Rashed Daoud Al-'Owhali, Mohamed Sadeek Odeh held. Conference in Robing Room held and concluded. Decision reserved. Fully submitted no later than 1/26/01. (rag) (Entered: 03/07/2001)
01/25/2001	424	ORDER as to Mohamed Sadeek Odeh, That Kevin Johnson is appointed as Para Legal at the rate of \$25.00 per hour nunc pro tunc to 11/1/00 (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 01/25/2001)
01/25/2001	425	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (af) (Entered: 01/25/2001)
01/25/2001	426	(REDACTED) MEMORANDUM And ORDER # 85094 as to Wadih El Hage, Mohamed Sadeek Odeh, Mamdouh Mahmud Salim. Presently before the Court is Defendant El-Hage's motion to declare the Classified Information Procedures Act ("CIPA"), 18 U.S.C. app. 3 (1980), unconstitutional as applied in this case. Defendants Mamdouh Mahmud Salim and Mohammed Sadeek Odeh join this motion. For the reasons set forth in this Memorandum And Order, this motion is denied. (denied [418-1] motion). (Signed by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 01/26/2001)
01/25/2001	433	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (da) (Entered: 02/02/2001)
01/26/2001	427	ORDER as to Mohamed Rashed Daoud Al-'Owhali, Because the documents produced may impact Al-'Owhali's suppression motion, and because the Court is making every effort to decide that motion prior to opening statements, the Government is ordered to produce all responsive evidence by 1/17/01.

		Al-Owhali should then immediately bring any newly disclosed evidence to the Court's attention is such evidence bears on the merits of his suppression motion (Signed by Judge Leonard B. Sand) (sl) (Entered: 01/26/2001)
01/26/2001	431	AFFIRMATION as to Mamdouh Mahmud Salim (sl) (Entered: 01/26/2001)
01/29/2001	432	ORDER as to Mamdouh Mahmud Salim, Time excluded from 1/25/01 until 4/11/01 to Continue in Interests of Justice (Signed by Judge Leonard B. Sand); Copies mailed. (mr) (Entered: 01/29/2001)
01/29/2001		Jury selection as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury selection cont'd. (rag) (Entered: 03/07/2001)
01/30/2001		Jury selection as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury selection cont'd. (rag) (Entered: 03/07/2001)
01/31/2001		Jury selection as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury selection cont'd. (rag) (Entered: 03/07/2001)
02/01/2001		Jury selection as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed concluded. Jury selection cont'd and concluded. Jury to be sworn on Monday 2/5/01. (rag) (Entered: 03/07/2001)
02/05/2001	434	ORDER as to Mohamed Sadeek Odeh, It is on this 5th day of February, 2001 ordered that Carl J. Herman be reimbursed for clothing expenses in the amount of \$340.12 nunc pro tunc to December 26, 2000. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 02/06/2001)
02/05/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd. Jury sworn. Court's preliminary instructions to jury and opening statements begun. (rag) (Entered: 03/07/2001)
02/06/2001	435	MEMORANDUM and ORDER (Filed Under Seal: 1/16/01, Unsealed with Redactions: 2/2/01) as to Wadih El Hage. Defendant El-Hage seeks an order compelling the Gov't to produce discovery. He includes two lists of discovery demands: those for discovery authorized under Rule 16(a)(1)(C) of the F.R.C.P. and those seeking discovery of exculpatory information under Brady v. Maryland, 373 U.S. 83 (1963). ... III. Timing. Where the Court has granted the Defendant's requests and ordered the production of discovery, the Gov't is ordered to produce responsive material as soon as possible but no later than January 26, 2001. (Signed on 2/2/01 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 02/07/2001)
02/06/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd. Arabic interpreter Denise Nasser for witness Jamal Al-Fadal. (rag) (Entered: 03/07/2001)
02/07/2001	436	TRANSCRIPT of record of proceedings as to Mamdouh Mahmud Salim for dates of 12/20/00. (tp) (Entered: 02/07/2001)
02/07/2001	437	TRANSCRIPT of record of proceedings as to Mamdouh Mahmud Salim for dates of 12/20/00. (tp) (Entered: 02/07/2001)
02/07/2001	438	REDACTED MEMORANDUM by U.S.A. as to Mohamed Rashed Daoud Al-'Owhali in support of its motion for reconsideration of the Court's order suppressing defendant Al-Owhali's statements. (mr) (Entered: 02/08/2001)
02/07/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd and adj. to 2/13/01-10:a.m. CIPA conference held and concluded. (rag) (Entered: 03/07/2001)
02/08/2001	439	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (af) (Entered: 02/08/2001)
02/08/2001	440	(REDACTED) LETTER addressed to Judge Sand from AUSAs Kenneth M. Karas (signed), Patrick J. Fitzgerald, Paul W. Butler, Andrew C. McCarthy, dated 1/23/01, filed by U.S.A. as to deft Khalfan Khamis Mohamed Re: submitted in response to the motion of deft Khalfan Khamis Mohamed to suppress all statements he made after his arrest in South Africa on 10/5/99. [accepted for filing by Judge Sand] (bw) Modified on 02/09/2001 (Entered: 02/09/2001)

02/08/2001		Status conference as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Hearing on CIPA issues begun and concluded. (Classified Information Procedures Act). No deft. present. AUSA Butler present and Pat Fitzgerald and Ken Karas. Atty Sam Schmidt and Joshua Dratel present for El Hage; Fred Cohn and Laura Gasiorowski present for Al-'Owhali; Anthony Ricco and Ed Wilford present for Odeh. (rag) (Entered: 03/07/2001)
02/09/2001	455	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (af) (Entered: 02/26/2001)
02/13/2001	442	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (af) (Entered: 02/13/2001)
02/13/2001	443	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (af) (Entered: 02/13/2001)
02/13/2001	444	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (af) (Entered: 02/13/2001)
02/13/2001	445	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (af) (Entered: 02/13/2001)
02/13/2001	446	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (da) (Entered: 02/13/2001)
02/13/2001	447	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (da) (Entered: 02/13/2001)
02/13/2001	448	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (da) (Entered: 02/13/2001)
02/13/2001	449	LETTER filed by U.S.A. as to Mohamed Sadeek Odeh From AUSA Kenneth M. Karas, Dated 1/23/01, Addressed to: Judge Sand Re: response to the motions of Mohamed Sadeek Odeh (sl) (Entered: 02/13/2001)

02/13/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. All defts' present. Trial cont'd. Interpreter Seham Susan Laraby present for witness Jamal Al-fadl. (rag) (Entered: 03/07/2001)
02/13/2001	441	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (wv) (Entered: 01/22/2002)
02/14/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd. (rag) (Entered: 03/07/2001)
02/15/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd and adj. to 2/19/01 at 10:00 a.m. All defts cont'd remanded. (rag) (Entered: 03/07/2001)
02/16/2001	450	MEMORANDUM OPINION # 85186 as to Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Defendant Odeh's motions to suppress evidence are denied. Likewise Defendant Al-'Owhali's motion to suppress his statements based on an alleged delay in presentment is also denied. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 02/16/2001)
02/16/2001	451	MEMORANDUM OPINION # 84939 as to Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed, Defendnat Al-'Owhali's motion to suppress is granted in part and denied in part, whereas K.K. Mohamed's motion to suppress is denied in its entirety. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 02/16/2001)
02/20/2001	452	MEMORANDUM And ORDER as to Khalfan Khamis Mohamed. On 2/14/01, at an Ex Parte conference with counsel for Khalfan Khamis Mohamed, the Court was advised that there was agreement among counsel and their client that Jeremy Schneider's motion to withdraw as counsel should be granted. The Court was assured that the granting of this motion would have no negative impact on the progress of the ongoing trial. The Court thereafter allocuted the deft who acknowledged that this action was with his knowledge and consent. The motion to withdraw was granted. The purpose of this Memorandum is to note the Court's further finding that the withdrawal of Jeremy Schneider as counsel for Khalfan Khamis Mohamed will nevertheless leave assigned to Khalfan Khamis Mohamed two counsel, David Ruhnke, Esq. and David Stern, Esq., "of whom at least one shall be learned in the law applicable to capital cases" as required by 18 U.S.C. Section 3005. Indeed, after conferring with the Federal Public Defender, Leonard Joy, the Court is of the opinion that the requirements of 18 U.S.C. Section 3005 are fully satisfied. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) Modified on 02/21/2001 (Entered: 02/21/2001)
02/20/2001	453	LETTER filed by U.S.A. as to Wadih El Hage From Paul W. Butler AUSA, Dated 2/15/01, Addressed to: Judge Sand Re: Redacted Notice of Motion in Support of Defendant Wadih El-Hage's Discovery Motion. (sl) (Entered: 02/21/2001)
02/20/2001	454	REDACTED NOTICE MOTION IN SUPPORT OF Wadih El Hage for discovery motion (sl) (Entered: 02/21/2001)
02/20/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial cont'd. All defts' present. Arabic interpreter Seham Susan Larby present for witness Jamal Al-Fadal. (rag) (Entered: 03/07/2001)
02/21/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial cont'd. All defts present. Arabic interpreter present for witness L'Houssainne Kherchtou. (rag) (Entered: 03/07/2001)
02/22/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial cont'd. All defendants present. Arabic interpreter Seham Susan Laraby present for witness L'Houssainne Kherchtou and adjourned to 2/26/01. (rag) (Entered: 03/07/2001)
02/26/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd. (rag) (Entered: 03/08/2001)
02/27/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd. (rag) (Entered: 03/08/2001)

02/28/2001	456	[REDACTED] POST-HEARING MEMORANDUM by U.S.A. as to Mohamed Rashed Daoud Al-'Owhali in opposition to deft al-'Owhali's motion to suppress statements. (bw) (Entered: 03/02/2001)
02/28/2001	457	[REDACTED] POST-HEARING MEMORANDUM of Law by U.S.A. as to Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali in opposition to motions of Al-'Owhali and Odeh to suppress statements. (bw) (Entered: 03/02/2001)
02/28/2001	458	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (da) (Entered: 03/02/2001)
02/28/2001	459	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (da) (Entered: 03/02/2001)
02/28/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd. (rag) (Entered: 03/08/2001)
03/01/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd and adjourned to 3/5/01. (rag) (Entered: 03/08/2001)
03/02/2001	461	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (da) (Entered: 03/06/2001)
03/06/2001	460	MEMORANDUM & ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby. The Court directs the Gov't to furnish Defendants' with all the impeachment material concerning the witness Al-Fadl that is described in the Govt's ex parte sealed letter to the Court dated 2/19/01. To be clear, this includes the identity of the source, as well as the two items of information he provided. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 03/06/2001)
03/06/2001	462	SEALED DOCUMENT as to Usama Bin Laden (afo) (Entered: 03/06/2001)
03/06/2001	463	ORDER as to Mamdouh Mahmud Salim, We direct the parties to provide the Court with additional briefing on Salim's motion in light of our 2/16/01 decisions. The parties have 20 days to inform the Court in writing of a proposed briefing schedule, as well as whether it will be necessary to supplement further the factual record. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 03/07/2001)
03/07/2001	464	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby (af) (Entered: 03/07/2001)
03/07/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd. Swahili interpreter present Beston Mwakaling for witness Reninah Wadia Muhoho. (rag) (Entered: 03/08/2001)
03/07/2001	468	Filed Memo-Endorsement on letter addressed to Judge Sand from AUSA Patrick J. Fitzgerald, dated 2/20/01, as to deft L'Houssiane Kherchtou. The Govt requests that certain items pertaining to this matter currently filed under seal be unsealed for a limited purpose as of today's date and that they be further unsealed at a later time. L'Houssiane Kherchtou entered a plea of guilty to Information (S8)98Cr.1023(LBS) in a sealed proceeding before the Court on 11/2/00. The Govt asks for the immediate but limited unsealing of the following items: Information (S8)98Cr.1023(LBS) and the plea

		minutes. The unsealing would be for the purpose of allowing the Govt to produce the plea minutes and Information as Jencks Act material to the defense. The material would remain sealed until such time as Kherchtou testified, at which time the Govt would ask that the materials be unsealed for all purposes; JUDGE ENDORSED – Limited Unsealing as Described Above: SO ORDERED. Complete Unsealing of the Transcript: SO ORDERED. (Signed by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 03/08/2001)
03/08/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd and adjourned to 3/12/01. Swhali interpreter present for witness Charles Mwaka Mulwa. Swhali interpreter present for witness Paul Wangui. Swhali interpreter present for witness Justus Mutisya. Swhali interpreter present for witness Michael Opiyo. Somilian interpreter Ahmed Jama for witness Ismail Jama Ali. (rag) Modified on 03/09/2001 (Entered: 03/08/2001)
03/08/2001	469	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (da) (Entered: 03/08/2001)
03/09/2001	470	Verdict Form of Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed (sl) (Entered: 03/12/2001)
03/09/2001	471	Request to Charge by U.S.A. (mr) (Entered: 03/12/2001)
03/12/2001	473	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (da) (Entered: 03/15/2001)
03/12/2001	474	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (da) (Entered: 03/15/2001)
03/12/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial cont'd. Japanese interpreter Eugene Kada present for a witness Junichi Miyagi. (rag) (Entered: 03/19/2001)
03/12/2001	550	(S10 – Part 1 of 2) SUPERSEDING INDICTMENT as to Wadih El Hage (1) count(s) 1ssssssss, 2ssssssss, 3ssssssss, 4ssssssss, 5ssssssss, 6ssssssss, 7ssssssss, 8ssssssss, 9ssssssss, 10ssssssss, 11ssssssss–223ssssssss, 224ssssssss–234ssssssss, 235ssssssss–275ssssssss, 276ssssssss, 277ssssssss–278ssssssss, 279ssssssss, 280ssssssss–281ssssssss, 282ssssssss, 283ssssssss, 284ssssssss, 285ssssssss, 286ssssssss, 287ssssssss–305ssssssss, 306ssssssss–308ssssssss, Fazul Abdullah Mohammed (2) count(s) 1ssssssss, 2ssssssss, 3ssssssss, 4ssssssss, 5ssssssss, 6ssssssss, 7ssssssss, 8ssssssss, 9ssssssss, 10ssssssss, 11ssssssss–223ssssssss, 224ssssssss–234ssssssss, 235ssssssss–275ssssssss, 276ssssssss, 277ssssssss–278ssssssss, 279ssssssss, 280ssssssss–281ssssssss, 282ssssssss, 283ssssssss, 284ssssssss, 285ssssssss, 286ssssssss, 287ssssssss–305ssssssss, 306ssssssss–308ssssssss, Mohamed Sadeek Odeh (3) count(s) 1ssssssss, 2ssssssss, 3ssssssss, 4ssssssss, 5ssssssss, 6ssssssss, 7ssssssss, 8ssssssss, 9ssssssss, 10ssssssss, 11ssssssss–223ssssssss, 224ssssssss–234ssssssss, 235ssssssss–275ssssssss, 276ssssssss, 277ssssssss–278ssssssss, 279ssssssss, 280ssssssss–281ssssssss, 282ssssssss, 283ssssssss, 284ssssssss, 285ssssssss, 286ssssssss, 287ssssssss–305ssssssss, 306ssssssss–308ssssssss, Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1ssssssss, 2ssssssss, 3ssssssss, 4ssssssss, 5ssssssss, 6ssssssss, 7ssssssss, 8ssssssss, 9ssssssss, 10ssssssss, 11ssssssss–223ssssssss, 224ssssssss–234ssssssss, 235ssssssss–275ssssssss, 276ssssssss, 277ssssssss–278ssssssss, 279ssssssss, 280ssssssss–281ssssssss, 282ssssssss, 283ssssssss, 284ssssssss, 285ssssssss, 286ssssssss, 287ssssssss–305ssssssss, 306ssssssss–308ssssssss, Usama Bin Laden (5) count(s) 1ssssssss, 2ssssssss, 3ssssssss, 4ssssssss, 5ssssssss, 6ssssssss, 7ssssssss, 8ssssssss, 9ssssssss, 10ssssssss, 11ssssssss–223ssssssss, 224ssssssss–234ssssssss, 235ssssssss–275ssssssss, 276ssssssss, 277ssssssss–278ssssssss, 279ssssssss, 280ssssssss–281ssssssss, 282ssssssss, 283ssssssss, 284ssssssss, 285ssssssss, 286ssssssss, 287ssssssss–305ssssssss, 306ssssssss–308ssssssss, Muhammad Atef (6) count(s) 1ssssssss, 2ssssssss, 3ssssssss, 4ssssssss, 5ssssssss, 6ssssssss, 7ssssssss, 8ssssssss, 9ssssssss, 10ssssssss, 11ssssssss–223ssssssss, 224ssssssss–234ssssssss, 235ssssssss–275ssssssss, 276ssssssss, 277ssssssss–278ssssssss, 279ssssssss,

		280ssssss-281ssssss, 282ssssss, 283ssssss, 284ssssss, 285ssssss, 286ssssss, 287ssssss-305ssssss, 306ssssss-308ssssss, Mustafa Mohamed Fadhil (7) count(s) 1ssssss, 2ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss-223ssssss, 224ssssss-234ssssss, 235ssssss-275ssssss, 276ssssss, 277ssssss-278ssssss, 279ssssss, 280ssssss-281ssssss, 282ssssss, 283ssssss, 284ssssss, 285ssssss, 286ssssss, 287ssssss-305ssssss, 306ssssss-308ssssss, Khalfan Khamis Mohamed (8) count(s) 1ssssss, 2ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss-223ssssss, 224ssssss-234ssssss, 235ssssss-275ssssss, 276ssssss, 277ssssss-278ssssss, 279ssssss, 280ssssss-281ssssss, 282ssssss, 283ssssss, 284ssssss, 285ssssss, 286ssssss, 287ssssss-305ssssss, 306ssssss-308ssssss, Ahmed Khalfan Ghailani (9) count(s) 1ssssss, 2ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss-223ssssss, 224ssssss-234ssssss, 235ssssss-275ssssss, 276ssssss, 277ssssss-278ssssss, 279ssssss, 280ssssss-281ssssss, 282ssssss, 283ssssss, 284ssssss, 285ssssss, 286ssssss, 287ssssss-305ssssss, 306ssssss-308ssssss, Fahid Mohammed Msalam (10) count(s) 1ssssss, 2ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss-223ssssss, 224ssssss-234ssssss, 235ssssss-275ssssss, 276ssssss, 277ssssss-278ssssss, 279ssssss, 280ssssss-281ssssss, 282ssssss, 283ssssss, 284ssssss, 285ssssss, 286ssssss, 287ssssss-305ssssss, 306ssssss-308ssssss, Sheikh Ahmed Salim Swedan (11) count(s) 1ssssss, 2ssssss, 3ssssss, 4ssssss, 5ssssss, 6ssssss, 7ssssss, 8ssssss, 9ssssss, 10ssssss, 11ssssss-223ssssss, 224ssssss-234ssssss, 235ssssss-275ssssss, 276ssssss, 277ssssss-278ssssss, 279ssssss, 280ssssss-281ssssss, 282ssssss, 283ssssss, 284ssssss, 285ssssss, 286ssssss, 287ssssss-305ssssss, 306ssssss-308ssssss (Microfilmed on April 26, 2001 at 3:00 P.M.). (dcap) Modified on 08/23/2001 (Entered: 05/23/2001)
03/12/2001	550	(S10 - Part 2 of 2) SUPERSEDING INDICTMENT as to Mamdouh Mahmud Salim (12) count(s) 1sssss, 2sssss, 3sssss, 4sssss, 5sssss, 6sssss, 7sssss-8sssss, 9sssss, 10sssss, 11sssss-234sssss, 235sssss-279sssss, 280sssss-283sssss, 284sssss, 285sssss-286sssss, 287sssss-305sssss, 306sssss-308sssss, Ali Mohamed (13) count(s) 1sssss, 2sssss, 3sssss, 4sssss, 5sssss, 6sssss, 7sssss-8sssss, 9sssss, 10sssss, 11sssss-234sssss, 235sssss-279sssss, 280sssss-283sssss, 284sssss, 285sssss-286sssss, 287sssss-305sssss, 306sssss-308sssss, Ayman Al Zawahiri (14) count(s) 1ssss, 2ssss, 3ssss, 4ssss, 5ssss, 6ssss, 7ssss-8ssss, 9ssss, 10ssss, 11ssss-234sss, 235sss-279sss, 280sss-283sss, 284sss, 285sss-286sss, 287sss-305sss, 306sss-308sss, Khaled Al Fawwaz (15) count(s) 1ssss, 2ssss, 3ssss, 4ssss, 5ssss, 6ssss, 7ssss-8ssss, 9ssss, 10ssss, 11ssss-234sss, 235sss-279sss, 280sss-283sss, 284sss, 285sss-286sss, 287sss-305sss, 306sss-308sss, Ibrahim Eidaous (16) count(s) 1ss, 2ss, 3ss, 4ss, 5ss, 6ss, 7ss-8ss, 9ss, 10ss, 11ss-234ss, 235ss-279ss, 280ss-283ss, 284ss, 285ss-286ss, 287ss-305ss, 306ss-308ss, Adel Abdel Bary (17) count(s) 1ss, 2ss, 3ss, 4ss, 5ss, 6ss, 7ss-8ss, 9ss, 10ss, 11ss-234ss, 235ss-279ss, 280ss-283ss, 284ss, 285ss-286ss, 287ss-305ss, 306ss-308ss, Saif Al Adel (18) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s-8s, 9s, 10s, 11s-234s, 235s-279s, 280s-283s, 284s, 285s-286s, 287s-305s, 306s-308s, Abdullah Ahmed Abdullah (19) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s-8s, 9s, 10s, 11s-234s, 235s-279s, 280s-283s, 284s, 285s-286s, 287s-305s, 306s-308s, Muhsin Musa Matwalli Atwah (20) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s-8s, 9s, 10s, 11s-234s, 235s-279s, 280s-283s, 284s, 285s-286s, 287s-305s, 306s-308s, Anas Al Liby (21) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s-8s, 9s, 10s, 11s-234s, 235s-279s, 280s-283s, 284s, 285s-286s, 287s-305s, 306s-308s, Mohamed Suleiman Al Nalfi (23) count(s) 1, 3, 5, 6 (dcap) Modified on 06/05/2001 (Entered: 06/05/2001)
03/13/2001	477	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (da) (Entered: 03/19/2001)
03/13/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd. Swahli interperter Besten Mwakaling for witness Rutahe Sherwa. (rag) (Entered: 03/19/2001)
03/14/2001	472	ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, If the Government has not rested by 4/2/01, the memorandum should nevertheless be filed but may be updated 2 business days after the Government rests. If the evidence cited is applicable solely by virtue of Pinkerton or some analogous theory of attribution, the memorandum should so state. (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 03/14/2001)
03/14/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd and adjourned to Monday 3/19/01 at 10 a.m. Japanese interpreter Eugene Kada present for witness Satoshi Mitsugi. Swahli interpreter Besten Mwakaling for witnesses

		Mohamed Zaidi, Thabit Sadaalli, Julius Kisingo, Ally Said, Mohamedi Selemeni, Hamed Muslim Salum. (rag) (Entered: 03/19/2001)
03/15/2001	475	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidalous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (da) (Entered: 03/16/2001)
03/15/2001	476	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidalous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (da) (Entered: 03/16/2001)
03/16/2001		First Appearance as to Mohamed Suleiman Al Nalfi held (dcap) (Entered: 06/05/2001)
03/16/2001		Arraignment as to Mohamed Suleiman Al Nalfi held Mohamed Suleiman Al Nalfi (23) count(s) 1, 3, 5, 6 before Judge Leonard B. Sand. Deft Al Nalfi pres w/atty Marion Seltzer (CJA). Interpreter (Arabic) Andre Conduni. AUSA Michael Garcia pres. Dft arraigned on Superceding Ind (10) of 98cr1023 and pleads not guilty on counts 1, 3, 5 &6 as charged. Status conference 3/27/01 at 4:30 p.m. - rm 318 for a report on housing conditions of the deft at MCC. gov't submit order excluding time thru 5/22/01 and a pre-trial confrence at that time at 9:30 a.m. Deft cont'd detained. (dcap) (Entered: 06/05/2001)
03/16/2001		Text not available. (Entered: 06/05/2001)
03/16/2001		PLEA entered by Mohamed Suleiman Al Nalfi . Court accepts plea. Not Guilty: Mohamed Suleiman Al Nalfi (23) count(s) 1, 3, 5, 6 (dcap) (Entered: 06/05/2001)
03/16/2001		ORAL ORDER as to Mohamed Suleiman Al Nalfi , set status conference for 4:30 3/27/01 for Mohamed Suleiman Al Nalfi , and to Continue in Interests of Justice time is excluded from 3/16/01 to 5/22/01. (Entered by Judge Leonard B. Sand) (dcap) (Entered: 06/05/2001)
03/19/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd. (rag) (Entered: 03/27/2001)
03/19/2001		CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL as to Mamdouh Mahmud Salim : Appointment of Attorney Irving Cohen (Signed by Judge Leonard B. Sand) (df) (Entered: 04/02/2001)
03/20/2001	478	Filed Memo-Endorsement on letter addressed to Judge Sand from atty Allan Haber as to Mamdouh Mahmud Salim, attorney Irving Cohen, member of the panel, if approved by Court is willing to assist in the preparation of the trial . Endorsement Approved (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 03/20/2001)
03/20/2001	479	ORDER as to Mohamed Sadeek Odeh, As for Odeh's argument relating to discovery, we need not decide whether the Government's failure to provide discovery relating to the tested clothing warrants suppression under the Constitution. The proper solution is instead to require the Government immediately to produce all relevant discovery in its possession concerning the seizure, storage, and transmission of the at-issue clothing-including, for all relevant items and at all relevant locations, the identities of the individuals who exercised custody over the items, their governmental affiliations, and the conditions under which those items were stored. While Odeh may not preclude the clothing's admission into evidence on grounds of inauthenticity, he is certainly entitled to attack the credibility and weight of the evidence before the jury (Signed by Judge Leonard B. Sand); Copies mailed. (sl) (Entered: 03/21/2001)
03/20/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd and adj. to 3/22/01. (rag) (Entered: 03/27/2001)
03/20/2001	552	ORDER as to Mohamed Suleiman Al Nalfi, to Continue in Interests of Justice time is excluded from 3/19/01 to 5/22/01. (Signed by Judge Leonard B. Sand); Copies mailed. (dcap) (Entered: 06/05/2001)
03/22/2001	480	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidalous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah,

		Anas Al Liby, L'Houssiane Kherchtou (da) (Entered: 03/23/2001)
03/22/2001	481	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (da) (Entered: 03/23/2001)
03/22/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd and adj. to 3/26/01. (rag) (Entered: 03/27/2001)
03/26/2001	482	Request to Charge by Mohamed Rashed Daoud Al-'Owhali. (bw) (Entered: 03/26/2001)
03/26/2001	483	Objections by Mohamed Rashed Daoud Al-'Owhali to the Government's Requests To Charge. (bw) (Entered: 03/26/2001)
03/26/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. All def't's present. Jury trial cont'd. (rag) (Entered: 03/29/2001)
03/27/2001	484	Requests to Charge by Wadih El Hage, Mohamed Sadeek Odeh. (bw) (Entered: 03/27/2001)
03/27/2001	485	MEMORANDUM of Law by Wadih El Hage, Mohamed Sadeek Odeh in support of their [484-1] requests to charge. (bw) (Entered: 03/27/2001)
03/27/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd and adjourned to April 2, at 10 a.m. Defts' cont'd detained. (rag) (Entered: 03/29/2001)
03/27/2001		Status conference as to Mohamed Suleiman Al Nalfi held before Judge Sand. Deft present w/atty Marion Seltzer, AUSA Michael Garcia pres. Arabic interpreter Andre Codouni also present. Andrea Giriolamo, atty for MCC – Bureau of Prisons. Conference held dealing with conditions of confinement at MCC and concluded. Court suggest that def't's atty read the transcripts of all prior proceedings dealing w/conditions of confinement. further conference 5/22/01 at 9:30 a.m. Deft cont'd detained. (dcap) (Entered: 06/05/2001)
03/27/2001		ORAL ORDER as to Mohamed Suleiman Al Nalfi , set pre-trial conference for 9:30 5/22/01 for Mohamed Suleiman Al Nalfi (Entered by Judge Leonard B. Sand) (dcap) (Entered: 06/05/2001)
03/29/2001		Pretrial Conference as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Deft Odeh present w/attys Anthony Ricco and Ed Wilford. Deft Al-'Owhali present w/attys David Baugh, Frederick Cohn. Deft Khalfan Khamis Mohamed not present, his atty David Ruhnke present. Deft El Hage not present, his attys Sam Schmidt and Joshua Dratel present. AUSAs Pat Fitzgerald, Paul Butler, Ken Karas and Michael Garcia present. Arabic interpreters Andre Codouni and Toufic Maged present. ORAL ARGUMENT held on Government's motion to quash multiple subpoenas of def't Al-'Owhali on various media networks photography departments – and concluded. Deft Al-'Owhali to re-submit new subpoenas. Defts continued detained. (Held before Judge Sand) (bw) (Entered: 03/30/2001)
03/30/2001	486	LETTER filed by U.S.A. as to Mohamed Rashed Daoud Al-'Owhali From AUSA Patrick J. Fitzgerald, Dated 3/29/01, Addressed to: Judge Sand Re: opposition to the request by Mohamed Rashed Daoud al-Owhali to issue subpeonas to various officials of the Department of Defense and former Secretary of State on the grounds that the materials and testimony sought are not relevent to the contemplated penalty proceedings. (mr) (Entered: 04/03/2001)
03/30/2001	493	ORDER as to Mohamed Rashed Daoud Al-'Owhali, The Court, therefore, directed counsel for Al-'Owhali to pare down and resubmit the subpoenas. Tr. at 3554. Assuming that this revision of the subpoenas is appropriately and in good faith done, the Court will sign the subpoenas entirely without prejudice to any further proceedings with respect thereto. Subpoena to Madeline Albright–The Government objects to this subpoena on a number of grounds. Among other issues, the government asserts that Secretary Albright may not be the appropriate witness. The government seeks leave to submit a written response to the subpoena as addressed to Madeline Albright and such leave is hereby granted. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 04/12/2001)
04/02/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. All defendant's present. Jury trial cont'd. Pakistan interpreter Raui Kotru present for witness Suhail Anjum, Riaz Gondal, Ga. Swahili interpreter Beston Mwakaling present for witnesses Gabriel Mutunga and Rosemary Wanjiru. (rag) (Entered: 04/04/2001)

04/03/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial cont'd. (rag) (Entered: 04/04/2001)
04/04/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd and adjourned to April 16, 2001 at 10 a.m. Defts' cont'd detained. (rag) (Entered: 04/04/2001)
04/05/2001	487	SEALED DOCUMENT as to L'Houssiane Kherchtou (af) (Entered: 04/06/2001)
04/09/2001	488	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (af) (Entered: 04/09/2001)
04/10/2001	489	MEMORANDUM OF LAW by Wadih El Hage in support of his motion for a Judgment of Acquittal pursuant to Rule 29(a), Fed.R.Crim.P. and motion for sanctions for spoilation of evidence. (bw) (Entered: 04/10/2001)
04/10/2001	490	MEMORANDUM OF LAW (DUPLICATE ORIGINAL) by Mohamed Rashed Daoud Al-'Owhali in support of Rule 29 Motion. (original document see doc #492). (bw) Modified on 04/17/2001 (Entered: 04/10/2001)
04/10/2001	492	MEMORANDUM by Mohamed Rashed Daoud Al-'Owhali in support of Rule 29 motion. (mr) (Entered: 04/12/2001)
04/11/2001	491	MOTION by Mohamed Sadeek Odeh pursuant to Rule 29(a), Fed. R. Crim. P., for a Judgment of Acquittal on counts 1, and 3 through 286 of the indictment. Return date not specified. [on letter addressed to Judge Sand from atty Anthony L. Ricco, dated 4/10/01] (bw) (Entered: 04/11/2001)
04/11/2001	499	ORDER To Show Cause as to Mohamed Rashed Daoud Al-'Owhali. It is hereby ORDERED, that the Deft, Mohamed Rashed Daoud Al-'Owhali show cause before this Court on Monday, 4/16/01 at 4:30 p.m. or soon there after as counsel can be heard before the Honorable Leonard Sand in Courtroom 318 of the U.S. Courthouse, 40 Foley Square, New York, New York 10007, why an order should not be made and entered in this action, pursuant to Rule 17 of the F.R.C.P., quashing the subpoena of the Deft Mohamed Rashed Daoud Al-'Owhali; and it is further ORDERED, that personal service of a copy of this ORDER TO SHOW CAUSE, together with the papers on which it is based, by noon or April 11, 2001 shall be deemed good and sufficient service; and it is further ORDERED, that Deft's answering papers in opposition to Don Emmert and Agence France Presse's Motion to Quash, if any, shall be served personally upon counsel for Don Emmert and Agence France Presse no later than noon (12:00 p.m.), Friday, April 13, 2001. (Signed on 4/10/01 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 04/16/2001)
04/12/2001	494	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (wv) (Entered: 04/13/2001)
04/12/2001	495	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (wv) (Entered: 04/13/2001)
04/12/2001		Status conference as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. All (4) defts present w/attys. AUSAs Pat Fitzgerald, Ken Karas, Paul Butler present. Interpreter (Arabic) Andre Codouni, Swahali interpreter Laura Black. Deft Odeh present w/attys Anthony Ricco, Ed Wilford and Carl Herman. Deft El Hage present w/attys Sam Schmidt and Joshua Dratel. Deft K.K. Mohamed present w/attys David Ruhnke and David Stern. Oral argument held on defts' R-29 motions to dismiss. "Denied in part and Granted in part". Counts 224 thru 234 and Counts 277, 278, 279, 283 &286, and Counts 8 &10 are granted &dismissed by Court as to Odeh only. Counts 8, 10, 224 thru 234, 277, 278, 279, 283 &286 are granted &dismissed as to deft Al'Owhali only. Counts 2, 290, 306 &307 dismissed on consent of Gov't. (Held before Judge Sand) (bw) (Entered: 04/30/2001)

04/12/2001		Status conference as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou held. ... Robing Room Conference with all attys present and dealing with the Somalia issue and concluded. (Held before Judge Sand) (bw) (Entered: 04/30/2001)
04/12/2001	554	MOTION by Mohamed Suleiman Al Nalfi for an order allowing for CJA payment of a 1 year mail subscription to Newsweek Magazine in Arabic in that such payment is a "reasonably incurred" expense , and Ordering the warden of his duly authorized agents at the MCC to deliver the magazine in a timely manner to Mr. Al Nalfi when it is mailed to the MCC through the U.S. Postal. (dcap) Modified on 01/30/2002 (Entered: 06/05/2001)
04/13/2001	498	MEMORANDUM OF LAW by Mohamed Rashed Daoud Al-'Owhali in response to the Government's opposition to separate death penalty sentencing hearings. (bw) (Entered: 04/16/2001)
04/16/2001	496	LETTER filed by U.S.A. as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou From AUSA's Patrick J. Fitzgerald, Kenneth M. Karas, Paul W. Butler, Micahel J. Garcia Dated 4/5/01, Addressed to: Judge Sand Re: The Government submits the following summary outline of the proof adduced during the case in chief. (rag) (Entered: 04/16/2001)
04/16/2001	497	LETTER filed by U.S.A. as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou From Kenneth M. Karas, Patrick J. Fitzgerald, Michael J. Garcia, Paul W. Butler Dated 4/12/01, Addressed to: Judge Sand Re: The Government respectfully submits this letter in response to the motions of the defendants for judgments of acquittal under Fed. R. Crim. P. 29. For the reasons set forth in the Government's letter of April 5, 2001 ("April 5 Letter") and herein, these motions should be denied. (rag) (Entered: 04/16/2001)
04/16/2001		Status conference as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou held. ... 9 a.m. Conference held on various matters including the Somalia issue and concluded. (Held before Judge Sand) (bw) (Entered: 04/30/2001)
04/16/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. 10 a.m. Jury Trial continued until 4 p.m. and adjourned to 4/17. 4:10 p.m. – Oral Argument held on penalty phase bifurcation issue: Decision Reserved; Also Oral Argument held on Order Show Cause by Agence France Presse & Don Emmert to quash subpoena duces tecum of deft Al-'Owhali and Oral Argument held on objections by Cabel News Network (CNN) to a subpoena being served on them also by deft Al-'Owhali – and concluded. "Subpoenas withdrawn". (Held before Judge Sand) (bw) (Entered: 04/30/2001)
04/16/2001		Status conference as to Wadih El Hage held. 5 p.m. – Argument held on oral application of deft El Hage for a court order to subpoena CNN – application denied. (Held before Judge Sand) (bw) Modified on 04/30/2001 (Entered: 04/30/2001)
04/17/2001	500	MEMORANDUM by Khalfan Khamis Mohamed in support of his motion for a separate penalty hearing. (bw) (Entered: 04/17/2001)
04/17/2001	501	LETTER filed as to Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed From Frederick H. Cohn, Dated 2/28/01, Addressed to: Judge Sand Re: requesting that the penalty phase be tried separately as to each defendant. (mr) (Entered: 04/17/2001)
04/17/2001	502	LETTER filed as to Khalfan Khamis Mohamed From David A. Ruhnke, Dated 3/4/01, Addressed to: Judge Sand re: Mr. Mohamed;s response to the motion by cpaital defendant, Mohamed Rashed Daoud al-'Owhali. (mr) (Entered: 04/17/2001)

04/17/2001	506	MEMORANDUM by U.S.A. as to Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed in response to the motions of defendants Khamis Mohamed and Al'Owhali for severance of the death penalty sentencing hearing. (rag) (Entered: 04/20/2001)
04/17/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial continued and adjourned to 4/18/01. Oral argument also held on Gov't motion to quash a subpoena as to Marilyn Albright. AUSA Michael Garcia. David Baugh present for deft Al-'Owhali - "Deft Al'Owhali to resubmit". (Held before Judge Sand) (bw) (Entered: 04/30/2001)
04/17/2001	553	Filed Memo-Endorsement on letter dated 4/12/01 to Judge Sand signed by Marion Seltzer as to Mohamed Suleiman Al Nalfi, asking permission to delegate substantive tasks to John H. Jacobs, Esq. and Elizabeth Macedonio, Esq. in connection with the representation of Mr. Al Nalfi.... Granted. Submit Order. (Signed by Judge Leonard B. Sand); Copies mailed. (dcap) (Entered: 06/05/2001)
04/18/2001	504	LETTER filed by U.S.A. as to Wadih El Hage From AUSA Kenneth M. Karas, Dated 4/16/01, Addressed to: Judge Sand Re: motion for judgment of acquittal (sl) (Entered: 04/19/2001)
04/18/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial continued and adjourned to 4/23/01. Conference held w/attys after jury is excused for the day on issues of redacted indictment and draft Jury Charge. Gov't will dismiss Count 6, and therefore Count 6 is dismissed as to all defts. (Held before Judge Sand) (bw) (Entered: 04/30/2001)
04/20/2001	505	MEMORANDUM by U.S.A. as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou in support of motion to quash defendant's subpoenas for the defense department. (mr) (Entered: 04/20/2001)
04/20/2001	507	Filed declaration of Stewart F. Aly re:requests for official information in litigation which fall under Defense Department regulations codified at 32 C.F.R. Part 97. (rag) (Entered: 04/23/2001)
04/20/2001	508	LETTER addressed to Judge Sand from Attorney Joshua L. Dratel, dated 4/20/01, filed by defts Wadih El Hage, Mohamed Sadeek Odeh Re: defts El-Hage and Odeh jointly submit the following objections, additions, and/or comments to the Court's proposed jury charge (Second Working Draft as of 4/19/01). (bw) (Entered: 04/23/2001)
04/20/2001	510	LETTER filed by Wadih El Hage From Joshua L. Dratel, Dated 4/19/01, Addressed to: Judge Sand Re: This letter is in reply to the government's April 16, 2001, letter regarding the sufficiency of proof of venue for Count 308 of the Indictment. (rag) (Entered: 04/23/2001)
04/20/2001	511	Filed defendant Al-'Owhali's proposed changes to the second working draft of the proposed charge to the jury. (rag) (Entered: 04/23/2001)
04/20/2001	512	RESPONSE by Mohamed Rashed Daoud Al-'Owhali to Government's motion to quash. (rag) (Entered: 04/23/2001)
04/20/2001	513	LETTER filed as to Khalfan Khamis Mohamed From David A. Ruhnke, Dated 4/18/01, Addressed to: Judge Sand Re: reiterating the representations made in open court and in memorandum of 4/13/01. (mr) (Entered: 04/23/2001)
04/20/2001	514	LETTER filed by U.S.A. as to Mohamed Sadeek Odeh From AUSA Kenneth M. Karas, Dated 4/20/01, Addressed to: Judge Sand Re: requesting that the Court instruct the jury that if, and only if, it convicts defendant Odeh on the conspiracy cont initially designated as Court 5, it may convict Odeh on the substantive Nairobi bombing counts using a Pinkerton theory of liability. (mr) (Entered: 04/23/2001)
04/23/2001	509	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (rp) (Entered: 04/23/2001)
04/23/2001	515	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah,

		Anas Al Liby, L'Houssiane Kherchtou (rp) (Entered: 04/23/2001)
04/23/2001	516	SEALED DOCUMENT as to Wadih El Hage (rp) (Entered: 04/23/2001)
04/23/2001	517	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (rp) (Entered: 04/23/2001)
04/23/2001	518	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (rp) (Entered: 04/23/2001)
04/23/2001	519	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (rp) (Entered: 04/23/2001)
04/23/2001	520	SEALED DOCUMENT as to Usama Bin Laden (rp) (Entered: 04/23/2001)
04/23/2001	521	SEALED DOCUMENT as to Usama Bin Laden (rp) (Entered: 04/23/2001)
04/23/2001	522	SEALED DOCUMENT as to Usama Bin Laden (rp) (Entered: 04/23/2001)
04/23/2001		Status conference as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. All defts (#1,3,4,8) present w/attys. AUSAs Pat Fitzgerald, Ken Karas, Paul Butler present. Sam Schmidt and Joshua Dratel and Kristian Larsen for deft El Hage. Anthony Ricco, Ed Wilford and Carl J. Herman and Sandra BaBack prsent for deft Odeh. Deft David Baugh and Frederick Cohn present for deft Al'Owhali. David Ruhnke and David Stern present for deft K.K. Mohamed. Oral argument held on Al'Owhali's motion to preclude introduction by the Gov't of proffered testimony under Rule 403 of certain Somali related matters. Motion DENIED. Court also grants motion of defts Al'Owhali and K.K. Mohamed to bifurcate the penalty phase of the trial. (Held before Judge Sand) (bw) (Entered: 05/01/2001)
04/23/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial continued at 10:30 a.m. 4:45 p.m. Charging conference held and adjourned. (Held before Judge Sand) (bw) (Entered: 05/01/2001)
04/23/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. All defendants present. Defendant El Hage motion for mistrial-Denied. Charging conference held and adjourned. (sg) (Entered: 05/09/2001)
04/23/2001		ORAL ORDER as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed , Court rules on bifucation issue, motion to bifurcate the death penalty phase of trial is granted. (Entered by Judge Leonard B. Sand) (sg) (Entered: 05/09/2001)
04/24/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial continued. El Hage motion for mistrial - denied. (Held before Judge Sand) (bw) (Entered: 05/01/2001)
04/24/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held before Sand. Deft Odeh witness L'Houssaine Kherchtou testifies through Arabic interpreter Seham susan Larady. Deft El Hage oral motion for mistrial is denied. (sg) (Entered: 05/09/2001)
04/25/2001	523	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (rp) (Entered: 04/25/2001)

04/25/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. (Before Judge Sand) (bw) (Entered: 05/01/2001)
04/25/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held before Judge Sand. Deft Witness L'Houssaine Kherachtou testifies thru Arabic interpreter Toufic Magid. (sg) (Entered: 05/09/2001)
04/25/2001	555	Filed Memo—Endorsement on letter dated 4/23/01 to Judge Sand signed by Marion Seltzer as to Mohamed Suleiman Al Nalfi, opposing the govt letter dated 4/12/01 in which the govt seeks permission to censor Newsweek Magazine prior to it being given to Mr. Al Nalfi.... The Court rejects defts contention. Submit revised order including govt's right to review before furnishing to deft. (Signed by Judge Leonard B. Sand); Copies mailed. (dcap) (Entered: 06/05/2001)
04/26/2001		Status conference as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Conference held on the Somalia issue and resolution reached. "Testimony of agent Yaccue is stricken." (Held before Judge Sand) (bw) (Entered: 05/01/2001)
04/26/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial continued and adjourned to 4/30/01. Conference held on special verdict form and concluded. (Held before Judge Sand) (bw) (Entered: 05/01/2001)
04/26/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held before Judge Sand. Judge with attorney's prior to jury entering ct reason the Somalia issue. Testimony of FBI agent James F. Yacone on 4/23 is stricken. Jury excused at 3:10 PM. Conference held with atty's on special verdict forem and concluded. Jury trial adjourned to 4/30/01. (sg) (Entered: 05/09/2001)
04/27/2001	556	ORDER as to Mohamed Suleiman Al Nalfi, Upon the application and with the consent of the deft a/k/a Mohamed Adam by his atorney Marion Seltzer, appointed under the Criminal Justice Act for the SDNY, the Court grants Ms. Seltzer authority to delegate substantive tasks in the legal representation of Mr. Al Nalfi to John H. Jacobs, Esq. and Elizabeth Macedonio, Esq, if they obtain security clearance, or to the extent matter delegated does not require clearance. (Signed by Judge Leonard B. Sand); Copies mailed. (dcap) (Entered: 06/05/2001)
04/30/2001	524	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (wv) (Entered: 04/30/2001)
04/30/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held before Judge Sand. 9:15 am conference held on the Somalia issue and as to whetehr deft. El Hage will testify. Jury trial continued. Charging conference continued and concluded Trial adjourned to 5/1/01. (sg) (Entered: 05/09/2001)
05/01/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial cont'd. All defendants present with attorneys. Govt. summation begins (rag) (Entered: 05/11/2001)
05/02/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial cont'd. Govt. summation cont'd. (rag) (Entered: 05/11/2001)
05/03/2001	525	LETTER addressed to Judge Sand from Attorney David A. Ruhnke, dated 5/2/01, filed by deft Khalfan Khamis Mohamed Re: submitted to seek an order from this Court directing the U.S. to produce certain Brady material relevant to the anticipated penalty phase in this case. (bw) (Entered: 05/03/2001)
05/03/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial continued. Govt. summation concludes. Deft. El Hage summation begins—Adj to May 7. (rag) (Entered: 05/11/2001)
05/04/2001	526	RESPONSE by Mohamed Rashed Daoud Al-'Owhali to government's motion to quash. (mr) (Entered: 05/04/2001)
05/07/2001	527	TRANSCRIPT of record of proceedings as to Usama Bin Laden for dates of 3/16/01. (tp) (Entered: 05/07/2001)
05/07/2001	531	SUPPLEMENTAL MEMORANDUM OF LAW by Mamdouh Mahmud Salim in support of his motion to suppress statements. (bw) Modified on 05/09/2001 (Entered: 05/09/2001)

05/07/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial cont'd. Deft. Odeh summation begun and concludes. Deft. Al'Owhali's motion for mistrial—denied. (rag) (Entered: 05/11/2001)
05/07/2001	503	TRANSCRIPT of record of proceedings before Judge Sand as to Mohamed Suleiman Al Nalfi for dates of March 27, 2001. (dcap) Modified on 02/21/2002 (Entered: 06/05/2001)
05/08/2001	528	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (wv) (Entered: 05/08/2001)
05/08/2001	529	LETTER filed by U.S.A. as to Khalfan Khamis Mohamed From AUSA'S Michael J. Garcia/Patrick J. Fitzgerald, Dated 5/7/01, Addressed to: Judge Sand Re: The Government respectfully submits this letter in response to the defendant Khalfan Khamis Mohamed's May 2, 2001 letter seeking what defendant characterizes as "certain Brady material relevant to the anticipated penalty phase in this case". (rag) (Entered: 05/08/2001)
05/08/2001	530	LETTER filed by U.S.A. as to Mohamed Sadeek Odeh From AUSA'S Paul W. Butler, Patrick J. Fitzgerald, Kenneth M. Karas, Michael J. Garcia Dated 4/28/01, Addressed to: Judge Sand Re: The Government respectfully submits this letter in opposition to the motion of defendant Mohamed Sadeek Odeh to dismiss from Count One of the current redacted indictment the overt act in paragraph 12 (e) (hereinafter "overt act 12(e)"). (rag) (Entered: 05/08/2001)
05/08/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury trial cont'd. Deft. Al'Owhali and Khalfan Khamis. Mohamed summations begun and concluded. Govt't rebuttal summation begins and adjourned to 5/9/01. (rag) (Entered: 05/11/2001)
05/09/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial continued. Govt. rebuttal summation concludes. Court charges jury at 11:40 a.m. Trial adjourned to May 10th. (rag) (Entered: 05/11/2001)
05/10/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd. Jury charge cont'd and concluded. Deliberations begun at 4 p.m. Trial adjourned to May 11, 2001. The four (4) alternate jurors are temporarily excused. (rag) Modified on 05/31/2001 (Entered: 05/11/2001)
05/11/2001	532	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (rp) (Entered: 05/11/2001)
05/11/2001	533	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (rp) (Entered: 05/11/2001)
05/11/2001	534	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (rp) (Entered: 05/11/2001)
05/11/2001	535	MOTION In Limine by Mohamed Rashed Daoud Al-'Owhali for an order directing the U.S. not to introduce or make mention of any photographs depicting human remains until such as time as there has been a hearing, outside of the presence of the jury, to determine the admissibility of the same. Return date not specified. (bw) (Entered: 05/14/2001)
05/11/2001	536	LETTER addressed to Judge Sand from Attorney David A. Ruhnke, dated 5/10/01, filed by deft Khalfan Khamis Mohamed Re: submitted in reply to the govt's letter of May 7, over the signature of AUSA

		Michael J. Garcia, regarding a Brady demand for penalty–phase evidence. (bw) (Entered: 05/14/2001)
05/11/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held before Judge Sand. Trial continued. Deliberations cont'd. (sg) Modified on 05/31/2001 (Entered: 05/22/2001)
05/14/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held before Judge Sand. Jury deliberations continued. Many exhibits requested. (sg) Modified on 05/31/2001 (Entered: 05/22/2001)
05/15/2001	537	MEMORANDUM by U.S.A. as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Osama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou in support of motion to quash defendant's subpoena for Madeleine Albright. (mr) (Entered: 05/15/2001)
05/15/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held before Judge Sand. Jury deliberations continued oral arguments held on gov't motion to quash subpoena of deft Al Owhali– motion granted (sg) Modified on 05/31/2001 (Entered: 05/22/2001)
05/16/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held before Judge Sand. Jury deliberations contineud more exhibits requested. Jury seeks clarification of count 3 on the special verdict form. (sg) Modified on 05/31/2001 (Entered: 05/22/2001)
05/17/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held before Judge Sand. Deliberations continued more testimony read back. Conference held between Court accused as to victim impact presentations in the penalty phase. Motion by defts Al'Owhali and Khalfan Khamis Mohamed to preclude use of photographs is denied. (sg) Modified on 05/31/2001 (Entered: 05/22/2001)
05/18/2001	538	Requests to Charge on behalf of Khalfan Khamis Mohamed – Penalty Phase. (bw) (Entered: 05/18/2001)
05/18/2001	539	Proposed Mitigating Factors on behalf of Khalfan Khamis Mohamed. (bw) (Entered: 05/18/2001)
05/18/2001	540	Proposed Introductory Remarks To Penalty Phase on behalf of Khalfan Khamis Mohamed. (bw) (Entered: 05/18/2001)
05/18/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held before Judge Sand. Jury deliberations continued jury seeks clarification of court's charge on pages 77 &79 dealing with aiding and abetting. Adjourned to 5/21/01. (sg) Modified on 05/31/2001 (Entered: 05/22/2001)
05/21/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury deliberations cont'd. Testimony of Mwaka Mulwa read to jury. (rag) (Entered: 05/31/2001)
05/22/2001	541	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Osama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou (rp) (Entered: 05/22/2001)
05/22/2001	542	LETTER filed by Khalfan Khamis Mohamed From David A. Ruhnke, Dated 5/18/01, Addressed to: Judge Sand Re: proposed special verdict form (sg) (Entered: 05/22/2001)
05/22/2001	543	Jury instructions as to Mohamed Rashed Daoud Al-'Owhali (sg) (Entered: 05/22/2001)
05/22/2001	544	Final Instructions (sg) (Entered: 05/22/2001)
05/22/2001	545	RESPONSE by U.S.A. as to Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed to the notices of mitigation factors filed by the capital defendants (sg) (Entered: 05/22/2001)
05/22/2001	546	Request to Charge by Mohamed Rashed Daoud Al-'Owhali (sg) (Entered: 05/22/2001)

05/22/2001	547	Mitigation factors for defendant Mohamed Rashed Daoud Al-'Owhali (sg) (Entered: 05/22/2001)
05/22/2001	548	Special findings and verdict forms Mohamed Rashed Daoud Al-'Owhali penalty phase. (sg) (Entered: 05/22/2001)
05/22/2001	549	REQUESTED preliminary penalty phase charge on behalf of Mohamed Rashed Daoud Al-'Owhali (sg) (Entered: 05/22/2001)
05/22/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Deliberations cont'd. Legal argument held on penalty phase as to R-16 discovery production-discovery resolved. (rag) (Entered: 05/31/2001)
05/23/2001	551	ORDER as to Wadih El Hage. Upon the application of deft Wadih El-Hage, by and through his atty, Sam A. Schmidt, Esq. and pursuant to the Criminal Justice Act: IT IS ORDERED that the expert document examiner, Paul A. Osborn, shall be entitled to an additional \$600 compensation for his appearance and testimony on behalf of the deft, Wadih El-Hage. (Signed on 5/22/01 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 05/24/2001)
05/23/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Deliberations cont'd. Hearing held in Robing Room on CIPA issues in the penalty phase. AUSA Michael Garcia and Patrick Fitzgrald present. Also present Gwynn Kinsey from Dept. of Justice, Wash, D.C. Attys' David Ruhuke and David Stern present for deft. KK Mohamed and David Baugh and Frederick Cohn present for deft. Al'Owhali-and concluded. Conference also held in Robing Room dealing with penalty phase issues such as mitigating factors, special finding of intent and special findings of intent and special verdict form and concluded. (rag) (Entered: 05/31/2001)
05/23/2001		Status conference as to Mohamed Suleiman Al Nalfi held before Judge Sand. Deft present. AUSA Michael Garcia. Marion Seltzer and John Jacobs, Esqs' present for deft. Interpreter (Arabic) Andre codouni present. All classified discovery as to this deft will be available to deft's counsel within 2 wks afer counsel receives their security clearance. Gov't may join deft Mamdouh Mahmud Salim in the trial of this case. If deft Salim becomes a co-deft in this case, deft Al Nalfi's atty's may seek a severance. Further conf set for Oct. 9, 2001 at 10 a.m. and with likelihood of atty's for deft Salim present as well. Govt submits order excluding time thru 10/9/01. Deft cont'd remanded. (dcap) (Entered: 06/05/2001)
05/23/2001		Pretrial Conference as to Mohamed Suleiman Al Nalfi set at 10:00 10/9/01 for Mohamed Suleiman Al Nalfi. (dcap) (Entered: 06/05/2001)
05/24/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Trial cont'd-deliberations cont'd and adjourned to 5/29/01. (rag) (Entered: 05/31/2001)
05/25/2001	563	ORDER as to Mohamed Suleiman Al Nalfi, to Continue in Interests of Justice time is excluded from May 23, 2001 to October 9, 2001. (Signed by Judge Leonard B. Sand); Copies mailed. (dcap) (Entered: 06/05/2001)
05/29/2001	557	Proposed Mitigation Factors by Mohamed Rashed Daoud Al-'Owhali. (bw) (Entered: 05/29/2001)
05/29/2001	559	Proposed Mitigating Factors by Khalfan Khamis Mohamed. (bw) (Entered: 05/29/2001)
05/29/2001	560	MEMORANDUM OPINION # 85658 as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, During the guilt phase of the case, the Court took two actions with respect to venue. First, in a ruling from the bench on 4/23/01, we dismissed for lack of venue Count 308 of the Indictment which alleges a violation of 18 U.S.C. Section 1001(a)(2). Second, in our charge to the jury delivered on 5/9-10/01, we submitted 18 U.S.C. Section 3238 as the sole basis upon which to determine venue for the four conspiracy counts. This opinion sets forth in detail the Court's reasons for those two decisions. (Signed by Judge Leonard B. Sand); Copies mailed. (ph) (Entered: 05/30/2001)
05/29/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held. Jury deliberations cont'd at 9:15 a.m. 9:30 a.m. conference in Robing Room dealing with death peanlty phase. AUSA Michael Garcia and Patrick Fitzgerald present. Frederick Cohn, Esq. and David Baugh, Esq. present for deft. Al'Owhali. David Ruhnke and David Stern present for deft. Khalfan Khamis Mohamed. By 5/31/01 Govt. to respond to decision of the Constitutional Court of the Republic of South Africa. By 6/1/01 deft. KK Mohamed response -oral argument 6/7/01 at 4:30 p.m. 12:15 p.m. Jury reaches a verdict as to all defts. Jury finds defts' El Hage, Odeh, Al'Owhali and Khalfan

		Khamas Mohamed guilty on counts 1 and 3. Jury finds defts' Odeh, Al'Owhali and KK Mohamed guilty on count 4. Jury finds defts' El Hage, Odeh, Al'Owhali and KK Mohamed guilty on count 5. Jury finds defts' Odeh and Al'Owhail guilty on count 7. Jury finds deft. KK Mohamed guilty on count 8. Jury finds defts' Odeh and Al'Owhali guilty on count 9. Jury finds deft. KK Mohamed guilty on counts 10. Jury finds defts' Odeh and Al'Owhali guilty on counts 11 thru 223. Jury finds deft KK Mohamed guilty on coutns 224 thru 234. Jury finds defts' Odeh and Al' Owhali guilty on counts 235 thru 275. Jury finds defts' Odeh and Al'Owhali guilty on counts 276. Jury finds deft. KK Mohamed guilty on counts 277, 278 and 279. Jury finds defts' Odeh and Al'Owhali guilty on counts 280, 281 and 282. Jury finds deft. KK Mohamed guilty on count 283. Jury finds defts' Odeh, Al'Owhali and KK Mohamed guilty on count 284. Jury finds defts' Odeh and Al'Owhali guilty on count 285. Jury finds deft. KK Mohamed guilty on count 286. Jury finds deft. El Hage guilty on counts 287, 288, 289, 291 thru 305. PSI ordered for defts' Odeh and El Hage. Attorneys' for Odeh and El Hage request sixty (60) days to file R-29 and 63 motions-granted. A control date for sentencing is set for 8/30/01 as to El Hage and Odeh. All defts' cont'd detained. 2:30 p.m. Jury present-Court delivers its preliminary instruction to jury on the penalty phase of case. Jury exclusion for the day and adjourned to 5/30/01. (rag) (Entered: 06/05/2001)
05/29/2001		Jury trial as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed concluded (rag) (Entered: 06/05/2001)
05/29/2001	611	Filed Verdict From (Guilt Phase) as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed (rag) (Entered: 08/20/2001)
05/29/2001		JURY VERDICT as to Wadih El Hage Guilty: Wadih El Hage (1) count(s) 1sssssss, 3sssssss, 5sssssss, 287sssssss-289sssssss, 291sssssss-305sssssss (rag) (Entered: 10/24/2001)
05/29/2001		JURY VERDICT as to Khalfan Khamis Mohamed Guilty: Khalfan Khamis Mohamed (8) count(s) 1ssss, 3ssss, 4ssss, 5ssss, 8ssss, 10ssss, 224ssss-234ssss, 277ssss-278ssss, 279ssss, 283ssss, 284ssss, 286ssss (rag) (Entered: 10/24/2001)
05/29/2001		JURY VERDICT as to Mohamed Sadeek Odeh Guilty: Mohamed Sadeek Odeh (3) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 7ssssss, 9ssssss, 11ssssss-223ssssss, 235ssssss-275ssssss, 276ssssss, 280ssssss-281ssssss, 282ssssss, 284ssssss, 285ssssss (rag) (Entered: 10/25/2001)
05/29/2001		JURY VERDICT as to Mohamed Rashed Daoud Al-'Owhali Guilty: Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 7ssssss, 9ssssss, 11ssssss-223ssssss, 235ssssss-275ssssss, 276ssssss, 280ssssss-281ssssss, 282ssssss, 284ssssss, 285ssssss (rag) (Entered: 10/25/2001)
05/29/2001	558	LETTER filed by U.S.A. as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi From AUSA Michael J. Garcia, Dated May 23, 2001, Addressed to: Hon. Leonard B. Sand, Re: The Government respectfully submits this letter outlining its revised aggravating factors: I. Statutory Aggravating Factors, II. Non-Statutory Aggravating Factors. (dcap) (Entered: 01/30/2002)
05/30/2001	561	LETTER filed by Khalfan Khamis Mohamed From David A. Ruhnke, Dated 5/29/01, Addressed to: Judge Sand Re: This memorandum is submitted to address some of the outstanding issues that must be resolved prior to the start of any penalty-phase in the case of Khalfan Khamis Mohamed. (rag) (Entered: 05/31/2001)
05/30/2001	562	LETTER filed by Khalfan Khamis Mohamed as to Khalfan Khamis Mohamed From David A. Ruhnke, Dated 5/28/01, Addressed to: Judge Sand Re: Khalfan Mohamed's removal from South Africa. (rag) (Entered: 05/31/2001)
05/30/2001		Special Hearing (Penalty Phase) begins as to deft. Al'Owhali. Opening statements by Gov't and atty for deft. Al'Owhali. AUSA'S Patrick Fitzgerald and Michael Garcia present. Arabic interpreter-Andre Codani. Atty's Frederick Cohn and David Baugh for deft. Al'Owhali. (rag) (Entered: 06/05/2001)
05/31/2001		Special Hearing (Penalty Phase) as to Mohamed Rashed Daoud Al-'Owhali cont'd and adj. to 6/4/01. (rag) (Entered: 06/05/2001)
06/04/2001		Status conference as to Mohamed Rashed Daoud Al-'Owhali held. 8:30 a.m. Conference held in open court-Def't. Al'Owhali allocuted as to whether he wishes to testify on his own behalf on the penalty phase of case. Def't. will not. Special hearing on Penalty phase cont'd as to Al'Owhali. Jury present. Govt. rests. Def't's case begins and adjourned. 4:30 p.m. Charging conference begun and concluded. (rag) (Entered: 06/05/2001)

		06/13/2001)
06/05/2001	564	ORDER as to Mohamed Rashed Daoud Al-'Owhali, Set motion filing deadline for 8/27/01 for Mohamed Rashed Daoud Al-'Owhali. On the application made by the Defendant, Mohammed al-'Owhali, made in open court on the 29th day of May 2001, said application being made in order that there be no chance of jurisdictional defect in making post trial motions including those under Rule 33 of the Federal Rules of Criminal Procedure, and on consent of the U.S. of America, the defendant's time to make motions including motions in arrest of judgment is enlarged to and including August 27, 2001 and any such motions shall be filed on or before that date. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 06/11/2001)
06/05/2001		Status conference as to Mohamed Rashed Daoud Al-'Owhali held. Special Hearing on penalty phase as to deft. Al'Owhali cont'd. Jury present. Deft. Al'Owhali rests at 10:55 a.m. Gov't rebuttal case begins. Gov't rests at 11:15 a.m. Gov't summation. Deft. Al'Owhali summation begins and concludes at 1:15 p.m. Alt. juror #1277 is discharged. Court charges jury at 2:45 p.m. Jury deliberations begin 4:10 p.m. The (3) alternate jurors are temporarily excused until at least 6/18/01. (rag) (Entered: 06/13/2001)
06/06/2001	565	LETTER filed by Khalfan Khamis Mohamed From David A. Ruhnke, Dated 6/6/01, Addressed to: Judge Sand Re: That the present jury be discharged at the conclusion of its penalty-phase deliberations regarding Mohamed Rashed Daoud al-'Owhali, and that a new jury be selected to hear the penalty proceedings regarding Khalfan Khamis Mohamed. (rag) (Entered: 06/11/2001)
06/06/2001	566	LETTER filed by U.S.A. as to Khalfan Khamis Mohamed From AUSA'S Patrick J. Fitzgerald and Michael J. Garcia, Dated 6/6/01, Addressed to: Judge Sand Re: To address the issues raised by the recent decision of the South African Constitutional Court. (rag) (Entered: 06/11/2001)
06/06/2001	567	ORDER as to Khalfan Khamis Mohamed, Upon the application of David Stern, Esq. pursuant to 28 U.S.C. 1825 (a)(2), and being satisfied that, Amina Salum, is a potential witnesses for whom no other accommodations can be made; It is hereby ordered, that the U.S. Marshall's Service for the Southern District of New York shall pay the transportation, support, and fees for the individual listed above. (Signed by Judge Leonard B. Sand); Copies mailed. (rag) (Entered: 06/11/2001)
06/06/2001		Status conference as to Mohamed Rashed Daoud Al-'Owhali held. Jury deliberations cont'd on Special Hearing Penalty Phase. (rag) (Entered: 06/13/2001)
06/07/2001		Status conference as to Mohamed Rashed Daoud Al-'Owhali held. Jury deliberations cont'd on Special Hearing Penalty Phase. Adjourned to June 11, 2001. (rag) (Entered: 06/13/2001)
06/11/2001	568	LETTER filed by Khalfan Khamis Mohamed From David A. Ruhnke and David Stern Co-counsel to Khalfan Khamis Mohamed , Dated 6/11/01, Addressed to: Judge Sand Re: This memorandum discusses the impact on this case of the May 28, 2001 decision of the Constitutional Court of South Africa. (rag) (Entered: 06/13/2001)
06/11/2001		Status conference as to Mohamed Rashed Daoud Al-'Owhali held. Jury dleiberations cont'd on Special Hearing Penalty Phase as to deft. Al-'Owhali. (rag) (Entered: 06/13/2001)
06/12/2001		Status conference as to Mohamed Rashed Daoud Al-'Owhali held. Jury deliberations cont'd and concluded. Jury reaches a verdict on the Special Verdict Form of the Penalty Phase as to defendant Al-'Owhali. "Jury does not unanimously find that the death sentence is appropriate. We (the jury) understand that the consequence of this is that Al-'Owhali will be sentenced to life imprisonment without the possibility of release. Deft. cont'd detained. Court sets sentencing for September 12, 2001 at 10:30 a.m. Pre-sentence report is ordered. (rag) (Entered: 06/13/2001)
06/12/2001		Status conference as to Khalfan Khamis Mohamed held. Gov't attys' Patrick Fitzgerald and Michael Garcia present. David Ruhnke and David Stern, Esqs present for deft. Khalfan Khamis Mohamed. Deft. not present. Oral argument also held re: South African Constitutional Court decision. Deft's attorney may refer to that court's decision in his preliminary (opening) statement. Further conference set for 6/18/01 at 10 a.m. dealing with all issues preliminary to the Khalfan Khamis penalty hearing which commences on 6/19/01 at 9:30 a.m. with the jury present. (rag) (Entered: 06/13/2001)
06/12/2001	574	Filed Special Verdict Form of the Penalty Phase as to defendant Al-'Owhali (Court Exhibit A). (rag) (Entered: 06/19/2001)
06/13/2001	569	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah,

		Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (wv) (Entered: 06/13/2001)
06/14/2001	570	ORDER as to Khalfan Khamis Mohamed, the US Marshall's Service for the Southern District of NY shall reimburse David Stern, Esq.for the expenses of room and board accrued by the above individuals upon presentation of receipts. (Signed by Judge Leonard B. Sand); Copies mailed. (ac) (Entered: 06/14/2001)
06/18/2001	571	Proposed Mitigating Factors by defendant's attorneys, David Stern and David Ruhnke. (Revision of 6/17/01). (ph) Modified on 06/18/2001 (Entered: 06/18/2001)
06/18/2001	572	Proposed Mitigating Factors by defendant's attorneys, David Stern and David Ruhnke. (Revision of 6/18/01). (ph) (Entered: 06/18/2001)
06/18/2001	573	ORDER as to Mohamed Sadeek Odeh, That William Mann, is appointed as a Para-Legal in the above captioned case at a rate set at Twenty Five (\$25.00) dollars per hour nunc pro tunc to 6/5/00. (Signed by Judge Leonard B. Sand); Copies mailed. (ph) (Entered: 06/19/2001)
06/18/2001		Status conference as to Khalfan Khamis Mohamed held before Judge Leonard B. Sand. Sealed proceeding in robing room w/all attys' and concluded. Conference held dealing with proposed preliminary instruction to jury and the question of whether Richard Lind, Esq., attorney for deft. Salim will grant permission to have psychiatric report of Salim be turned over to David Ruhnke, Esq., atty for Khalfan Khamis Mohamed. Conference concluded. (rag) (Entered: 08/21/2001)
06/19/2001		Status conference as to Khalfan Khamis Mohamed held before Judge Leonard B. Sand. Special Hearing on Penalty Phase begins as to deft. Khalfan Khamis Mohamed. AUSA Patrick Fitzgerald and Michael Garcia present. David Ruhuke and David Stern present for deft. Khalfan Khamis Mohamed. Deft. present. Court's preliminary instruction to jury and gov't and deft. opening statements begun and concluded. Swahili interpreters' Laura Black and Charles Mironko present. Gov't case begins. Swahili interpreter Beston Mwakaling present for Gov't witnesses Valentyne Katunda, Asha Kambenga, Mohamed Jelwni Mohamed, Judith Mwila. (rag) (Entered: 08/21/2001)
06/20/2001	575	Filed Memo-Endorsement on letter addressed to Judge Sand from AUSA Joseph F. Bianco, dated 6/18/01 as to Mamdouh Mahmud Salim, request that the Court allow the following disclosures to the prosecution team in the embassy bombing case and the assault case, as well as the psychiatrist hired by the Government to examine defendant: the transcript of the proceeding before Magistrate Judge Eaton on 10/26/00 and the letters written by defendant to Your Honor...Permission Granted (Signed by Judge Leonard B. Sand); Copies mailed. (jb) (Entered: 06/21/2001)
06/20/2001		Status conference as to Khalfan Khamis Mohamed held before Judge Leonard B. Sand. Special Hearing on Penalty Phase cont'd-Jury present-Swahili interpreter Beston Mwakaling present for witness Kulwa Rahadhani. (rag) (Entered: 08/21/2001)
06/21/2001	576	Filed Memo-Endorsement on letter addressed to Judge Sand from defense attorney Jashua L. Dratel, dated 6/17/01 as to Wadih El Hage, requesting the Court to order the dry cleaning bills as necessary for an adequate defense for defendant at trial....Application Granted (Signed by Judge Leonard B. Sand); Copies mailed. (jb) (Entered: 06/21/2001)
06/21/2001	577	ORDER as to Khalfan Khamis Mohamed, IT IS HEREBY ORDERED that the US Marshal's Service for the Southern District of NY shall pay the transportation, support, and fees for Shaima Dalvie. (Signed by Judge Leonard B. Sand); Copies mailed. (ac) (Entered: 06/21/2001)
06/21/2001		Status conference as to Khalfan Khamis Mohamed held before Judge Leonard B. Sand. Special Hearing on penalty Phase cont'd and adjourned to 6/25/01 at 9:30 a.m. Deft. cont'd detained. (rag) (Entered: 08/21/2001)
06/22/2001	578	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (rp) (Entered: 06/22/2001)
06/22/2001	579	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (rp) (Entered: 06/22/2001)

06/22/2001	580	SEALED DOCUMENT as to Usama Bin Laden (rp) (Entered: 06/22/2001)
06/25/2001		Special Penalty Phase Hearing continued as to Khalfan Khamis Mohamed held. Jury present. Defendant present with attorney David Ruhuke and David Stein, AUSA Patrick Fitzgerald and Michael Garcia. Swahili interpreter Charles Mironko and Laura Black present. (ph) (Entered: 07/06/2001)
06/26/2001	581	ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi, IT IS HEREBY ORDERED, that the United States Marshall's service for the Southern District of New York shall pay the transportation, support, and fees for Abin Dalvie. SO ORDERED. (Signed by Judge Leonard B. Sand); Copies mailed. (ja) (Entered: 06/26/2001)
06/26/2001		Special Penalty Phase Hearing continued as to Khalfan Khamis Mohamed held. Jury present. Government rests. (ph) (Entered: 07/06/2001)
06/27/2001		Penalty Phase Hearing continued as to Khalfan Khamis Mohamed held. Jury present. (ph) (Entered: 07/06/2001)
06/28/2001		Penalty Phase Hearing continued and adjourned to 7/2/01 as to Khalfan Khamis Mohamed held. 2:30 conference call held in chambers – all attorneys present and attorney Richard Lind on the telephone. Sealed proceeding on issue of Dr. Kleinman's report as to defendant Salim's mental competency and concluded. (ph) (Entered: 07/06/2001)
07/02/2001		Special Penalty Phase Hearing continued as to Khalfan Khamis Mohamed held. Jury present. Defendant's attorney reads (25) stipulations into the record as well as numerous records. Defendant Khalfan Khamis Mohamed rests. Government rebuttal case begins. No witnesses are called but stipulations are read to jury and numerous exhibits recorded. Government rests at 10:55 a.m. Government summation begins at 11:05 a.m. Defendant's summations begins at 2:25 p.m. Government rebuttal to 3:50 pm. and adjourned to 7/3/01. (ph) (Entered: 07/06/2001)
07/03/2001		Penalty Phase Hearing as to Khalfan Khamis Mohamed held. Court charges jury 9:45 a.m. Jury excused at 11:00 a.m. Deliberations begin 7/5/01. (ph) (Entered: 07/06/2001)
07/03/2001	582	Filed Memo–Endorsement on letter addressed to Judge Sand from Attorney Frederick H. Cohn, dated 6/21/01, as to deft Mohamed Rashed Daoud Al-'Owhali. Mr. Cohn writes to seek authorization on two administrative matters: (1) He requests that, although the death penalty is no longer applicable to his client, that his firm be continued at the rates heretofore set by the Court, \$125 per hour for attorney time and \$50 per hour for paralegal time. (Katie Tempone is presently working on loan to David Ruhnke but being billed through Mr. Cohn as per the Judge's permission in Court); (2) Mr. Baugh has given notice to his landlord that he intends to vacate by July 1. Mr. Cohn has no room for the many boxes of files and wish to engage a storage room where they will have access at minimal cost. That cost will probably not exceed \$150 per month on a month to month basis plus the transportation. Authorization for such an expenditure is necessary for the preservation of the files; JUDGE ENDORSED – Granted as to writer's firm only. (Signed on 6/26/02 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 05/08/2002)
07/05/2001	583	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (wv) (Entered: 07/05/2001)
07/05/2001		Jury trial as to Khalfan Khamis Mohamed held. Jury deliberations begin as to deft Khalfan Khamis Mohamed on the Special Penalty Hearing. Deft present w/atty David Ruhnke and David Stern. AUSAs Fitzgerald and Garcia present – adjourn to 7/9/01. Deft continued remanded. (Held before Judge Sand) (bw) (Entered: 07/12/2001)
07/06/2001	584	TRANSCRIPT of record of proceedings as to Mohamed Suleiman Al Nalfi for dates of 5/23/01 before Judge Leonard B. Sand . (ph) (Entered: 07/06/2001)
07/09/2001		Jury trial as to Khalfan Khamis Mohamed held. Jury deliberations continued and adjourned to 7/10. (Held before Judge Sand) (bw) (Entered: 07/12/2001)

07/10/2001		Jury trial as to Khalfan Khamis Mohamed concluded. Jury deliberations continued. Jury deliberations continued and concluded. Jury reaches a verdict on the Special Verdict Form of the Penalty Phase as to deft Khalfan Khamis Mohamed. "We, the jury, are unable to reach a unanimous verdict either in favor of a life sentence or in favor of a death sentence, for any of the capital counts. We understand that the consequence of this is that Khalfan Khamis Mohamed will be sentenced to life imprisonment without the possibility of release." (See attached Special Verdict Form). Deft remanded. (Held before Judge Sand) cont'd. PreSentence Investigation ordered as to deft Khalfan Khamis Mohamed. Sentence set for Sept. 19, 2001 at 10:30 a.m. (bw) Modified on 07/13/2001 (Entered: 07/12/2001)
07/10/2001	585	PENALTY PHASE, SPECIAL VERDICT FORM by U.S.A. as to Khalfan Khamis Mohamed. (bw) (Entered: 07/12/2001)
07/10/2001		Court Orders pre-sentence investigation as to Khalfan Khamis Mohamed. (bw) (Entered: 07/13/2001)
07/10/2001		ORAL ORDER as to Khalfan Khamis Mohamed . SET Sentencing for 10:30 a.m. 9/19/01 for Khalfan Khamis Mohamed. (Entered Judge Leonard B. Sand) (bw) (Entered: 07/13/2001)
07/17/2001	586	Filed Memo-Endorsement on letter dated 6/28/01, as to Mohamed Rashed Daoud, Al-'Owhali, from: Frederick H. Cohn, counsel for defendant, to: Judge Sand, re: a request for authorization to retain the services of a psychiatrist for evaluative purposes in assisting the Probation Department in preparing a Presentence Investigation Report. Approved without Government objection. (Signed by Judge B. Sand); Copies mailed. (ja) (Entered: 07/17/2001)
07/17/2001	587	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (rp) (Entered: 07/18/2001)
07/23/2001	588	MEMORANDUM OPINION # 85862 as to Khalfan Khamis Mohamed, For the foregoing reasons, Khalfan Khamis Mohamed's request that the Court direct the Government to discontinue its capital case against him is denied and his request that he be permitted to present the decision of the Constitutional Court of South Africa as a mitigating factor is granted to the extent set forth above. (Signed by Judge Leonard B. Sand); Copies mailed. (ph) (Entered: 07/23/2001)
07/26/2001	589	LETTER filed by U.S.A. as to Mamdouh Mahmud Salim From AUSA Kenneth M. Karas, Dated June 29, 2001, Addressed to: Judge Sand Re: the Government's opposition, in response to the defendant's motion to suppress all statements made after his arrest in September 1998. (jb) (Entered: 07/26/2001)
07/26/2001	590	LETTER filed by Mamdouh Mahmud Salim as to Mamdouh Mahmud Salim From defense attorney Allan P. Haber, Dated July 20, 2001, Addressed to: Judge Sand Re: defendant's reply to the Government's June 29, 2001 opposition to the motion to suppress statements the defendant made to American and German officials following his arrest in 1998. (jb) (Entered: 07/26/2001)
08/02/2001	591	Filed Memo-Endorsement on letter addressed to Judge Sand from Attorney Joshua L. Dratel, dated 7/24/01, as to deft Wadih El Hage. This letter is submitted in regard to deft El-Hage's post-trial motions pursuant to Rules 29 and 33, Fed.R.Crim.P., in the above-entitled case. Presently, those motions are due by 7/30/01. Mr. Dratel requests that the time for submission of those motions be extended until 8/13/01; JUDGE GRANTED. (Signed on 7/30/01 by Judge Leonard B. Sand); Copies mailed. (bw) (Entered: 05/08/2002)
08/08/2001	592	ORDER as to Mohamed Suleiman Al Nalfi, that John H. Jacobs, Esq., be appointed pursuant to the Criminal Justice Act to represent Mr. al Nalfi in the above-referenced case nunc pro tunc to 2/1/01, and that Mr. Jacobs submit his requests for payment on a separate CJA voucher from that of co-counsel Marion Seltzer. (Signed by Judge Leonard B. Sand); Copies mailed. (ph) (Entered: 08/09/2001)
08/09/2001	593	Filed Memo-Endorsement on letter addressed to Judge Sand from defense counsel Marion Seltzer, dated August 1, 2001 as to Mohamed Suleiman Al Nalfi, requesting an Order signed to reimburse the attorney for money spent for the delivery of a Arabic magazine and newspaper to the defendant....GRANTED (Signed by Judge Leonard B. Sand); Copies mailed. (jb) (Entered: 08/09/2001)
08/13/2001	594	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi for dates of

		February 20,21,22,26,27, 2001 before Judge Leonard B. Sand. (ph) (Entered: 08/13/2001)
08/13/2001	595	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi for dates of February 28, 2001 and March 1, 7, 8, 12, 2001 before Judge Leonard B. Sand. (ph) (Entered: 08/13/2001)
08/13/2001	596	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi for dates of May 3,7,8,9,10,11, 2001 before Judge Leonard B. Sand. (ph) (Entered: 08/13/2001)
08/13/2001	597	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi for dates of June 25, 26, 27, 28, 29, 2001 and July 2, 3, 5, 2001 before Judge Leonard B. Sand. (ph) (Entered: 08/13/2001)
08/13/2001	598	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi. Date of: January 31, 2001. (jb) Modified on 08/13/2001 (Entered: 08/13/2001)
08/13/2001	599	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi for dates of June 5,6,7,8,11,12,18,19,20,21, 2001. (jb) (Entered: 08/13/2001)
08/13/2001	600	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi for dates of April 25,26,30 2001 and May 1,2,3 2001. (jb) (Entered: 08/13/2001)
08/13/2001	601	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi for dates of December 12,14 2000. (jb) (Entered: 08/13/2001)
08/13/2001	602	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi for dates of February 5,6,7,13,14,15,16 2001. (jb) (Entered: 08/13/2001)

08/13/2001	603	TRANSCRIPT of record of proceedings (Hearing) as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi for dates of January 19, 2001. (jb) Modified on 08/13/2001 (Entered: 08/13/2001)
08/13/2001	604	TRANSCRIPT of record of proceedings (Voir Dire) as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi for dates of January 3,4,5,8,9,10,11,12,16 2001. (jb) Modified on 08/13/2001 (Entered: 08/13/2001)
08/13/2001	605	TRANSCRIPT of record of proceedings as to Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed, Wadih El Hage for dates of March 13,14,19,20,21, 22, 2001 before Hon. Leonard Sand. (ac) Modified on 08/13/2001 (Entered: 08/13/2001)
08/13/2001	606	TRANSCRIPT of record of proceedings as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed for dates of March 26,27,29, April 2,3,4,12, 2001 before Hon. Leonard Sand. (ac) Modified on 08/13/2001 (Entered: 08/13/2001)
08/13/2001	607	TRANSCRIPT of record of proceedings as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed for dates of April 16,17,18,23,24, 2001 before Hon. Leonard Sand. (ac) (Entered: 08/13/2001)
08/13/2001	608	TRANSCRIPT of record of proceedings for dates of May 14,15,16,17,18,21,22,23,24,29,30,31 and June 4, 2001 as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed before Hon. Leonard Sand. (ac) (Entered: 08/13/2001)
08/16/2001	610	ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi, in light of the Government's position in their letter dated July 26, 2001, the Court's approval of the letter dated July 20, 2001, from Allen Haber, Esq., requesting document translation into Arabic, is hereby withdrawn pending further approval by the Court. (Signed by Judge Leonard B. Sand) Copies mailed. (jb) (Entered: 08/17/2001)
08/24/2001	612	Filed Memo--Endorsement on Notice of Motion, dated 8/24/01, as to Mamdouh Mahmud Salim denying [212-1] motion A) An Order pursuant to Rule of the FRCP, 18 USC Section 3501, and the Fifth and Sixth Amendments to the U.S. Constitution suppressing evidence of alleged post-arrest statements of the accused, and a pre-trial hearing upon the motion, mooted [212-2] motion B) An Order pursuant to Rule 14 of the FRCP granting deft Salim a severance of his trial from those of his codefendants. Although Mr. Salim would prefer an early trial, if severance depends upon his willingness to consent to a delay, he would agree to do so, denying [111-3] motion to suppress physical evidence and derivative fruits, [111-4] motion to suppress alleged statement of accused, denying [111-5] motion to suppress evidence consisting of both in court and out of court identification. Endorsement Motion for suppressing denied per opinion this date. Motion for severance deemed as moot. SO ORDERED. (Signed by Judge Leonard B. Sand); Copies mailed. (ja) (Entered: 08/24/2001)
08/24/2001	613	MEMORANDUM OPINION # 86021 as to Mamdouh Mahmud Salim, for all of the foregoing reasons, Defendant Salim's motion to suppress is denied in its entirety. SO ORDERED. (Signed by Judge Leonard B. Sand); Copies mailed. (ja) (Entered: 08/27/2001)
08/24/2001	614	POST-TRIAL MEMORANDUM OF LAW by Mohamed Rashed Daoud Al-'Owhali in support of the judgment of conviction should be vacated, the indictment dismissed, and all other relief deemed just and appropriate by this Court. (ja) (Entered: 08/28/2001)
08/24/2001	615	NOTICE OF MOTION IN SUPPORT OF DEFENDANT Mohamed Rashed Daoud Al-'Owhali Post-Trial Motions Pursuant to Rules 29(c) &33, FED.R.CRIM.P., AND FOR SUPPRESSION OF EVIDENCE. PLEASE TAKE NOTICE, that the Defendant Mohamed al-'Owhali will move before the Honorable Leonard B. Sand, United States District Judge for the Southern District of New York, at the United States Crthse located at 500 Pearl Street, New York on or about 9/19/00, at 9:30 a.m., or as soon thereafter as counsel may be heard, for the following relief: a judgment of acquittal pursuant to Rule

		29(c), Fed.R.Crim.P. ; a new trial pursuant to Rule 33, Fed.R.Crim.P. ; suppression of statements made Nairobi, Kenya, and/or an evidentiary hearing on the issue ; and leave to join his co-defendants' motion to the extent they benefit him; as well as for any such other and further relief as to the Court seems just and proper. join . Return date 9/19/00. (ja) (Entered: 08/28/2001)
08/30/2001	616	TRANSCRIPT of record of proceedings as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed for dates of 12/11/00. (yv) Modified on 02/22/2002 (Entered: 08/30/2001)
08/30/2001	617	TRANSCRIPT of record of proceedings as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed for dates of 1/2/01. (yv) Modified on 02/22/2002 (Entered: 08/30/2001)
08/30/2001	618	TRANSCRIPT of record of proceedings as to Mohamed Rashed Daoud Al-'Owhali for dates of 12/12/00. (yv) Modified on 02/22/2002 (Entered: 08/30/2001)
08/30/2001	619	TRANSCRIPT of record of proceedings as to Wadih El Hage for dates of 12/15/00. (yv) Modified on 02/22/2002 (Entered: 08/30/2001)
08/30/2001	620	TRANSCRIPT of record of proceedings as to Mamdouh Mahmud Salim, Mohamed Rashed Daoud Al-'Owhali for dates of 12/20/00. (yv) Modified on 02/22/2002 (Entered: 08/30/2001)
08/30/2001	621	TRANSCRIPT of record of proceedings as to Wadih El Hage, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed for dates of 12/15/00. (yv) Modified on 02/22/2002 (Entered: 08/30/2001)
08/30/2001	622	TRANSCRIPT of record of proceedings as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed for dates of 12/6/00. (yv) Modified on 02/22/2002 (Entered: 08/30/2001)
08/30/2001	623	TRANSCRIPT of record of proceedings as to Mohamed Rashed Daoud Al-'Owhali for dates of 11/13/00. (yv) Modified on 02/22/2002 (Entered: 08/30/2001)
08/30/2001	624	TRANSCRIPT of record of proceedings as to Mamdouh Mahmud Salim, Mohamed Rashed Daoud Al-'Owhali for dates of 12/20/00. (yv) Modified on 02/22/2002 (Entered: 08/30/2001)
09/04/2001	625	Filed Memo-Endorsement on letter addressed to Judge Sand from AUSA Kenneth M. Karas, dated September 3, 2001 as to Wadih El Hage, Mohamed Rashed Daoud Al-'Owhali, requesting the Court for permission to respond to the post-trial motions of defendant Hage and al-'Owhali by Friday, September 14, 2001...GRANTED (Signed by Judge Leonard B. Sand); Copies mailed. (jb) Modified on 02/22/2002 (Entered: 09/04/2001)
09/05/2001	626	Filed Memo-Endorsement on letter addressed to Judge Sand from defense counsel Allan P. Haber, dated August 14, 2001 as to Mamdouh Mahmud Salim, submitted in response to the Government's July 26, 2001 opposition letter, requesting immediate discovery and early translations into Arabic, so that the defendant can participate in his defense....Application DENIED without prejudice to renewal when a trial scheduling conference is held. (Signed by Judge Leonard B. Sand); Copies mailed. (jb) Modified on 02/22/2002 (Entered: 09/05/2001)
09/24/2001		ORDER EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT as to Mamdouh Mahmud Salim, Mohamed Suleiman Al Nalfi ...that request for a 30-day exclusion from today, September 17, 2001, pursuant to Title 18 U.S.C. Sec. 3161(h) (8) (A) is hereby granted for all criminal cases in which an indictment or information has been filed and is pending,.... Continuing due to extraordinary circumstances, time is excluded from 9/17/01 to 10/17/01 (Signed by Chief Judge Michael B. Mukasey); [Original filed in M10-468 Document No. 22] (ICMSUSER) (Entered: 10/02/2001)
09/25/2001	627	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Osama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (wv) Modified on 02/22/2002 (Entered: 09/25/2001)
10/02/2001	628	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Osama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah,

		Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (rp) Modified on 02/22/2002 (Entered: 10/02/2001)
10/02/2001	629	MEMORANDUM AND ORDER as to Wadih El Hage, Mohamed Rashed Daoud Al-'Owhali denying [615-2] motion a new trial pursuant to Rule 33, Fed.R.Crim.P. as to Mohamed Rashed Daoud Al-'Owhali (4), denying [615-3] motion suppression of statements made Nairobi, Kenya, and/or an evidentiary hearing on the issue as to Mohamed Rashed Daoud Al-'Owhali (4). El-Hage's request for a hearing is also denied. (Signed by Judge Leonard B. Sand); Copies mailed. (ph) Modified on 02/22/2002 (Entered: 10/02/2001)
10/02/2001	630	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (rp) Modified on 02/22/2002 (Entered: 10/02/2001)
10/04/2001	631	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (wv) Modified on 02/22/2002 (Entered: 10/04/2001)
10/09/2001		Pretrial Conference as to Mohamed Suleiman Al Nalfi held before Judge Leonard B. Sand. Deft Al Nalfi present w/ Atty's Marcia Seltzer and John Jacobs. AUSA's Ken Karas and Joseph Bianco. Arabic interpreter Andre Codouni present. Conference concluded. Further status conference 11/13/01 at 10:00am. Govt submits order excluding time from 10/9/01 to 11/13/01. Deft continued detained. (ac) (Entered: 10/10/2001)
10/09/2001		Status conference as to Mohamed Suleiman Al Nalfi set at 10:00 11/13/01 for Mohamed Suleiman Al Nalfi (ac) (Entered: 10/10/2001)
10/10/2001	632	ORDER as to Mohamed Suleiman Al Nalfi, pursuant to the Speedy Trial Act, 18 U.S.C. section 3161(h)(8)(A), all time running from 10/9/01 until 11/13/01 shall be excluded from the time within which trial must commence in the above-captioned case, the Court having found that the ends of justice served by this exclusion outweigh the best interests of the public and the defendants in a speedy trial, particularly in light of: (i) the voluminous discovery in this matter; (ii) the complexity of the case which involved an alleged international terrorism conspiracy spanning a number of years; (iii) the need to review classified material; and (iv) the need for defendant to consider and prepare future pre-trial motions, and the need to conduct any hearings on the same motions. (Signed by Judge Leonard B. Sand); Copies mailed. (ph) Modified on 02/22/2002 (Entered: 10/10/2001)
10/11/2001	633	SEALED DOCUMENT as to Usama Bin Laden (rp) Modified on 02/22/2002 (Entered: 10/11/2001)
10/17/2001		Pre-Sentencing Conference as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held before Judge Leonard B. Sand. Deft. El Hage present with attorney's Sam Schmidt and Joshua Dratel. Deft. Al-'Owhali present with attorney's Frederick Cohn and Laura Gasiovowski. Deft. Odeh present with attorney's Anthony Ricco and Edward Wilford. Arabic Interpreters: Andrew Codouni, Aziz Ismail, Taufic Maged present. Conference held has to 1) contents of PreSentence Report. 2) issues related to Restitution 3) 3 point enhancements for role in offense and victim related adjustments, etc. All issues dealing with downward departures will be held on 10/18/01. All (3) def'ts cont'd detained. (jb) (Entered: 10/19/2001)
10/18/2001		Sentencing held: Wadih El Hage (1) count(s) 1sssssss, 3sssssss, 5sssssss, 287sssssss-289sssssss, 291sssssss-305sssssss. (bw) (Entered: 10/24/2001)
10/18/2001		DISMISSAL of Count(s) on Government Motion as to Wadih El Hage. Counts Dismissed: Wadih El Hage (1) count(s) 1sssssss, 1ssssss, 1sssss, 1ssss, 1sss, 1ss, 1s, 1-8, 2ssssssss, 2sssssss, 2ssssss, 3ssssssss, 3ssssss, 4ssssssss, 4ssssss, 5ssssssss, 5ssssss, 6ssssssss, 6ssssss, 6ssssss, 7ssssssss, 8ssssssss, 9ssssssss, 9-11, 10ssssssss, 11ssssssss-223ssssssss, 224ssssssss-234ssssssss, 228sssss-235ssssss, 228ssss-235ssss, 228sss-235sss, 228ss-235ss, 228s-235s, 235ssssssss-275ssssssss, 236ssssss, 236ssss-238ssss, 236sss-238sss, 236ss-238ss, 236s-238s, 237sssss, 238ssssss, 245ssssss-264ssssss, 265ssssss-267ssssss, 276ssssssss, 277ssssssss-278ssssssss, 279ssssssss, 280ssssssss-281ssssssss, 282ssssssss, 283ssssssss, 284ssssssss, 285ssssssss, 286ssssssss, 287ssssssss-305ssssssss, 290ssssssss,

		306ssssssss-308ssssssss, 306ssssssss-308ssssssss. (bw) (Entered: 10/24/2001)
10/18/2001		Sentencing held Khalfan Khamis Mohamed (8) count(s) 1sssss, 3sssss, 4sssss, 5sssss, 8sssss, 10sssss, 224sssss-234sssss, 277sssss-278sssss, 279sssss, 283sssss, 284sssss, 286sssss (jb) (Entered: 10/25/2001)
10/18/2001		Sentencing held Mohamed Sadeek Odeh (3) count(s) 1sssssss, 3sssssss, 4sssssss, 5sssssss, 7sssssss, 9sssssss, 11sssssss-223sssssss, 235sssssss-275sssssss, 276sssssss, 280sssssss-281sssssss, 282sssssss, 284sssssss, 285sssssss (ac) (Entered: 10/25/2001)
10/18/2001		Sentencing held Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1sssssss, 3sssssss, 4sssssss, 5sssssss, 7sssssss, 9sssssss, 11sssssss-223sssssss, 235sssssss-275sssssss, 276sssssss, 280sssssss-281sssssss, 282sssssss, 284sssssss, 285sssssss. (ja) (Entered: 10/26/2001)
10/19/2001	634	ORDER as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed, Order of Restitution. The Court hereby, finds that although the above-named defendants are presently assumed to be without assets and will be subject to long terms of imprisonment, there is a reasonable possibility that they or some of them may generate income in the future from the sale to the media of accounts of their crimes, and there is a reasonable possibility that they or some of them may be found to own or have control of assets as yet undisclosed. As to the victims listed on the attached schedule and the U.S., it is hereby (i) ORDERED, ADJUDGED, AND DECREED that the above-named defendants jointly and severally pay restitution, in the amount set forth as the present value of lost income in the attached Schedule of Loss of Income, to the respective members of the victim's estate, or family member, as set forth in that schedule, and it is further (ii) ORDERED, ADJUDGED, AND DECREED that the above-named defendant's jointly and severally pay restitution to the U.S. in partial restitution for the August 1998 destruction of the embassies of the United States in Nairobi and Dar-es-Salaam in the amount of \$26,300,000, and as provided in Section 3664(h)(i) all other victims shall receive restitution before the United States receives any restitution. Furthermore, it is hereby ORDERED, ADJUDGED AND DECREED that this Order of Restitution shall be without prejudice to the recovery of any other damages that any victim of the crimes committed by the above named defendants may seek in any other proceeding, which recoveries shall be credited against the amounts awarded hereunder; and it is further ORDERED ADJUDGED and DECREED that each defendant shall notify the Court and the Attorney General of any material change in his economic circumstances that might affect the defendant's ability to pay restitution. (Signed by Judge Leonard B. Sand); Copies mailed. (ph) Modified on 02/22/2002 (Entered: 10/19/2001)
10/19/2001	635	ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi, Pursuant to prior Orders of this Court, there were purchased with government funds, sixteen (16) laptop computers, fourteen (14) of which were loaned to the individuals listed on Exhibit "A" attached hereto. These computers are now to be turned over to Frederick H. Cohn, Esq. who turn to deliver them to Leonard Joy, the Public Defender, except that Allan Haber and Irving Cohen may continue to hold said computers during their representation of Defendant Salim. These computers are, and at all relevant times have been, and will remain the property of the United States Government. (Signed by Judge Leonard B. Sand); Copies mailed. (jb) Modified on 02/22/2002 (Entered: 10/19/2001)
10/19/2001	636	NOTICE OF APPEAL by Mohamed Rashed Daoud Al-'Owhali ; from ; the Judgment entered in this action on 10/18/01. Copies mailed to the attorneys of record: A.U.S.A. *(CJA)*. (rmo) Modified on 02/22/2002 (Entered: 10/19/2001)
10/19/2001		Notice of Appeal with copy of order/judgment and two copies of docket entries as to Mohamed Rashed Daoud Al-'Owhali transmitted to USCA re: [636-1] appeal on 10/19/01. (rmo) Modified on 02/22/2002 (Entered: 10/19/2001)
10/22/2001	637	FILED JUDGMENT in a Criminal Case (S7-98-Cr-1023-01). Defendant present with attorney Sam A. Schmidt and Joshua L. Dratel. Defendant Wadih El Hage (1) was found guilty on count(s) 1sssssss, 3sssssss, 5sssssss, 287sssssss-289sssssss, 291sssssss-305sssssss after a plea of not guilty. All Open Counts of Indictments' are dismissed on the motion of the United States. The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984. It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total of LIFE IMPRISONMENT on counts 1 and 3; TWENTY(20) YEARS on count 5, to run concurrently with

		counts 1 and 3; FIVE(5) YEARS on counts 287,288,289 and 291 thru 305 to run concurrently with each other and concurrently to counts 1,3 and 5. Defendant notified of right to appeal conviction and sentence. The defendant is remanded to the custody of the United States Marshal. Upon release from imprisonment, the defendant shall be on supervised release for a term of FIVE(5) YEARS on counts 1 and 3, and THREE(3) YEARS on counts 5,287,288,289 and counts 291 thru 305. All terms to run concurrently with each other. The above drug testing condition (p.3 of judgment) is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. The defendant shall not possess a firearm as defined in 18 U.S.C. Section 921. The defendant shall pay an assessment of \$2,100.00 in full immediately. The defendant shall pay a restitution in the amount of \$33,816,561.75. Special instructions regarding the payment of criminal monetary penalties: Defendant to make restitution as directed by Order of this Court dated 10/18/01.; Judgment and Commitment issued to U.S. Marshal. (Signed by Judge Leonard B. Sand). [copy of Order of Restitution, dated 10/18/01, attached]. Docketed as a Judgment, #01,1901, on 10/24/01. (bw) Modified on 02/22/2002 (Entered: 10/24/2001)
10/22/2001		DISMISSAL of Count(s) on Government Motion as to Khalfan Khamis Mohamed Counts Dismissed: Khalfan Khamis Mohamed (8) count(s) 1ssssss, 1sssss, 1sss, 1ss, 1s, 1, 2ssssss, 3ssssss, 3sssss, 3sss, 3ss, 3s, 3, 4ssssss, 4sssss, 4sss, 5ssssss, 5sssss, 5sss, 6ssssss, 6sssss, 6ssss, 6sss, 7ssssss, 7sss-8sss, 8ssssss, 8sssss, 9ssssss, 9sss-10sss, 10ssssss, 10sssss, 11ssssss-223ssssss, 11sss-233sss, 217ss-227ss, 217s-227s, 217-227, 224ssssss-234ssssss, 224sssss-234sssss, 234sss-235sss, 235ssssss-275ssssss, 236sss-237sss, 238sss-239sss, 240sss-241sss, 242sss, 243sss-244sss, 276ssssss, 277ssssss-278ssssss, 277sssss-279sssss, 279ssssss, 280ssssss-281ssssss, 282ssssss, 283ssssss, 283sssss, 284ssssss, 284sssss, 285ssssss, 286ssssss, 286sssss, 287ssssss-305ssssss, 306ssssss-308ssssss (jb) (Entered: 10/25/2001)
10/22/2001	638	FILED JUDGMENT in a CRIMINAL CASE (For Offenses Committed On or After November 1, 1987). Defendant Khalfan Khamis Mohamed (8) was found GUILTY on count(s) 1ssss, 3ssss, 4ssss, 5ssss, 8ssss, 10ssss, 224ssss thru 234ssss, 277ssss, 278ssss, 279ssss, 283ssss, 284ssss and 286ssss. Special Assessment: \$2,300.00, due immediately. Imprisonment: LIFE IMPRISONMENT on counts 1,3,4,5,8,10,224 thru 234,277,278, 279 and 283; followed by a mandatory TEN (10) Years imprisonment on count 284 and a mandatory THIRTY (30) Years on count 286, to be served CONSECUTIVELY to the above-referenced counts. Supervised Release: FIVE (5) Years on counts 1,3,4,5,8,10,224 thru 234,277,278,279,283 and 286 to run CONCURRENTLY with each other and THREE (3) Years on count 284 to run CONCURRENTLY with all other counts. On the remaining indictments, Deft. Khalfan Khamis Mohamed (8); open count(s) 1ssssss, 1sssss, 1sss 1ss, 1s, 1, 2ssssss, 3sss, on all (S) Indictments are dismissed on the motion of the United States. The defendant is remanded to the custody of the United States Marshal. The drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. The defendant shall not possess a firearm. The defendant shall comply with the directives of the Immigration and Naturalization Service and the Immigration Laws. The defendant is to make restitution as directed by ORDER of this Court dated October 18, 2001. The defendant is to pay restitution jointly and severally to the United States Government in partial restitution for destruction of U.S. embassies in South Africa; and to the victims' family members, in the total amount of \$33,816,561.75. Defendant is notified of his right to appeal conviction and sentence. Judgment and Commitment issued to U.S. Marshal. Docketed as a judgment #01,1921 on 10/26/01. (Signed by Judge Leonard B. Sand). (jb) Modified on 02/22/2002 (Entered: 10/25/2001)
10/23/2001	639	Filed Memo-Endorsement on letter to Judge Sand dated 10/19/01 from Sam A. Schmidt as to Wadih El Hage, requesting permission to continue to retain the laptop computers provided to assist in the defense in the above case...Permission granted to retain laptop computers for use on appeal. Permission deferred on request to continue representation. Must submit a proposed order. So ordered. (Signed by Judge Leonard B. Sand); Copies mailed. (ph) Modified on 02/22/2002 (Entered: 10/24/2001)
10/23/2001		DISMISSAL of Count(s) on Government Motion as to Mohamed Rashed Daoud Al-'Owhali, Counts Dismissed: Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1ssssssss, 1ssssssss, 1sssss, 1ssss, 1sss, 1ss, 1s, 1, 2ssssssss, 2ssss, 2sss, 2ss-3ss, 2s-3s, 2-3, 3ssssssss, 3ssssssss, 3sssss, 3ssss, 3sss, 4ssssssss, 4ssssssss, 4sssss, 4ssss-216ssss, 4sss-216sss, 4ss-216ss, 4s-227s, 4-227, 5ssssssss, 5ssssssss, 5sssss, 6ssssssss, 6ssssssss, 6ssssss, 6sssss, 7ssssssss, 7ssssssss, 7sssss-8sssss, 8ssssssss, 8ssssssss, 8ssssss, 9ssssssss, 9ssssssss, 9sssss-10ssssss, 10ssssssss, 10ssssssss, 10ssssss, 11ssssssss-223ssssssss, 11ssssssss-223ssssssss, 11sssss-233ssssss, 217ssss-227ssss, 217sss-227sss, 217ss-227ss, 224ssssssss-234ssssssss, 224ssssssss-234ssssssss, 224ssssss-234ssssss, 234sssss-235ssssss, 235ssssssss-275ssssssss, 235ssssssss-275ssssssss, 236sssss-237sssss, 240sssss-241sssss, 242sssss, 243sssss-244sssss, 276ssssss, 277ssssssss-278ssssssss, 277ssssss-279ssssss, 277ssssss-278ssssss, 279ssssssss, 279ssssss, 280ssssssss-281ssssssss, 280ssssssss-282ssssssss, 283ssssssss, 283ssssssss, 283ssssss, 284ssssssss, 285ssssssss, 285ssssssss, 286ssssssss, 286ssssssss, 287ssssssss-305ssssssss, 306ssssssss-308ssssssss. (ja) Modified on 02/22/2002 (Entered: 10/26/2001)

10/23/2001	640	<p>FILED JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987). The defendant Mohamed Rashed Daoud Al-'Owhali (4) count(s) 1ssssssss, 1sssssss, 1sssss, 1ssss, 1sss, 1ss, 1, 2ssssssss, 2ssss, 2sss, 2ss-3ss, 2s-3s, 2-3, 3ssssssss, 3sssssss, 3sssss, 3ssss, 3sss, 4ssssssss, 4sssssss, 4sssss, 4ssss-216ssss, 4sss-216sss, 4ss-216ss, 4s-227s, 4-227, 5ssssssss, 5sssssss, 5sssss, 6ssssssss, 6sssssss, 6ssssss, 6sssss, 7ssssssss, 7sssssss, 7sssss-8sssss, 8ssssssss, 8sssssss, 8ssssss, 8ssssss, 9ssssssss, 9sssssss, 9sssss-10sssss, 10ssssssss, 10sssssss, 10ssssss, 11ssssssss-223ssssssss, 11ssssss-223ssssss, 11sssss-233sssss, 21ssss-227ssss, 217sss-227sss, 217ss-227ss, 224ssssssss-234ssssssss, 224ssssss-234ssssss, 224ssssss-234ssssss, 234sssss-235sssss, 235ssssssss-275ssssssss, 235ssssss-275ssssss, 236ssss-237sssss, 240sssss-241sssss, 242sssss, 243sssss-244sssss, 276ssssssss, 277ssssssss-278ssssssss, 277ssssss-279ssssssss, 277ssssss-278ssssss, 279ssssssss, 279ssssss, 280ssssssss-281ssssssss, 280ssssss-282ssssssss, 283ssssssss, 283ssssss, 284ssssssss, 285ssssssss, 285ssssss, 286ssssssss, 286ssssss, 287ssssssss-305ssssssss, 306ssssssss-308ssssssss. All Open Counts on All (s) Indictments are dismissed on the motion of the United States. The defendant Mohamed Rashed Daoud Al-'Owhali (4) was found guilty on count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 7ssssss, 9ssssss, 11ssssss thru 223ssssss, 235ssssss thru 275ssssss, 276ssssss, 280ssssss, 281ssssss, 282ssssss, 284ssssss, 285ssssss after a plea of not guilty. The defendant is sentenced as provided in pages 2 through 6 of this judgment. This sentence is imposed pursuant to the Sentencing Reform Act of 1984. Imprisonment: LIFE IMPRISONMENT on counts 1,3,4,5,7,9,11 thru 223, 235, thru 275, 276, 280, 281, 282 to be followed by a mandatory TEN (10) Years imprisonment on count 284 to be served CONSECUTIVELY to the above referenced counts, followed by a mandatory minimum of THIRTY (30) Years imprisonment on count 285 to be served CONSECUTIVELY to the above-referenced counts. Defendant notified of right to appeal conviction and sentence. The defendant is remanded to the custody of the United States Marshal. Supervised Release: 5 Years on counts 1,3,4,5,9,11 thru 223, 235 thru 275,276,280,281,282 and 285 and three (3) years on count 284. All counts to run consecutively with each other. SPECIAL CONDITION OF SUPERVISED RELEASE: 1) defendant shall comply with directives of the Immigration and Naturalization Service and the immigration laws. The above drug testing condition is suspended based on the courts determination that the defendant poses a low risk of future substance abuse. The defendant shall not possess a firearm as defined in 18 U.S.C. Sec. 921. Assessment: \$26,600.00 which shall be due in full immediately. Restitution: \$33,816,561.75. Judgment and Commitment issued to U.S. Marshal. (Signed by Judge Leonard B. Sand). Docketed as a Judgment, #01,1968, on 10/30/01. (ja) Modified on 02/22/2002 (Entered: 10/26/2001)</p>
10/24/2001		<p>DISMISSAL of Count(s) on Government Motion as to Mohamed Sadeek Odeh Terminated motions: Counts Dismissed: Mohamed Sadeek Odeh (3) count(s) 1ssssssss, 1sssssss, 1sssss, 1ssss, 1sss, 1ss, 1s, 1, 2ssssssss, 2ssss, 2sss, 2ss-3ss, 2s-3s, 2-3, 3ssssssss, 3sssssss, 3sssss, 3ssss, 3sss, 4ssssssss, 4sssssss, 4sssss, 4ssss-216ssss, 4sss-216sss, 4ss-216ss, 4s-227s, 4-227, 5ssssssss, 5sssssss, 5sssss, 6ssssssss, 6sssssss, 6ssssss, 6sssss, 7ssssssss, 7sssssss, 7sssss-8sssss, 8ssssssss, 8sssssss, 8ssssss, 8ssssss, 9ssssssss, 9sssssss, 9sssss-10sssss, 10ssssssss, 10sssssss, 10ssssss, 11ssssssss-223ssssssss, 11ssssss-223ssssss, 11sssss-233sssss, 217sss-227ssss, 217sss-227sss, 217ss-227ss, 224ssssssss-234ssssssss, 224ssssss-234ssssss, 224ssssss-234ssssss, 234sssss-235sssss, 235ssssssss-275ssssssss, 235ssssss-275ssssss, 236ssss-237sssss, 238sssss-239sssss, 240sssss-241sssss, 242sssss, 243sssss-244sssss, 276ssssssss, 276ssssssss, 276ssssssss, 277ssssssss-278ssssssss, 277ssssss-279ssssssss, 277ssssss-278ssssss, 279ssssssss, 279ssssssss, 279ssssssss, 280ssssssss-281ssssssss, 280ssssss-282ssssssss, 282ssssssss, 283ssssssss, 283ssssssss, 283ssssss, 284ssssssss, 284ssssss, 285ssssssss, 285ssssss, 286ssssssss, 286ssssss, 286ssssss, 287ssssssss-305ssssssss, 306ssssssss-308ssssssss (ac) (Entered: 10/25/2001)</p>
10/24/2001	641	<p>FILED JUDGMENT IN A CRIMINAL CASE (For offenses committed on or after Nov 1, 1987). Deft Mohamed Sadeek Odeh (3) was found guilty on count(s) 1,3,4,5,7,9, 11 thru 223, 235 thru 275, 276, 280, 281, 282, 284, 285. All open counts on all (S) Indictments are dismissed on the motion the United States. Special Assessment: \$26,600.00 due immediately. Imprisonment: Life imprisonment on counts 1,3,4,5,7,9,11 thru 223,235 thru 275,276,280,281,282, to be followed by a mandatory 10 years imprisonment on count 284 to be served consecutively to the above referenced counts, followed by a mandatory 30 years imprisonment on count 285 to be served consecutively to the above referenced counts; Supervised Release: 60 months on counts 1,3,4,5,7,9,11 thru 223, 235 thru 275,276,280,281,282 and 285 and 36 months on count 284. All counts to run concurrently with each other. The Deft is remanded to the custody of the US Marshal. The above drug testing conditions are suspended based on the Court's determination that the Deft poses a low risk of future substance abuse. The Deft shall not possess a firearm. The Deft shall make restitution in the amount of \$33,816,561.75. The Deft shall make restitution to the following payees in the amounts listed below: Victims family members-\$7,516,561.00; United States Government-\$26,300,000.00. Deft to make restitution as directed by order of this Court dated 10/18/01. Judgment and Commitment issued to U.S. Marshal. Docketed as a Judgment #01,1967 on 10/30/01. (Signed by Judge Leonard B. Sand) (ac) Modified on 02/22/2002 (Entered: 10/25/2001)</p>

10/24/2001	642	NOTICE OF APPEAL by Mohamed Sadeek Odeh Mohamed Sadeek Odeh (3) count(s) 1ssssss, 3ssssss, 4ssssss, 5ssssss, 7ssssss, 9ssssss, 11ssssss-223ssssss, 235ssssss-275ssssss, 276ssssss, 280ssssss-281ssssss, 282ssssss, 284ssssss, 285ssssss; from; the judgment entered in this action on 10/18/01. Copies mailed to attorney(s) of record: A.U.S.A. *(Filed by CJA)*. (sb) Modified on 02/22/2002 (Entered: 10/29/2001)
10/25/2001	643	Filed Memo-Endorsement on letter dated 10/23/01 from Frederick Cohen to Judge Sand as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi, requesting that there be no charge for a copy of the docket of the above captioned case. ...No charge shall be imposed for copying of the docket as above requested...So Ordered. Signed by Judge Leonard B. Sand); Copies mailed. (ac) Modified on 02/22/2002 (Entered: 10/29/2001)
10/25/2001	644	NOTICE OF APPEAL by Wadih El Hage Wadih El Hage (1) count(s) 1ssssss, 3ssssss, 5ssssss, 287ssssss-289ssssss, 291ssssss-305ssssss; from; the judgment entered in this action on 10/18/01. Copies mailed to attorney(s) of record: A.U.S.A. *(CJA)*. (sb) Modified on 02/22/2002 (Entered: 10/29/2001)
10/25/2001		Notice of Appeal with copy of order/judgment and two copies of docket entries as to Wadih El Hage transmitted to USCA re: [644-1] appeal on 10/29/01. (sb) Modified on 02/22/2002 (Entered: 10/29/2001)
10/26/2001	645	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (wv) Modified on 02/22/2002 (Entered: 10/26/2001)
10/29/2001		Notice of Appeal with copy of order/judgment and two copies of docket entries as to Mohamed Sadeek Odeh transmitted to USCA re: [642-1] appeal on 10/24/01. (sb) Modified on 02/22/2002 (Entered: 10/29/2001)
11/01/2001	646	NOTICE OF APPEAL by Khalfan Khamis Mohamed Khalfan Khamis Mohamed (8) count(s) 1ssss, 3ssss, 4ssss, 5ssss, 8ssss, 10ssss, 224ssss-234ssss, 277ssss-278ssss, 279ssss, 283ssss, 284ssss, 286ssss; from; the judgment entered in this action on 10/22/01. Copies mailed to attorney(s) of record: Kenneth M. Karis, A.U.S.A. *(CJA)*. (sb) Modified on 02/22/2002 (Entered: 11/05/2001)
11/05/2001		Notice of Appeal with copy of order/judgment and two copies of docket entries as to Khalfan Khamis Mohamed transmitted to USCA re: [646-1] appeal on 11/5/01. (sb) Modified on 02/22/2002 (Entered: 11/05/2001)
11/13/2001	647	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidaous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (wv) Modified on 02/22/2002 (Entered: 11/13/2001)
11/13/2001	648	ORDER as to Mohamed Suleiman Al Nalfi, to Continue in Interests of Justice time is excluded from 11/13/01 to 11/20/01, pursuant to the Speedy Trial Act, 18 U.S.C., Sec. 3161(h)(8)(A). (Signed by Judge Leonard B. Sand); Copies mailed. (ja) Modified on 02/22/2002 (Entered: 11/14/2001)
11/19/2001		USCA Case Number as to Wadih El Hage Re: [644-1] appeal USCA NUMBER: 01-1535 L, 01-1550 con, 01-1553 con, 01-1571 con. (sb) Modified on 02/22/2002 (Entered: 11/19/2001)
11/20/2001		Status conference as to Mohamed Suleiman Al Nalfi held before Judge Leonard B. Sand. Deft. Al Nalfi present with attorney Marion Seltzer. AUSA Joseph Bianco present. Arabic Interpreter Andre Codouni present. Status conference held and concluded. Further conference 1/3/02 at 10am. Gov't submit order excluding time through 1/3/02. Deft. cont'd remanded. (jb) (Entered: 11/26/2001)
11/21/2001	649	ORDER as to Mohamed Suleiman Al Nalfi, ORDERED that pursuant to the Speedy Trial Act, 18 U.S.C. section 3161(h)(8)(A), all time running from 11/20/01 to 1/3/02, shall be excluded from the time within which trial must commence in the above-captioned case, the Court having found that the ends of justice

		served by this exclusion outweigh the best interest of the public and the defendant in a speedy trial, particularly in light of: (i) the voluminous discovery in this matter; (ii) the complexity of the case which involves an alleged international terrorism conspiracy spanning a number of years; (iii) the need to review classified material; and (iv) the need for defendant to consider and prepare further pre-trial motions, and the need to conduct any hearings on the same motions. . (Signed by Judge Leonard B. Sand); Copies mailed. (ph) Modified on 02/22/2002 (Entered: 11/26/2001)
12/04/2001	650	TRANSCRIPT of record of proceedings as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi for dates of 10/17/01, before Judge Leonard B. Sand . (moc) Modified on 02/22/2002 (Entered: 12/04/2001)
12/04/2001	651	TRANSCRIPT of record of proceedings as to Mohamed Suleiman Al Nalfi for dates of 10/3/01 at 10:15 a.m., before Judge Leonard B. Sand. (jco) Modified on 02/22/2002 (Entered: 12/04/2001)
12/12/2001	652	Filed Memo-Endorsement on letter dated 12/12/01 from Frederick Cohen to Judge Sand as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Requesting authorization to review the sealed records for purposes of appeal. ...Authorization granted as requested. So Ordered. (Signed by Judge Leonard B. Sand); Copies mailed. (ac) Modified on 02/22/2002 (Entered: 12/12/2001)
01/08/2002	653	ORDER as to Mohamed Suleiman Al Nalfi, to Continue in Interests of Justice time is excluded from 1/3/02 to 1/15/02 (Signed by Judge Leonard B. Sand); Copies mailed. (ac) Modified on 02/22/2002 (Entered: 01/09/2002)
01/09/2002	654	Filed Memo-Endorsement on letter addressed to Judge Sand from defense counsels John H. Jacobs and Marion Seltzer, dated January 6, 2002 as to Mohamed Suleiman Al Nalfi, requesting that CJA attorney Joshua Dratel be assigned to assist, in regard to legal motions and not as trial counsel...Application to assign Joshua Dratel is DENIED in light of Mr. Daniel's representation of Mr. El Hage, conference presently scheduled for 1/15/02 is cancelled pending reassignment of case. (Signed by Judge Leonard B. Sand); Copies mailed. (jb) Modified on 02/22/2002 (Entered: 01/10/2002)
01/14/2002	655	SECOND ORDER OF RESTITUTION as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed, ORDERS, ADJUDGES AND DECREES that the above-named defendants jointly and severally pay restitution to each individual victim set forth in the attached Partial Schedule of Restitution-Surviving Victims, in the amount set forth in that Schedule , and further ORDERS, ADJUDGES AND DECREES that the above-named defendants jointly and severally pay restitution to the United States of America in the total amount of \$29,905,526.49 for expenditures made by the agencies specified in the accompanying Partial Schedule of Restitution-U.S. agencies on behalf of surviving victims, and as provided in section 3664(i) all other victims shall receive restitution before the United States receives any restitution; and further INCORPORATES the provisions of paragraphs I.C and II of its 10/18/01, Order of Restitution regarding the procedures by which restitution is to be made. (Signed by Judge Leonard B. Sand); Copies mailed. (ph) Modified on 02/22/2002 (Entered: 01/15/2002)
01/14/2002	656	Filed Memo-Endorsement on REPORT AND RECOMMENDATION TO THE HONORABLE LEONARD B. SAND, by Magistrate Judge Gorenstein, dated January 3, 2002 as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Mohamed, The Court should adopt in full the annexed proposed Second Order of Restitution. Because the statutory deadline for issuing an order of restitution is January 16, 2002, the defendants are instructed that any objections to this Report and Recommendation should be presented to Judge Sand (with copies to the undersigned) as soon as possible and in any event no later than January 10, 2002....Adopted and approved without objection. (Signed by Judge Leonard B. Sand); Copies mailed. (jb) Modified on 02/22/2002 (Entered: 01/15/2002)
01/14/2002	657	APPLICATION FOR SECOND ORDER OF RESTITUTION by U.S.A., as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed. By this Application the Government seeks entry of a Second Order of Restitution pursuant to 18 U.S.C., Sec. 3663A(b) for the benefit of: (a) persons it has identified as victims who survived the bombings of the United States Embassies in Kenya and Tanzania in August 1988 for...; and (b) United States Government agencies that provide financial and other assistance to surviving victims of the bombings, and which also are entitled to restitution under Secs. 3663A and 3664. WHEREFORE the Government respectfully requests that an order of restitution in the form proposed herewith be entered by the Court. (ja) Modified on 02/22/2002 (Entered: 01/15/2002)

01/22/2002	658	ORDER as to Mohamed Suleiman Al Nalfi, that pursuant to the Speedy Trial Act, 18 U.S.C. 3161(h)(8)(A), all time running from January 17, 2002, until February 15, 2002, shall be excluded from the time within which trial must commence in the above-captioned case, the Court having found that the ends of justice served by this exclusion outweigh the best interests of the public and the defendant in a speedy trial, particularly in light of: (1) the voluminous discovery in this matter; (ii) the complexity of the case which involves an alleged international terrorism conspiracy spanning a number of years; (iii) the need to review classified material; and (iv) the need for defendant to consider and prepare further pre-trial motions, and the need to conduct any hearings on the same motions. (Signed by Judge Leonard B. Sand); Copies mailed. (jb) Modified on 02/22/2002 (Entered: 01/22/2002)
01/23/2002		CASE Reassignment to Judge Kevin T. Duffy (jol) (Entered: 01/29/2002)
01/25/2002	659	SEALED DOCUMENT as to Wadih El Hage ,khalfan khamis mohamed,daoud al-owhali, mohamed odeh. (js) Modified on 02/22/2002 (Entered: 01/25/2002)
02/05/2002	660	TRANSCRIPT of record of proceedings as to Mamdouh Mahmud Salim for dates of 11/21/01, before Judge Leonard B. Sand . (yv) Modified on 02/22/2002 (Entered: 02/05/2002)
02/19/2002	661	ORDER as to Mohamed Suleiman Al Nalfi. It is hereby ORDERED, that pursuant to the Speedy Trial Act, 18 U.S.C. Section 3161(h)(8)(A), all time running from 2/15/02, until 2/25/02, shall be excluded from the time within which trial must commence in the above-captioned case. (Signed on 2/15/02 by Judge Kevin T. Duffy); Copies mailed. (bw) Modified on 02/22/2002 (Entered: 02/20/2002)
02/19/2002	662	Judgment Returned Executed as to Mohamed Rashed Daoud Al-'Owhali ; on 12/14/01 (ac) Modified on 02/22/2002 (Entered: 02/20/2002)
02/19/2002	663	Judgment Returned Executed as to Mohamed Sadeek Odeh ; on 12/14/01 (jb) Modified on 02/22/2002 (Entered: 02/20/2002)
02/19/2002	664	Judgment Returned Executed as to Wadih El Hage; on 12/14/01. (ja) Modified on 02/22/2002 (Entered: 02/21/2002)
02/25/2002		Pretrial Conference as to Mohamed Suleiman Al Nalfi held before Judge Kevin T. Duffy. Deft Ali Nalfi present w/atty Marion Seltzer. AUSA present Joseph F. Bianco &Ken Karas. Next conference to be held in May 2002. Deft continued remanded. Time excluded. (bw) (Entered: 03/01/2002)
03/18/2002	665	SEALED DOCUMENT as to Usama Bin Laden (js) (Entered: 03/18/2002)
04/17/2002		CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL as to Mohamed Suleiman Al Nalfi : Appointment of Attorney Joshua L. Dratel . (Signed by Judge Kevin T. Duffy) (moc) (Entered: 05/01/2002)
04/18/2002	666	ORDER as to Mohamed Suleiman Al Nalfi. Attorney Joshua Dratel is hereby appointed as co-counsel for Mohamed Al Nalfi on a compensated basis under the Criminal Justice Act, 18 U.S.C. Section 3006A, in the above-captioned matter. (Signed on 4/17/02 by Judge Kevin T. Duffy); Copies mailed. (bw) (Entered: 04/19/2002)
05/07/2002	667	SEALED DOCUMENT as to Usama Bin Laden (wv) (Entered: 05/07/2002)
05/22/2002	669	File notice that the record on appeal as to Mohamed Rashed Daoud Al-'Owhali has been certified and transmitted to USCA on 5/22/02 [636-1] appeal. (sb) (Entered: 05/28/2002)
05/23/2002	668	File notice that the record on appeal as to Wadih El Hage has been certified and transmitted to USCA on 5/23/02 [644-1] appeal., (sb) (Entered: 05/28/2002)
06/05/2002	670	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (js) (Entered: 06/05/2002)
06/10/2002	671	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (wv) (Entered: 06/10/2002)

07/12/2002	672	Stipulation as to Mohamed Rashed Daoud Al-'Owhali, It is Hereby Stipulated and Agreed by and between the United States of America, by James B. Comey, United States Attorney for the Southern District of New York, Kenneth Karas, of counsel and the defendant, Mohamed Rashid Daoud al-'Owhali, with the consent of his attorneys, as follows: 1. The documents listed on attached Exhibit A shall be unsealed. 2. The documents listed on attached Exhibit B shall be supplemented into the certified trial record. (Signed by Judge Kevin T. Duffy); Copies mailed. (jb) (Entered: 07/15/2002)
09/17/2002	673	Stipulation as to Wadih El Hage, IT IS HEREBY STIPULATED and AGREED by and between the United States of America, by James B. Comey, United States Attorney for the Southern District of New York, Kenneth Karas, of counsel and the defendant, Wadih El-Hage, with the consent of his attorneys, Sam A. Schmidt and Joshus L. Dratel, as follows: (1) The Record on Appeal shall be supplemented to include the documents listed on attached Exhibit A (Letters from El-Hage's Counsel), Exhibit B (Government Trial Exhibits), and Exhibit C (El-Hage Trial Exhibits). (Signed by Judge Leonard B. Sand on 9/17/02). (ph) (Entered: 09/18/2002)
10/03/2002	676	ORDER as to Wadih El Hage, IT IS HEREBY ORDERED that with respect to the documents included in Exhibit A (Letters from El-Hage's Counsel) to the September 17, 2002, Stipulation supplementing the Record in this case, those documents that were initially filed with the District Court under seal (and are so marked, "FILED UNDER SEAL," above the addressee), shall remain under seal. , and IT IS HEREBY ORDERED that Exhibit A itself be placed under seal as well. (Signed by Judge Leonard B. Sand on 10/3/02); (ph) (Entered: 10/08/2002)
10/04/2002	675	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdough Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (wv) (Entered: 10/04/2002)
10/08/2002	674	File notice that the 1st Supplemental record on appeal as to Wadih El Hage has been certified and transmitted to USCA on 10/8/02 [644-1] appeal. (dt) Modified on 10/08/2002 (Entered: 10/08/2002)
01/22/2003	677	NOTICE OF INTENT to File An Information by U.S.A. as to Mohamed Suleiman Al Nalfi (ph) (Entered: 02/05/2003)
01/22/2003	678	WAIVER OF INDICTMENT by Mohamed Suleiman Al Nalfi. (ph) (Entered: 02/05/2003)
01/22/2003	679	(S11) SUPERSEDING INFORMATION as to Mohamed Suleiman Al Nalfi (23) count(s) 1s. [microfilm 2/4/03 3pm] (ph) Modified on 02/06/2003 (Entered: 02/05/2003)
01/31/2003		Arraignment as to Mohamed Suleiman Al Nalfi held Mohamed Suleiman Al Nalfi (23) count(s) 1s before Judge Kevin T. Duffy. Defendant Mohammed Suleiman Al Nalfi present with attorney Marion Seltzer. AUSA present Leslie Brown and Joesph Bianco. Defendant pleads guilty as charged. Sentence date set for 2/20/03 at 10:00 p.m. Defendant continued remanded. (ph) (Entered: 02/05/2003)
01/31/2003		PLEA entered by Mohamed Suleiman Al Nalfi . Court accepts plea. Guilty: Mohamed Suleiman Al Nalfi (23) count(s) 1s (ph) (Entered: 02/05/2003)
01/31/2003		Sentencing set for 10:00 2/20/03 for Mohamed Suleiman Al Nalfi, Mohamed Suleiman Al Nalfi (23) count(s) 1s. (ph) (Entered: 02/05/2003)
02/20/2003		Sentencing held: Mohamed Suleiman Al Nalfi (23) count(s) 1s. (bw) (Entered: 02/24/2003)
02/20/2003		DISMISSAL of Count(s) on Government Motion as to Mohamed Suleiman Al Nalfi. Counts Dismissed: Mohamed Suleiman Al Nalfi (23) count(s) 1, 3, 5, 6. (bw) (Entered: 02/24/2003)
02/21/2003	680	SEALED DOCUMENT as to Mohamed Suleiman Al Nalfi (wv) (Entered: 02/21/2003)
02/21/2003	681	FILED JUDGMENT in a Criminal Case (S11-98-Cr-1023). Defendant's Attorney: Marion Seltzer. Defendant Mohamed Suleiman Al Nalfi (23) pleaded guilty to count(s) 1s. The underlying indictment is dismissed on the motion of the United States. The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984. It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.; The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total of 121 MONTHS. The court makes the following recommendations to the Bureau of Prisons: The deft is to kept in the general population. The deft is to be placed in a facility in the Northeast Region or as close to New York as possible.; The defendant is remanded to the custody of the United States Marshal.; Upon release from imprisonment, the defendant

		shall be on supervised release for a term of 3 YEARS. The defendant shall not possess a firearm as defined in 18 U.S.C. Section 921.; The defendant shall pay an assessment of \$100.00.; Judgment and Commitment issued to U.S. Marshal. (Signed by Judge Kevin T. Duffy). [microfilm 2/24/03 12pm] Docketed as a judgment #02, 0358 on 2/25/03. (bw) Modified on 02/26/2003 (Entered: 02/24/2003)
03/04/2003	682	TRANSCRIPT of record of proceedings as to Mohamed Suleiman Al Nalfi (23) for date of 1/31/03, before Judge Kevin T. Duffy. (bw) (Entered: 03/04/2003)
03/17/2003	683	True Copy of Order from USCA as to Wadih El Hage, Khalfan Khamis Mohamed, Mohamed Rashed Daoud Al-'Owhali, Mohamed Sadeek Odeh Re: USCA Nos. 01-1535(L), 01-1550(CON), 01-1553(CON), 01-1571(CON); Wadih El-Hage moves, on behalf of himself and his co-defts-co-appellants, for this Court to remand this matter to the district court, so that they may file motions pursuant to Fed.R.Crim.P. 33. Upon due consideration, it is ORDERED that the motion is denied. It is FURTHER ORDERED that El-Hage's alternative motion for a four-month extension of time in which to file appellate briefs is granted, upon the consent of the Govt. A new briefing schedule, reflecting the extension of time, will be issued by the Clerk's Office forthwith. [Certified: 3/12/03] (bw) (Entered: 03/18/2003)
04/02/2003	684	TRANSCRIPT of record of proceedings as to Mohamed Suleiman Al Nalfi for dates of February 20, 2003, before Judge Kevin T. Duffy . (dt) (Entered: 04/02/2003)
05/12/2003	686	(S12) SUPERSEDING INDICTMENT as to Jamal Ahmed Mohammed Ali Al-Badawi (24) count(s) 1, 2-18, 19, 20-36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50-51, Fahd Al-Quso count(s) 1, 2-18, 19, 20-36, 37, 39, 40, 42, 43, 45, 46, 47, 50-51. [microfilm 5/13/03 12pm]; refer to Oral Order on 5/15/03 unsealing this Superseding Indictment. (ph) Modified on 06/10/2003 (Entered: 05/20/2003)
05/15/2003	685	SEALED DOCUMENT as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi (wv) (Entered: 05/15/2003)
05/15/2003		ORAL ORDER as to Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Mustafa Mohamed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohammed Msalam, Sheikh Ahmed Salim Swedan, Mamdouh Mahmud Salim, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarus, Adel Abdel Bary, Saif Al Adel, Abdullah Ahmed Abdullah, Muhsin Musa Matwalli Atwah, Anas Al Liby, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi, Jamal Ahmed Mohammed Ali Al-Badawi, Fahd Al-Quso . The 12th Superseding Indictment is hereby unsealed. (Entered by Judge Kevin T. Duffy). [refer to doc.#686] (bw) Modified on 06/03/2003 (Entered: 06/03/2003)
06/10/2003		Payment of Fine by Mohamed Suleiman Al Nalfi in the amount of \$100.00: Date Received: 6/9/03. (mn) (Entered: 06/10/2003)
07/18/2003	687	ORDER as to Ali Mohamed, the movant, Thomas E. Burnett, Sr., seeks by this motion to unseal a plea agreement in U.S. V. Ali A. Mohammed, 98-cr-1023. The application is denied. All of the documents, which I have unsealed are to be returned to the Clerk's Office vault and resealed. (Signed by Judge Kevin T. Duffy); Copies mailed to counsel of record on 7/17/03 by Chambers. [Microfilmed on 7/18/03 at 3:00 p.m.] (ph) (Entered: 07/22/2003)
09/24/2003	688	Filed Memo-Endorsement on letter: addressed to Judge Sand from Attorney Frederick H. Cohn, dated 9/22/03, filed by deft Mohamed Rashed Daoud Al-'Owhali. Mr. Cohn informs the Judge that in order to complete the appendix one document has to be unsealed, copied and resealed in order that it may be placed in the sealed appendix. That document is the Judge's 1/5/01 Memorandum and Order relating to deft al-'Owhali's motion to compel discovery; JUDGE ENDORSED - Respectfully referred to Hon. Kevin T. Duffy. (Signed on 9/23/03 by Judge Leonard B. Sand). [microfilm 9/24/03 12pm] (bw) (Entered: 09/26/2003)
01/27/2004	689	MANDATE of USCA (certified copy) as to Khalfan Khamis Mohamed re: 646 Notice of Appeal - Final Judgment, USCA Case Number 01-1535(L). The defendant hereby withdraws his Notice of Appeal filed 11/6/01 with prejudice. Certified: 1/21/04. (ph,) (Entered: 01/30/2004)
02/02/2004	690	ENDORSED LETTER as to (S7-98-Cr-1023-) Ibrahim Eidarus, Adel Abdel Bary, Mamdouh Mahmud Salim, Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Sheikh Ahmed Salim Swedan, Fahid Mohammed Msalam, Ahmed Khalfan Ghailani, Khalfan Khamis Mohamed, Mustafa Mohamed Fadhil,

		Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz addressed to Judge Duffy from AUSA Robin A. Linsenmayer dated 12/17/03. The Govt submitted this letter in order to propose a schedule concerning the submission of briefing in response to the depts' Post-Trial Motions, pursuant to Rule 33. The parties propose that the Govt submits its response to the Court by 1/30/04, and that the defense submit any reply by 2/13/04; JUDGE OK. (Signed by Judge Kevin Thomas Duffy). [microfilm 2/3/04 9am] (bw,) (Entered: 02/04/2004)
04/28/2004	692	MEMORANDUM in Opposition by UNITED STATES OF AMERICA as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali re 615 Motion for New Trial (jw,) (Entered: 04/29/2004)
04/28/2004	693	Exhibits to Government's Memorandum of Law in Opposition to the Defendant's Motion for a New Trial Pursuant to Fed.R.Crim.P. 33. by UNITED STATES OF AMERICA as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali. (jw,) (Entered: 04/29/2004)
04/30/2004	694	MOTION for New Trial. MOTION for Discovery. MOTION for evidentiary hearing. MOTION for such other and further relief as to the Court seems just and proper (pursuant to Rule 33, Fed. R. Crim. P.). Document filed on behalf of dft Wadih El Hage. (REDACTED) (ja,) (Entered: 05/03/2004)
04/30/2004	695	DECLARATION of Joshua L. Dratel in Support as to Wadih El Hage, re: 694 MOTION for New Trial. MOTION for Discovery. MOTION for evidentiary hearing. MOTION for such other and further relief as to the Court seems just and proper. (REDACTED) (ja,) (Entered: 05/03/2004)
04/30/2004	696	REPLY MEMORANDUM in Support as to Wadih El Hage, re 694 MOTION for New Trial. MOTION for Discovery. MOTION for evidentiary hearing. MOTION for such other and further relief as to the Court seems just and proper. REDACTED. (ja,). Modified on 5/3/2004 (ja,). (Entered: 05/03/2004)
04/30/2004	697	ORDER as to Usama Bin Laden. A motion under Rule 33 was filed in this case under seal. Answering papers were similarly filed under seal. The parties have agreed to a redacted version of all these papers to be filed without sealing so that the redacted papers will be available to the public. Relying upon the agreement of the counsel for the parties, this court directs that the redacted copies be placed in the open files of the Clerk's Office. SO ORDERED. (Signed by Judge Kevin Thomas Duffy on 4/28/04)(jw,) (Entered: 05/04/2004)
01/31/2005	700	TRANSCRIPT of Proceedings as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed held on 12/16/04 before Judge Kevin Thomas Duffy. (Martin, Leslie) (Entered: 01/31/2005)
02/07/2005	701	OPINION & ORDER # 91202 as to Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Khalfan Khamis Mohamed re: 615 Motion for Miscellaneous. In all other respects the Rule 33 Motion is DENIED. The request to reopen El-Hage's Motion to Suppress is likewise DENIED. All remaining requests for discovery and other relief, including requests for access to KSM and other purported al Qaeda associates, are DENIED. (Signed by Judge Kevin Thomas Duffy on 2/7/05)(jw,) (Entered: 02/07/2005)
02/17/2005	702	NOTICE OF APPEAL by Mohamed Rashed Daoud Al-'Owhali from 701 Memorandum & Opinion,. Copies of Notice of Appeal mailed to Attorney(s) of Record: US Attorney, SDNY & Court Reporters. (CJA no fee due)(pr,) (Entered: 02/18/2005)
02/17/2005		Minute Entry for proceedings held before Judge Kevin Thomas Duffy :Status Conference as to Wadih El Hage held on 2/17/2005. Hearing held. Deft Wadih Lef Hage present only w/atty Sam Schmidt. AUSA present Leslie Brown. (bw,) (Entered: 03/03/2005)
02/18/2005		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Mohamed Rashed Daoud Al-'Owhali to US Court of Appeals re: 702 Notice of Appeal - (pr,) (Entered: 02/18/2005)
03/08/2005		USCA Case Number 05-0920-cr as to Mohamed Rashed Daoud Al-'Owhali, assigned to 702 Notice of Appeal - Final Judgment filed by Mohamed Rashed Daoud Al-'Owhali,. (pr,) (Entered: 03/10/2005)
03/08/2005	704	USCA SCHEDULING ORDER as to Mohamed Rashed Daoud Al-'Owhali related to 702 Notice of Appeal - Final Judgment filed by Mohamed Rashed Daoud Al-'Owhali,, USCA Case Number 05-0920-cr. Appeal Record due by 3/28/2005. (pr,) (Entered: 03/10/2005)
03/09/2005	703	TRANSCRIPT of Proceedings as to Usama Bin Laden held on 2/10/2005 before Judge Kevin Thomas Duffy. (kj,) (Entered: 03/09/2005)
03/18/2005	705	TRANSCRIPT of Proceedings as to Usama Bin Laden held on 2/10/05 before Judge Kevin Thomas Duffy. (kj,) (Entered: 03/18/2005)

03/18/2005	706	TRANSCRIPT of Proceedings as to Wadiah El Hage held on 2/17/2005 before Judge Kevin Thomas Duffy. (kj,) (Entered: 03/18/2005)
03/18/2005	707	TRANSCRIPT of Proceedings as to Wadiah El Hage held on 2/17/2005 before Judge Kevin Thomas Duffy. (kj,) (Entered: 03/18/2005)
05/03/2005	708	TRANSCRIPT of Proceedings as to Wadiah El Hage held on 4/26/05 before Judge Kevin Thomas Duffy. (lma,) (Entered: 05/03/2005)
06/28/2005	710	TRANSCRIPT of Proceedings as to Wadiah El Hage held on 06/6,7/2005 before Judge Kevin Thomas Duffy. (es,) (Entered: 06/28/2005)
09/23/2005	711	MEMORANDUM in Opposition by United States of America as to Wadiah El Hage re 694 MOTION for New Trial pursuant to Rule 33. (ph,) (Entered: 09/27/2005)
10/20/2005	713	Post-Hearing MEMORANDUM OF LAW by United States of America in opposition to Wadiah El Hage's motion for a new trial pursuant to Fed.R.Crim.P. 33. (bw,) (Entered: 10/25/2005)
10/21/2005	712	POST-HEARING MEMORANDUM in Support by Wadiah El Hage re 694 MOTION for Discovery. MOTION for Hearing. MOTION for Hearing. MOTION for New Trial. MOTION for New Trial.. (rag,) (Entered: 10/24/2005)
10/24/2005	714	ENDORSED LETTER as to Wadiah El Hage addressed to Judge Duffy from Joshua L. Dratel / Sam Schmidt dated 10/20/05 re: Letter in regard to the post hearing Memorandum of Law submitted on behalf of deft. Wadiah El-Hage in support of his motion for a new trial. AUSA does not object to the public filing of Mr. El-Hage's post hearing Memo of Law without any redactions. Request that we be permitted to correct the Memo of Law as indicated. So ordered... (Signed by Judge Leonard B. Sand on 10/20/05)(pr,) (Entered: 10/27/2005)
11/02/2005	<u>715</u>	OPINION & ORDER # 92357 as to Wadiah El Hage...Conclusion, The Government's failure to turn over the disclosable material in the tapes deprived E-Hage of statements by al-Fadl that he was clearly entitled to under the Jenkins Act. May of those statements were obvious 3500 Material, and others would have significantly aided in cross-examining al-Fadl. It so happens, though, that none of the undisclosed material is powerful enough to displace the Government's other evidence of El-Hage's guilty. Thus, because none of the undisclosed material in the video-teleconferences is sufficient to "undermine confidence in the verdict," the motion for a new trial is denied. Jackson, 345 F.3d at 77 (internal citation and quotation omitted). El'hage's related discovery requests and other remaining requests for relief are likewise denied. I finally note that resolving this Motion has required me to decide several issues in areas where the relevant legal boundaries are not well marked. Although I have done my best to resolve the related issues correctly, I am hopeful that the parties will expeditiously bring this matter to the attention of the Court of Appeals., Motions terminated as to Wadiah El Hage: 694 . Copies delivered to counsel of record 11/2/05 (Signed by Judge Kevin Thomas Duffy on 11/2/05)(rag,) Additional attachment(s) added on 11/3/2005 (rag,). (Entered: 11/02/2005)
11/09/2005	716	NOTICE OF APPEAL by Wadiah El Hage from <u>715</u> Memorandum & Opinion, Terminate Motions. Copies of Notice of Appeal mailed to Attorney(s) of Record: A.U.S.A. and Court Reporters. (nd,) (Entered: 11/09/2005)
11/09/2005		Appeal Remark as to Wadiah El Hage re: 716 Notice of Appeal - Final Judgment. CJA ATTORNEY, NO FEELING FEE REQUIRED (nd,) (Entered: 11/09/2005)
11/09/2005		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Wadiah El Hage to US Court of Appeals re: 716 Notice of Appeal - Final Judgment. (nd,) (Entered: 11/09/2005)
11/16/2005	717	NOTICE OF MOTION for Reargument and/or Reconsideration. Document filed by Wadiah El Hage. Return Date set for on or about 11/20/2005 09:30 AM. (mde,) (Entered: 11/23/2005)
11/16/2005	718	MEMORANDUM in Support by Wadiah El Hage re 717 MOTION for Reargument and/or Reconsideration.. (mde,) (Entered: 11/23/2005)
12/05/2005	719	ORDER denying 717 Motion for Reconsideration as to Wadiah El Hage (1). Defendant Wadiah El-Hage's Motion for Reargument and/or Reconsideration is hereby DENIED. (Signed by Judge Kevin Thomas Duffy on 12/1/05) (rg,) (Entered: 12/08/2005)
12/09/2005	720	NOTICE OF APPEAL by Wadiah El Hage from 719 Order on Motion for Reconsideration. Copies of Notice of Appeal mailed to Attorney(s) of Record: A.U.S.A. and Court Reporters. (tp,) (Entered: 12/09/2005)

12/09/2005		Appeal Remark as to Wadih El Hage re: 720 Notice of Appeal – Final Judgment. NO FEE. CJA. (tp,) (Entered: 12/09/2005)
12/09/2005		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Wadih El Hage to US Court of Appeals re: 720 Notice of Appeal – Final Judgment. (tp,) (Entered: 12/09/2005)
03/14/2006	721	UNSEALING ORDER as to Wadih El Hage; that the documents reflected under docket numbers 278, 282, 283, 298, 300, 311, 333, 348, 393, 473, 475, and 487 shall be unsealed exclusively for the purpose of permitting the Government to review and copy these documents; that after the Government has reviewed and copied these documents, they be resealed. (Signed by Judge John F. Keenan on 3/14/06)(ae,) (Entered: 03/14/2006)
05/31/2007	727	ENDORSED LETTER as to Usama Bin Laden, addressed to Judge Duffy, from David A. O'Neil/Leslie A. Brown, AUSAs, dated 5/30/07, re: the Gov't expects to submit its brief in the Second Circuit on Friday, June 1. As part of that submission, the Gov't will file a multi-volume Supplemental Appendix. Four of the documents the Gov't intends to include in that Appendix remain under seal: 1) transcript of proceedings before Judge Sand on 1/16/01; transcript of proceedings before Judge Sand on 1/19/01; Affidavit of Patrick J. Fitzgerald, dated 1/23/01; and Stipulation dated 1/24/01. The Gov't therefore moves to unseal these documents. Cnsl for dfts=appellants Wadih El Hage, Mohamed Sadeek Odeh, and Mohamed Rashed Daoud al-'Owhali consent to this motion. -- Judge endorsed: The application to unseal the four documents which is unopposed is granted. SO ORDERED. (Signed by Judge Kevin Thomas Duffy on 5/31/07)(ja) (Entered: 06/04/2007)
06/27/2008	728	NOTICE OF ATTORNEY APPEARANCE: Scott Lloyd Fenstermaker appearing for (S7-98-Cr-1023-09) Ahmed Khalfan Ghailani. (bw) (Entered: 06/30/2008)
12/03/2008	<u>730</u>	NOLLE PROSEQUI ENTERED as to Ibrahim Eidarous. Ibrahim Eidarous (16) Count 1,1s,1ss,2ss,3s,3,3ss,4s,4,4ss,5s,5,5ss,6s,6,6ss,7,7s,7ss-8ss,8s,8,9s,9,9ss,10s,10,10ss,11-223,11s-223s,11ss-234ss,224-234,224s-234s,235-275,235s-275s,235ss-279ss,276,276s,277-278,277s-279s,279,280-281,280s-282s,280ss-283ss,282,283,283s,284,284s,284ss,285,285s,285ss-286ss,286,286s,287ss-305ss,306ss-308ss. So Ordered. (Signed by Judge Kevin Thomas Duffy on 12/1/08)(bw) (Entered: 12/03/2008)
01/06/2009	<u>731</u>	MEMO ENDORSEMENT: As to Mamdouh Mahmud Salim. Letter from attorney Allan P. Harper inquiring about payment being made during the duration of complex cases. ENDORSEMENT: Request for payment is approved. So Ordered. (Signed by Judge Kevin Thomas Duffy on 1/6/2009)(D'Avanzo, Daniel) (Entered: 01/06/2009)
01/08/2009	<u>732</u>	MEMO ENDORSEMENT: As to Mamdouh Mahmud Salim.. Letter from attorney Allan P. Harper inquiring about payment being made during the duration of complex cases. ENDORSEMENT: Request for payment is approved. So Ordered. (Signed by Judge Kevin Thomas Duffy on 1/8/2009)(D'Avanzo, Daniel) (Entered: 01/12/2009)
02/27/2009	<u>733</u>	ENDORSED LETTER as to (98-Cr-1023-04) Mohamed Rashed Daoud Al-'Owhali addressed to Judge Duffy from Attorney Frederick H. Cohn dated 2/23/09 re: I have now seen the document and represent to the Court that the information contained in it requires that I consult with the client. Laura Gasirowski, my co-counsel and I need to visit the client at ADMAX, Florence, Colorado. This is a three day trip because the hours that the BOP allows visits do not fit the air line schedules. We must fly to Colorado Springs on the first day, visit him on the second, and return on the third. I therefore apply for District Court authorization for Ms. Laura Gasirowski, my co-counsel, to travel as set forth in this letter, authorizing hotel stays for us for two nights, and the rental of a car as Florence is 50 miles from Colorado Springs. ENDORSEMENT: Request approved. (Signed by Judge Kevin Thomas Duffy on 2/27/09)(bw) (Entered: 02/27/2009)
05/04/2009	<u>734</u>	MANDATE of USCA (certified copy) as to Mohamed Rashed Daoud Al-'Owhali re: 702 Notice of Appeal – Final Judgment USCA Case Number 01-1535-cr(L) and 05-0920-cr. Defendant-appellant Al'Owhali has moved to remand his case to the District Court in light of the government's disclosure of new evidence allegedly bearing on the voluntariness of his confession. That motion is hereby GRANTED, and this case is remanded to the District Court for the limited purpose of conducting proceedings on the voluntariness of Al-'Owhali's confession. The mandate in the case of Al-Owhali shall issue forthwith. From whatever final decision the District Court makes on this limited remand, the jurisdiction of this Court to review that decision may be invoked by any party by notification to the Clerk of Court within ten days of the District Court's decision, see United States v. Jacobson, 15 F. 3d 19, 21-22 (2d Cir. 1994), in which event the case will be returned to this panel. Catherine O'Hagan Wolfe, Clerk USCA. Issued As Mandate: 4/30/2009. (nd) (Entered: 05/04/2009)

05/04/2009		Transmission of USCA Mandate/Order to the District Judge re: <u>734</u> USCA Mandate – Final Judgment Appeal. (nd) (Entered: 05/04/2009)
05/09/2009	<u>735</u>	FILING ERROR – ELECTRONIC FILING IN NON-ECF CASE – FIRST MOTION for Speedy Trial <i>request for speedy trial and seeking a motion schedule for defendant's motion to dismiss</i> . Document filed by Ahmed Khalfan Ghailani. (Fenstermaker, Scott) Modified on 5/11/2009 (jar). (Entered: 05/09/2009)
05/09/2009		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF CASE ERROR. Note to Attorney Scott Fenstermaker as to Ahmed Khalfan Ghailani: to MANUALLY RE-FILE Document Letter (Motion for Speedy Trial), Document No. 735. This case is not ECF. (jar) (Entered: 05/11/2009)
05/27/2009	<u>736</u>	ORDER as to (98-Cr-1023-09) Ahmed Khalfan Ghailani. On June 27, 2008, Scott L. Fenstermaker, Esq. filed a notice of appearance in this case indicating that he is retained counsel for Ahmed Khalfan Ghailani. Ghailani is presently detained at the U.S. Naval Base in Guantanamo Bay, Cuba ("Guantanamo Bay"). He was indicted in the above-captioned case and also faces military commission charges. Ghailani initially accepted military counsel appointed for him, along with civilian counsel to include David H. Remes, Randy Coyne, and Fenstermaker. Ghailani subsequently asked that no legal actions be filed on his behalf in any court outside of Guantanamo Bay and that any action previously filed on his behalf outside of Guantanamo Bay be dismissed. Fenstermaker nonetheless filed a habeas petition in the District Court of the District of Columbia purportedly on behalf of Ghailani, Ghailani v. Gates, No. 08-1190 (D.D.C. filed July 10, 2008), and Ghailani stated that he did not want to be represented by Fenstermaker and did not want Fenstermaker brought to Guantanamo Bay to meet him. Fenstermaker's notice of appearance was stricken from the record, and he was barred from making any further filings in the District Court of the District of Columbia on Ghailani's behalf. Ghailani v. Gates, No. 08-1190 (D.D.C. filed August 20, 2008)(Leon, J.)...[See Order]... Unless Fenstermaker can show me by affidavit filed by June 8, 2009, detailing how this so-called retainer came about, the instant notice of appearance will be similarly stricken. So Ordered. (Signed by Judge Kevin Thomas Duffy on 5/27/09)(bw) (Entered: 05/27/2009)
05/31/2009	<u>737</u>	FILING ERROR – ELECTRONIC FILING FOR NON-ECF DOCUMENT(LETTER) &NON-ECF CASE – FIRST MOTION for Extension of Time to Respond to the Court's May 27, 2009 order directing counsel to provide proof of authorization to enter a notice of appearance. Document filed by Ahmed Khalfan Ghailani. (Attachments: # <u>1</u> Exhibit Exhibit A to May 31, 2009 Letter to Judge Duffy, # <u>2</u> Exhibit Exhibit B to May 31, 2009 Letter to Judge Duffy, # <u>3</u> Exhibit Exhibit C to May 31, 2009 Letter to Judge Duffy, # <u>4</u> Exhibit Exhibit D to May 31, 2009 Letter to Judge Duffy, # <u>5</u> Exhibit Exhibit E to May 31, 2009 Letter to Judge Duffy)(Fenstermaker, Scott) Modified on 6/1/2009 (jar). (Entered: 05/31/2009)
05/31/2009		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF CASE ERROR. Note to Attorney Scott Fenstermaker as to Ahmed Khalfan Ghailani: to MANUALLY RE-FILE Document Letter, Document No. 737. This case is not ECF. ***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. <u>737</u> as to Defendant(s) Ahmed Khalfan Ghailani: HAS BEEN REJECTED. Note to Attorney Scott Fenstermaker : Other than letters filed under a cover marked Sentencing Memorandum, THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (jar) (Entered: 06/01/2009)
06/01/2009	<u>738</u>	ORDER: As to Usama Bin Laden. It is ORDERED that the Clerk of the Court designate the captioned action as a CM-ECF case and it is further ORDERED that the representatives for all parties become registered users of the Court's CM-ECF system. SO ORDERED. (Signed by Judge Kevin Thomas Duffy on 5/28/2009)(dnd) (Entered: 06/01/2009)
06/01/2009		Case Designated ECF as to Anas Al Liby, Mamdouh Mahmud Salim, Wadiah El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Muhsin Musa Matwalli Atwah, Sheikh Ahmed Salim Swedan, Fahid Mohammed Msalam, Ahmed Khalfan Ghailani, Khalfan Khamis Mohamed, Mustafa Mohamed Fadhil, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Abdullah Ahmed Abdullah, Saif Al Adel, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi, Jamal Ahmed Mohammed Ali Al-Badawi, Fahd Al-Quso (dnd) (Entered: 06/02/2009)
06/09/2009	<u>739</u>	NOTICE OF ATTORNEY APPEARANCE David Alan Raskin appearing for USA. (Raskin, David) (Entered: 06/09/2009)
06/09/2009	<u>740</u>	NOTICE OF ATTORNEY APPEARANCE Leslie C. Brown appearing for USA. (Brown, Leslie) (Entered: 06/09/2009)
06/09/2009	<u>741</u>	NOTICE OF ATTORNEY APPEARANCE Nicholas James Lewin appearing for USA. (Lewin, Nicholas) (Entered: 06/09/2009)

06/09/2009		Minute Entry for proceedings held before Judge Loretta A. Preska :Arraignment as to Ahmed Khalfan Ghailani (9) Count 1ssss,3ssss,4ssss,5ssss,6ssss,7ssss,8ssss,9ssss,10ssss,11ssss-223ssss,224ssss-234ssss, 235ssss-275ssss,276ssss,277ssss-278ssss,279ssss,280ssss-281ssss,282ssss,283ssss,284ssss, 285ssss,286ssss held on 6/9/2009. Defendant present with his attorney Scott Fenstermaker. AUSA David Raskin, Leslie Brown and Nicholas Lewin. Defendant is arraigned and enters a plea of not guilty. Defense counsel moves to withdraw his pro bono representation and to be appointed under this Courts Criminal Justice Act. Issue of counsels representation continued to June 16, 2009 at 9:30 a.m. before Judge Preska. Time excluded under Speedy Trial Act from and including today through and including June 16, 2009. Defendant remanded. (jw) (Entered: 06/12/2009)
06/09/2009		Minute Entry for proceedings held before Judge Loretta A. Preska: Plea entered by Ahmed Khalfan Ghailani (9) Count 1ssss,3ssss,4ssss,5ssss,6ssss,7ssss,8ssss,9ssss,10ssss,11ssss-223ssss,224ssss-234ssss, 235ssss-275ssss,276ssss,277ssss-278ssss,279ssss,280ssss-281ssss,282ssss,283ssss,284ssss, 285ssss,286ssss Not Guilty. (jw) Modified on 12/17/2009 (jw). (Entered: 06/12/2009)
06/15/2009	<u>742</u>	NOTICE OF CASE REASSIGNMENT as to Anas Al Liby, Mamdouh Mahmud Salim, Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Usama Bin Laden, Muhammad Atef, Muhsin Musa Matwalli Atwah, Sheikh Ahmed Salim Swedan, Fahid Mohammed Msalam, Ahmed Khalfan Ghailani, Khalfan Khamis Mohamed, Mustafa Mohamed Fadhil, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Abdullah Ahmed Abdullah, Saif Al Adel, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi, Jamal Ahmed Mohammed Ali Al-Badawi, Fahd Al-Quso, to Judge Lewis A. Kaplan. Judge Kevin Thomas Duffy no longer assigned to the case. (ldi) (Entered: 06/15/2009)
06/15/2009	<u>743</u>	ORDER as to (98-Cr-1023-09) Ahmed Khalfan Ghailani. The Court is in receipt of a letter, dated June 11, 2009, from Scott L. Fenstermaker, Esq., who has filed a notice of appearance on behalf of this defendant, in which Mr. Fenstermaker complains that he was not permitted to visit the defendant on June 11, 2009, as he wished to do so. In consequence, he says, "the court appearance on Tuesday[, June 16, 2009,] will proceed in [his absence]." The court appearance scheduled for tomorrow is not optional. Mr. Fenstermaker shall appear personally on June 16, 2009 at 9:30 a.m. in the courtroom previously designated. So Ordered. (Signed by Judge Lewis A. Kaplan on 6/15/09)(bw) (Entered: 06/15/2009)
06/16/2009	<u>744</u>	MANDATE of USCA (certified copy) as to Wadih El Hage, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali re: 716 Notice of Appeal - Final Judgment, 720 Notice of Appeal - Final Judgment, USCA Case Number 01-1535-cr(L), 01-1550-cr(con),01-1553-cr(con), 01-1571-cr9con), 05-6149-cr(con), 05-6704-cr(con). Ordered, Adjudged and Decreed that the judgments of conviction againste Al-'Owhali and Odeh are AFFIRMED. The judgment of conviction against El-Hage is AFFIRMED in all respects except that the sentencing is VACATED, and the case is REMANDED to the District Court for the sole purpose of resentencing El-Hage in accordance with the opinion of this court. Catherine O'Hagan Wolfe, Clerk USCA. Issued As Mandate: 6/12/2009. (nd) (Entered: 06/16/2009)
06/16/2009		Transmission of USCA Mandate/Order to the District Judge re: <u>744</u> USCA Mandate - Final Judgment Appeal. (nd) (Entered: 06/16/2009)
06/16/2009		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to (S12-98-Cr-1023-09) Ahmed Khalfan Ghailani held on 6/16/2009. Conference held. Defendant Ghailani present with attorney Scott Fenstermaker. AUSAs David Raskin and Nicholas Lewin present. FBI agent Michael Brodack present. Court reporter Jennifer Thun present. Swahili interpreter Laura E. Black present. Attorney Scott Fenstermaker relieved as counsel and CJA attorney Gregory Cooper appointed as lead counsel. CJA attorney Peter Enrique Quijano appointed as Learned counsel. Military attorneys present but no appearance filed by Col. Jeffrey Colwell and Maj. Richard Reiter. The next conference is scheduled for 7/2/09 at 9:30am. Time from today through 7/2/09 is excluded from speedy trial time calculations. (bw) (Entered: 06/30/2009)
06/16/2009		ORAL ORDER as to (S12-98-Cr-1023-09) Ahmed Khalfan Ghailani. Time excluded from 6/16/09 until 7/2/09. Status Conference set for 7/2/2009 at 09:30 AM before Judge Lewis A. Kaplan. (bw) (Entered: 06/30/2009)
06/16/2009	773	CJA 30: Appointment of Attorney Peter Enrique Quijano for Ahmed Khalfan Ghailani in Death Penalty Proceedings as to Ahmed Khalfan Ghailani.. (Signed by Judge Lewis A. Kaplan on 6/16/09) The CJA Clerk has mailed the original to the attorney. A copy was sent to the file.(tr) (Entered: 08/05/2009)
06/19/2009	<u>745</u>	NOTICE OF ATTORNEY APPEARANCE: Peter Enrique Quijano appearing for Ahmed Khalfan Ghailani. <i>as learned capital counsel</i> (Quijano, Peter) (Entered: 06/19/2009)
06/23/2009	<u>746</u>	ENDORSED LETTER: As to Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from Peter Enrique Quijano dated 6/22/2009. re: I write to provide the Court with the reasons for the request of my letter dated June 22, 2009, requesting that the Court SO ORDER permission to bring my lap-top

		computer into the Court House on June 23, 2009. ENDORSEMENT: Mr. Quijano may bring his laptop in on this occasion. His action in doing so shall constitute his representation that the laptop lacks any capability to engage in wireless communication to record or transmit sounds, images or files containing such matters or alternatively, that any such capability has been disabled. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 6/23/2009)(dnd) (Entered: 06/23/2009)
06/24/2009	747	CJA 23 Financial Affidavit by (98-Cr-1023-09) Ahmed Khalfan Ghailani. (bw) (Entered: 06/24/2009)
06/25/2009	<u>748</u>	ORDER as to (S12-98-Cr-1023-09) Ahmed Khalfan Ghailani.... IT IS ORDERED THAT: 1. Prior to submitting a formal case-budget on Excel spreadsheets, Mr. Ghailani is authorized to retain the following service providers for the hours and at the rates indicated....[see Order]... 2. CJA Lead and/or Learned counsel, are authorized to expend up to 300 hours each at \$175 per hour, prior to submitting a formal Excel spreadsheet budget. So Ordered. (Signed by Judge Lewis A. Kaplan on 6/25/09)(bw) (Entered: 06/25/2009)
06/26/2009	<u>749</u>	ORDER as to Ahmed Khalfan Ghailani. Having held a pretrial conference on June 16, 2009 the following is ORDERED: Gregory Cooper is appointed as CJA Lead counsel and Peter Enrique Quijano is appointed as learned counsel. (Signed by Judge Lewis A. Kaplan on 6/25/09)(jw) (Entered: 06/26/2009)
06/26/2009		Attorney update in case as to Ahmed Khalfan Ghailani. Attorney Gregory E. Cooper for Ahmed Khalfan Ghailani added. (jw) (Entered: 06/26/2009)
06/29/2009	<u>750</u>	NOTICE OF ATTORNEY APPEARANCE: Michael Keith Bachrach appearing for Ahmed Khalfan Ghailani. (Bachrach, Michael) (Entered: 06/29/2009)
06/29/2009	754	NOTICE OF ATTORNEY APPEARANCE: Michael Keith Bachrach appearing for Ahmed Khalfan Ghailani. (ja) (Entered: 06/30/2009)
06/30/2009	<u>751</u>	FIRST MOTION to Compel <i>the Preservation of Central Intelligence Agency Detention Facilities ("Black Sites")</i> . Document filed by Ahmed Khalfan Ghailani. (Quijano, Peter) (Entered: 06/30/2009)
06/30/2009	<u>752</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU (Declaration) – AFFIRMATION of Peter Enrique Quijano, Esq. in Support as to Ahmed Khalfan Ghailani re <u>751</u> FIRST MOTION to Compel <i>the Preservation of Central Intelligence Agency Detention Facilities ("Black Sites")</i> .. (Attachments: # <u>1</u> Exhibit Exhibit A Pres. Bush 2006 Speech, # <u>2</u> Exhibit Exhibit B ICRC Rpt Treatment of HVD, # <u>3</u> Exhibit Exhibit C Panetta Statement)(Quijano, Peter) Modified on 7/1/2009 (jar). (Entered: 06/30/2009)
06/30/2009	<u>753</u>	MEMORANDUM in Support by Ahmed Khalfan Ghailani re <u>751</u> FIRST MOTION to Compel <i>the Preservation of Central Intelligence Agency Detention Facilities ("Black Sites")</i> .. (Quijano, Peter) (Entered: 06/30/2009)
06/30/2009		NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DOCUMENT TYPE ERROR. Note to Attorney Peter Quijano as to Ahmed Khalfan Ghailani: to RE-FILE Document <u>752</u> Affirmation in Support of Motion. Use the document type Declaration in Support found under the document list Replies, Oppositions, Supporting Documents. (jar) (Entered: 07/01/2009)
06/30/2009	756	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on June 9, 2009 at 4:00 pm before Judge Loretta A. Preska. (eef) (Entered: 07/02/2009)
07/01/2009	<u>755</u>	DECLARATION of Peter Enrique Quijano, Esquire in Support as to Ahmed Khalfan Ghailani re: <u>751</u> FIRST MOTION to Compel <i>the Preservation of Central Intelligence Agency Detention Facilities ("Black Sites")</i> .. (Attachments: # <u>1</u> Exhibit Exhibit A Pres. Bush 2006 Speech, # <u>2</u> Exhibit Exhibit B ICRC Rpt., # <u>3</u> Exhibit Exhibit C Panetta Statement)(Quijano, Peter) (Entered: 07/01/2009)
07/02/2009	<u>757</u>	ORDER EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT as to Ahmed Khalfan Ghailani. Time excluded from 7/2/09 until 10/19/09,...for dft's recently appointed counsel to familiarize themselves with the case, obtaining and reviewing discovery, and formulating any motions, among other things, outweighs the interest of the dft and the public in a speedy trial. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 7/2/09)(ja) (Entered: 07/02/2009)
07/02/2009	<u>758</u>	Letter by Ahmed Khalfan Ghailani addressed to Judge Kaplan from David Raskin and Leslie C. Brown and Nicholas J. Lewin dated 6/26/09 re: we have consulted with Main Justice regarding the impact of the military decision not to seek the death penalty in the defendant's military commission case. While we respect that decision, and it will factor into the analysis of whether to seek or not in this case, we cannot rely on the military no-seek determination – any more than we would a determination to seek – in lieu of following our own process, The Government commits to moving through this process expeditiously and we have already conferred with the defense in this regard. Accordingly, we propose that this Office

		submit its recommendation to Main Justice within 81 days (within 90 days from our first pretrial conference), and we will work with Main Justice to have an answer within 30 days of our submission.(jw) (Entered: 07/02/2009)
07/02/2009	<u>759</u>	ORDER as to Ahmed Khalfan Ghailani, authorizing the appointment, nunc pro tunc to 6/19/09 of Michael K. Bachrach, Esq., G. Hanna Antonsson, Lawyer/Paralegal, Anna N. Sideris, Lawyer/Paralegal, Anna Bulkin, Mitigation Expert, 5 Stones Intelligence (David Tinsley), as an investigator, SAIC (Rita Tolliver), as an interpreter pursuant to the CJA, 18 U.S.C. 3359.... (See Order for full text.). SO ORDERED. (Signed by Judge Lewis A. Kaplan on 7/2/09)(ja) (Entered: 07/02/2009)
07/02/2009	<u>760</u>	Letter by Ahmed Khalfan Ghailani addressed to Judge Kaplan from Peter Enrique Quijano dated 6/26/09 re: I write as one of the attorneys for the defendant Ahmed Khalfan Ghailani in the above referenced matter. In a letter dated June 26, 2009, the government advised the Court that it plans to submit its recommendation to the Attorney General on whether or not to seek the death penalty within 81 days, and expects to receive an answer from the Attorney General within 30 days following their submission. Consequently, at the status conference scheduled for July 2, 2009, I will respectfully request that the Court afford the defendant a period of six months in which to advise the Court when the defendant's submission will be completed. Of course, should Main Justice decide not to seek death within that time-frame, we would at that point make every effort to advise the Court when we will be ready for trial.(jw) (Entered: 07/02/2009)
07/02/2009	<u>761</u>	SCHEDULING ORDER as to Ahmed Khalfan Ghailani; Motions due by 8/14/2009. Government Responses due by 8/28/2009; Defendant Replies due by 9/9/2009. Discovery due by 11/2/2009. Jury Trial set for 9/13/2010 at 10:00 AM before Judge Lewis A. Kaplan. The following schedule shall govern further proceedings in this case: 1. Defendant shall serve and file any motion addressed to the face of the indictment on or before August 14,2009. The government's response shall be served and filed on or before August 28, 2009. Any reply papers shall be served and filed on or before September 9, 2009. Should such a motion be filed, the Court will determine whether oral argument would be helpful and, if so, set it for argument. 2. Defendant shall serve and file any motion to dismiss the indictment on speedy trial grounds on or before October 19,2009. The government's response shall be served and filed on or before November 5, 2009. Any reply papers shall be served and filed on or before November 18,2009. The Court will hear oral argument of any such motion on November 24,2009 at 9:30 a.m. 3. The government shall complete discovery on or before November 2, 2009. 4. The government shall file any notice of intent to seek the death penalty, see 18 U.S.c. § 3593(a), no later than October 13,2009. 5. Defendants shall serve and file any motions not described in paragraphs 1 and 2 (other than motions in limine) no later than March 5, 2010. The government's response to any such motions shall be served and filed no later than April 5, 2010. Any reply papers in support of any such motions shall be served and filed no later than April 19, 2010. The motions shall be argued on April 19, 2010 at 2:00 p.m. 6. The government shall give notice of any intention to use Rule 404(b) evidence no later than June 1, 2010. 7. Any motions in limine, the basis for which is then known to either the government or the defendant on or before June 1, 2010, shall be served and filed no later than June 15, 2010. 8. The case is set for trial commencing on September 13, 2010. 9. In light of the foregoing schedule, counsel are advised that the Court might be more likely to conclude that the defendant warrants a decrease under the U.S. Sentencing Guidelines of an additional offense level for acceptance of responsibility, in the event he pleads guilty on or before June 1, 2010, than would be the case in the event of a plea of guilty entered subsequent to that date. So ORDERED. (Signed by Judge Lewis A. Kaplan on 7/2/09)(jw) (Entered: 07/02/2009)
07/02/2009	<u>762</u>	ORDER as to Ahmed Khalfan Ghailani.... ORDERED, that any and all documents currently filed under seal in connection with Indictment 98 Cr. 1023, including any and all superseding charging instruments, be unsealed only to the extent of allowing representatives from the U.S. Attorney's Office for the SDNY to review and, if necessary, copy those documents; and ORDERED, that all of the documents unsealed pursuant to this Order then immediately be resealed. (Signed by Judge Lewis A. Kaplan on 7/1/09)(ja) (Entered: 07/10/2009)
07/02/2009		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Pretrial Conference as to (S12-98-Cr-1023-09) Ahmed Khalfan Ghailani held on 7/2/2009. Conference held. Defendant Ghailani present with attorneys Gregory Cooper, Peter Quijano, Maj. Richard Reiter, and Col. Jeffrey Colwell. AUSAs David Raskin and Leslie Brown present. Court reporter present. Swahili interpreter Laura E. Black present. Trial scheduled to commence September 13, 2010. Time from today through October 19, 2009 is excluded from speedy trial calculations in the interests of justice. (bw) (Entered: 07/15/2009)
07/02/2009		ORAL ORDER as to (S12-98-Cr-1023-09) Ahmed Khalfan Ghailani. Time excluded from 7/2/09 until 10/19/09. Ready for Trial by 9/13/2010. (bw) (Entered: 07/15/2009)
07/15/2009	<u>763</u>	MODIFIED PROTECTIVE ORDER PERTAINING TO UNCLASSIFIED INFORMATION as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. Upon application of the Government, and with consent

		of the defense: IT IS HEREBY ORDERED pursuant to Rule 16(d) of the Federal Rules of Criminal Procedure that the Government shall segregate the discovery materials it produce to the defendant and his counsel of record into two categories: (1) general discovery materials and (2) particularly sensitive discovery materials. The category to which particular discovery materials belong shall be clearly identified by the Government; IT IS FURTHER ORDERED that "general discovery materials" shall not be further disseminated by the defendant or his counsel to any individuals, organizations or other entities, other than:...[see Order]... IT IS FURTHER ORDERED that "particularly sensitive discovery materials" shall not be further disseminated by the defendant or his counsel to any individuals, organizations or other entities, other than:...[see Order]...IT IS FURTHER ORDERED that all such discovery materials are to be provided to the defense, and used by the defense, solely for the purpose of allowing the defendant to prepare his defense and that none of the discovery materials produced by the Government to the defense shall be disseminated to, or discussed with, the media; IT IS FURTHER ORDERED that none of the discovery materials produced by the Government to the defense shall be disseminated to, or discussed with, the media by the Government; IT IS FURTHER ORDERED that any papers to be served upon the Court by either party which include discovery materials or refer to the contents of the particularly sensitive discovery materials shall be filed under seal; IT IS FURTHER ORDERED that any papers to be served upon the Court in response to papers served in conformity with the preceding paragraph shall also be filed under seal; and FINALLY, IT IS ORDERED that nothing in this Order shall preclude the Government from seeking a further protective order pursuant to Rule 16(d) as to particular items of discovery material. So Ordered. (Signed by Judge Lewis A. Kaplan on 7/14/09)(bw) (Entered: 07/15/2009)
07/16/2009	764	TRANSCRIPT of Proceedings as to Wadih El Hage held on September 23, 1989 before Magistrate Judge Leonard Bernikow. (jab) (Entered: 07/16/2009)
07/20/2009	769	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on June 16, 2009 at 9:45 am before Judge Lewis A. Kaplan. (eef) (Entered: 07/24/2009)
07/20/2009	770	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on July 2, 2009 at 9:36 am before Judge Lewis A. Kaplan. (eef) (Entered: 07/24/2009)
07/20/2009	771	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on July 2, 2009 at 9:36 am before Judge Lewis A. Kaplan. (eef) (Entered: 07/24/2009)
07/21/2009	<u>765</u>	MODIFIED PROTECTIVE ORDER PERTAINING TO CLASSIFIED INFORMATION as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. This matter comes before the Court upon the Government's Motion for a Modified Protective Order pursuant to Section 3 of the Classified Information Procedures Act ("CIPA"), 18 U.S.C. App. 3 Section 3, to protect against the disclosure in this case of any classified information disclosed by the Government to, or otherwise in the possession of, the Defendant or the Defense. Pursuant to the authority granted under Sections 3 and 9 of CIPA, the Security Procedures Established Pursuant to Pub. L. No. 96-456, 94 Stat. 2025, by the Chief Justice of the United States for the Protection of Classified Information (reprinted following CIPA Section 9), Rules 16(d) and 57 of the Federal Rules of Criminal Procedure, and the general supervisory authority of the Court, and to protect the national security, the following Modified Protective Order is entered. [** See Order **]. (Signed by Judge Lewis A. Kaplan on 7/21/09)(bw) (Entered: 07/21/2009)
07/21/2009	766	TRANSCRIPT of Proceedings as to Wadih El Hage held on 9/17/98 before Magistrate Judge James C. Francis. (jw) (Entered: 07/21/2009)
07/21/2009	<u>767</u>	ENDORSED LETTER: As to Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from Gregory Cooper dated 7/10/2009, As to Ahmed Khalfan Ghailani. re:We deeply understand that a great deal of thought and other considerations went into Your Honor's directive fixing the trial date in this matter for September 13, 2010. It is therefore with a great deal of reluctance, but with a strong belief in the necessity, that we respectfully request that the date be delayed for thirty days. We have consulted with the Government, and Mr. Raskin has indicated he has no objection to this application. ENDORSEMENT: Commencement of trial postponed until 9/27/2010. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 7/17/2009)(dnd) (Entered: 07/21/2009)
07/21/2009	768	Letter as to Ahmed Khalfan Ghailani, Addressed to Judge Kaplan, From James L. Dunlap, Dept. Security Officer, dated 7/7/09, Re: Recommendation of Security Specialists. Purs. to para. 2 of the "Security, Procedures Established purs. to Pub. L. 96-456 Stat. 2025, by the Chief Justice of the U.S. for the Protection of Classified Information," I recommend Maura L. Peterson, Security Specialist, for the position of court security officer in the above case. I also recommend security specialists Jennifer H. Campbell, Miguel A. Ferrer, Christine E. Gunning, Daniel O. Hartenstine, Erin E. Hogarty, Joan B. Kennedy, Michael P. Macisso, Craig P. Martin, Jarrett F. Merk and Angela M. Strause as alternate court security specialist. In addition, I certify that the above-mentioned individuals are cleared for the level and category of classified information that will be involved in this litigation. Their duties will include

		responsibilities to the court for information, physical, personnel, and communications security, as well as any other pertinent duties as outlined in the above-cited procedures. (ja) (Entered: 07/22/2009)
07/28/2009	<u>772</u>	SEALED DOCUMENT placed in vault. (jri) (Entered: 07/28/2009)
08/13/2009	<u>776</u>	ORDER: As to Mohamed Rashed Daoud Al-'Owhali. On the application of Frederick H. Cohn, attorney for the defendant above named, the Bureau of Prisons, and particularly the Administrative Maximum Prison at Florence Colorado, wherethe defendant is currently located, is directed that the defendant be made available for a telephone connection with the Court so that he can be present for a scheduling hearing in this matter on September 9, 2009, at 2:30 in the afternoon Eastern Daylight Savings Time (New York time). It is further orderedthat arrangement for the telephone conference be made with my chambers at (212) 805-6125. SO ORDERED. (Signed by Judge Kevin Thomas Duffy on 8/12/2009)(dnd) (Entered: 08/19/2009)
08/14/2009	<u>774</u>	FILING ERROR – WRONG DOCUMENT TYPE SELECTED FROM MENU – FIRST MOTION in connection with remand to consider voluntariness of al-'Owhali's statements; no further proceedings are necessary. Document filed by United States of America as to Mohamed Rashed Daoud Al-'Owhali. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit F, # <u>6</u> Exhibit Exhibit G, # <u>7</u> Exhibit Exhibit H, # <u>8</u> Exhibit Exhibit I, # <u>9</u> Exhibit Exhibit J, # <u>10</u> Exhibit Exhibit K, # <u>11</u> Exhibit Exhibit M, # <u>12</u> Exhibit Exhibit N, # <u>13</u> Exhibit Exhibit O, # <u>14</u> Exhibit Exhibit P, # <u>15</u> Exhibit Exhibit Q, # <u>16</u> Exhibit Exhibit R, # <u>17</u> Exhibit Exhibit S, # <u>18</u> Exhibit Exhibit T, # <u>19</u> Exhibit Exhibit U, # <u>20</u> Exhibit Exhibit E-1, # <u>21</u> Exhibit Exhibit E-2, # <u>22</u> Exhibit Exhibit E-3, # <u>23</u> Exhibit Exhibit L-1, # <u>24</u> Exhibit Exhibit L-2)(Brown, Leslie) Modified on 8/17/2009 (KA). (Entered: 08/14/2009)
08/17/2009		NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DOCUMENT TYPE ERROR. Note to Attorney Leslie C. Brown as to Mohamed Rashed Daoud Al-'Owhali: to RE-FILE Document <u>774</u> FIRST MOTION in connection with remand to consider voluntariness of al-'Owhali's statements; no further proceedings are necessary. Use the document type Memorandum of Law(non-motion) found under the document list Other Documents. (KA) (Entered: 08/17/2009)
08/17/2009	<u>775</u>	MEMORANDUM OF LAW by United States of America as to Mohamed Rashed Daoud Al-'Owhali <i>in connection with remand to consider voluntariness of Al-'Owhali's statements; no further proceedings are necessary.</i> (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E-1, # <u>6</u> Exhibit Exhibit E-2, # <u>7</u> Exhibit Exhibit E-3, # <u>8</u> Exhibit Exhibit F, # <u>9</u> Exhibit Exhibit G, # <u>10</u> Exhibit Exhibit H, # <u>11</u> Exhibit Exhibit I, # <u>12</u> Exhibit Exhibit J, # <u>13</u> Exhibit Exhibit K, # <u>14</u> Exhibit Exhibit L-1, # <u>15</u> Exhibit Exhibit L-2, # <u>16</u> Exhibit Exhibit M, # <u>17</u> Exhibit Exhibit N, # <u>18</u> Exhibit Exhibit O, # <u>19</u> Exhibit Exhibit P, # <u>20</u> Exhibit Exhibit Q, # <u>21</u> Exhibit Exhibit R, # <u>22</u> Exhibit Exhibit S, # <u>23</u> Exhibit Exhibit T, # <u>24</u> Exhibit Exhibit U)(Brown, Leslie) (Entered: 08/17/2009)
08/21/2009	<u>777</u>	SEALED DOCUMENT placed in vault. (jri) (Entered: 08/21/2009)
08/21/2009	<u>778</u>	NOTICE OF ATTORNEY APPEARANCE Michael E. Farbiarz appearing for USA. (Farbiarz, Michael) (Entered: 08/21/2009)
08/28/2009	<u>779</u>	SEALED DOCUMENT placed in vault. (jri) (Entered: 08/28/2009)
08/28/2009	<u>780</u>	SEALED DOCUMENT placed in vault. (jri) (Entered: 08/28/2009)
09/08/2009	<u>781</u>	MEMORANDUM OF LAW by Mohamed Rashed Daoud Al-'Owhali. (Attachments: # <u>1</u> Exhibit)(Cohn, Frederick) (Entered: 09/08/2009)
09/11/2009	<u>782</u>	ORDER as to Ahmed Khalfan Ghailani. By letter dated 9/4/09, the gov't indicated that it intended to file a motion, under Section 4 of the Classified Information Procedures Act ("CIPA"), 18 USC App. 3 Sec. 4, for an order approving its (1) deletion of non-discoverable parts of otherwise discoverable classified documents; and (2) replacement of certain information contained therein with summaries.... Section 4 of CIPA permits, but does not require, the gov't to apply for authorization to protect sensitive but otherwise discoverable information by redaction and substitution of summaries "in the form of a written statement to be inspected by the court alone."... There is no material difference between ex parte written and oral statements in support of an application of this nature provided the same safeguards apply in both instances. I therefore concluded that ex parte oral conferences and hearings are permissible in connection with CIPA Sec. 4 applications if they are transcribed verbatim and the transcripts and any exhibits received therein are properly preserved. See U.S. v. Campa, 529F.3d 980, 994-95 (11th Cir. 2008); U.S. v. Klimavicius-Viloria, 144 F.3d 1249, 1261-62 (9th Cir. 1998). The gov't shall advise the Court no later than 9/18/09 whether it contends that any part of the transcript of the oral proceedings should be filed under seal. As indicated during the conference, the motion and all papers submitted in connection

		therewith shall be filed with and maintained by the Court Security Officer designated pursuant to the Security Procedures Established Pursuant to Public Law 96-456, 18 U.S.C. app. 3 Sec. 9 note para. 2. SO ORDERED. (Response due by 9/18/2009). (Signed by Judge Lewis A. Kaplan on 9/11/09)(ja) (Entered: 09/11/2009)
09/11/2009	783	SEALED DOCUMENT placed in vault. (jri) (Entered: 09/11/2009)
09/11/2009	784	SEALED DOCUMENT placed in vault. (jri) (Entered: 09/11/2009)
09/15/2009	785	Letter by United States of America as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from AUSAs David Raskin, Leslie C. Brown, Michael Farbiarz, Nicholas Lewin dated September 4, 2009 re: The Government submits this letter, at the Court's request, in connection with a motion under Section 4 of the Classified Information Procedures Act ("CIPA"), which we anticipate filing on September 11, 2009. [*** Received by Judge Kaplan's Chambers on 9/4/2009 ***] (bw) (Entered: 09/15/2009)
09/28/2009	786	Letter by United States of America as to Ahmed Khalfan Ghailani, addressed to Judge Kaplan, from David Raskin/Leslie C. Brown/Michael Farbiarz/Nicholas J. Lewin, AUSAs, dated 9/17/09, re: Order dated 9/11/09 directing the Gov't to advise the Court whether any parts of the transcript of the [9/11/09] oral proceedings should be filed under seal. The Gov't reviewed said document and does not contend that any part of that transcript should be filed under seal. (ja) (Entered: 09/30/2009)
09/30/2009	787	SEALED DOCUMENT placed in vault. (jri) (Entered: 09/30/2009)
10/05/2009	<u>788</u>	Letter by United States of America as to Ahmed Khalfan Ghailani, addressed to Judge Kaplan, from David Raskin/Leslie C. Brown/Michael Farbiarz/Nicholas J. Lewin, AUSAs, dated 10/2/09, re: the Gov't advise the Court that the Attorney General has today authorized and directed this Office not to seek the death penalty against the dft. A copy of the Attorney General's letter is attached. (ja) (Entered: 10/05/2009)
10/06/2009	796	MEMORANDUM ORDER: As to Anas Al Liby, Mamdouh Mahmud Salim, Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Muhsin Musa Matwalli Atwah, Sheikh Ahmed Salim Swedan, Fahid Mohammed Msalam, Ahmed Khalfan Ghailani, Khalfan Khamis Mohamed, Mustafa Mohamed Fadhil, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Abdullah Ahmed Abdullah, Saif Al Adel, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi, Jamal Ahmed Mohammed Ali Al-Badawi, Fahd Al-Quso. Because of the expected length of the trial in this case, and the anticipated hardship on counsel in undertaking representation full-time for such a period without compensation,, pursuant to paragraph 2.30 B of the Guidelines for the Administration of the Criminal Justice Act, the following procedures for interim payments shall apply during the course of your representation in this case... (Signed by Judge Lewis A. Kaplan on 9/9/2009)(dnd) (Entered: 10/13/2009)
10/07/2009	<u>789</u>	ENDORSED LETTER: As to Wadih El Hage addressed to Judge Lewis A. Kaplan from Sam A. Schmidt dated 9/30/2009. re: This letter is in regard to the re-sentencing in the above-entitled matter, which is scheduled for November 20, 2009. As per the Court's direction, the government and defense counsel have agreed to a schedule for submissions, and seek the Court's approval. The proposed schedule is as follows: the defense submission will be filed no later than October 26, 2009; the government's response will be filed by November 9, 2009, and the defense reply will be filed by November 16, 2009. ENDORSEMENT: Scheduling approved. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 10/6/2009)(dnd) (Entered: 10/07/2009)
10/07/2009	<u>790</u>	ENDORSED LETTER as to Wadih El Hage addressed to Judge Lewis A. Kaplan from Sam A. Schmidt dated 10/2/2009. Defense counsel submits a Rule 17 subpoena for Mr. El-Hage's medical, psychological and psychiatric records from the Bureau of Prisons. Though a HIPAA request was sent and received by the Bureau of Prisons, we have been informed that the only chance of obtaining the records within the proscribed time is through a Rule 17 subpoena. Our experience is that a subpoena assigned by the district court judge gets immediate attention and response. Therefore, we respectfully request that your Honor sign the subpoena and have chambers contact my office so we may pick up the subpoena and forward it to ADX Florence. ENDORSEMENT: Denied without prejudice to renewal on notice to government. (Signed by Judge Lewis A. Kaplan on 10/6/2009)(dnd) (Entered: 10/07/2009)
10/07/2009	<u>791</u>	MOTION Order to Show Cause. Document filed by Ahmed Khalfan Ghailani. Return Date set for 10/15/2009 at 10:00 AM. (Cooper, Gregory) (Entered: 10/07/2009)
10/07/2009	<u>792</u>	FILING ERROR - WRONG EVENT TYPE SELECTED FROM MENU - MOTION Affirmation. Document filed by Ahmed Khalfan Ghailani. Return Date set for 10/15/2009 at 10:00 AM. (Cooper, Gregory) Modified on 10/8/2009 (db). (Entered: 10/07/2009)

10/07/2009	<u>793</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT – MOTION. Document filed by Ahmed Khalfan Ghailani. Return Date set for 10/15/2009 at 10:00 AM. (Cooper, Gregory) Modified on 10/8/2009 (db). (Entered: 10/07/2009)
10/07/2009		NOTE TO ATTORNEY TO RE–FILE DOCUMENT – DOCUMENT TYPE ERROR. Note to Attorney Gregory E. Cooper as to Ahmed Khalfan Ghailani: to RE–FILE Document <u>792</u> MOTION Affirmation. Use the document type Affirmation in Support of Motion found under the document list Replies, Opposition and Supporting Documents. ***REMINDER*** – Only the Caption page was filed via ECF, remember to scanned and re–file entire document. (db) (Entered: 10/08/2009)
10/07/2009		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – NON–ECF DOCUMENT ERROR. Note to Attorney Gregory E. Cooper as to Ahmed Khalfan Ghailani: to E–MAIL Document No. <u>793</u> Order to Show Cause to judgments@nysd.uscourts.gov. This document is not filed via ECF. ***REMINDER*** – Email the ENTIRE Document. (db) (Entered: 10/08/2009)
10/09/2009	<u>794</u>	AFFIRMATION of Gregory Cooper in Support as to Ahmed Khalfan Ghailani re <u>792</u> MOTION Affirmation., <u>791</u> MOTION Order to Show Cause.. <i>for TRO and Permanent Injunction precluding the Department of Defense from Unilaterally Severing the Attorney–Client Relationship Between the Defendant and Colonel Jeffrey P. Calwell and Major Richard B. Reiter</i> (Bachrach, Michael) (Entered: 10/09/2009)
10/10/2009	<u>795</u>	MEMORANDUM in Support by Ahmed Khalfan Ghailani re <u>793</u> MOTION., <u>791</u> MOTION Order to Show Cause.. <i>for TRO and Permanent Injunction precluding the Department of Defense from Unilaterally Severing the Attorney–Client Relationship Between the Defendant and Colonel Jeffrey P. Calwell and Major Richard B. Reiter</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Text of Proposed Order)(Bachrach, Michael) (Entered: 10/10/2009)
10/14/2009	<u>797</u>	ORDER as to (S10–98–Cr–1023–09) Ahmed Khalfan Ghailani. In accordance with the procedures employed in <i>United States v. Aref</i> , 533 F.3d 72, 76–77 (2d Cir. 2008), and in connection with this Court's review, under Section 4 of the Classified Information Procedures Act ("CIPA"), 18 U.S.C. App. 3 Section 4, of classified discovery materials, the Court will hold an ex parte conference with defense counsel on October 15, 2009. Immediately following this conference, the Court will meet again with the government ex parte. The government has moved, under Section 4 of CIPA, for a protective order approving its proposed redactions and summaries of certain classified information contained in documents the government intends to make available to the defendant through discovery. The Court met ex parte with the government regarding this matter on September 24, 2009, and the Court seeks to hear from defense counsel with respect to the same issues before deciding the government's motion. The ex parte proceedings will be recorded by a court stenographer, and the transcripts will be filed in due course. So Ordered. (Signed by Judge Lewis A. Kaplan on 10/14/09)(bw) (Entered: 10/14/2009)
10/14/2009	<u>798</u>	ORDER as to (S10–98–Cr–1023–09) Ahmed Khalfan Ghailani. The sealed transcript dated September 11, 2009 in this case is hereby unsealed and made part of the public record. So Ordered. (Signed by Judge Lewis A. Kaplan on 10/14/09)(bw) (Entered: 10/14/2009)
10/14/2009	799	SEALED DOCUMENT placed in vault. (jri) (Entered: 10/14/2009)
10/15/2009		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to Ahmed Khalfan Ghailani held on 10/15/2009. Ex parte meeting with defense counsel held. Defendant Ghailani not present but attorneys Gregory E. Cooper, Peter E. Quijano, Michael K. Bachrach, Col. Jeffrey P. Colwell, and Maj. Richard B. Reiter present. Court reporter Rebecca Forman present. (jw) (Entered: 12/07/2009)
10/15/2009		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to Ahmed Khalfan Ghailani held on 10/15/2009. Ex parte meeting with Government counsel held. AUSA Michael Farbiarz present. Court reporter Rebecca Forman present. (jw) (Entered: 12/07/2009)
10/16/2009	<u>800</u>	ORDER as to (S10–98–Cr–1023–09) Ahmed Khalfan Ghailani. Defendant, with the consent of the government, seeks an extension of the schedule for filing his motion to dismiss the indictment on speedy trial grounds, which currently is due on October 19, 2009. Briefly stated, the basis for the request is that the government's production of various material that may be pertinent to the motion has been slower than anticipated when the existing schedule was established. In the circumstances, some extension of the schedule, if perhaps not an extension as open–ended and potentially lengthily as the defendant seeks, is warranted. Accordingly, the time within which to file the speedy trial motion is extended to November 16, 2009. The government's response shall be filed no later than December 11, 2009. Any reply papers shall be filed no later than December 18, 2009. The motion will be heard on December 22, 2009 at 9:30 a.m. The Court naturally will be prepared to reappraise this schedule as developments may warrant, but counsel should not assume that any further extension will be forthcoming. So Ordered. (Signed by Judge

		Lewis A. Kaplan on 10/16/09)(bw) (Entered: 10/16/2009)
10/16/2009	812	TRANSCRIPT of Proceedings as to Mohamed Rashed Daoud Al-'Owhali held on 9/9/09 before Judge Kevin Thomas Duffy. (tro) (Entered: 11/05/2009)
10/16/2009	813	TRANSCRIPT of Proceedings as to Mohamed Rashed Daoud Al-'Owhali held on September 9, 2009 at 2:30 pm before Judge Kevin Thomas Duffy. (rdz) (Entered: 11/06/2009)
10/19/2009	<u>801</u>	ORDER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. The defendant stands indicted for multiple felonies in connection with the 1998 bombings of the United States Embassies in Nyrobi, Kenya, and Dar-Es-Salaam, Tanzania, in which more than 200 people were killed. The matter now is before the Court on the government's ex parte motion for a protective order, pursuant to Section 4 of the Classified Information Procedures Act ("CIPA"), 18 U.S.A. App. 3 Section 4, and Rule 16(d)(1) of the Federal Rules of Criminal Procedure, regarding disclosure of certain classified information in the possession and control of the Central Intelligence Agency. The information in question all is classified within the meaning of CIPA and falls into three categories ("Categories I, II and III") that are described in a sealed supplement to this order (the "Supplement")....[see Order]... Accordingly, the government's motion for a proective order is granted to the extent that the government may comply with its Rule 16 obligations with respect to the Category I and II documents and the Chart by producing those documents to cleared defense counsel in the redacted and partially summarized form submitted to the Court with the exceptions noted in the Supplement. The government shall produce to the defense the Category I and II documents and the Chart in the manner proposed, as modified by the Supplement. The government's motion and supporting papers shall remain preserved in the custody of the Court Security Officer in accordance with established procedures, until future order of this Court. This ruling is without prejudice to any application by the defense for discovery of the redacted and summarized material following its review of the documents produced by the government pursuant to this order. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 10/19/09)(bw) (Entered: 10/19/2009)
10/19/2009	<u>802</u>	MEMORANDUM & ORDER: As to Ahmed Khalfan Ghailani. This is a sealed supplement ("Supplement") to the Court's publicly filed Protective Order ("Protective Order") of even date. It defines with specificity the three categories of classified discovery materials to which the Protective Order applies, and it identifies particular sections of those materials with respect to which the Court denies the government's motion in limited respects by directing the government to produce the original text, with such modifications as are specified below, to cleared defense counsel. (dnd). Modified on 11/12/2009 (rw). (rw). (Entered: 10/20/2009)
10/19/2009	803	Letter by Ahmed Khalfan Ghailani, addressed to Judge Kaplan, from Peter Enrique Quijano, atty for dft, dated 10/15/09, re: The Court's current Scheduling Order requires the dft to serve and file a motion to dismiss the indictment on Speedy Trial grounds by 10/19/09... This is a request to modify the current Scheduling Order by directing that the Speedy Trial Motion be served and filed within thirty 30 days after the defense receives the classified discovery materials which pertain to the issue and that the dates for response and reply be modified accordingly as well.... (ja) (Entered: 10/22/2009)
10/21/2009		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to Ahmed Khalfan Ghailani held on 10/21/2009. Defendant Ghailani did not participate but attorneys Gregory E. Cooper, Col. Jeffrey P. Colwell, and Maj. Richard B. Reiter participated. AUSAs David Raskin and Michael Farbiarz participated. Department of defense general counsel Bob Easton participated. Court reporter Linda Fisher present. (jw) (Entered: 12/07/2009)
10/26/2009	<u>804</u>	REPLY MEMORANDUM OF LAW in Opposition by United States of America as to Anas Al Liby, Mamdouh Mahmud Salim, Wadih El Hage, Fazul Abdullah Mohammed, Mohamed Sadeek Odeh, Mohamed Rashed Daoud Al-'Owhali, Usama Bin Laden, Muhammad Atef, Muhsin Musa Matwalli Atwah, Sheikh Ahmed Salim Swedan, Fahid Mohammed Msalam, Ahmed Khalfan Ghailani, Khalfan Khamis Mohamed, Mustafa Mohamed Fadhil, Ali Mohamed, Ayman Al Zawahiri, Khaled Al Fawwaz, Ibrahim Eidarous, Adel Abdel Bary, Abdullah Ahmed Abdullah, Saif Al Adel, L'Houssiane Kherchtou, Mohamed Suleiman Al Nalfi, Jamal Ahmed Mohammed Ali Al-Badawi, Fahd Al-Quso re: 791 MOTION Order to Show Cause.. (Farbiarz, Michael) (Entered: 10/26/2009)
10/27/2009	<u>805</u>	REPLY MEMORANDUM OF LAW in Support as to Ahmed Khalfan Ghailani re: <u>791</u> MOTION Order to Show Cause. <i>FOR TEMPORARY RESTRAINING ORDER AND PERMANENT INJUNCTION PRECLUDING THE DEPARTMENT OF DEFENSE FROM UNILATERALLY SEVERING THE ATTORNEY-CLIENT RELATIONSHIP BETWEEN THE DEFENDANT AND COLONEL JEFFREY P. COLWELL AND MAJOR RICHARD B. REITER.</i> (Bachrach, Michael) (Entered: 10/27/2009)
10/27/2009	<u>806</u>	ORDER: As to Ahmed Khalfan Ghailani. Pursuant to, inter alia, the Classified Information Procedures Act ("CIPA"), 18 U.S.C. App. 3 §§ 1-16, and the Classified Information Protective Order, dated, July 21, 2009 (Document No. 765, herein), the following procedures shall govern the electronic filing (i.e., "ECF"

		filing) of material related to classified information in the instant case... (Signed by Judge Lewis A. Kaplan on 10/27/2009)(dnd) (Entered: 10/27/2009)
10/28/2009	807	SEALED DOCUMENT placed in vault. (nm) (Entered: 10/29/2009)
10/28/2009	808	TRANSCRIPT of Proceedings as to Mohamed Rashed Daoud Al-'Owhali held on 10/26/09 before Judge Kevin Thomas Duffy. (ldi) (Entered: 10/30/2009)
10/28/2009		MEMORANDUM TO THE DOCKET CLERK: as to Ahmed Khalfan Ghailani. Motion argument and conference held. Defendant Ghailani present with attorneys Gregory Cooper, Peter Quijano, Maj. Richard Reiter, Michael K. Bachrach, and Col. Jeffrey Colwell. AUSAs Michael Farbiarz and Ross Morrison present. DOD attorney David Brash present. Court reporter Guido Tascione present. Swahili interpreter Laura E. Black present. (ja) (Entered: 11/03/2009)
10/28/2009		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Initial Appearance as to Ahmed Khalfan Ghailani held on 10/28/2009. (jw) (Entered: 11/03/2009)
10/28/2009		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Status Conference as to Ahmed Khalfan Ghailani held on 10/28/2009. Motion argument and conference held. Defendant Ghailani present with attorneys Gregory Cooper, Peter Quijano, Maj. Richard Reiter, Michael K. Bachrach, and Col. Jeffrey Colwell. AUSAs Michael Farbiarz and Ross Morrison present. DOD attorney David Brash present. Court reporter Guido Tascione present. Swahili interpreter Laura E. Black present. (jw) (Entered: 11/03/2009)
10/30/2009	<u>809</u>	ENDORSED LETTER: As to Wadih El Hage addressed to Judge Lewis A. Kaplan from Joshua L. Dratel dated 10/26/2009. re: Defense counsel letter with regard to the sentencing submissions in the above-entitled case, in which Sam A. Schmidt, Esq., and I represent defendant Wadih El-Hage, and requests a two day extension. until Wednesday, October 28, 2009, in which to file Mr. El-Hage's sentencing submission. I have spoken with Assistant United States Attorney Michael Fabiarz, who informed me that the government consents to this request. ENDORSEMENT: SO ORDERED. (Signed by Judge Lewis A. Kaplan on 10/27/2009)(dnd) (Entered: 10/30/2009)
11/02/2009	<u>810</u>	ORDER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. 1. The schedule for the filing, briefing and argument of defendant's anticipated motion to dismiss the indictment on speedy trial act grounds is modified as follows: a. The motion and any supporting papers shall be filed on or before November 16, 2009. b. Any briefs amicus curiae in support of the defendant's motion, together with motions for leave to file, shall be served and filed on or before November 30, 2009. c. The government's papers in opposition shall be filed on or before December 11, 2009. d. Any briefs amicus curiae in opposition to the defendant's motion, together with motions for leave to file, shall be served and filed on or before December 24, 2009. e. Defendant's reply papers in support of the motion shall be filed on or before January 6, 2010. f. The Court will hear argument on the motion on January 11, 2010 at 2:15 p.m. 2. The Court invites the Center for Constitutional Rights and the Criminal Justice Legal Foundation to submit briefs amicus curiae and leave to do so is hereby granted. Should either organization intend to do so, it should notify the parties and the Court of that intention at least seven days before its brief is due under the schedule established in paragraph 1. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 11/2/09)(bw) (Entered: 11/03/2009)
11/04/2009	811	SEALED DOCUMENT placed in vault. (nm) (Entered: 11/04/2009)
11/05/2009		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Sealed Discovery Hearing as to Ahmed Khalfan Ghailani held on 11/5/2009. Defendant Ghailani not present but attorneys Gregory E. Cooper, Peter E. Quijano, and Michael K. Bachrach present. AUSAs David Raskin, Michael Farbiarz, and Nicholas Lewin present. Court reporter Rebecca Forman present. (jw) (Entered: 11/06/2009)
11/06/2009	<u>814</u>	ENDORSED LETTER as to (S7-98-Cr-1023-01) Wadih El Hage addressed to Judge Kaplan from AUSAs Michael Farbiarz/Aimee Hector, dated 11/4/09 re: As Your Honor is aware, the above-referenced defendant is due to be re-sentenced on November 20, 2009. The Government requests an adjournment from November 9 until November 16 of the deadline by which it must file its reply to the defendant's sentencing letter. ENDORSEMENT: Granted. So Ordered. (Signed by Judge Lewis A. Kaplan on 11/5/09)(bw) (Entered: 11/06/2009)
11/09/2009	815	SEALED DOCUMENT placed in vault. (jri) (Entered: 11/09/2009)
11/09/2009	816	Letter by United States of America, as to Ahmed Khalfan Ghailani, addressed to Judge Kaplan, from Ross E. Morrison, dated 10/29/09, re: confirming that the U.S. Dept. of Defense will agree not to remove the military officers, Colonel Jeffrey P. Colwell and Major Richard B. Reiter, from the transition status they currently are in during the pendency of dft's current application. (ja) (Entered: 11/10/2009)

11/10/2009	817	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on October 28, 2009 before Judge Lewis A. Kaplan. (mro) (Entered: 11/12/2009)
11/10/2009	821	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on September 11, 2009 before Judge Lewis A. Kaplan. (mro) (Entered: 11/13/2009)
11/10/2009	825	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on 10/21/09 before Judge Lewis A. Kaplan. (ldi) (Entered: 11/17/2009)
11/12/2009	<u>818</u>	ORDER: As to Ahmed Khalfan Ghailani. The Court's Memorandum and Order, dated October 19, 2009, was filed with the Court Security Officer. The attached copy of that Memorandum and Order, redacted by the appropriate authorities in accordance with the Classified Information Procedures Act, now may be filed on the public record. Accordingly, the Clerk shall file the attached copy in place of the half sheet for DI 802. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 11/12/2009)(dnd) (Entered: 11/12/2009)
11/12/2009	<u>819</u>	MEMO ENDORSEMENT: As to Ahmed Khalfan Ghailani. Memo Endorsed Letter. (dnd) (Entered: 11/12/2009)
11/12/2009	<u>820</u>	ORDER: As to Ahmed Khalfan Ghailani. (dnd) (Entered: 11/12/2009)
11/12/2009	<u>822</u>	ENDORSED LETTER: As to Wadih El Hage addressed to Judge Lewis A. Kaplan from Joshua L. Dratel dated 11/10/2009. This letter is submitted in regard to re-sentencing in the above-entitled case, in which Sam A. Schmidt, Esq., and I represent defendant Wadih El-Hage. For the reasons set forth below, it is respectfully requested that Mr. El-Hage's November 20,2009, re-sentencing be adjourned until January 2010, with a new briefing schedule to account for recently received voluminous records that relate to sentencing. We have spoken with Assistant United States Attorney Michael Farbiarz, who informed Mr. Schmidt that the government agrees with this request as set forth below. ENDORSEMENT: Sentencing adjourned to 2/2/2010 at 9:30 a.m. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 11/12/2009)(dnd) (Entered: 11/16/2009)
11/16/2009	<u>823</u>	MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial</i> . Document filed by Ahmed Khalfan Ghailani. (Attachments: # <u>1</u> Declaration of Peter Quijano in Support of Motion (redacted halfsheet), # <u>2</u> Declaration of Col. Jeffrey Colwell in Support of Motion (redacted halfsheet))(Bachrach, Michael) (Entered: 11/16/2009)
11/16/2009	<u>824</u>	MEMORANDUM in Support by Ahmed Khalfan Ghailani re <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial</i> .. (Bachrach, Michael) (Entered: 11/16/2009)
11/17/2009	<u>826</u>	MEMO ENDORSED LETTER, November 11, 2009, as to Ahmed Khalfan Ghailani. (Lewis A. Kaplan, District Judge) (bw) (Entered: 11/17/2009)
11/18/2009	827	SEALED DOCUMENT placed in vault. (nm) (Entered: 11/18/2009)
11/18/2009	<u>828</u>	MEMORANDUM OPINION:#98252 As to Ahmed Khalfan Ghailani re: <u>791</u> MOTION Order to Show Cause filed by Ahmed Khalfan Ghailani. Ahmed Khalfan Ghailani, an alleged member of Al Qaeda, was indicted in this Court in 1998 and charged with conspiring with Usama Bin Laden and others to kill Americans abroad by, among other means, bombing the United States Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania. An arrest warrant promptly issued. Some years later, Ghailani was captured abroad by a foreign state and turned over to the Central Intelligence Agency (CIA). Rather than execute the outstanding arrest warrant, the executive branch held Ghailani in CIA custody. Much later, he was transferred to secure facilities at the United States naval base at Guantanamo Bay, Cuba, where he remained until he was turned over to civilian authorities and presented pursuant to the warrant earlier this year. He now stands charged with, among other crimes, conspiring to kill Americans both here and abroad including by bombing the East African embassies. While Ghailani was at Guantanamo, he was charged before a military commission with one of the embassy bombings. Two military officers, members of Marine and Air Force Judge Advocate General Corps, were assigned as his defense counsel. Although the military commission proceeding was aborted, Ghailani now seeks an injunction barring the Secretary of Defense from reassigning those officers to other duties and requiring that he permit them to participate fully in Ghailanis defense in this Court. He argues that his constitutional rights to due process of law and to the effective assistance of counsel would be violated absent the full participation of these military counsel... Colonel Colwell and Major Reiter have performed a service to their country as well as to their client by their steadfast devotion to his cause. Their professionalism in seeking to remain in the case is admirable. The Secretary's decision to reassign them, however, does not violate Ghailanis rights. The defendants motion [DI 791], whether treated solely as one for preliminary and permanent injunctive relief against the Secretary of Defense or as one to dismiss the indictment or for other relief, based on the alleged violation by the United States of his Fifth and Sixth Amendment rights is denied. The foregoing constitute my findings of fact and conclusions of law. SO ORDERED. (Signed by Judge Lewis A.

		Kaplan on 11/18/2009)(dnd) Modified on 11/19/2009 (eef). (Entered: 11/18/2009)
11/18/2009		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Status Conference as to Ahmed Khalfan Ghailani held on 11/18/2009. Defendant Ghailani not present but attorneys Gregory E. Cooper and Michael Bachrach present. AUSAs David Raskin and Nicholas Lewin present. Court reporter Rebecca Forman present. (jw) (Entered: 12/07/2009)
11/23/2009	<u>829</u>	FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI WHILE DETAINED AND INTERROGATED IN CIA "BLACK SITES" AND GTMO.</i> Document filed by Ahmed Khalfan Ghailani. (Bachrach, Michael) (Entered: 11/23/2009)
11/23/2009	<u>830</u>	DECLARATION of Michael K. Bachrach (redacted halfsheet) in Support as to Ahmed Khalfan Ghailani re: <u>829</u> FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI WFIRST MOTION for Discovery SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W.</i> (Bachrach, Michael) (Entered: 11/23/2009)
11/23/2009	<u>831</u>	MEMORANDUM in Support by Ahmed Khalfan Ghailani re <u>829</u> FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI WFIRST MOTION for Discovery SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W.</i> (redacted halfsheet) (Bachrach, Michael) (Entered: 11/23/2009)
11/23/2009	<u>832</u>	ORDER: As to Wadih El Hage. IT IS HEREBY ORDERED that Dr. N.G. Berrill, Ph.D. of the New York Center for Neuropsychology and Forensic Behavioral Science, P.C., previously appointed pursuant to the Criminal Justice Act, is authorized to spend an additional twenty (20) hours of time, for a total of forty (40) hours. SO ORDERED (Signed by Judge Lewis A. Kaplan on 11/23/2009)(dnd) (Entered: 11/23/2009)
11/23/2009	<u>833</u>	ORDER: As to Ahmed Khalfan Ghailani. The government's response to the defendant's first motion to compel discovery, filed November 23, 2009 with the Court Security Officer, shall be filed no later than December 2, 2009. The defense shall file any reply papers no later than December 7, 2009. The motion will be heard on December 9, 2009 at 3:30 p.m. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 11/23/2009)(dnd) (Entered: 11/23/2009)
11/24/2009	<u>834</u>	ENDORSED LETTER as to Ahmed Khalfan Ghailani, addressed to Judge Kaplan, from Andrew Weissmann/Brian J. Fischer/Daniel B. Tehrani, representatives amicus curiae, the Center for Constitutional Rights, dated 11/20/09, re:...request an extension of time until 12/14/09 to file CCR's brief. -- Judge endorsed: The time within which CCR shall file its brief extended to and including 12/7/09. SO ORDERED. (Brief due by 12/7/2009.) (Signed by Judge Lewis A. Kaplan on 11/24/09)(ja) (Entered: 11/24/2009)
11/30/2009	<u>835</u>	NOTICE OF ATTORNEY APPEARANCE Harry A. Chernoff appearing for USA. (Chernoff, Harry) (Entered: 11/30/2009)
11/30/2009	<u>836</u>	NOTICE OF ATTORNEY APPEARANCE Sean Stephen Buckley appearing for USA. (Buckley, Sean) (Entered: 11/30/2009)
11/30/2009	<u>837</u>	DECLARATION of Col. Jeffrey P. Colwell (unclassified//for public release) in Support as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial..</i> (Bachrach, Michael) (Entered: 11/30/2009)
12/01/2009	838	SEALED DOCUMENT placed in vault. (nm) (Entered: 12/01/2009)
12/01/2009	<u>839</u>	ORDER, dated November 24, 2009, as to Ahmed Khalfan Ghailani. (bw) (Entered: 12/01/2009)
12/01/2009	<u>840</u>	DECLARATION of Peter Enrique Quijano (unclassified//for public release) in Support as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial..</i> (Bachrach, Michael) (Entered: 12/01/2009)

12/01/2009	<u>841</u>	MEMORANDUM in Support by Ahmed Khalfan Ghailani re <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.. (unclassified//for public release)</i> (Attachments: # <u>1</u> Exhibit A (Letter, dated, July 20, 2009) (unclassified//for public release), # <u>2</u> Exhibit B (Declaration of Katherine Stone Newell, dated, October 2, 2009) (unclassified//for public release), # <u>3</u> Exhibit C (Pro Se Petition Under 28 U.S.C. Sec. 2241 for a Writ of Habeas Corpus, filed, March 9, 2009) (unclassified//for public release), # <u>4</u> Exhibit D (Demand for Speedy Trial, dated, May 12, 2009) (unclassified//for public release))(Bachrach, Michael) (Entered: 12/01/2009)
12/03/2009	<u>842</u>	MEMORANDUM in Opposition by United States of America as to Ahmed Khalfan Ghailani re <u>829</u> FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W</i> FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W. (redacted halfsheet) (Lewin, Nicholas) (Entered: 12/03/2009)</i>
12/07/2009	<u>843</u>	ORDER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. The Court's Order, dated November 24, 2009, was filed with the Court Security Officer. The attached copy of that Order, redacted by the appropriate authorities in accordance with the Classified Information Procedures Act, now may be filed on the public record. Accordingly, the Clerk shall file the attached copy in place of the half sheet for DI 839. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 12/7/09)(bw) (Entered: 12/07/2009)
12/07/2009	<u>844</u>	ORDER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. The Court's Order dated November 24, 2009 reserved decision as to the produceability of two underlying classified documents that the government had not yet provided to the Court for review. The Court has now reviewed those two documents, and it finds that they are not discoverable and that the classified Chart, which already has been produced to cleared defense counsel, provides the defense with substantially the same ability to defend Ghailani as would disclosure of the underlying documents. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 12/7/09)(bw) (Entered: 12/07/2009)
12/07/2009	<u>845</u>	MEMORANDUM in Support by The Center for Constitutional Rights as to Ahmed Khalfan Ghailani re <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.. (Weissmann, Andrew) (Entered: 12/07/2009)</i>
12/07/2009		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to Ahmed Khalfan Ghailani held on 12/7/2009. Defendant not present but attorneys Peter Quijano and Michael K. Bachrach present. AUSA Michael Farbiarz present. Court reporter Sam Mauro present. (jw) (Entered: 12/08/2009)
12/08/2009	<u>846</u>	REPLY MEMORANDUM OF LAW in Support as to Ahmed Khalfan Ghailani re: <u>829</u> FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W</i> FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W (redacted halfsheet). (Bachrach, Michael) (Entered: 12/08/2009)</i>
12/09/2009	<u>847</u>	MEMORANDUM AND ORDER, dated December 8, 2009, as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. (Lewis A. Kaplan, District Judge) (bw) (Entered: 12/09/2009)
12/12/2009	<u>848</u>	MEMORANDUM in Opposition by United States of America as to Ahmed Khalfan Ghailani re <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.. (redacted halfsheet) (Lewin, Nicholas) (Entered: 12/12/2009)</i>
12/16/2009		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to (98-Cr-1023-01) Wadih El Hage held on 12/16/2009. Defendant El Hage not present, but attorney Joshua Dratel present. AUSA Michael Farbiarz present. Conference regarding re-sentencing held. (bw) (Entered: 12/28/2009)
12/17/2009	<u>849</u>	ENDORSED LETTER as to Ahmed Khalfan Ghailani, addressed to Judge Kaplan, from Michael K. Bachrach, atty for dft, dated 12/17/09, re: upon the consent of gov't, request additional time, until Wednesday, December 23, 2009 to apprise the Court of whether there remain any discovery disputes with respect to dft's pending Speedy Trial and discovery motions. --- Judge endorsed: Granted. SO ORDERED. (Reply due by 12/23/2009.) (Signed by Judge Lewis A. Kaplan on 12/17/09)(ja) (Entered: 12/17/2009)

12/18/2009	<u>850</u>	MEMORANDUM in Opposition by United States of America as to Ahmed Khalfan Ghailani re <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.. (redacted and unclassified; in two Parts)</i> (Attachments: # <u>1</u> Part II of Government Opposition)(Lewin, Nicholas) (Entered: 12/18/2009)
12/23/2009	<u>851</u>	MEMORANDUM in Opposition by Criminal Justice Legal Foundation as to Ahmed Khalfan Ghailani re <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.. (BRIEF AMICUS CURIAE)</i> (Scheidegger, Kent) (Entered: 12/23/2009)
12/24/2009	<u>852</u>	NOTICE OF ATTORNEY APPEARANCE Stuart Elliot Wachs appearing for USA. <i>appearing as amicus</i> (Wachs, Stuart) (Entered: 12/24/2009)
12/24/2009	<u>853</u>	MOTION to File Amicus Brief <i>on behalf of Center on the Administration of Criminal Law</i> by Stuart Wachs. Document filed by Center on the Administration for Criminal Law as to Ahmed Khalfan Ghailani. (Attachments: # <u>1</u> Exhibit A (amicus brief))(Wachs, Stuart) (Entered: 12/24/2009)
12/24/2009	<u>854</u>	RESPONSE in Opposition by Center on the Administration for Criminal Law as to Ahmed Khalfan Ghailani re <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.. amicus brief</i> (Wachs, Stuart) (Entered: 12/24/2009)
01/04/2010	<u>855</u>	Order to Unseal Document as to Ahmed Khalfan Ghailani. The redacted versions of the sealed, classified transcripts dated November 5, 2009, November 18, 2009, and December 9, 2009 in this case are hereby unsealed and made part of the public record. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 1/4/2010)(jw) (Entered: 01/04/2010)
01/04/2010	856	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on 12/9/2009 before Judge Lewis A. Kaplan. (dnd) (Entered: 01/04/2010)
01/04/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Telephone Conference as to (98-Cr-1023-09) Ahmed Khalfan Ghailani held on 1/4/2010. Teleconference held. Defendant did not participate but attorneys Peter Quijano, Gregory E. Cooper, and Michael K. Bachrach participated. AUSAs Michael Farbiarz, Nicholas Lewin, Sean Buckley, and Harry Chernoff participated. Court reporter Rebecca Forman present. (bw) (Entered: 01/27/2010)
01/05/2010	857	TRANSCRIPT (REDACTED) of Proceedings as to Ahmed Khalfan Ghailani held on 11/18/2009 before Judge Lewis A. Kaplan. (dnd) (Entered: 01/05/2010)
01/05/2010	858	TRANSCRIPT (REDACTED) of Proceedings as to Ahmed Khalfan Ghailani held on 11/5/2009 before Judge Lewis A. Kaplan. (dnd) (Entered: 01/05/2010)
01/05/2010	<u>859</u>	ENDORSED LETTER: As to Ahmed Khalfan Ghailani, addressed to Judge Lewis A. Kaplan from Daniel B. Tehrani dated 1/4/2010. re: In its brief filed on December 7, 2009, amicus curiae Center for Constitutional Rights requested participation at the public portion of oral argument on defendant's motion to dismiss, scheduled for January 11, 2010. We write to inquire whether amici curiae will be permitted to participate in oral argument, so that, if so, we can prepare. ENDORSEMENT: If at least one amicus on each side wishes to argue, the Court will allot 15 minutes to amicus on each side. If not, it will not hear argument from any amicus. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 1/5/2010)(dnd) (Entered: 01/05/2010)
01/07/2010	<u>860</u>	DECLARATION of Michael K. Bachrach (unclassified – for public release) in Support as to Ahmed Khalfan Ghailani re: <u>829</u> FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI WFIRST MOTION for Discovery SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W. (Bachrach, Michael)</i> (Entered: 01/07/2010)
01/07/2010	<u>861</u>	MEMORANDUM in Support by Ahmed Khalfan Ghailani re <u>829</u> FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI WFIRST MOTION for Discovery SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W. (unclassified – for public release)</i> (Bachrach, Michael) (Entered: 01/07/2010)

01/07/2010	<u>862</u>	DECLARATION of Michael K. Bachrach (redacted halfsheet) in Support as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial..</i> (Bachrach, Michael) (Entered: 01/07/2010)
01/07/2010	<u>863</u>	DECLARATION of Col. Jeffrey P. Colwell (redacted halfsheet) in Support as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial..</i> (Bachrach, Michael) (Entered: 01/07/2010)
01/07/2010	<u>864</u>	REPLY MEMORANDUM OF LAW in Support as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial. (redacted halfsheet).</i> (Bachrach, Michael) (Entered: 01/07/2010)
01/07/2010	<u>865</u>	REPLY MEMORANDUM OF LAW in Support as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial. (unclassified APPENDIX).</i> (Bachrach, Michael) (Entered: 01/07/2010)
01/11/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to (98-Cr-1023-09) Ahmed Khalfan Ghailani held on 1/11/2010. Oral argument regarding speedy trial motion heard. Defendant not present but attorneys Peter Quijano, Gregory Cooper, and Michael K. Bachrach present. AUSAs Michael Farbiarz, Jesse Furman, Harry Chernoff, Sean Buckley, and Nick Lewin present. Court reporter Rebecca Forman present. Decision reserved. (bw) (Entered: 01/15/2010)
01/19/2010	<u>866</u>	ORDER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. By letter dated January 6, 2010, defendant has sought a modification of paragraph 5(a) of the Modified Protective Order Pertaining to Classified Information. He contends that his counsel are unduly hampered by their inability, consistent with that order, to discuss with him matters relating to defendant's detention by the Central Intelligence Agency....[see Order]... It perhaps is conceivable that there is an appropriate reason for concern on the part of defendant's counsel. Nevertheless, I am frank to say that I cannot understand from the defendant's submission why the government is not entirely right on this issue. Accordingly, the application is denied. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 1/19/2010)(bw) (Entered: 01/19/2010)
01/20/2010	<u>867</u>	ORDER: Attorney Gregory E. Cooper terminated in case as to Ahmed Khalfan Ghailani. At the request of the defendant, Gregory E. Cooper, Esq. is relieved as counsel for the defendant. The Court appreciates Mr. Cooper's efforts on behalf of his client. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 1/20/2010)(dnd) (Entered: 01/20/2010)
01/20/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to (98-Cr-1023-09) Ahmed Khalfan Ghailani held on 1/20/2010. Conference held. Defendant participated by telephone for the unclassified portion of the conference, but attorneys Peter Quijano, Gregory E. Cooper, and Michael K. Bachrach were present in person. AUSAs Nicholas Lewin, Sean Buckley, and Harry Chernoff present. Court reporter Rebecca Forman present. (bw) (Entered: 01/27/2010)
01/21/2010	<u>868</u>	SEALED DOCUMENT placed in vault. (nm) (Entered: 01/21/2010)
01/21/2010	<u>869</u>	MEMORANDUM & OPINION: As to Ahmed Khalfan Ghailani, dated January 21, 2010. (Signed by Judge Lewis A. Kaplan on 1/21/2010)(dnd) (Entered: 01/21/2010)
01/26/2010	<u>870</u>	ENDORSED LETTER as to Ahmed Khalfan Ghailani addressed to Judge Kaplan from Michael Farbiarz and Harry A. Chernoff and Nicholas Lewin and Sean S. Buckley dated 1/25/2010 re: The Government writes respectfully to seek an adjournment of the deadline by which it must settle the referenced order...ENDORSEMENT...The date adjourned sine die are condition that the government report to the Court by 1/28/2010 as proposed. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 1/26/2010)(jw) (Entered: 01/26/2010)
01/26/2010	<u>871</u>	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on January 4, 2010 4:00 p.m. before Judge Lewis A. Kaplan. (ajc) (Entered: 01/29/2010)
01/26/2010	<u>872</u>	TRANSCRIPT of Proceedings as to Wadih El Hage held on December 15, 2009 12:30 p.m. before Judge Lewis A. Kaplan. (ajc) (Entered: 01/29/2010)
01/26/2010	<u>877</u>	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on January 20, 2010 10:10 a.m. before Judge Lewis A. Kaplan. (ajc) (Entered: 02/04/2010)
01/29/2010	<u>873</u>	ENDORSED LETTER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani addressed to Judge Kaplan from AUSAs Michael Farbiarz/Harry A. Chernoff/Nicholas Lewin/Sean S. Buckley, dated January 28, 2010 re: The Government submits this letter pursuant to the Court's January 26, 2010 Order. In consultation with a senior member of the Department of Justice's National Security Division, the Government anticipates being able to settle an order, as directed by the Court's January 21, 2010 Memorandum and Opinion, no later than February 8, 2010. The Government seeks an adjournment of the

		time in which it must settle an order until February 8, 2010. ENDORSEMENT: Granted. (Signed by Judge Lewis A. Kaplan on 1/29/2010)(bw) (Entered: 01/29/2010)
02/01/2010	874	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on January 11, 2010 2:15 p.m. before Judge Lewis A. Kaplan. (ajc) (Entered: 02/01/2010)
02/01/2010	<u>875</u>	ORDER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. Counsel for the defendant have applied for the appointment of Steven Zissou, Esq., to replace Gregory Cooper, Esq., as one of defendant's attorneys in this matter. The Court is informed that Mr. Zissou is a member of the Criminal Justice Act ("CJA") panel for the Eastern District of New York and a member of that Court's "capital" and "learned counsel" panels and that he intends to apply this year to become a member of this Court's CJA panel. The Court is informed also that Mr. Zissou possesses TS/SCI security clearance, which should make his clearance for this case swift, and that he was an excellent working relationship with one of the defendant's existing attorneys, thus facilitating cooperative and productive efforts on defendant's behalf.... Accordingly, with the approval of the Chief Judge and subject to the condition that the defendant consent in writing on or before February 9, 2010, I hereby appoint Mr. Zissou as one of the attorneys for the defendant. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 2/1/2010)(bw) (Entered: 02/01/2010)
02/02/2010	<u>876</u>	ORDER granting <u>853</u> Motion to File Amicus Brief as to Ahmed Khalfan Ghailani (9). The Center on the Administration of Criminal Law (the "Center") moved this Court on December 24, 2009 [DI 853] for leave to file an amicus curiae brief opposing the defendant's motion to dismiss his indictment on speedy trial grounds. According to the Center's motion, the government has consented to this proposed filing, and defense counsel has neither consented to nor opposed it. "[A] district court has broad inherent authority to permit or deny an appearance as amicus curiae in a case." The Court grants the Center's motion to appear as amicus curiae because it believes that the Center's brief will aid in the determination of the motion at issue. (Signed by Judge Lewis A. Kaplan on 2/2/2010) (dnd) (Entered: 02/02/2010)
02/04/2010	<u>878</u>	ORDER: As to Ahmed Khalfan Ghailani. The Court's Order, dated December 8, 2009, was filed with the Court Security Officer. The attached copy of that Order, redacted by the appropriate authorities in accordance with the Classified Information Procedures Act, now may be filed on the public record. Accordingly, the Clerk shall file the attached copy in place of the half sheet for DI 847.SO ORDERED. (Signed by Judge Lewis A. Kaplan on 2/4/2010)(dnd) (Entered: 02/04/2010)
02/05/2010	<u>879</u>	Letter by Ahmed Khalfan Ghailani addressed to Judge Kaplan from Ahmed Khalfan Ghailani dated 2/5/2010 re: I have conferred with my attorneys Peter E. Quijano and Michael K. Bachrach regarding the appointment of a third attorney to my Defense Team. I join in my attorney's application that Steven Zissou be appointed as one of my attorneys; and I consent to Mr. Zissou's appointment. (jw) (Entered: 02/05/2010)
02/07/2010	<u>880</u>	NOTICE OF ATTORNEY APPEARANCE: Steve Zissou appearing for Ahmed Khalfan Ghailani. (Zissou, Steve) (Entered: 02/07/2010)
02/09/2010	<u>881</u>	ORDER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani....[see Order]... IT IS HEREBY ORDERED that the Government shall conduct a search of files associated with the aforementioned officials and former officials in the Department of Justice that are in the possession of the Department of Justice to determine if such files contain materials regarding the decisions to transfer the defendant referenced in requests one through six of the Defendant's Discovery Motion; and IT IS FURTHER ORDERED that, if any such materials exists, the Government shall promptly review such materials to determine if they are responsive to requests one through six of the Defendant's Discovery Motion and, to the extent that the Government determines that such materials indicate that the decisions to transfer the defendant were for a purpose other than national security, they shall be produced ; Provided, however, that the Court reserves the right to review any documents determined not be responsive and to determine responsiveness de novo; and IT IS FURTHER ORDERED that, to the extent the Government claims that responsive documents otherwise required to by produced by this Order are protected from disclosure by Rule 16(a)(2), it shall serve and file a log enumerating these documents and providing the information that would be required by S.D.N.Y. Local Civ. R. 26.2 in respect of documents withheld on grounds of privilege; and IT IS FURTHER ORDERED that the Government's obligations hereunder shall be performed fully no later than March 2, 2010. (Signed by Judge Lewis A. Kaplan on 2/9/2010)(bw) (Entered: 02/09/2010)
02/11/2010	882	SEALED DOCUMENT placed in vault. (nm) (Entered: 02/11/2010)
02/16/2010	<u>883</u>	MEMORANDUM & ORDER as to ((S7)R98-Cr-1023-04) Mohamed Rashed Daoud Al-'Owhali....[see Order]... On or about December 12, 2008, the United States Attorney's Office for the Southern District of New York advised al-'Owhali that it had a summary report of a recent interview of the interpreter who worked during the first three days of al-'Owhali's interrogation after his arrest in Kenya (the

		"Interpreter"). The summary report indicated that the Interpreter had made statements during the interview contrary to what was shown at the suppression hearings and at trial. Due to the disclosure of this redacted summary report of the interview conducted by a contract employee, al-'Owhali sought remand of his appeal from the Second Circuit on the sole issue of voluntariness. The Second Circuit granted his request on April 30, 2009. On the basis of this newly discovered evidence, al-'Owhali now requests that I vacate the findings of Judge Sand on the voluntariness of al-'Owhali's confession; suppress all confessions he made to the Government while in Kenya; and grant any other relief required under the circumstances....[see Order]... Given the Interpreter's clarification, the agents' consistent descriptions of the interrogation, and the fact that al-'Owhali has never claimed that he was beaten, the Government correctly concluded that its Brady disclosure obligation had not been triggered. This is especially true because, as stated above, al-'Owhali did not make any incriminating statements during the first three days of his interrogation, the only time the Interpreter was present. In fact, all of al-'Owhali's statements made prior to the oral recitation of his Miranda rights on August 22, 1998, were suppressed. Consequently, there is no possibility, let alone a reasonable probability, that the Government's decision not to disclose the Interpreter's recanted statement affected the outcome of the suppression hearing. I also find no Brady violation with respect to the allegation that there may have been other agents present at al-'Owhali's interrogation who were not mentioned during Agent Gaudin and Detective Parola's testimony at the suppression hearings. First, the fact that other Government agents were present at al-'Owhali's interrogation on August 12, 13, and 14, 1998, was not suppressed. While the identities of such agents were concealed, the fact of their presence was revealed in the disclosures made pursuant to the Jencks Act, 18 U.S.C. Section 3500. (See Gov't's Mem. Exs. H, K, U.) Further, al-'Owhali has made no showing that the presence of other Government agents would even be favorable to him, let alone material, especially in light of the fact that al-'Owhali has never claimed that the agents known to be present, or any other agents, beat him or physically coerced his confession with torture. Thus, under these circumstances, al-'Owhali's motion is DENIED. SO ORDERED. (Signed by Judge Kevin Thomas Duffy on 2/9/2010)(bw) (Entered: 02/17/2010)
02/17/2010	<u>884</u>	ENDORSED LETTER as to Ahmed Khalfan Ghailani addressed to Judge Kaplan from Michael Farbiarz, Harry A. Chernoff, Nicholas Lewin, Sean S. Buckley re: The Government respectfully requests, with the consent of the defendant through defense counsel, that the Court exclude time until September 27, 2010 – the date scheduled for the commencement of trial in the above-captioned matter – pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161 (h) (7) (A) ORDER EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT as to Ahmed Khalfan Ghailani. Time excluded from 2/16/2010 until 9/27/2010...ENDORSEMENT...Time excluded through 9/27/2010. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 2/16/2010)(jw) (Entered: 02/17/2010)
02/23/2010	<u>885</u>	SEALED DOCUMENT placed in vault. (nm) (Entered: 02/23/2010)
02/24/2010	<u>886</u>	ORDER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. The Court's Memorandum Opinion, dated January 21, 2010, was filed with the Court Security Officer. The attached copy of that Opinion, redacted by the appropriate authorities in accordance with the Classified Information Procedures Act, now may be filed on the public record. Accordingly, the Clerk shall file the attached copy in place of the half sheet for DI 869. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 2/24/2010)(bw) (Entered: 02/24/2010)
03/02/2010	<u>887</u>	SEALED DOCUMENT placed in vault. (nm) (Entered: 03/02/2010)
03/03/2010	<u>888</u>	ENDORSED LETTER: as to Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from Michael Bachrach dated 3/3/2010 re: The defense has received material from the Government today in response to this Court's Orders, dated, January 21, 2010, and February 9, 2010, in the above-referenced matter. Amongst the materials provided to the defense is a list of eighteen documents that the Government states are "potentially responsive documents" but that the Government claims to be "protected from disclosure by the various privileges set out" in a privilege log that the Government has also provided to this Court and to the defense (see Gov't letter, dated, March 2, 2010). Wherefore, the defense respectfully requests that we be given until next Friday, March 12, 2010, to file our objections to the Government's claims of privilege and for the defense to determine whether we wish to press for full disclosure of said items, redacted disclosure of said items, and/or in camera review. ENDORSEMENT: Granted. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 3/3/2010)(dnd) (Entered: 03/03/2010)
03/08/2010	<u>889</u>	REPLY MEMORANDUM OF LAW in Support as to Ahmed Khalfan Ghailani re: <u>829</u> FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI WFIRST MOTION for Discovery SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W</i>

		(unclassified – public version). (Bachrach, Michael) (Entered: 03/08/2010)
03/08/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Telephone Conference as to (98–Cr–1023–09) Ahmed Khalfan Ghailani held on 3/8/2010. Phone conference held. Defendant did not participate, but attorneys Peter Quijano, and Michael Bachrach participated. AUSAS Michael Farbiarz, Nicholas Lewin, Sean Buckley, and Harry Chernoff participated. Court reporter Sonia Huggins present. (bw) (Entered: 03/26/2010)
03/09/2010	<u>890</u>	ORDER as to (S10–98–Cr–1023–09) Ahmed Khalfan Ghailani. The Court hereby modifies paragraph 5 and only paragraph 5, of the current Scheduling Order dated July 2, 2009 [DI 761], such that the defendant shall serve and file any motions not described in paragraphs 1 and 2 of that Order (other than motions in limine) no later than March 26, 2010. The government's response to any such motions shall be served and filed no later than April 9, 2010. Any reply papers in support of any such motions shall be served and filed no later than April 16, 2010. Any such motions shall be argued on April 19, 2010 at 2:00 p.m. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 3/9/2010)(bw) (Entered: 03/09/2010)
03/09/2010	<u>891</u>	MEMORANDUM in Opposition by United States of America as to Ahmed Khalfan Ghailani re <u>829</u> FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W</i> FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W.</i> (unclassified) (Lewin, Nicholas) (Entered: 03/09/2010)
03/11/2010	<u>892</u>	ENDORSED LETTER as to (S10–98–Cr–1023–09) Ahmed Khalfan Ghailani addressed to Judge Kaplan from AUSAs, Michael Farbiarz / Harry A. Chernoff / Nicholas Lewin / Sean S. Buckley, dated March 10, 2010 re: The Government writes to convey the parties' joint request with respect to the documents listed on the Government's privilege log, which was submitted to the Court in response to Your Honor's Order of February 9, 2010. The parties jointly and respectfully request that the Court review the eighteen documents listed on the Government's privilege log ex parte and in camera. ENDORSEMENT: The documents shall be produced forthwith for in camera inspection. So Ordered. (Signed by Judge Lewis A. Kaplan on 3/11/2010)(bw) (Entered: 03/12/2010)
03/12/2010	<u>893</u>	ENDORSED LETTER as to (S10–98–Cr–1023–09) Ahmed Khalfan Ghailani addressed to Judge Kaplan from Attorneys Michael K. Bachrach / Peter Enrique Quijano / Steve Zissou, dated March 9, 2010 re: We write to clarify whether a specific motion, which we believe to be a motion in limine, is one that Your Honor would nonetheless prefer filed as part of the defendant's omnibus motion. ENDORSEMENT: All motions to preclude are suppressed, whether with respect to their witness or any statements by the defendant or allegedly derived therefrom, shall be filed by 3/26/10. So Ordered. (Signed by Judge Lewis A. Kaplan on 3/12/2010)(bw) (Entered: 03/12/2010)
03/15/2010	<u>894</u>	REPLY MEMORANDUM OF LAW in Support as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.</i> (unclassified – for public release) (Part 1 of 2). (Attachments: # <u>1</u> (Part 2 of 2))(Bachrach, Michael) (Entered: 03/15/2010)
03/15/2010	<u>895</u>	DECLARATION of Michael K. Bachrach (unclassified – for public release) in Support as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.</i> (Bachrach, Michael) (Entered: 03/15/2010)
03/15/2010	<u>896</u>	DECLARATION of Col. Jeffrey Colwell (unclassified – for public release) in Support as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.</i> (Bachrach, Michael) (Entered: 03/15/2010)
03/17/2010	<u>897</u>	ORDER: As to Ahmed Khalfan Ghailani. By Order dated February 9, 2010 [DI 881] this Court directed the government to identify certain documents responsive to that Order and either to produce those documents to cleared defense counsel, if the government claims the documents are protected from disclosure by Federal Rule of Criminal Procedure 16(a)(2), to serve and file a privilege log with respect to those documents. On March 2, 2010, the government filed such a log. It maintains that these documents are only marginally, if at all, responsive to the Order. To facilitate a more focused litigation of the government's privilege claims, the parties jointly have asked the Court [DI 892] to review the documents listed in the government's privilege log and to determine whether any in fact are responsive to its Order. Having reviewed the eighteen documents in question, the Court finds that only three are potentially responsive: Documents 6, 8, and 12. Any challenge to the government's Rule 16(a)(2) and other privilege claims with respect to those documents shall be filed no later than April 1, 2010. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 3/17/2010)(dnd) (Entered: 03/17/2010)

03/19/2010	898	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on March 8, 2010 5:00 p.m. before Judge Lewis A. Kaplan. (ajc) (Entered: 03/22/2010)
03/26/2010	<u>899</u>	MODIFICATION TO THE MODIFIED PROTECTIVE ORDER PERTAINING TO CLASSIFIED INFORMATION as to Ahmed Khalfan Ghailani..., and to protect the national security, Section 5(a) of the Protective Order is hereby modified as follows: a. The defense may not disclose classified information to the Defendant unless that same information has been previously provided to the Defense by the Defendant. The Defense may not confirm or deny to the Defendant the assertions made by the Defendant based on knowledge the Defense may have obtained from classified information; except where that classified information has been provided to the Defendant. Notwithstanding the foregoing, nothing herein shall be construed to prevent the Defense from describing to or discussing with the Defendant the contents of any document that properly bears the classification: SECRET//CONTENTS MAY BE DISCUSSED WITH GHAILANI. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 3/26/2010)(ja) (Entered: 03/26/2010)
03/26/2010	900	SEALED DOCUMENT placed in vault. (nm) (Entered: 03/26/2010)
03/29/2010	<u>901</u>	ENDORSED LETTER as to Ahmed Khalfan Ghailani addressed to Judge Kaplan from Michael Farbiarz, Harry A. Chernoff, Nicholas Lewin and Sean S. Buckley dated 3/29/2010 re: Accordingly, the Government – with the consent of the defendant – respectfully requests that the Court set the following schedule for the Government's opposition to the defense motions: (1) the Government's response to the defendant's Fifth Amendment motion be filed no later than April 19, 2010, and (2) the Government's response to the defendant's motion relating to...ENDORSEMENT...Granted. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 3/29/2010)(jw) (Entered: 03/29/2010)
04/02/2010	<u>902</u>	MOTION to Dismiss indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about July 24, 2004; An order directing the Government to identify any and all witnesses that they learned of during the interrogation of the defendant; An order directing the Government to specify all evidence that is subject to suppression and/or preclusion as a result of the unlawful interrogation of the defendant; The use a jury questionnaire, individual sequestered and attorney conducted voir dire pursuant to Rule 24 of the Federal Rules of Criminal Procedure; and any and all further relief as this Court deems just and proper (original Notice of Omnibus Motions filed with chambers on 3/26/10). Document filed by Ahmed Khalfan Ghailani. (Bachrach, Michael) (Entered: 04/02/2010)
04/02/2010	<u>903</u>	DECLARATION of Steve Zissou, Esq. (halfsheet -- original filed with chambers 3/26/10) in Support as to Ahmed Khalfan Ghailani re: <u>902</u> MOTION to Dismiss indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about. (Bachrach, Michael) (Entered: 04/02/2010)
04/02/2010	<u>904</u>	MEMORANDUM in Support by Ahmed Khalfan Ghailani re <u>902</u> MOTION to Dismiss indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about. (halfsheet -- original filed with chambers 3/26/10) (Bachrach, Michael) (Entered: 04/02/2010)
04/02/2010	<u>905</u>	MEMORANDUM in Support by Ahmed Khalfan Ghailani re <u>829</u> FIRST MOTION for Discovery SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI WFIRST MOTION for Discovery SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W. -- Memorandum of Law of Defendant Ahmed Khalfan Ghailani Objecting to the Government's Claims of Privilege Regarding Documents 6, 8, and 12 of the Government's Privilege Log (redacted halfsheet -- original filed with chambers on 4/1/10) (Bachrach, Michael) (Entered: 04/02/2010)
04/05/2010	<u>906</u>	MOTION for relief of judgment. MOTION for Recusal under 28 USC 455A and for entry of appearance for defendant Wadih El Hage. Document filed by Wadih El Hage. (ja) (Entered: 04/07/2010)
04/09/2010	<u>907</u>	ORDER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. The Scheduling Order [DI 761], as amended [DI 890, 901], is modified in the following manner: 1. The government's response to the defendant's memorandum objecting to the government's claims of privilege regarding certain documents [DI 905] shall be served and filed no later than April 16, 2010. Any reply papers shall be served and filed no later than April 20, 2010. The Court will decide the motion on submission. 2. The government's response to the defendant's motion relating to the Bureau of Prison's security procedure shall be served

		and filed no later than April 16, 2010. Any reply papers shall be served and filed no later than April 23, 2010. The Court will hear argument on the motion on April 27, 2010 at 4:30 p.m. 3. The government's response to so much of the defendant's omnibus motion [DI 902] as seeks dismissal on Fifth Amendment grounds shall be served and filed no later than April 19, 2010. Any reply papers shall be served and filed no later than April 26, 2010. The Court will decide the motion on submission. 4. The response and reply briefs regarding the balance of the defendant's omnibus motion [DI 902] shall be served and filed according to the current schedule. The Court shall hear argument on those motions on April 19, 2010 at 2:00 p.m. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 4/9/2010)(bw) (Entered: 04/09/2010)
04/15/2010	<u>908</u>	ENDORSED LETTER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani addressed to Judge Kaplan from AUSAs Michael Farbiarz/Harry A. Chernoff/Nicholas Lewin/Sean S. Buckley dated April 14, 2010 re: the parties jointly request that the Court adjourn by one day the schedule for filing the Government response and defense reply regarding the Fifth Amendment Motion (each of which is expected to be classified at the TOP SECRET//SCI level); the Government response would thus be filed no later than Tuesday, April 20, 2010 and the defense reply no later than Tuesday, April 27, 2010. ENDORSEMENT: Granted. So Ordered. (Signed by Judge Lewis A. Kaplan on 4/15/2010)(bw) (Entered: 04/15/2010)
04/15/2010	<u>909</u>	MEMORANDUM in Opposition by United States of America as to Ahmed Khalfan Ghailani re <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or abou. (redacted halfsheet) (Lewin, Nicholas) (Entered: 04/15/2010)</i>
04/16/2010	910	SEALED DOCUMENT placed in vault. (jri) (Entered: 04/19/2010)
04/19/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to (98-Cr-1023-09) Ahmed Khalfan Ghailani held on 4/19/2010. Motion argument held. Defendant was not present but attorneys Steve Zissou, Peter Quijano, and Michael Bachrach were present. AUSAs Michael Farbiarz, Nick Lewin, Jesse Furman, Harry Chernoff, and Sean Buckley were present. Court reporter Rebeca Forman present. (bw) (Entered: 04/29/2010)
04/20/2010	<u>911</u>	USCA ORDER REINSTATING APPEAL (Certified Copy) as to Mohamed Rashed Daoud Al-'Owhali re: 636 Notice of Appeal – Final Judgment, 702 Notice of Appeal – Final Judgment USCA Case Number 01-1535-cr(L), 05-0920-cr. ORDER, by letter dated February 18, 2010, Frederick H. Cohn, counsel for defendant-appellant Al-O`Whali, wrote the Clerk of Court seeking to invoke this Court's jurisdiction following a final decision of the District Court. Mr. Cohn requested that this Court refrain from issuing a scheduling order will not issue at this time. Mr. Cohn is directed to notify this Court by April 2, 2010 of his progress in ascertaining his client's intentions regarding this appeal. If his client intends to pursue this appeal, scheduling will proceed in the ordinary course under Local Rule 31.2(a). Catherine O'Hagan Wolfe, Clerk USCA. Certified: 4/15/2010. (nd) (Entered: 04/20/2010)
04/20/2010	<u>912</u>	ENDORSED LETTER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani addressed to Judge Kaplan from AUSAs Michael Farbiarz/Jesse M. Furman/Harry Chernoff/Nicholas Lewin/Sean Buckley, dated April 20, 2010 re: The Government seeks an extension on consent of defense counsel and until Friday, of the time within which to file its response to the defendant's motion to dismiss the indictment on the ground that the treatment of the defendant violated the Due Process Clause of the Fifth Amendment. Should the Court grant the Government's request, the defendant's time to reply to the Government's response be extended as well. ENDORSEMENT: Granted. So Ordered. (Signed by Judge Lewis A. Kaplan on 4/20/2010)(bw) (Entered: 04/20/2010)
04/21/2010	<u>913</u>	MEMORANDUM in Opposition by United States of America as to Ahmed Khalfan Ghailani re <u>829</u> FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W</i> FIRST MOTION for Discovery <i>SEEKING: (1) MATERIAL RELATED TO THE GOVERNMENT'S DECISION TO DETAIN AND INTERROGATE AHMED KHALFAN GHAILANI IN CIA "BLACK SITES" AND GTMO; AND (2) MATERIAL RELATED TO THE TREATMENT OF AHMED KHALFAN GHAILANI W. (redacted halfsheet) (Lewin, Nicholas) (Entered: 04/21/2010)</i>
04/21/2010	<u>914</u>	DECLARATION of Special Agent Philip A. Swabsin in Opposition by United States of America as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.. (Lewin, Nicholas) (Entered: 04/21/2010)</i>
04/21/2010	<u>915</u>	DECLARATION of Felice John Viti in Opposition by United States of America as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.. (Lewin, Nicholas) (Entered: 04/21/2010)</i>

04/21/2010	<u>916</u>	DECLARATION of Michael Farbiarz (unclassified/redacted) in Opposition by United States of America as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial..</i> (Lewin, Nicholas) (Entered: 04/21/2010)
04/21/2010	<u>917</u>	DECLARATION of Michael Farbiarz in Opposition by United States of America as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial..</i> (Attachments: # <u>1</u> Exhibit Part 1 of 5, # <u>2</u> Exhibit Part 2 of 5, # <u>3</u> Exhibit Part 3 of 5, # <u>4</u> Exhibit Part 4 of 5, # <u>5</u> Exhibit Part 5 of 5)(Lewin, Nicholas) (Entered: 04/21/2010)
04/22/2010	<u>918</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT – DECLARATION of [NAME REDACTED], Central Intelligence Agency ("CIA") in Opposition by United States of America as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.</i> (Lewin, Nicholas) Modified on 4/23/2010 (KA). (Entered: 04/22/2010)
04/23/2010		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – NON–ECF DOCUMENT ERROR. Note to Attorney Nicholas James Lewin as to Ahmed Khalfan Ghailani: to address filed document under seal. Seal documents are to be addressed to Records Management Office to place document under seal. Document No. <u>918</u> Classified In Camera Declaration. This document is not filed via ECF. (KA) (Entered: 04/23/2010)
04/23/2010	<u>919</u>	MEMORANDUM OPINION #98864 as to (S10–98–Cr–1023–09) Ahmed Khalfan Ghailani. Ahmed Khalfan Ghailani, an alleged member of Al Qaeda, was indicted in this Court in 1998 and charged with conspiring with Usama Bin Laden and others to kill American abroad by, among other means, bombing the United States Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania. The matter is before the Court on Ghailani's motion to compel production of three documents that the government contends are privileged against disclosure. The defendant does not dispute that the requirements of the privileges asserted by the government are satisfied as to each of the documents. Rather, he claims that the government has waived privilege by placing the substance of the documents at issue or, alternatively, that the public interest in the documents overcomes the privileges in question....[see Memorandum Opinion]... Conclusion: For the foregoing reasons, defendant's objections to the government's claim of attorney–client privilege with respect to Documents 6, 8 and 12 are overruled. The Clerk shall terminate DI 829. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 4/23/2010)(bw) Modified on 4/28/2010 (ajc). (Entered: 04/23/2010)
04/23/2010	<u>920</u>	SEALED DOCUMENT placed in vault. (nm) (Entered: 04/23/2010)
04/23/2010	<u>921</u>	MEMORANDUM in Opposition by United States of America as to Ahmed Khalfan Ghailani re <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or abou. (In Three Parts) (Attachments: # <u>1</u> Supplement Memo of Law: Part 2 of 3, # <u>2</u> Supplement Memo of Law: Part 3 of 3)</i> (Lewin, Nicholas) (Entered: 04/23/2010)
04/23/2010	<u>922</u>	DECLARATION of Nicholas Lewin in Opposition by United States of America as to Ahmed Khalfan Ghailani re: <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or abou. (Attachments: # <u>1</u> Exhibit Exhibit A (Part 1 of 5), # <u>2</u> Exhibit Exhibit A (Part 2 of 5), # <u>3</u> Exhibit Exhibit A (Part 3 of 5), # <u>4</u> Exhibit Exhibit A (Part 4 of 5), # <u>5</u> Exhibit Exhibit A (Part 5 of 5), # <u>6</u> Exhibit Exhibit B (Part 1 of 3), # <u>7</u> Exhibit Exhibit B (Part 2 of 3), # <u>8</u> Exhibit Exhibit B (Part 3 of 3), # <u>9</u> Exhibit Exhibit C (Part 1 of 1))</i> (Lewin, Nicholas) (Entered: 04/23/2010)
04/26/2010	<u>923</u>	MEMORANDUM OPINION (Corrected) as to (S10–98–Cr–1023–09) Ahmed Khalfan Ghailani. Ahmed Khalfan Ghailani, an alleged member of Al Qaeda, was indicted in this Court in 1998 and charged with conspiring with Usama Bin Laden and others to kill American abroad by, among other means, bombing the United States Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania. The matter is before the Court on Ghailani's motion to compel production of three documents that the government contends are privileged against disclosure. The defendant does not dispute that the requirements of the privileges asserted by the government are satisfied as to each of the documents. Rather, he claims that the government has waived privilege by placing the substance of the documents at issue or, alternatively, that the public interest in the documents overcomes the privileges in question....[see Memorandum Opinion]... Conclusion: For the foregoing reasons, defendant's objections to the government's claim of attorney–client privilege with respect to Documents 6, 8 and 12 are overruled. The Clerk shall terminate DI 829. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 4/26/2010)(bw) (Entered: 04/26/2010)

04/26/2010	924	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on 4/19/2010 before Judge Lewis A. Kaplan. (jfe) (Entered: 04/26/2010)
04/26/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Motion argument held as to Ahmed Khalfan Ghailani held on 4/26/2010. Defendant was not present but attorneys Steve Zissou, Peter Quijano, and Michael Bachrach were present. AUSAs Nick Lewin, Harry Chernoff, and Sean Buckley were present. Court reporter Rebeca Forman present. (jw) (Entered: 04/29/2010)
04/27/2010	<u>925</u>	ENDORSED LETTER as to Ahmed Khalfan Ghailani addressed to Judge Kaplan from Michael K. Bachrach, Peter Enrique Quijano and Steve Zissou dated 4/23/2010 re: As such the defense requests, upon the Government's consent, that both parties be permitted to complete the record, with materials relevant to any and all outstanding motions, by Friday, April 30, 2010...ENDORSEMENT...Granted. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 4/26/2010)(jw) (Entered: 04/27/2010)
04/27/2010	<u>926</u>	MEMORANDUM in Support by Ahmed Khalfan Ghailani re <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about. (unclassified -- for public release) (Bachrach, Michael) (Entered: 04/27/2010)</i>
04/27/2010	<u>927</u>	MEMORANDUM in Opposition by United States of America as to Ahmed Khalfan Ghailani re <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about. (redacted/unclassified) (Lewin, Nicholas) (Entered: 04/27/2010)</i>
04/27/2010	<u>928</u>	DECLARATION of Steve Zissou (unclassified -- for public release) in Support as to Ahmed Khalfan Ghailani re: <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about. (Bachrach, Michael) (Entered: 04/27/2010)</i>
04/27/2010	<u>929</u>	REPLY MEMORANDUM OF LAW* in Support as to Ahmed Khalfan Ghailani re: <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about (redacted - halfsheet) (original filed with Court on 4/17/10). (Bachrach, Michael) Modified on 4/28/2010 (db). Modified on 4/28/2010 (db). *(Letter-Format as permitted by Chambers on 4/28/10) (Entered: 04/27/2010)</i>
04/30/2010	<u>930</u>	MOTION for an Anonymous Jury and Related Protective Measures. Document filed by United States of America as to Ahmed Khalfan Ghailani. (Lewin, Nicholas) (Entered: 04/30/2010)
04/30/2010	<u>931</u>	MEMORANDUM in Support by United States of America as to Ahmed Khalfan Ghailani re <u>930</u> MOTION for an Anonymous Jury and Related Protective Measures.. (Lewin, Nicholas) (Entered: 04/30/2010)
05/01/2010	<u>932</u>	DECLARATION of Michael K. Bachrach in Support as to Ahmed Khalfan Ghailani re: <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about, 823</i> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.. (Attachments: # <u>1</u> Exhibit A: First Affidavit of Defendant Ahmed Khalfan Ghailani, dated, April 27, 2010 (redacted halfsheet), # <u>2</u> Exhibit B: Second Affidavit of Defendant Ahmed Khalfan Ghailani, dated, April 27, 2010 (redacted halfsheet))(Bachrach, Michael) (Entered: 05/01/2010)</i>
05/03/2010	<u>933</u>	ORDER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. The defendant has applied for an adjournment of the hearing scheduled for May 6, 2010 based on the unavailability on that date of a particular witness. The proceeding scheduled for May 6, 2010 will proceed as planned. If the defense wishes the defendant to testify personally in the matter under consideration, that testimony will be taken on May 6. The defense shall notify the government and the Court no later than May 5, 2010 at 10 a.m. whether he will testify. Regardless of whether he will testify, however, the defendant shall be produced at the May 6, 2010 proceeding. The testimony of the currently available witness will be taken commencing at 11:00 a.m. on May 18, 2010 unless the witness becomes available earlier. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 5/3/2010)(bw) (Entered: 05/03/2010)
05/03/2010	<u>934</u>	ENDORSED LETTER as to Ahmed Khalfan Ghailani, addressed to Judge Kaplan, from Peter Enrique Quijano, atty for dft, dated 4/29/2010, re: request that the Court modify it's current Scheduling Order and permit the defense to file the Exhibits relating to various outstanding motions by 5/7/2019. -- Judge endorsed: Granted. (Signed by Judge Lewis A. Kaplan on 4/30/2010)(ja) (Entered: 05/03/2010)

05/03/2010	<u>935</u>	ENDORSED LETTER as to Wadih El Hage, addressed to Judge Kaplan, from Joshua L. Dratel, atty for dft, dated 4/23/2010, re: request to strike document #906 from the docket. --- Judge endorsed: The filing is stricken. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 5/3/2010)(ja) (Entered: 05/03/2010)
05/03/2010	<u>936</u>	NOTICE OF APPEAL (Interlocutory) by Ahmed Khalfan Ghailani from <u>933</u> Order, Set Deadlines/Hearings,. (nd) (Entered: 05/03/2010)
05/03/2010		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Ahmed Khalfan Ghailani to US Court of Appeals re: <u>936</u> Notice of Appeal – Interlocutory. (nd) (Entered: 05/03/2010)
05/03/2010	<u>937</u>	TRANSCRIPT REQUEST FROM B filed by Ahmed Khalfan Ghailani. Transcript not being requested. (nd) (Entered: 05/03/2010)
05/04/2010	938	SEALED DOCUMENT placed in vault. (nm) (Entered: 05/05/2010)
05/04/2010	939	SEALED DOCUMENT placed in vault. (nm) (Entered: 05/05/2010)
05/04/2010	940	SEALED DOCUMENT placed in vault. (nm) (Entered: 05/05/2010)
05/05/2010	<u>941</u>	ORDER as to Ahmed Khalfan Ghailani. The memorandum and order, dated 5/4/2010, previously filed under seal, is unsealed on consent of both parties. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 5/5/2010)(ja) (Entered: 05/05/2010)
05/05/2010	<u>942</u>	MEMORANDUM & ORDER: As to Ahmed Khalfan Ghailani. On April 2, 2010, defendant moved for "[a]n order directing the Bureau of Prisons to cease and desist from employing body cavity searches against " him " as a prerequisite to his attendance at court appearances" (the "BoP Motion"). The motion was supported principally by a declaration of a psychologist employed by the defense, Katherine A. Porterfield, Ph.D., who asserted that the defendant suffers from post-traumatic stress disorder as a result of his treatment while in CIA custody and that the defendant would be "at risk to be unable to function in a courtroom and in relation to his legal defense" if what the defense calls "body cavity searches" are continued. The motion was argued on April 26, 2010. At the conclusion of the argument, the Court scheduled an evidentiary hearing on the BoP Motion for May 6, 2010. The defense then sought an adjournment on the basis of Dr. Porterfield's unavailability on that date. On May 3, 2010, the Court granted the defendant's motion to the extent of accommodating Dr. Porterfield's schedule by agreeing to hear her testimony on May 18. It nevertheless directed that the defendant be produced on May 6, 2010. This prompted a somewhat confused letter, dated May 3, 2010, from defendant's counsel. The letter purports to address "certain procedures relevant to Mr. Ghailani's competency hearing presently scheduled for Thursday, May 6, 2010." It indicates an intention to file a Notice of Appeal from the May 3 order, which subsequently has been filed, and to file an emergency motion in the Second Circuit seeking a stay of the supposed competency hearing. In addition, it applies to this Court for an order (1) appointing a mental health professional to conduct an independent examination of the defendant, (2) providing that Dr. Porterfield testify first, the new mental health professional next, and the defendant third at what the letters calls the competency hearing, and, if that is not done, (3) staying the May 3 order for sufficient time to permit the defendant to make an emergency motion in the Court of Appeals. As will appear, the defendant is proceeding under misapprehensions of fact and law... For the foregoing reasons, defendant's letter application of May 3, 2010 is denied in all respects. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 5/5/2010)(dnd) (Entered: 05/05/2010)
05/05/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference via Phone as to Ahmed Khalfan Ghailani held on 5/5/2010. Phone conference held. Defendant did not participate but attorneys Peter Quijano, Michael K. Bachrach, and Steve Zissou participated. AUSAs Nicholas Lewin, Sean Buckley, and Harry Chernoff participated. Court reporter Rebecca Forman present. Kaplan, J. (ajc) (Entered: 06/11/2010)
05/10/2010	<u>943</u>	MEMORANDUM & OPINION: #98930 As to Ahmed Khalfan Ghailani re: <u>902</u> MOTION to Dismiss Indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about filed by Ahmed Khalfan Ghailani. Ahmed Khalfan Ghailani, an alleged member of Al Qaeda, was indicted in this Court in 1998 and charged with conspiring with Usama Bin Laden and others to kill Americans abroad by, among other means, bombing the United States Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, bombings in which 224 people reportedly were killed. Years later, he was captured abroad by a foreign state and subsequently turned over to the Central Intelligence Agency (CIA). He was held and interrogated by the CIA at one or more secret locations outside the United States for a substantial period. He then was shifted to a secure facility at the United States naval base at Guantanamo where he remained until June 2009, at which time he was produced in this Court for prosecution on the indictment. Ghailani now moves to dismiss the indictment on the ground that he was tortured by the CIA in violation of his rights under the Due Process Clause of the Constitution... If, as Ghailani claims, he was tortured in violation of the Due Process Clause, he may

		have remedies. For the reasons set forth above, however, those remedies do not include dismissal of the indictment. The defendants motion to dismiss the indictment on the grounds of allegedly outrageous government conduct in violation of his Fifth Amendment due process right is denied. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 5/10/2010)(dnd) Modified on 5/12/2010 (ajc). (Entered: 05/10/2010)
05/12/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Phone Conference as to Ahmed Khalfan Ghailani held on 5/12/2010. Defendant did not participate but attorneys Peter Quijano, Steve Zissou, and Michael K. Bachrach participated. AUSAs Nicholas Lewin, Sean Buckley, Michael Farbiarz, and Harry Chernoff present. Court reporter Bill Richards present. (Entered: 05/19/2010)
05/13/2010	<u>944</u>	MOTION for Modification of Scheduling Order, dated, July 2, 2009 -- <i>Notice of Motion</i> . Document filed by Ahmed Khalfan Ghailani. (Bachrach, Michael) (Entered: 05/13/2010)
05/13/2010	<u>945</u>	DECLARATION of Michael K. Bachrach (Declaration and Memorandum of Law) in Support as to Ahmed Khalfan Ghailani re: <u>944</u> MOTION for Modification of Scheduling Order, dated, July 2, 2009 -- <i>Notice of Motion..</i> (Bachrach, Michael) (Entered: 05/13/2010)
05/13/2010	<u>946</u>	DECLARATION of Michael K. Bachrach (redacted halfsheet) (original filed w/ Court on 5/6/10 -- also filed in support of motion, dated, 4/2/10, which had been originally filed under seal) in Support as to Ahmed Khalfan Ghailani re: <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about, 823</i> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial..</i> (Bachrach, Michael) (Entered: 05/13/2010)
05/14/2010	947	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on May 6, 2010 9:30 a.m. before Judge Lewis A. Kaplan. (ajc) (Entered: 05/17/2010)
05/17/2010	<u>948</u>	MEMO ENDORSEMENT as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani on "Notice of Motion" filed by Attorney Michael K. Bachrach, Esq./Peter Enrique Quijano, Esq./Steve Zissou, Esq., for defendant Ahmed Khalfan Ghailani, dated May 13, 2010 re: For a modification of this Court's scheduling Order, dated, July 2, 2009. ENDORSEMENT: Denied. So Ordered. (Signed by Judge Lewis A. Kaplan on 5/17/2010)(bw) (Entered: 05/17/2010)
05/18/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Motion hearing held. Defendant was not present but attorneys Peter Quijano, Steve Zissou, and Michael K. Bachrach present. AUSAs Nicholas Lewin, Sean Buckley, Michael Farbiarz, and Harry Chernoff present. Court reporter Rebecca Forman present. (ab) (Entered: 05/20/2010)
05/20/2010	949	SEALED DOCUMENT placed in vault. (cb) (Entered: 05/20/2010)
05/20/2010	950	SEALED DOCUMENT placed in vault. (cb) (Entered: 05/20/2010)
05/20/2010	951	SEALED DOCUMENT placed in vault. (cb) (Entered: 05/20/2010)
05/20/2010	<u>952</u>	As to Ahmed Khalfan Ghailani.... Having consulted with counsel regarding my presence at the 5/18/2010 hearing, regarding a pretrial motion, and understanding that my absence may hurt my defense, I elect not to attend. I waive any right I may have to be present at the May 5/18/2010 hearing. (ja) (Entered: 05/20/2010)
05/20/2010	<u>953</u>	ORDER as to Ahmed Khalfan Ghailani, permitting Gregory Brian Saathof, MD a qualified psychiatrist, to conduct a psychiatric exam... of the dft, at the MCC at a mutually convenient time to determine the dft's mental condition and to prepare report of same no later than 6/21/2010.... SO ORDERED. (Signed by Judge Lewis A. Kaplan on 5/20/2010)(ja) (Entered: 05/21/2010)
05/20/2010	956	Court Exhibit as to Ahmed Khalfan Ghailani. Defendant's letter marked Exhibit G6 (dnd) (Entered: 05/27/2010)
05/21/2010	954	SEALED DOCUMENT placed in vault. (cb) (Entered: 05/21/2010)
05/21/2010	955	SEALED DOCUMENT placed in vault. (cb) (Entered: 05/21/2010)
05/27/2010	957	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on 5/18/10 before Judge Lewis A. Kaplan. (ama) (Entered: 05/28/2010)
06/08/2010	958	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on 5/12/2010 @ 12:45 p.m. before Judge Lewis A. Kaplan. (js) (Entered: 06/09/2010)

06/14/2010	<u>959</u>	DECLARATION of Michael K. Bachrach (unclassified – for public release) (see DI 932) in Support as to Ahmed Khalfan Ghailani re: <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about, 823</i> MOTION to Dismiss <i>Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial.. (Attachments: # <u>1</u> Exhibit A: First Affidavit of Defendant Ahmed Khalfan Ghailani, dated, April 27, 2010 (unclassified – for public release), # <u>2</u> Supplement B: Exhibit B: Second Affidavit of Defendant Ahmed Khalfan Ghailani, dated, April 27, 2010 (unclassified – for public release))(Bachrach, Michael) (Entered: 06/14/2010)</i>
06/14/2010	<u>960</u>	MEMORANDUM OPINION as to Ahmed Khalfan Ghailani, dated June 14, 2010. (Signed by Lewis A. Kaplan, District Judge) (ab) (Entered: 06/14/2010)
06/16/2010	<u>961</u>	ORDER granting <u>930</u> Motion re: <u>930</u> MOTION for an Anonymous Jury and Related Protective Measures as to Ahmed Khalfan Ghailani (9)The government moves for an anonymous jury and for other, related protective measures. Defendant has not responded to the motion although the time within which to have done so has expired. The government's motion [DI 930] is granted in all respects, substantially for the reasons set forth in the government's memorandum.SO ORDERED. (Signed by Judge Lewis A. Kaplan on 6/16/2010) (jw) (Entered: 06/16/2010)
06/17/2010	<u>962</u>	ORDER as to Ahmed Khalfan Ghailani. The Court's memorandum opinion, dated June 14,2010, was filed with the Court Security Officer. The attached copy of that opinion, reviewed by the appropriate authorities in accordance with the Classified Information Procedures Act, now may be filed on the public record. Accordingly, the Clerk shall file the attached copy in place of the half sheet for DI 960. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 6/17/2010)(jw) (Entered: 06/17/2010)
06/23/2010	<u>963</u>	REPLY MEMORANDUM OF LAW in Support as to Ahmed Khalfan Ghailani re: <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about (unclassified – for public release) (unredacted copy filed with court on April 17, 2010). (Bachrach, Michael) (Entered: 06/23/2010)</i>
06/23/2010	964	TRANSCRIPT of Proceedings (Teleconference) as to (98–Cr–1023–09) Ahmed Khalfan Ghailani held on May 28, 2010 10:30 a.m. before Judge Lewis A. Kaplan. (bw) (Entered: 06/23/2010)
06/24/2010	<u>965</u>	DECLARATION of [REDACTED], Special Agent, Federal Bureau of Investigation in Opposition by United States of America as to Ahmed Khalfan Ghailani re: <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about. (Lewin, Nicholas) (Entered: 06/24/2010)</i>
06/24/2010	<u>966</u>	Letter by Ahmed Khalfan Ghailani I have been informed that the Court will hold a conference on June 24, 2010, regarding a pretrial motion that I have filed as a defendant in this criminal case and that I may attend that hearing. I have been informed also that I have the right to be present at critical stages in my criminal prosecution. The Court has explained to me the advantages of being present and the disadvantages of being absent from court proceedings related to my case. Having consulted fully with counsel regarding my presence at this proceeding and understanding that my absence may hurt my defense, I elect not to attend. I waive any right I may have to be present at the June 24, 2010, conference. (dnd) (Entered: 06/24/2010)
06/24/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Conference as to Ahmed Khalfan Ghailani held on 6/24/2010. Defendant Ghailani not present but attorneys Steve Zissou, Peter E. Quijano, and Michael K. Bachrach present. AUSAs Harry Chernoff and Sean Buckley present. Court reporter Rebecca Forman present. Mr. Zissou's affidavit regarding the competency issue shall be filed by 6/30/10. (ab) (Entered: 06/24/2010)
06/24/2010		ORAL ORDER as to Ahmed Khalfan Ghailani : Mr. Zissou's affidavit regarding the competency issue shall be filed by 6/30/10. (ab) (Entered: 06/24/2010)
06/25/2010	967	SEALED DOCUMENT placed in vault. (cb) (Entered: 06/25/2010)
06/25/2010	968	SEALED DOCUMENT placed in vault. (cb) (Entered: 06/25/2010)
06/28/2010	<u>969</u>	ORDER: As to Ahmed Khalfan Ghailani. The Court directs the government to produce to the Court, with a copy provided to defense counsel, transcripts of the recordings referenced in the following two sections of Dr. Gregory Brian Sathoff's report, dated June 20, 2010: (1) page 7, the third and fourth sentences of the third paragraph under the first subheading; and (2) page 22, the first paragraph under the subheading. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 6/28/2010)(dnd) (Entered: 06/28/2010)

07/01/2010	970	SEALED DOCUMENT placed in vault. (cb) (Entered: 07/01/2010)
07/01/2010	<u>971</u>	ORDER as to (S10-98-CR-1023-09) Ahmed Khalfan Ghailani. On May 20, 2010, the Court directed that defendant be subjected to a psychiatric examination, pursuant to 18 U.S.C. Section 4247, in order to determine, among other things, his competency to stand trial. The circumstances leading to that order are plain from the opinions dated May 5 and June 14, 2010 and the transcript of the proceedings on May 18, 2010. They need not be set out in further detail here. The Court now has had the benefit of a report and live testimony of Katherine Porterfield, Ph.D., a clinical psychologist; the report of Gregory Brian Saathoff, M.D., a qualified psychiatrist; its own observations of the defendant on those occasions on which he has been before it; and at least one letter from the defendant to the Court. It has read also the classified reports of mental status examinations while the defendant was in the custody of the Central Intelligence Agency ("CIA") and the Department of Defense as well as other classified materials provided to it in connection with proceedings under the Classified Information Procedures Act. It notes also that neither the government nor the defendant has requested an evidentiary hearing under chapter 313 of the Criminal Code, 218 U.S.C. Sections 4241 et seq. Both in fact have indicated their view that no such hearing is required. Based on the entire record, including its assessment of the persuasiveness and credibility of the sources before it, the Court makes the following findings of fact and conclusions of law. [*** See Order for complete text ***] (Signed by Judge Lewis A. Kaplan on 7/1/2010)(bw) (Entered: 07/01/2010)
07/06/2010	972	Letter by United States of America as to Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from Harry A. Chernoff dated 6/24/2010 re: The government writes respectfully to enclose the letter agreement between the parties concerning certain evidentiary matters that was referenced at today's conference. (dnd) (Entered: 07/07/2010)
07/07/2010	<u>973</u>	ORDER: As to Ahmed Khalfan Ghailani. The redacted version of the classified report by Gregory Brian Saathoff, M.D., dated June 20, 2010, in this case is hereby unsealed and made part of the public record. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 7/7/2010)(dnd) (Entered: 07/07/2010)
07/07/2010	<u>974</u>	FORENSIC PSYCHIATRIC EVALUATION: As to Ahmed Khalfan Ghailani, submitted by Gregory B. Saathoff M.D. (dnd) (Entered: 07/07/2010)
07/07/2010	<u>975</u>	ORDER as to Ahmed Khalfan Ghailani. The redacted version of the classified report by Gregory Brian Saathoff, M.D. dated June 20,2010, in this case is hereby unsealed and made part of the public record. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 7/7/2010)(jw) (Entered: 07/07/2010)
07/08/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Status Conference as to Ahmed Khalfan Ghailani held on 7/8/2010.Phone conference held. Defendant did not participate but attorneys Peter Quijano, and Steve Zissou participated. AUSAs Nicholas Lewin and Harry Chernoff participated. Court reporter Jerry Harrison present. Kaplan, J. (ajc) (Entered: 07/19/2010)
07/13/2010	<u>976</u>	OPINION as to Ahmed Khalfan Ghailani re: <u>823</u> MOTION to Dismiss Indictment Due to the Denial of Defendant's Constitutional Right to a Speedy Trial, filed by Ahmed Khalfan Ghailani. Ahmed Khalfan Ghailani, allegedly a member of the Al Qaeda terrorist organization, is charged with complicity in the 1998 bombings of two U.S. embassies in east Africa in which 224 people were killed and over a thousand injured. He and others were indicted for that offense in 1998.... In June 2009, following a change of policy the executive branch transferred Ghailani to this district for trial on the 1998 indictment. Ghailani now moves to dismiss the indictment. He argues that the U.S. gov't, by detaining him for nearly five years in CIA and DoD custody before presenting him for trial, deprived him of his right under the Sixth Amendment to a speedy trial Before proceeding to that contention, however, it is appropriate to consider the purpose served by this prosecution and the reasons the speedy trial analysis cannot be avoided.... CONCLUSION: For the foregoing reasons, the dft's motion to dismiss the indictment due to the denial of his constitutional right to a speedy trial [DI 823] is denied. The gov't is entitled to attempt to hold Ghailani accountable in a court of law for his alleged complicity in the murder of 224 people and the injury of more than 1,000 others. The Court expresses its thanks to counsel for amici, who were invited to supplement the efforts of counsel on both sides and therefore to assist the Court in resolving this unusual issue. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 7/12/2010)(ja) (Entered: 07/13/2010)
07/13/2010	<u>978</u>	SUPPLEMENT TO OPINION RULING ON DEFENDANT'S MOTION TO DISMISS THE INDICTMENT FOR ALLEGED DEPRIVATION OF SPEEDY TRIAL, dated 7/12/2010, as to Ahmed Khalfan Ghailani. (Signed by Judge Lewis A. Kaplan on 7/12/2010)(ja) (jw). (jw). (Entered: 07/15/2010)
07/14/2010	<u>977</u>	ENDORSED LETTER as to Ahmed Khalfan Ghailani addressed to Judge Kaplan from Michael Farbiarz, Harry A. Chernoff, Nicholas Lewin and Sean S. Buckley dated 7/14/2010 re: The Government writes respectfully in connection with the Court's June 24, 2010 Order that the parties file any proposed jury questionnaires by July 12, 2010. Accordingly, the Government did not (and does not intend to) submit a proposed jury questionnaire....ENDORSEMENT...The Court so requests. (Signed by Judge Lewis A.

		Kaplan on 7/14/2010)(jw) (Entered: 07/14/2010)
07/15/2010	<u>979</u>	Proposed Jury Instructions by Ahmed Khalfan Ghailani. (Bachrach, Michael) (Entered: 07/15/2010)
07/15/2010	<u>980</u>	ORDER as to Ahmed Khalfan Ghailani. The classified Supplement, dated July 12,2010, to the Court's opinion denying the defendant's motion to dismiss the indictment for alleged deprivation of his right to a speedy trial was filed with the Court Security Officer. The attached copy of that Supplement, reviewed and redacted by the appropriate authorities in accordance with the Classified Information Procedures Act, now may be filed on the public record. Accordingly, the Clerk shall file the attached copy in place of the half sheet for DI 978. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 7/15/2010)(jw) (Entered: 07/20/2010)
07/16/2010	981	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on June 24, 2010 at 2:00 pm before Judge Lewis A. Kaplan. (eef) (Entered: 07/21/2010)
07/20/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Status Conference as to Ahmed Khalfan Ghailani held on 7/20/2010. Conference held. Defendant Ghailani not present but attorneysPeter Quijano and Michael Bachrach present. AUSA MichaelFarbiarz present. Court reporter Rebecca Forman present. Kaplan, J. (ajc) (Entered: 07/22/2010)
07/21/2010	<u>982</u>	ORDER as to Ahmed Khalfan Ghailani. IT IS HEREBY ORDERED: 1) 3500 material and Giglio material relating to the above-captioned matter and disclosed to the defendant by the Government pursuant to 18 U.S.C. Section 3500, Fed. R. Crim. P. 26.2 &32(c)(2) are deemed "confidential information." The defendant and his counsel shall provide a copy of this Order to designated persons to who they disclose confidential information pursuant to paragraph 2(c). SO ORDERED. (Signed by Judge Lewis A. Kaplan on 7/21/2010)(ab) (Entered: 07/21/2010)
07/21/2010	<u>983</u>	Letter by United States of America as to Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from Michael Farbiarz dated 7/20/2010 re: The Government writes to move fro entry of the enclosed proposed Order. The motion is made on consent of the defendant, and would limit disclosure of various materials that the Government is to provide, including Jencks Act materials. (ab) (Entered: 07/21/2010)
07/21/2010	<u>984</u>	ORDER as to Ahmed Khalfan Ghailani: 1. Any motion by either party to close any part of the voir dire in the trial scheduled to commence in September 2010 shall be filed no later than 8/13/2010. Answering papers and reply papers, if any, shall be filed no later than 8/27/2010 and 9/3/2010, respectively. 2. The Court intends to advise prospective jurors that they may ask that their answers to particular questions during otherwise public voir dire examination be heard only by the Court and counsel. Should such requests be made, the Court will hear the prospective jurors' reasons for making the requests in private (with counsel present) and determine whether and to what extent the answers to the specific questions will be heard publicly in open court or privately (with counsel present) and, if the latter, whether the transcript containing such answers will be made publicly available in redacted or unredacted form. 3. Any objection to the proposed procedure described in paragraph 2 shall be made by any party to this action by motion no later than 8/13/2010. Any such objection by any non-party shall be made by motion no later than 9/3/2010. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 7/21/2010)(ab) (Entered: 07/21/2010)
07/21/2010	985	Letter by United States of America as to Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from Michael Farbiarz dated 7/20/2010. The government respectfully moves for entry of the enclosed proposed Order. The motion is made on consent of the defendant, and would limit disclosure of various materials that the government is to provide, include Jencks Act materials. (dnd) (Entered: 07/26/2010)
07/26/2010	986	Letter by Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan dated 7/19/2010 re: Having consulted fully with counsel regarding his presence at the conference scheduled for July 20, 2010, and understanding that his absence may hurt his defense the defendant waives any right he may have to be present at the July 20, 2010, conference. (dnd) (Entered: 07/26/2010)
07/29/2010	<u>987</u>	ORDER as to Ahmed Khalfan Ghailani. The opinion filed with the Court Security Officer on 7/12/2010, and filed publicly on 7/13/2010 [DI 927], is corrected in the following manner: 1) On page 30, the word "change" in line 6 should be "changed" instead. 2) On page 40, the first "to" in line 8 should be removed. 3) On page 42, the first "the" in line 12 should be removed. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 7/28/2010)(ab) (Entered: 07/29/2010)
07/30/2010	<u>988</u>	ORDER as to Ahmed Khalfan Ghailani. The Court proposes the following procedures for selecting the panel from which the trial jury will be drawn. (See Order) A draft of the proposed jury questionnaire will be available to counsel from chambers on August 3, 2010. Any objections to it shall be filed no later than August 13,2010. Any responses to the objections shall be filed no later than August 17, 2010. The Court subsequently will determine the final form of the questionnaire. Any objection to these procedures or to

		the proposed questionnaire shall be filed no later than August 14,2010. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 7/30/2010)(ab) (Entered: 07/30/2010)
08/13/2010	<u>989</u>	MEMORANDUM OF LAW by Ahmed Khalfan Ghailani re: <u>988</u> Order., <i>DEFENDANT AHMED KHALFAN GHAILANI'S REQUESTS FOR MODIFICATIONS TO THIS COURTS PROPOSED JURY QUESTIONNAIRE AND VOIR DIRE PROCEDURES</i> . (Bachrach, Michael) (Entered: 08/13/2010)
08/17/2010	<u>990</u>	MEMORANDUM OF LAW in Opposition by Ahmed Khalfan Ghailani -- <i>Defendant's Response to the Government's Objections, and the Government's Modifications, to the Court's Proposed Jury Questionnaire</i> . (Bachrach, Michael) (Entered: 08/17/2010)
08/17/2010	<u>991</u>	MEMORANDUM OF LAW in Opposition by United States of America as to Ahmed Khalfan Ghailani re: <u>989</u> Memorandum of Law filed by Ahmed Khalfan Ghailani. (Chernoff, Harry) (Entered: 08/17/2010)
08/18/2010	<u>992</u>	MEMORANDUM & OPINION, dated August 17, 2010 as to Ahmed Khalfan Ghailani. (Signed by Judge Lewis A. Kaplan on 8/17/2010)(dnd) (Entered: 08/18/2010)
08/18/2010	993	SEALED DOCUMENT placed in vault. (cb) (Entered: 08/19/2010)
08/18/2010	994	SEALED DOCUMENT placed in vault. (cb) (Entered: 08/19/2010)
08/18/2010	995	SEALED DOCUMENT placed in vault. (cb) (Entered: 08/19/2010)
08/23/2010	<u>996</u>	ORDER as to Ahmed Khalfan Ghailani: On 7/30/2010, this Court advised the parties of the proposed procedures for jury selection in this case, a few days later, distributed for comment a proposed jury questionnaire. The parties have made a number of requests/objections in light thereof (see Order). (Signed by Judge Lewis A. Kaplan on 8/20/2010)(ab) (Entered: 08/23/2010)
08/24/2010	<u>997</u>	ORDER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. The proposed instruction to be given to prospective jurors before they are asked to fill out questionnaire is available to counsel from chambers. Any objections shall be filed no later than September 8, 2010. So Ordered. (Signed by Judge Lewis A. Kaplan on 8/23/2010)(bw) (Entered: 08/24/2010)
09/01/2010	<u>998</u>	USCA MANDATE ON INTERLOCUTORY APPEAL (certified copy) as to Ahmed Khalfan Ghailani re: <u>936</u> Notice of Appeal – Interlocutory. USCA Case Number 10-1713. IT IS HEREBY ORDERED that the motion by Appellant Ahmed Khalfan Ghailani to withdraw his interlocutory appeal is GRANTED, with prejudice. Catherine O'Hagan Wolfe, Clerk USCA. Issued As Mandate: 09/01/2010. (nd) (Entered: 09/01/2010)
09/01/2010	<u>999</u>	ORDER: As to Ahmed Khalfan Ghailani. The defendant's application for authorization to use Courtroom Connect to obtain Internet access in the courtroom during the trial of this action, and to have the cost thereof borne under the Criminal Justice Act, is granted. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 8/31/2010)(dnd) (Entered: 09/01/2010)
09/01/2010	<u>1000</u>	ORDER: As to Ahmed Khalfan Ghailani. The Memorandum Opinion, dated August 17, 2010, was filed with the Court Security Officer. The attached copy of that opinion, reviewed and redacted by the appropriate authorities in accordance with the Classified Information Procedures Act, now may be filed on the public record. Accordingly, the Clerk shall file the attached copy in place of the half sheet for DI 992. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 9/1/2010)(dnd) (Entered: 09/01/2010)
09/02/2010	<u>1001</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Disclosure of Government Witness List (Notice of Motion). Document filed by Ahmed Khalfan Ghailani. (Attachments: # <u>1</u> Declaration of Michael K. Bachrach in Support of Motion for the Production of a Government Witness List)(Bachrach, Michael) Modified on 9/8/2010 (KA). (Entered: 09/02/2010)
09/02/2010	<u>1002</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MEMORANDUM in Support by Ahmed Khalfan Ghailani re <u>1001</u> MOTION for Disclosure of Government Witness List (<i>Notice of Motion</i>). MOTION for Disclosure of Government Witness List (<i>Notice of Motion</i>).. (Bachrach, Michael) Modified on 9/8/2010 (KA). (Entered: 09/02/2010)
09/07/2010	<u>1003</u>	ORDER as to Ahmed Khalfan Ghailani: The transcript in this matter dated 9/3/2010, is hereby sealed and filed with the Court Security Officer until further ordered by this Court. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 9/7/2010)(ab) (Entered: 09/07/2010)
09/08/2010	<u>1004</u>	ENDORSED LETTER as to Ahmed Khalfan Ghailani addressed to Judge Kaplan, from Michael Farbiaz/Harry A. Chernoff/Nicholas Lewin/Sean S. Buckley, AUSAs, dated 9/7/2010, re: Court's Order on 9/3/2010 – status update on witnesses.... -- Judge endorsed: Granted. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 9/8/2010)(ja) (Entered: 09/08/2010)

09/08/2010		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Michael Keith Bachrach as to Ahmed Khalfan Ghailani: to RE-FILE Document <u>1001</u> MOTION for Disclosure of Government Witness List (<i>Notice of Motion</i>). MOTION for Disclosure of Government Witness List (<i>Notice of Motion</i>).. ERROR(S): Filing Error of Attachment. Supporting Declaration must be filed separately. Use event code declaration in support of motion located under Replies, Opposition and Supporting Documents. (KA) (Entered: 09/08/2010)
09/08/2010		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Michael Keith Bachrach as to Ahmed Khalfan Ghailani: to RE-FILE Document <u>1002</u> Memorandum in Support of Motion. ERROR(S): Link to incorrect filing of doc.#1001. (KA) (Entered: 09/08/2010)
09/08/2010	<u>1005</u>	MOTION for Disclosure of Government Witness List (Notice of Motion) (<i>originally filed 9/2/10</i>). Document filed by Ahmed Khalfan Ghailani. (Bachrach, Michael) (Entered: 09/08/2010)
09/08/2010	<u>1006</u>	DECLARATION of Michael K. Bachrach in Support as to Ahmed Khalfan Ghailani re: <u>1005</u> MOTION for Disclosure of Government Witness List (Notice of Motion) (<i>originally filed 9/2/10</i>).. (Bachrach, Michael) (Entered: 09/08/2010)
09/08/2010	<u>1007</u>	MEMORANDUM in Support by Ahmed Khalfan Ghailani re <u>1005</u> MOTION for Disclosure of Government Witness List (Notice of Motion) (<i>originally filed 9/2/10</i>).. (Bachrach, Michael) (Entered: 09/08/2010)
09/09/2010	1008	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on 7/20/2010 before Judge Lewis A. Kaplan. (jw) (Entered: 09/09/2010)
09/09/2010	<u>1009</u>	MEMORANDUM in Opposition by United States of America as to Ahmed Khalfan Ghailani re <u>1005</u> MOTION for Disclosure of Government Witness List (Notice of Motion) (<i>originally filed 9/2/10</i>).. (Chernoff, Harry) (Entered: 09/09/2010)
09/10/2010	<u>1010</u>	REPLY MEMORANDUM OF LAW in Support as to Ahmed Khalfan Ghailani re: <u>1005</u> MOTION for Disclosure of Government Witness List (Notice of Motion) (<i>originally filed 9/2/10</i>). (<i>reply memorandum filed 9/10/10</i>). (Attachments: # <u>1</u> Exhibit A: Letter, dated, September 7, 2010, # <u>2</u> Exhibit B: Letter, dated, September 8, 2010)(Bachrach, Michael) (Entered: 09/10/2010)
09/13/2010	<u>1011</u>	ORDER granting in part and denying in part <u>1005</u> Motion for Disclosure as to Ahmed Khalfan Ghailani (9). Defendant's motion for disclosure of the government's witness list is granted to the extent that: 1) The government, on or before 9/17/2010, shall give defendant a list of the witnesses it plans to call during the first two weeks of the taking of evidence at trial. 2) On or before 10/1/2010, the government shall give defendant a list of the witnesses it plans to call during the third week of the taking of evidence at trial. No later than each Friday thereafter, the government shall give defendant a list of the witnesses it plans to call during the next week of the trial for which no such list has been provided previously. 3) All lists shall identify the witnesses in the order in which the government intends to call the witnesses. The motion is denied in all other respects. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 9/13/2010) (ab) (Entered: 09/13/2010)
09/13/2010	1012	SEALED DOCUMENT placed in vault. (nm) (Entered: 09/13/2010)
09/13/2010	<u>1013</u>	Proposed Voir Dire Questions by Ahmed Khalfan Ghailani. (Bachrach, Michael) (Entered: 09/13/2010)
09/13/2010	<u>1014</u>	FILING ERROR – WRONG DOCUMENT TYPE SELECTED FROM MENU – Proposed Voir Dire Questions by United States of America as to Ahmed Khalfan Ghailani (PROPOSED EXAMINATION OF PROSPECTIVE JURORS). (Buckley, Sean) Modified on 9/14/2010 (KA). (Entered: 09/13/2010)
09/14/2010		NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DOCUMENT TYPE ERROR. Note to Attorney Sean Stephen Buckley as to Ahmed Khalfan Ghailani: to RE-FILE Document <u>1014</u> Proposed Voir Dire Questions. Use the document type Proposed Examination of Jurors found under the document list Trial Documents. (KA) (Entered: 09/14/2010)
09/14/2010	<u>1015</u>	PROPOSED EXAMINATION OF JURORS by United States of America as to Ahmed Khalfan Ghailani. (Buckley, Sean) (Entered: 09/14/2010)
09/14/2010	1016	SEALED DOCUMENT placed in vault. (nm) (Entered: 09/15/2010)
09/14/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to Ahmed Khalfan Ghailani held on 9/14/2010. Hearing held. Defendant Ghailani present with attorneys Steve Zissou, Peter Quijano, and Michael Bachrach. AUSAs Michael Farbiarz, Harry Chernoff, Nicholas Lewin, and Sean Buckley present. Court reporter present. Hearing begun and adjourned to 9/15/10. (ajc) (Entered: 10/04/2010)

09/15/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Status Conference as to Ahmed Khalfan Ghailani held on 9/15/2010. Hearing continued and adjourned to 9/16/10. (ajc) (Entered: 10/04/2010)
09/16/2010	<u>1017</u>	ORDER as to Ahmed Khalfan Ghailani. The Warden MCC and USMS is to accept proper courtroom attire for dft, for each court appearance beginning on the morning of 9/27/2010 and for the duration of his trial. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 9/16/2010)(ja) (Entered: 09/16/2010)
09/16/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Status Conference as to Ahmed Khalfan Ghailani held on 9/16/2010. Hearing continued and concluded. (ajc) (Entered: 10/04/2010)
09/17/2010	<u>1018</u>	ORDER: As to Ahmed Khalfan Ghailani. The parties shall file any request to charge in this matter no later than October 31, 2010. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 9/17/2010)(dnd) (Entered: 09/17/2010)
09/17/2010	1019	SEALED DOCUMENT placed in vault. (nm) (Entered: 09/17/2010)
09/17/2010	<u>1020</u>	MEMO ENDORSEMENT: As to Ahmed Khalfan Ghailani. Defendant Ahmed Khalfan Ghailani hereby moves for the following exhibits to be admitted into evidence in relation to the pre-trial hearing that has taken place this week in the above-referenced matter: 3501-2; 3501-3; 3503-8; 3501-4; 3501-5; 3502-1; 3502-3; 3503-1; 3504-1; 3504-2; 3504-3; 3504-4; 3504-5; 3504-6; 3504-7; 3504-8; 3504-9; 3504-10; 3504-11; 3504-12; 3504-13; 3504-14; 3504-15; 3504-16; 3504-17; 3504-18; 3505-1; 3505-2; 3505-2T; 3505-3; GX10; GX11; GX12; GX13; GX14; CL2010-00000215 - CL2010-00000217; CL2010-00000223-CL2010-00000224; and CL2010-00000225 -CL2010-00000226. ENDORSEMENT: Received on consent. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 9/17/2010)(dnd) (Entered: 09/17/2010)
09/17/2010	<u>1021</u>	MEMO ENDORSEMENT as to Ahmed Khalfan Ghailani. re: The Government writes respectfully in response to the defendant's letter of September 16, 2010. In that letter, the defendant moves to admit certain specified exhibits into the record of the hearing held by the Court between September 14, 2010 and September 16, 2010. The Government consents to the admission of these exhibits. In addition and with the consent of defense counsel the Government respectfully moves the following two additional exhibits into evidence: CL2010-00000218 through CL2010-00000220 and CL2010-00000221 through CL2010-00000222. ENDORSEMENT: Received on consent. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 9/17/2010)(dnd) (Entered: 09/17/2010)
09/20/2010	<u>1022</u>	MEMORANDUM in Opposition by United States of America as to Ahmed Khalfan Ghailani re <u>902</u> MOTION to Dismiss indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about. (redacted halfsheet) (Lewin, Nicholas) (Entered: 09/20/2010)
09/20/2010	<u>1023</u>	Letter by (98-Cr-1023-09) Ahmed Khalfan Ghailani addressed to Judge Louis A. Kaplan from Attorneys Michael K. Bachrach, Peter Enrique Quijano, Steve Zissou dated September 20, 2010 re: We write in response to this Court's inquiry whether there is any contention on behalf of the defense that this Court's preliminary remarks to the prospective venire, which is to be read to prospective jurors prior to their completion of this Court's jury questionnaire in the above-referenced matter, should be considered "either the beginning of the trial within the meaning of Criminal Rule 43 or a portion of the trial to which it is the constitutional right of the defendant to be present" (Transcript, dated, September 16, 2010, at 442). Please be advised that the defense makes neither contention and does not seek to have the defendant present during this Court's preliminary remarks. (bw) (Entered: 09/20/2010)
09/22/2010	<u>1024</u>	ORDER as to Ahmed Khalfan Ghailani. The Court is in receipt of a letter from members of the press who regularly cover the courthouse requesting a blank copy of the jury questionnaire, copies of the completed questionnaires, notice of any request to close the voir dire, and reservation of seating in the courtroom for the voir dire. The letter does not indicate that copies were furnished to the parties. The Court intends to reserve some seating in the courtroom for the use of members of the press during all public proceedings in this case. The parties' views with respect to other requests shall be filed no later than September 23, 2010. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 9/22/2010)(ja) (Entered: 09/22/2010)
09/22/2010	<u>1025</u>	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT(LETTER) - RESPONSE by United States of America as to Ahmed Khalfan Ghailani re: <u>1024</u> Order, (Government's Submission Pursuant to the Court's September 22, 2010 Order). (Buckley, Sean) Modified on 9/23/2010 (KA). (Entered: 09/22/2010)
09/22/2010	<u>1026</u>	FILING ERROR - WRONG DOCUMENT TYPE SELECTED FROM MENU - MOTION in Limine Concerning Certain Co-Conspirator Statements(MEMORANDUM OF LAW IN SUPPORT OF MOTION). Document filed by United States of America as to Ahmed Khalfan Ghailani. (Buckley, Sean)

		Modified on 9/23/2010 (KA). (Entered: 09/22/2010)
09/23/2010		NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DOCUMENT TYPE ERROR. Note to Attorney Sean Stephen Buckley as to Ahmed Khalfan Ghailani: to RE-FILE Document <u>1026</u> MOTION in Limine Concerning Certain Co-Conspirator Statements. Use the document type Memorandum of Law in Support(non-motion) found under the document list Other Documents. (KA) (Entered: 09/23/2010)
09/23/2010	<u>1027</u>	MEMORANDUM OF LAW in Support by United States of America as to Ahmed Khalfan Ghailani <i>Motion in Limine Concerning Certain Co-Conspirator Statements</i> . (Buckley, Sean) (Entered: 09/23/2010)
09/23/2010		***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. <u>1025</u> as to Defendant(s) Ahmed Khalfan Ghailani: HAS BEEN REJECTED. Note to Attorney Sean Stephen Buckley : Other than letters filed under a cover marked Sentencing Memorandum, THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (KA) (Entered: 09/23/2010)
09/23/2010	1028	SEALED DOCUMENT placed in vault. (cb) (Entered: 09/23/2010)
09/27/2010	<u>1029</u>	ORDER as to Ahmed Khalfan Ghailani. Consistent with the June 16, 2010, order granting the Government's request for an anonymous jury, the following procedures will be followed in relation to the jury: 1. The names, addresses and places of employment of the Jurors in the above-captioned matter shall be kept confidential and not disclosed to any person. 2. During their presence in the Courthouse, the jurors shall be in the custody of the United States Marshal for this District, and/or his designees, including Deputy Marshals, employees and agents of the United States Marshal Service and Court Security Officers (collectively "USMS") 3. The USMS shall not converse with the jurors except as may be necessary in carrying out the obligations imposed by this Order and in no event shall the USMS, while in the presence of any juror, comment upon any person, including any witness, the defendant or lawyers for any party, or any issue in this case. 4. The USMS shall escort and provide a light breakfast, refreshments, and lunch for the jurors so impaneled. 5. Jurors are prohibited from entering the 8th floor cafeteria, shall remain assembled during breaks, and shall follow the directions of the USMS concerning the place, time and manner of their assembly and keeping. 6. The USMS shall make all appropriate arrangements to transport the jurors to and from the United State Courthouse, 500 Pearl Street, New York, New York. 7. This Order may be modified or amended at any time by the Court. 8. That the Clerk shall transmit copies of this Order to the District's Jury Administrator and to the United States Marshal for this District. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 9/27/10)(jw) (Entered: 09/27/2010)
09/27/2010	1030	Letter: addressed to Judge Lewis A. Kaplan from Michael Bachrach dated 9/23/2010 re: Defense counsel writes to respond to the Court's Order dated, September 22, 2010 regarding access by the press to the jury selection in the above referenced matter. Defendant Ahmed Khalfan Ghailani, by and through his attorneys, respectfully submits that he has no objections to any of the requests made by the press, which are addressed in this Court's Order. (dnd) (Entered: 09/28/2010)
09/28/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to Ahmed Khalfan Ghailani held on 9/28/2010. Conference held. Defendant not present, but attorneys Steve Zissou, Peter Quijano, and Michael Bachrach present. AUSAs Michael Farbiarz, Harry Chernoff, Nicholas Lewin, and Sean Buckley present. Court reporter present. (ajc) (Entered: 10/04/2010)
09/29/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Voir Dire begun on 9/29/2010 (S12-98-Cr-1023-) Ahmed Khalfan Ghailani (9) on Count 1, 1s, 1ss, 1sss, 1sssss, 1ssssss, 2ssssss, 3sssss, 3, 3s, 3ss, 3sss, 3sssss, 4sssss, 4ssss, 4sss, 4ssssss, 5sssss, 5ssss, 5sss, 5ssssss, 6sssss, 6sss, 6ssss, 6ssssss, 7ss-8sss, 7ssss, 7sssss, 7ssssss, 8sssss, 8ssss, 8ssssss, 9sss-10sss, 9sssss, 9ssss, 9ssssss, 10sssss, 10ssss, 10ssssss, 11sss-233sss, 11sssss-223sssss, 11sssss-223sssss, 11ssssss-223ssssss, 217-227, 217s-227s, 217ss-227ss, 224ssss-234ssss, 224sssss-234sssss, 224ssssss-234ssssss, 234sss-235sss, 235ssss-275ssss, 235sssss-275sssss, 235ssssss-275ssssss, 236sss-237sss, 238sss-239sss, 240sss-241sss, 242sss, 243sss-244sss, 276ssss, 276sssss, 276ssssss, 277sss-278ssss, 277sssss-279sssss, 277ssssss-278ssssss, 279ssss, 279ssssss, 280ssss-281ssss, 280sssss-282sssss, 280ssssss-281ssssss, 282ssss, 282ssssss, 283ssss, 283sssss, 283ssssss, 284ssss, 284sssss, 284ssssss, 285ssss, 285ssssss, 285ssssss, 286ssss, 286sssss, 286ssssss, 287ssssss-305ssssss, 306ssssss-308ssssss. Jury voir dire begun. Defendant present with attorneys Steve Zissou, Peter Quijano, and Michael Bachrach. AUSAs Michael Farbiarz, Harry Chernoff, Nicholas Lewin, and Sean Buckley present. Court reporter present. (bw) (Entered: 10/08/2010)
09/30/2010	<u>1031</u>	ORDER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. The sealed, classified transcript dated September 3, 2010 in this case has been reviewed by the appropriate authorities and now may be filed

		publicly. It is hereby unsealed and made part of the public record. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 9/30/2010)(bw) (Entered: 09/30/2010)
09/30/2010		Transmission to Sealed Records Clerk: as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. Transmitted re: <u>1031</u> Order, to the Sealed Records Clerk for the unsealing of document or case. (bw) (Entered: 09/30/2010)
09/30/2010	<u>1032</u>	MEMORANDUM in Opposition by Ahmed Khalfan Ghailani re <u>1026</u> MOTION in Limine <i>Concerning Certain Co-Conspirator Statements..</i> (Bachrach, Michael) (Entered: 09/30/2010)
10/01/2010	<u>1033</u>	ORDER as to Ahmed Khalfan Ghailani. The government's application for a continuance of the trial is granted to the extent that the rial is postponed until Wednesday, 10/6/2010 at 09:30 AM before Judge Lewis A. Kaplan. (Signed by Judge Lewis A. Kaplan on 10/1/2010)(jar) (Entered: 10/01/2010)
10/01/2010	<u>1034</u>	ENDORSED LETTER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani addressed to Judge Kaplan from AUSAs Michael Farbiarz, Harry A. Chernoff, Nicolas Lewin, Sean S. Buckley dated September 30, 2010 re: The Government writes regarding the single disputed paragraph contained within Government Exhibit S-27, which was the subject of the Government's motion in limine, dated September 24, 2010....[see letter]... Nevertheless, in the interest of resolving this matter expeditiously, the Government will consent to releasing the defense of its obligations under paragraph 2 of Government Exhibit S-27. We do this in view of the fact that the defense has represented in court that the defendant will not attempt to withdraw from any other provisions of Government Exhibit S-27, and will not attempt to withdraw from any portion of any other pre-trial stipulation entered into between the parties as of the date of the oral argument. ENDORSEMENT: So Ordered. (Signed by Judge Lewis A. Kaplan on 10/1/2010)(bw) (Entered: 10/01/2010)
10/01/2010	<u>1035</u>	ORDER as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani. The government's motion in limine with respect to GX 80, 81, 93, 1600, 80-T, 81-T, 93-T, and 1600-T is granted for the reasons and to the extent stated in open court and denied without prejudice in all other respects. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 9/30/2010)(bw) (Entered: 10/01/2010)
10/01/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to Ahmed Khalfan Ghailani held on 10/1/2010. Motion argument heard. Defendant not present, but attorneys Steve Zissou, Peter Quijano, and Michael Bachrach present. AUSAs Michael Farbiarz, Harry Chernoff, Nicholas Lewin, and Sean Buckley present. Court reporter Linda Fisher present. Kaplan, J. (ajc) (Entered: 10/04/2010)
10/06/2010	<u>1036</u>	MEMORANDUM AND ORDER as to Ahmed Khalfan Ghailani re dft Ahmed Khalfan Ghailani.... The matter now, before the Court on Ghailani's motion to preclude the government from calling Hussein Abebe as a witness against him on the ground that Abebe's testimony would be the product of statements made by Ghailani to the CIA under duress.... The Court has had the benefit of extensive evidentiary submissions, a three-day hearing at which Abebe and representatives of the Federal Bureau of Investigation, the CIA, the Tanzanian National Police testified, legal briefs, and skilled argument... - it now finds and concludes that the government has failed to prove that Abebe's testimony is sufficiently attenuated from Ghailani's coerced statements to permit its receipt in evidence.... Accordingly, the motion to preclude Abebe's testimony is granted.... This brief order will be supplemented by an opinion containing the Court's findings of fact and conclusions of law. In view of the classified nature of much of the evidence and in accordance with the Classified Information Procedures Act, that opinion will be filed with the Court Security Officer. A redacted version will be filed publicly as soon as possible. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 10/5/2010)(ja) (Entered: 10/06/2010)
10/06/2010	<u>1037</u>	MEMORANDUM in Opposition by United States of America as to Ahmed Khalfan Ghailani re <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or abou. (Redacted/Unclassified) (Lewin, Nicholas)</i> (Entered: 10/06/2010)
10/06/2010	<u>1038</u>	OPINION as to Ahmed Khalfan Ghailani. (Signed by Judge Lewis A. Kaplan on 10/6/2010)(ja) (Entered: 10/07/2010)
10/06/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to (S12-98-Cr-1023-09) Ahmed Khalfan Ghailani held on 10/6/2010. Conference held. Defendant present with attorneys Steve Zissou, Peter Quijano, and Michael Bachrach. AUSAs Michael Farbiarz, Harry Chernoff, Nicholas Lewin, and Sean Buckley present. Court reporter present. Jury peremptories adjourned to 10/12/10 at 9:30am. (bw) (Entered: 10/08/2010)

10/06/2010		ORAL ORDER as to (S12-98-Cr-1023-09) Ahmed Khalfan Ghailani. Status Conference (Jury Peremptories) set for 10/12/2010 at 09:30 AM before Judge Lewis A. Kaplan. (bw) (Entered: 10/08/2010)
10/07/2010	<u>1039</u>	ORDER: As to Ahmed Khalfan Ghailani. The Memorandum Opinion, dated August 17, 2010, was filed with the Court Security Officer. On September 1, 2010, a redacted version of that Opinion was filed on the public record [DI 1000] in place of the half sheet [DI 992]. The Opinion subsequently has been reviewed and redacted for a second time by the appropriate authorities so that more information now may be disclosed publicly. Accordingly, the Clerk shall file the attached copy of the Opinion in place of both the half sheet [DI 992] and the first redacted version of the Opinion [DI 1000]. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 10/7/2010)(dnd) (Entered: 10/07/2010)
10/12/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Jury Selection as to Ahmed Khalfan Ghailani held on 10/12/2010. Trial begun and adjourned to 10/13/10. (jw) (Entered: 10/13/2010)
10/12/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Jury Trial as to Ahmed Khalfan Ghailani held on 10/12/2010 (jw) (Entered: 10/13/2010)
10/13/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Jury Trial as to Ahmed Khalfan Ghailani held on 10/13/2010. 10/13/10 Trial continued and adjourned to 10/14/10. Kaplan, J. (ajc) (Entered: 10/14/2010)
10/14/2010	<u>1040</u>	ORDER as to Ahmed Khalfan Ghailani. The Opinion, dated October 6, 2010, was filed with the Court Security Officer. The attached copy of that opinion, reviewed and redacted by the appropriate authorities in accordance with the Classified Information Procedures Act, now may be filed on the public record. Accordingly, the Clerk shall file the attached copy in place of the half sheet for DI 1038. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 10/13/2010)(ja) (ad). (Entered: 10/14/2010)
10/14/2010	<u>1041</u>	ORDER as to Ahmed Khalfan Ghailani. This case is being tried before an anonymous jury. Juror number 34 (seat 6) has brought to the Court's attention facts indicating a possible violation of 28 U.S.C. § 1875 by the juror's employer and requested the appointment of counsel. The Court, having concluded that there is probable merit to the claim of violation of 28 U.S.C. § 1875, hereby appoints Bobbi C. Sternheim, Esq., as counsel for juror number 34. Ms. Sternheim shall be compensated and her necessary expenses repaid to the extent provided by 18 U.S.C. § 3006A. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 10/14/2010)(ja) (Entered: 10/14/2010)
10/14/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Jury Trial as to Ahmed Khalfan Ghailani held on 10/14/2010. Trial continued and adjourned to 10/18/10. (jw) (Entered: 10/15/2010)
10/15/2010	<u>1042</u>	Order to Unseal Document as to Ahmed Khalfan Ghailani. The following two portions of the sealed transcript dated September 29, 2010 in this case are hereby unsealed and made part of the public record: (1) from line 21 on page 126 through the end of page 130, and (2) pages 142 and 143. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 10/15/2010)(dnd) (Entered: 10/15/2010)
10/15/2010		Transmission to Sealed Records Clerk: As to Ahmed Khalfan Ghailani. Transmitted re: <u>1042</u> Order to Unseal Document, to the Sealed Records Clerk for the sealing or unsealing of document or case. (dnd) (Entered: 10/15/2010)
10/15/2010	<u>1043</u>	ENDORSED LETTER: As to Ahmed Khalfan Ghailani, addressed to Judge Lewis A. Kaplan from Michael K. Bachrach dated 10/14/2010. re: Defense counsel writes to respectfully request that the defense be provided with real time transcripts in the above-referenced matter. Based upon the observations of at least two Government witnesses who testified today, the defense respectfully submits that real time transcripts would be of great assistance to the preparation of cross-examination in this case... ENDORSEMENT: Approved. (Signed by Judge Lewis A. Kaplan on 10/14/2010)(dnd) (Entered: 10/15/2010)
10/15/2010	1044	SEALED DOCUMENT placed in vault. (cb) (Entered: 10/15/2010)
10/15/2010	1045	SEALED DOCUMENT placed in vault. (cb) (Entered: 10/15/2010)
10/18/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Jury Trial as to (S12-98-Cr-1023-09) Ahmed Khalfan Ghailani held on 10/18/2010. Trial continued and adjourned to 10/19/10. (bw) (Entered: 10/21/2010)
10/19/2010	1047	SEALED DOCUMENT placed in vault. (nm) (Entered: 10/19/2010)
10/19/2010	1048	SEALED DOCUMENT placed in vault. (nm) (Entered: 10/19/2010)

10/19/2010	1049	SEALED DOCUMENT placed in vault. (nm) (Entered: 10/19/2010)
10/19/2010	1050	SEALED DOCUMENT placed in vault. (nm) (Entered: 10/19/2010)
10/19/2010	1051	SEALED DOCUMENT placed in vault. (nm) (Entered: 10/19/2010)
10/19/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Jury Trial as to (S12-98-Cr-1023-09) Ahmed Khalfan Ghailani held on 10/19/2010. Trial continued and adjourned to 10/20/10. (bw) (Entered: 10/21/2010)
10/20/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Jury Trial as to (S12-98-Cr-1023-09) Ahmed Khalfan Ghailani held on 10/20/2010. Trial continued and adjourned to 10/21/10. (bw) (Entered: 10/21/2010)
10/21/2010	<u>1052</u>	MEMORANDUM in Support by Ahmed Khalfan Ghailani re <u>902</u> MOTION to Dismiss <i>indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process; Suppression and/or preclusion of all statements made by the defendant following his arrest on or about. POST-HEARING MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT AHMED KHALFAN GHAILANI'S MOTION TO PRECLUDE THE TESTIMONY OF HUSEIN ABEBE</i> (unclassified – for public release) (original filed with court, September 29, 2010) (Bachrach, Michael) (Entered: 10/21/2010)
10/21/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Jury Trial as to (98-Cr-1023-09) Ahmed Khalfan Ghailani held on 10/21/2010. Trial continued and adjourned to 10/25/2010. (bw) (Entered: 10/25/2010)
10/22/2010	1053	SEALED DOCUMENT placed in vault. (cb) (Entered: 10/25/2010)
10/25/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Jury Trial as to Ahmed Khalfan Ghailani held on 10/25/2010. Trial continued and adjourned to 10/26/10. (ab) (Entered: 11/02/2010)
10/26/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Jury Trial as to Ahmed Khalfan Ghailani held on 10/26/2010. Trial continued and adjourned to 10/27/10. (ab) (Entered: 11/02/2010)
10/27/2010	<u>1054</u>	ORDER as to Ahmed Khalfan Ghailani. A reporter from Newsday has objected to the sealing, at the government's request, of three trial exhibits, videotapes that depict the aftermath of the 1998 embassy bombings in Nairobi, Kenya (GX 83A and GX 83A-R), and Dar es Salaam, Tanzania (GX 84). The government opposes the application on the ground that the privacy interests of the victims depicted in the videos justify their continued sealing.... Accordingly, GX 83A, GX 83A-R, and GX 84, are unsealed only to the extent that Newsday may inspect, but not copy or remove from the Clerk's Office, these exhibits. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 10/27/2010)(ja) (Entered: 10/27/2010)
10/27/2010	<u>1055</u>	ENDORSED LETTER as to Wadih El Hage, addressed to Judge Kaplan, from Sam A. Schmidt, atty for dft, dated 10/25/2010, re: Motion for Relief of Judgment, Document #1046 – request that the Court either simply ignore the filing, or strike it from the docket (as it did with respect to that prior filing, see Docket #935.). — Judge endorsed: Doc. #1046 is stricken. (Signed by Judge Lewis A. Kaplan on 10/27/2010)(ja) (Entered: 10/27/2010)
10/27/2010		***DELETED DOCUMENT. Deleted document number 1046 Motion for Relief of Judgment, as to Wadih El Hage. The document was incorrectly filed in this case. See Document #1055 regarding request to strike document. (ja) (Entered: 10/27/2010)
10/27/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Jury Trial as to Ahmed Khalfan Ghailani held on 10/27/2010. Trial continued and adjourned to 10/28/10. (ab) (Entered: 11/02/2010)
10/28/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Jury Trial as to Ahmed Khalfan Ghailani held on 10/28/2010. Trial continued and adjourned to 11/1/10. (ab) (Entered: 11/02/2010)
11/01/2010	<u>1056</u>	Request To Charge by Ahmed Khalfan Ghailani. (Bachrach, Michael) (Entered: 11/01/2010)
11/01/2010	<u>1057</u>	Request To Charge by United States of America as to Ahmed Khalfan Ghailani. (Buckley, Sean) (Entered: 11/01/2010)
11/01/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Jury Trial as to Ahmed Khalfan Ghailani held on 11/1/2010. Trial continued and adjourned to 11/3/10. A conference is scheduled for 11/2/10 at 9:30 AM. (ab) (Entered: 11/02/2010)
11/02/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Status Conference as to Ahmed Khalfan Ghailani held on 11/2/2010. 11/2/10 Conference with counsel held. The defendant and jury were not present. Kaplan, J. (ajc) (Entered: 11/03/2010)

11/03/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Jury Trial as to Ahmed Khalfan Ghailani held on 11/3/2010. Trial continued and both sides rested. The charge conference is scheduled for 8:00am on 11/8/10 and closings to begin at 9:30am on 11/8/10. Kaplan, J. (ajc) (Entered: 11/09/2010)
11/03/2010		As to Ahmed Khalfan Ghailani; (Status)Charge Conference and Closings set for 11/8/2010 at 09:30 AM before Judge Lewis A. Kaplan. (ajc) (Entered: 11/09/2010)
11/04/2010	<u>1058</u>	Request To Charge by United States of America as to Ahmed Khalfan Ghailani. (Buckley, Sean) (Entered: 11/04/2010)
11/08/2010	<u>1059</u>	NOTICE of Change of Address as to L'Houssiane Kherchtou. New Address: Thomas Francis Dunn, 350 Broadway, Suite 1207, NY, NY, USA 10013, 212-941-9940. (Dunn, Thomas) (Entered: 11/08/2010)
11/08/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Jury Trial as to Ahmed Khalfan Ghailani held on 11/8/2010. 11/8/10 Trial continued and Government closing arguments made. Trialadjourned to 11/9/10.Kaplan, J. (ajc) (Entered: 11/09/2010)
11/09/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Jury Trial as to Ahmed Khalfan Ghailani held on 11/9/2010. Trial continued. Defendants closing and Governments rebuttal arguments made. Jury charge begun and adjourned to 11/10/10. (jw) (Entered: 11/12/2010)
11/10/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Jury Trial as to Ahmed Khalfan Ghailani held on 11/10/2010. Jury charge completed and deliberations begun and adjourned to 11/11/10. (jw) (Entered: 11/12/2010)
11/10/2010	1060	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on September 14, 15, 16, 17, and 20, 2010 before Judge Lewis A. Kaplan. (ja) (Entered: 11/12/2010)
11/11/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Jury Trial as to Ahmed Khalfan Ghailani held on 11/11/2010. Jury deliberations continued and adjourned to 11/15/10 at 9:30am. (jw) (Entered: 11/12/2010)
11/15/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Jury Trial as to Ahmed Khalfan Ghailani held on 11/15/2010. 11/15/10 Jury charge completed and deliberations begun and adjourned to 11/16/10. (ajc) (Entered: 11/24/2010)
11/16/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Jury Trial as to Ahmed Khalfan Ghailani held on 11/16/2010 11/16/10 Jury charge completed and deliberations begun and adjourned to 11/17/10. (ajc) (Entered: 11/24/2010)
11/17/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan:Jury Trial as to Ahmed Khalfan Ghailani held on 11/17/2010. Jury deliberations continued and concluded. Defendant was found guilty as to (S10)5. Defendant was found not guilty as to counts (S10)1, (S10)3, (S10)4, and counts (S10) 6 through 283. Counts (S10) 284 through (S10)286 were not deliberated on by the jury. Counts (S10)2 and counts (S10) 287 through (S10)308 were not tried. PSI was ordered. Sentencing scheduled for 1/25/2011 at 11:00am. Kaplan, J. (ajc) (Entered: 11/24/2010)
11/17/2010		Order of Referral to Probation for Presentence Investigation and Report as to Ahmed Khalfan Ghailani. (ajc) (Entered: 11/24/2010)
11/17/2010		As to Ahmed Khalfan Ghailani; Sentencing set for 1/25/2011 at 11:00 AM before Judge Lewis A. Kaplan. (ajc) (Entered: 11/24/2010)
11/17/2010		JURY VERDICT as to Ahmed Khalfan Ghailani (9) Guilty on Count 5ssssss. Ahmed Khalfan Ghailani (9) Not Guilty on Count 1ssssss,3ssssss,4ssssss,6ssssss,7ssssss,8ssssss,9ssssss,10ssssss,11ssssss-223ssssss, 224ssssss-234ssssss,235ssssss-275ssssss,276ssssss,277ssssss-278ssssss,279ssssss,280ssssss-281ssssss, 282ssssss,283ssssss. (jar) (Entered: 01/24/2011)
11/22/2010	<u>1061</u>	MOTION for Acquittal pursuant to Fed.R.Crim.P. 29., MOTION for New Trial pursuant to Fed.R.Crim.P. 33. Document filed by Ahmed Khalfan Ghailani. (Bachrach, Michael) (Entered: 11/22/2010)
12/02/2010	1062	SEALED DOCUMENT placed in vault. (nm) (Entered: 12/02/2010)
12/03/2010	<u>1063</u>	ENDORSED LETTER as to Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from Steve Zissou dated 11/26/2010 re: Counsel writes to request permission of the Court to withdraw from the case. ENDORSED: Mr. Zissou is relieved as counsel. If remaining counsel wish other relief they may apply for it. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 11/30/2010)(ab) (Entered: 12/03/2010)

12/03/2010		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Attorney Steve Zissou terminated in case as to Ahmed Khalfan Ghailani. (ab) (Entered: 12/03/2010)
12/04/2010	1068	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on October 27, 28, 2010. November 1,2,3, 2010 before Judge Lewis A. Kaplan. (js) (Entered: 12/10/2010)
12/04/2010	1069	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on November 8,9,10,12,15,16,17, 2010 before Judge Lewis A. Kaplan. (js) (Entered: 12/10/2010)
12/08/2010	1064	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on 9/28/2010 before Judge Lewis A. Kaplan. (ja) (Entered: 12/08/2010)
12/08/2010	1065	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on October 20, 21, 22, 25, 26 2010 before Judge Lewis A. Kaplan. (jw) (Entered: 12/08/2010)
12/08/2010	1066	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on October 12, 13, 14, 18, 19, 2010 before Judge Lewis A. Kaplan. (mro) (Entered: 12/08/2010)
12/10/2010	1067	TRANSCRIPT of Proceedings as to Ahmed Khalfan Ghailani held on September 29, 2010 and October 6, 12, 2010 before Judge Lewis A. Kaplan. (js) (Entered: 12/10/2010)
12/16/2010	1070	SEALED DOCUMENT placed in vault. (nm) (Entered: 12/16/2010)
12/17/2010	<u>1071</u>	MEMORANDUM in Support by Ahmed Khalfan Ghailani re <u>1061</u> MOTION for Acquittal <i>pursuant to Fed.R.Crim.P. 29</i> . MOTION for New Trial <i>pursuant to Fed.R.Crim.P. 33..</i> (Attachments: # <u>1</u> Exhibit A (Redacted Trial Indictment))(Bachrach, Michael) (Entered: 12/17/2010)
12/21/2010	<u>1072</u>	MEMORANDUM OPINION #99771 as to Ahmed Khalfan Ghailani: For the reasons set forth on this Memorandum Opinion, the defendant was precluded from introducing the proffered extrinsic evidence to impeach the four government witnesses discussed. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 12/21/2010)(ab) Modified on 12/23/2010 (ajc). (Entered: 12/21/2010)
12/21/2010	<u>1073</u>	ENDORSED LETTER as to Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from Peter Enrique Quijano dated 12/16/2010 re: Counsel writes to confirm that the defendant's sentencing memorandum, including all objections to the Presentence Report, motions for departures and letters in support, is to be filed with Chambers on 1/7/2011. The defendant requests permission to file a letter brief as his sentencing memorandum. ENDORSED: Correct. Brief to be filed on CM/ECF in the usual way (redacted as necessary). SO ORDERED. (Signed by Judge Lewis A. Kaplan on 12/21/2010)(ab) (Entered: 12/21/2010)
12/23/2010	<u>1074</u>	ENDORSED LETTER as to Ahmed Khalfan Ghailani, addressed to Judge Kaplan, from Michael Farbiarz/Harry A. Chernoff/Nicholas Lewin/Sean S. Buckley, AUSAs, dated 12/22/2010, re: Motion pursuant to FRCrP 29 and 33...requests that its response to the Motion be due on January 11. -- Judge endorsed: Granted. SO ORDERED. (Responses due by 1/11/2011) (Signed by Judge Lewis A. Kaplan on 12/23/2010)(ja) (Entered: 12/23/2010)
01/07/2011	<u>1075</u>	SENTENCING MEMORANDUM by Ahmed Khalfan Ghailani. (Quijano, Peter) (Entered: 01/07/2011)
01/07/2011	<u>1076</u>	NOTICE OF ATTORNEY APPEARANCE: Nancy Lee Ennis appearing for Ahmed Khalfan Ghailani. (Ennis, Nancy) (Entered: 01/07/2011)
01/07/2011	<u>1077</u>	SENTENCING MEMORANDUM by United States of America as to Ahmed Khalfan Ghailani. (Lewin, Nicholas) (Entered: 01/07/2011)
01/10/2011	<u>1078</u>	ORDER as to Ahmed Khalfan Ghailani: On 1/20/2011 at 09:30 AM, the Court will hear argument on Ghailani's motion for acquittal and/or a new trial [DI 1061]. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 1/10/2011)(ab) (Entered: 01/10/2011)
01/11/2011	<u>1079</u>	MEMORANDUM in Opposition by United States of America as to Ahmed Khalfan Ghailani re <u>1061</u> MOTION for Acquittal <i>pursuant to Fed.R.Crim.P. 29</i> . MOTION for New Trial <i>pursuant to Fed.R.Crim.P. 33..</i> (Buckley, Sean) (Entered: 01/11/2011)
01/13/2011	<u>1080</u>	ENDORSED LETTER as to Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from Michael Farbiarz dated 1/12/2011 re: The Government has received a number of written communications from Embassy bombing victims. The Government writes to request permission to redact two additional categories of information: electronic mail and telephone numbers. ENDORSED: Granted. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 1/13/2011)(ab) (Entered: 01/13/2011)
01/14/2011	<u>1081</u>	AMENDED MEMORANDUM OPINION #99771 as to Ahmed Khalfan Ghailani. Ahmed Khalfan Ghailani recently was convicted of one count of conspiracy in connection with in the 1998 bombings of

		the United States Embassies in Dar es Salaam, Tanzania, and Nairobi, Kenya, in which over 200 people were killed and over 4,000 injured. The jury further found that his conduct directly or proximately caused death to a person other than a conspirator. He now awaits sentencing. For the reasons described above, the defendant was precluded from introducing the proffered extrinsic evidence to impeach the four government witnesses discussed above. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 1/14/11)(jw) Modified on 1/20/2011 (ajc). (Entered: 01/14/2011)
01/14/2011	<u>1082</u>	SENTENCING MEMORANDUM by United States of America as to Ahmed Khalfan Ghailani. (Attachments: # <u>1</u> Supplement, # <u>2</u> Exhibit A -- Part 1, # <u>3</u> Exhibit A -- Part 2, # <u>4</u> Exhibit A -- Part 3, # <u>5</u> Exhibit B -- Part 1, # <u>6</u> Exhibit B -- Part 2, # <u>7</u> Exhibit B -- Part 3, # <u>8</u> Exhibit C -- Part 1, # <u>9</u> Exhibit C -- Part 2, # <u>10</u> Exhibit D -- Part 1, # <u>11</u> Exhibit D -- Part 2, # <u>12</u> Exhibit D -- Part 3, # <u>13</u> Exhibit D -- Part 4, # <u>14</u> Exhibit E)(Buckley, Sean) (Entered: 01/14/2011)
01/14/2011	<u>1083</u>	RESPONSE by United States of America as to Ahmed Khalfan Ghailani re: <u>1075</u> Sentencing Memorandum filed by Ahmed Khalfan Ghailani. (Buckley, Sean) (Entered: 01/14/2011)
01/18/2011	<u>1084</u>	REPLY MEMORANDUM OF LAW in Support as to Ahmed Khalfan Ghailani re: <u>1061</u> MOTION for Acquittal pursuant to Fed.R.Crim.P. 29. MOTION for New Trial pursuant to Fed.R.Crim.P. 33.. (Bachrach, Michael) (Entered: 01/18/2011)
01/18/2011	<u>1085</u>	Sentencing Letter by United States of America as to Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from Harry A. Chernoff dated January 18, 2011 re: Additional Victim Letters. (Attachments: # <u>1</u> Exhibit Victim Letter, # <u>2</u> Exhibit Victim Letter)(Chernoff, Harry) (Entered: 01/18/2011)
01/21/2011	<u>1086</u>	OPINION # 99869 as to Ahmed Khalfan Ghailani re: <u>1061</u> MOTION for Acquittal pursuant to Fed.R.Crim.P.29. MOTION for New Trial pursuant to Fed.R.Crim.P.33 filed by Ahmed Khalfan Ghailani. The defendants motion for a judgment of acquittal or, in the alternative, for a new trial [DI 1061] is denied. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 1/21/11)(jw) Modified on 1/21/2011 (ajc). (Entered: 01/21/2011)
01/24/2011	<u>1087</u>	SENTENCING MEMORANDUM by Ahmed Khalfan Ghailani. (Quijano, Peter) (Entered: 01/24/2011)
01/24/2011	<u>1088</u>	Sentencing Letter by United States of America as to Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from Harry A. Chernoff dated January 24, 2011 re: Sentencing. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Chernoff, Harry) (Entered: 01/24/2011)
01/25/2011	<u>1089</u>	Letter as to Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from Michael Farbiarz dated 1/24/2011. re: The Government writes respectfully in connection with one point made in the defendant's January 21, 2011 Reply to the Government's Sentencing Memorandum ("January 21 Sentencing Letter")... (dnd) (Entered: 01/25/2011)
01/25/2011		Minute Entry for proceedings held before Judge Lewis A. Kaplan: Sentencing held on 1/25/2011 for Ahmed Khalfan Ghailani (9) Count 5ssssss. (dnd) (Entered: 01/25/2011)
01/25/2011		DISMISSAL OF COUNTS on Government Motion as to Ahmed Khalfan Ghailani (9) Count 1, 1s, 1ss, 1sss, 1ssss, 1sssss, 1ssssss, 2ssssss, 3sssss, 3, 3s, 3ss, 3sss, 3ssss, 3ssssss, 4sssss, 4sssss, 4ssssss, 5sssss, 5sssss, 5sss, 6sssss, 6sss, 6ssss, 6ssssss, 7sss-8sss, 7ssss, 7sssss, 7ssssss, 8sssss, 8sssss, 8ssssss, 9sss-10sss, 9sssss, 9ssss, 9ssssss, 10sssss, 10ssss, 10ssssss, 11sss-233sss, 11sssss-223sssss, 11sssss-223sssss, 11ssssss-223ssssss, 217-227, 217s-227s, 217ss-227ss, 224ssss-234ssss, 224ssssss-234ssssss, 224ssssss-234ssssss, 234sss-235sss, 235sssss-275sssss, 235sssss-275sssss, 235ssssss-275ssssss, 236sss-237sss, 238sss-239sss, 240sss-241sss, 242sss, 243sss-244sss, 276ssss, 276ssss, 276ssssss, 277ssss-278ssss, 277ssss-279ssss, 277ssssss-278ssssss, 279ssss, 279ssssss, 280ssss-281ssss, 280ssss-282ssss, 280ssssss-281ssssss, 282ssss, 282ssssss, 283ssss, 283ssssss, 283ssssss, 284ssss, 284ssss, 284ssssss, 285ssss, 285ssssss, 285ssssss, 286ssss, 286ssssss, 286ssssss, 287ssssss-305ssssss, 306ssssss-308ssssss. (dnd) (Entered: 01/25/2011)
01/25/2011	<u>1090</u>	JUDGMENT as to Ahmed Khalfan Ghailani (9), Count(s) 1, 10ssss, 10ssss, 10ssssss, 11sss-233sss, 11ssss-223ssss, 11ssss-223ssss, 11ssssss-223ssssss, 1s, 1ss, 1sss, 1ssss, 1sssss, 1ssssss, 217-227, 217s-227s, 217ss-227ss, 224ssss-234ssss, 224ssssss-234ssssss, 224ssssss-234ssssss, 234sss-235sss, 235sssss-275sssss, 235ssssss-275ssssss, 235ssssss-275ssssss, 236sss-237sss, 238sss-239sss, 240sss-241sss, 242sss, 243sss-244sss, 276ssss, 276ssss, 276ssssss, 277ssss-278ssss, 277ssss-279ssss, 277ssssss-278ssssss, 279ssss, 279ssssss, 280ssss-281ssss, 280ssss-282ssss, 280ssssss-281ssssss, 282ssss, 282ssssss, 283ssss, 283ssssss, 283ssssss, 284ssss, 284ssssss, 284ssssss, 285ssss, 285ssssss, 285ssssss, 286ssss, 286ssssss, 286ssssss, 287ssssss-305ssssss, 2ssssss, 3, 306ssssss-308ssssss, 3s, 3ss, 3sss, 3ssss, 3ssss, 3ssssss, 4sss, 4ssss, 4sssss, 4ssssss, 5sss, 5ssss, 5ssssss, 6sss, 6ssss, 6sssss, 6ssssss, 7sss-8sss, 7ssss, 7sssss, 7ssssss, 8ssss, 8sssss, 8ssssss, 9sss-10sss, 9ssss, 9ssss, 9ssssss, Dismissed. Defendant found guilty by jury on Count 5ssssss and sentenced to Life

		<p>Imprisonment. The court makes the following recommendations to the Bureau of Prisons: The defendant should be held in conditions of highest security. The defendant is remanded to the custody of the United States Marshal. The defendant is to pay an assessment fee of \$100.00 as a lump sum payment due immediately. The defendant must make restitution (including community restitution) to the following payees listed on page 3 of this document in the amount of \$33,816,561.00. The court determined that the defendant does not have the ability to pay interest and it is ordered that the interest requirement is waived for the restitution. Special instructions regarding the payment of criminal monetary penalties: The restitution payable to the Clerk of Court shall be distributed by her to the victims and to the surviving dependents of deceased victims of the crime in proportion to the respective losses of the victims. Restitution payable in monthly installments commencing 3/1/2011. Defendant shall pay \$8.50/ month of non-UNICOR BOP earnings plus 50% of UNICOR BOP earnings plus 95% of any other funds received each month. The defendant shall pay the cost of prosecution. (Signed by Judge Lewis A. Kaplan on 1/25/2011)(dnd) (Entered: 01/25/2011)</p>
01/25/2011	<u>1091</u>	<p>ENDORSED LETTER: As to Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from Michael K. Bachrach dated 1/25/2011 re: For the reasons described in this letter, the undersigned respectfully requests leave to withdraw, effective upon the completion of today's proceedings, so that new counsel may be appointed for purposes of appeal. I thank this Court for its time and consideration. ENDORSEMENT: Leave to withdraw granted effective this date. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 1/25/2011)(dnd) (Entered: 01/25/2011)</p>
01/25/2011		<p>Attorney update in case as to Ahmed Khalfan Ghailani. Attorney Michael Keith Bachrach terminated. (dnd) (Entered: 01/25/2011)</p>
01/25/2011	1093	<p>SEALED DOCUMENT placed in vault. (nm) (Entered: 01/26/2011)</p>
01/25/2011		<p>Judgment entered in money judgment book as #11,0146 as to Ahmed Khalfan Ghailani in the amount of \$ 33,816,661, re: <u>1090</u> Judgment. (bco) (Entered: 01/26/2011)</p>
01/25/2011	<u>1094</u>	<p>NOTICE OF APPEAL by Ahmed Khalfan Ghailani from <u>1090</u> Judgment. (CJA) (nd) (Entered: 01/28/2011)</p>
01/25/2011	<u>1095</u>	<p>TRANSCRIPT REQUEST FORM B Filed by Ahmed Khalfan Ghailani. Transcript is not being ordered. (nd) (Entered: 01/28/2011)</p>
01/26/2011	1092	<p>Letter by United States of America as to (S10-98-Cr-1023-09) Ahmed Khalfan Ghailani addressed to Judge Lewis A. Kaplan from AUSAs Michael Farbiarz, Harry A. Chernoff, Nicholas Lewin, Sean S. Buckley, dated January 24, 2011 re: The Government writes in connection with one point made in the defendant's January 21, 2011 Reply to the Government's Sentencing Memorandum. [*** Received by Judge Kaplan's Chambers on 1/24/2011 ***] (bw) (Entered: 01/26/2011)</p>
01/28/2011		<p>Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Ahmed Khalfan Ghailani to US Court of Appeals re: <u>1094</u> Notice of Appeal – Final Judgment. (nd) (Entered: 01/28/2011)</p>