

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

JAN - 8 2002

UNITED STATES OF AMERICA

vs.

ZACARIAS MOUSSAOUI,

Defendant.

COURTROOM TELEVISION
NETWORK LLC,

Movant-Intervenor.

Criminal No. 1:01cr455

**MOTION FOR LEAVE TO APPEAR AS AMICI CURIAE IN SUPPORT OF
COURTROOM TELEVISION NETWORK'S MOTION FOR LEAVE TO RECORD
AND TELECAST PRETRIAL AND TRIAL PROCEEDINGS**

American Broadcasting Cos., Inc. ("ABC"), National Broadcasting Company, Inc. ("NBC"), and CBS Broadcasting, Inc. ("CBS") hereby move the Court for leave to appear as *amici curiae* and to file the accompanying proposed Memorandum of Amici Curiae American Broadcasting Cos., Inc., National Broadcasting Company, Inc. and CBS Broadcasting, Inc. in Support of Courtroom Television Network's Motion For Leave to Record and Telecast Pretrial and Trial Proceedings. ABC operates ABC News, which gathers and reports news to an international television audience. NBC is a diversified media company that produces news, entertainment, sports, and financial programming for broadcast television, cable, and the Internet. NBC owns 13 television stations, operates a national broadcast television network, and also distributes programming through its two cable networks, CNBC and MSNBC. NBC News produces regularly scheduled news programs, including "NBC Nightly News," "Today,"

“Dateline NBC,” and “Meet the Press.” NBC’s owned and operated television stations produce daily news programs. CBS produces and broadcasts news, public affairs, and entertainment programming. CBS News produces morning, evening, and weekend news programming, as well as news and public affairs magazine shows, such as 60 MINUTES and 48 HOURS. CBS owns and operates broadcast television stations nation wide and, through a related company, Infinity Broadcasting Corporation, owns and operates radio stations throughout the country.

Proposed *amici* seek to fulfill “the classic role of *amicus curiae* by assisting a case of general public interest, supplementing the efforts of counsel, and drawing the court’s attention to law that escaped consideration.” *Miller-Wohl Co., Inc. v. Comm’r of Labor and Indus.*, 694 F.2d 203, 204 (9th Cir. 1982). Moreover, permitting participation by *amici* will “focus the court’s attention on the broader implication of various possible rulings.” Robert L. Stern, *et al.*, Supreme Court Practice § 13.13, at 562 (7th ed. 1993). Because the interest of proposed *amici* is not limited to the particular proceedings at issue in this case, proposed *amici* may present the Court with a broader legal perspective than to the parties. Moreover, proposed *amici*’s participation in this case is particularly appropriate, because any decision of the Court will directly impact *amici*, due to their direct interest in news coverage of this trial.

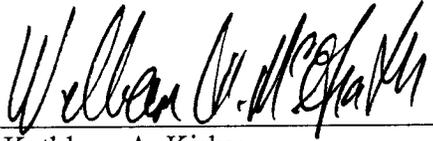
CONCLUSION

For the foregoing reasons, *amici* respectfully request that the Court grant this motion and accept the attached Memorandum of Amici Curiae American Broadcasting Cos., Inc., National Broadcasting Company, Inc. and CBS Broadcasting, Inc. in Support of Courtroom Television Network’s Motion for Leave to Record and Telecast Pretrial and Trial Proceedings.

Dated: January 8, 2002

Respectfully submitted,

WILEY REIN & FIELDING LLP

By: 

Kathleen A. Kirby
William McGrath, Va. Bar No. 33093
Eve J. Klindera

OF COUNSEL

Nathan Siegel
Executive Counsel
American Broadcasting Cos., Inc.
1717 DeSales Street, N.W.
Washington, D.C. 30036
(202) 222-7137
Facsimile (202) 222-6679

1776 K Street NW
Washington, D.C. 20006
(202) 719-3360
Facsimile (202) 719-7049

ATTORNEYS FOR AMICI CURAIE

David N. Sternlicht
Vice President, Media Law
National Broadcasting Company, Inc.
30 Rockefeller Plaza, Room 1002E
New York, NY 10112
(212) 664-3305
Facsimile (212) 262-4955

Susanna M. Lowy, Esq.
CBS Broadcasting Inc.
1515 Broadway, 49th Floor
New York, NY 10036-5794
(212) 846-3758
Facsimile (212) 846-1850

CERTIFICATE OF SERVICE

I hereby certify that, on this 8th day of January 2002, I served true and correct copies of the foregoing **Motion for Leave to Appear as Amici Curiae in Support of Courtroom Television Network's Motion for Leave to Record and Telecast Pretrial and Trial Proceedings** hand-delivery or first class U.S. Mail, postage pre-paid, as indicated below, upon counsel for the parties as follows:

By Hand Delivery

Frank W. Dunham, Jr.
Office of the Federal Public Defender
401 Courthouse Square
Alexandria, VA 22314

Robert A. Spencer
United States Attorney's Office
2100 Jamieson Avenue
Alexandria, VA 22314-5794

Lee Levine
Jay Ward Brown
Cameron Stracher
Levine Sullivan & Koch, LLP
1050 17th Street, N.W.
Suite 800
Washington, DC 20036

By First Class Mail

Edward B. MacMahon
107 East Washington Street
Middleburg, VA 20118

Gerald Thomas Zerkin
Office of the Public Defender
One Capital Square, Suite 1100
830 East Main Street
Richmond, VA 23219

Jonathan Donellan, Esq.
Assistant General Counsel
Cable News Network LP, LLLP
One CNN Center
Atlanta, GA 30303

Lucy Dalglish, Esq.
Executive Director
Reporters Committee for Freedom of the Press
1815 N. Ft. Myer Dr., Suite 900
Arlington, VA 22209



Eve J. Klindera