

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

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 01-455-A
)
 ZACARIAS MOUSSAOUI)
 a/k/a "Shaqil,")
 a/k/a "Abu Khalid)
 al Sahrawi,")
)
 Defendant.)

ORDER

Pursuant to Section 6(e) of the Classified Information Procedures Act ("CIPA"), 18 U.S.C. App. 3, the United States has advised the Court of its refusal to comply with the Order of January 31, 2003, which granted defense requests for access to a particular witness by directing the United States to make the individual available for a Fed. R. Crim. P. 15 deposition. Both counsel for the United States and standby defense counsel have requested that the Court defer imposing any sanction(s) until the parties have complied with the briefing schedule established in our Order of July 11, 2003, and have had an opportunity to be heard regarding the appropriate sanction(s). Finding the requests to be reasonable and in the interest of efficiently resolving critical issues in this case, it is hereby

ORDERED that the parties file their positions regarding the appropriate sanction(s) by Monday, July 28, 2003. Any responses to the proposed sanction(s) must be filed by Monday, August 4, 2003. To the extent that any of counsel's pleadings are deemed

classified, appropriately redacted versions must be produced to Mr. Moussaoui within 48 hours to facilitate his ability to file any response by Monday, August 11, 2003.

The Clerk is directed to forward copies of this Order to the defendant, pro se; counsel for the United States; standby defense counsel; and the Court Security Officer.

Entered this 17th day of July, 2003.

/s/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia