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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

UNITED STATES OF AMERICA

vs.

Case No. 8:03-CR-77-T-30TBM

GHASSAN ZAYED BALLUT

**DEFENDANT GHASSAN BALLUT'S EX PARTE MOTION TO AMEND ORDER
ALLOCATING C.J.A. FUNDS TO COMPENSATE ARABIC AND HEBREW
INTERPRETERS OF DISCOVERY AND MEMORANDUM OF LAW**

The Defendant, GHASSAN ZAYED BALLUT, by and through his undersigned counsel, pursuant to 18 U.S.C. § 3006A(e)(1), hereby requests this Honorable Court to reconsider and amend components of the Court's previous oral pronouncement granting in part the Defendant's Ex Parte Motion for Allocation of Funds under the Criminal Justice Act to Compensate Arabic and Hebrew Interpreters of Discovery ("Motion to Allocate"), and as grounds therefor states:

1. Based upon previous budget proposals from the Federal Public Defender, the Defendant's proposal in his Motion to Allocate was to recruit a total of ten interpreters and at least four transcribers from the Middle Eastern language departments of universities in the United States at the rate of \$18.75 per hour budgeted at 2,000 hours per year plus expenses, with a total budget of \$539,000.00.

2. At hearing on March 10, 2004, the Court orally granted in part the Defendant's Motion to Allocate by allowing costs for two Arabic and one Hebraic interpreter to review the discovery.

3. At the same hearing, the Court raised concerns about the administrative problems in recruiting university students who could commit full time to the assigned tasks of interpretation.

4. Based on the Court's oral pronouncement and concerns and the limited approval

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granted by the Court, the Defendant's counsel has set aside the proposal to recruit university students and has undertaken to hire a professional interpreter agency that could commit two Arabic interpreters and one Hebraic interpreter full time to provide these services under the interpreter agency's administration and direction.

5. The Federal Public Defender's Office has provided the Defendant's counsel with a list of agencies utilized by federal public defenders throughout the United States.

6. In substantive discussions with two interpreter agencies concerning the Defendant's initial proposal, the Defendant's counsel has learned that the interpreter agencies would require from \$40.00 to \$47.50 per hour for interpreter services.

7. The Defendant's counsel has also been advised that a substantial amount of preparatory work to track and organize the tape and document production would need to be billed at a rate of up to \$35.00 per hour.

8. The Defendant's counsel has also been advised by one interpreter agency and by the Federal Public Defender that at least 15 hours of interpretative work should be allowed for one hour of taped conversation.

9. The Defendant's counsel has advised these interpreter agencies that the FISA interceptions to be translated will be organized and scheduled, that summaries will be provided, and that interceptions will be prioritized based on their perceived relative importance to the material issues in this case. Part of this work has been performed by the appointed paralegal.

10. The Defendant's counsel has recently received additional information on interpreter agencies from the Court and requires additional time to contact these agencies for comparative proposals.

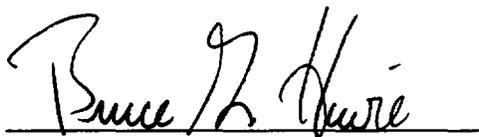
11. The Defendant's undersigned counsel would ask the interpreter agency hired for this purpose to reduce its final proposal to writing and to set forth all components of its budget.

WHEREFORE, the Defendant requests this Honorable Court to reconsider and amend the Court's previous oral pronouncement by authorizing the Defendant's counsel to accept interpreter services at a rate of up to \$47.50 per hour and to budget interpreter time at the rate of 15 hours for each hour of taped FISA interceptions reviewed, with allowance made for preparatory time at lesser hourly rates.

Memorandum of Law

This motion constitutes an ongoing ex parte application that the Court authorize appointed counsel to obtain interpreter services pursuant to 18 U.S.C. § 3006A(e)(1). The Court has been well advised at prior hearings and conferences in this case of the Defendant's need for the services of interpreters and transcribers to assist in analyzing discovery. The Defendant's undersigned counsel is attempting to provide the additional information the Court needs to justify the proposed budget for interpreters and transcribers pursuant to the Criminal Justice Act.

Respectfully submitted,



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