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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

2004 JUN 14 PM 3:08

CLEARING HOUSE OF COURT
TAMPA, FLORIDA

UNITED STATES OF AMERICA

vs.

GHASSAN ZAYED BALLUT

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

This motion/petition/stipulation has been duly considered and is hereby granted this 17 day of June, 2004.

James S. Moody
JAMES S. MOODY
U.S. DISTRICT JUDGE

DEFENDANT GHASSAN BALLUT'S MOTION TO ADOPT HATIM FARIZ'S MOTION TO QUASH EXTORTION ALLEGATIONS AND MEMORANDUM OF LAW AS IT PERTAINS TO COUNTS 1, 19, 36 TO 38 AND 40 TO 42

The Defendant, GHASSAN ZAYED BALLUT, by and through his undersigned counsel, pursuant to Federal Rules of Criminal Procedure 6(e)(3)(E)(i), 6(e)(3)(E)(ii), and 12(b), hereby requests this Honorable Court to permit the Defendant to adopt Co-Defendant HATIM FARIZ's Motion to Quash Extortion Allegations in Counts 35-38 and 40-44, Motion to Dismiss Count One, 35-38, and 40-44 or Alternatively for Review of Grand Jury Transcripts as It Relates to Extortion and Memorandum of Law in Support dated June 8, 2004, the grounds set forth in the Motion and the accompanying Memorandum of Law, and all evidence adduced in support of the Motion, the same as if the same Motion were set out, filed, and produced by the Defendant, GHASSAN ZAYED BALLUT, but only to the extent that the Motion, the Memorandum of Law, or the evidence in support are beneficial and not adverse to the Defendant's interests, and as grounds therefor states:

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1. HATIM FARIZ's Motion requests the Court to quash the allegations of extortion contained in Counts 1, 35 through 38, and 40 through 44, and to order that such allegations of extortion be redacted, and further requests the dismissal of Counts 1, 35 through 38, and 40 through 44 or alternatively the release of the grand jury transcripts pertaining to the extortion

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allegations in these same counts.

2. The Defendant, GHASSAN ZAYED BALLUT, is charged in Count 1, and is further charged along with HATIM FARIZ in Counts 36 through 38 and 40 through 42 for conduct alleged in Overt Acts 238, 240, 242, 244, 247, and 251 of Count 1.

3. The Defendant is also charged with a Travel Act offense in Count 19 for conduct alleged in Overt Act 170 of Count 1, and the argument, law, and request for relief in HATIM FARIZ's Motion pertain to Count 19 as they do to Counts 36 through 38 and 40 through 42, and therefore the Defendant requests the Court to extend HATIM FARIZ's Motion to Count 19.

4. HATIM FARIZ previously moved to quash paragraph 26(b) of the Indictment for failure to state a legal basis of relief on the same legal and factual basis presented in HATIM FARIZ's present Motion. (Doc. 302.) The Defendant previously moved to adopt HATIM FARIZ's same motion to quash paragraph 26(b) of the Indictment, said motion for adoption being granted by the Court on October 28, 2003 (Doc. 323). On March 12, 2004, the Court granted the motion to quash paragraph 26(b). (Doc. 479 at 56-60.)

5. The Defendant makes this motion to adopt to permit the Defendant the benefit of HATIM FARIZ's aforesaid Motion without burdening the record with unnecessary repetition and in the interests of judicial economy.

WHEREFORE, the Defendant requests this Honorable Court to permit the Defendant to adopt HATIM FARIZ's Motion to Quash Extortion Allegations and further requests the Court to quash the allegations of extortion in Counts 1, 19, 36 to 38 and 40 to 42 and order that these same allegations of extortion be redacted from the Indictment. The Defendant further requests that Counts 1, 19, 36 to 38 and 40 to 42 be dismissed, or alternatively that the Court order the

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disclosure of the grand jury transcripts pertaining to the extortion allegations, either to defense counsel or for in camera review.

Respectfully submitted,



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Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent by U.S.

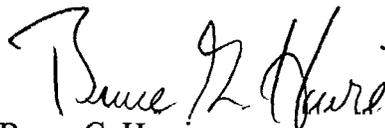
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