

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

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

**SAMI AMIN AL-ARIAN,
SAMEEH HAMMOUDEH,
GHASSAN ZAYED BALLUT,
and HARIM NAJI FARIZ,**

Defendants.

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ORDER

THIS CAUSE is before the court on a discovery hearing conducted August 17, 2004.

For reasons more thoroughly addressed at the hearing, the court enters the following orders.

Regarding Defendant Ghassan Ballut's Ex Parte Motion for Allocation of Funds Under Criminal Justice Act for Scanning of Discovery Documents (Doc. 551), Defense counsel shall confer further regarding eliminating unnecessary items from this request and the sharing of the costs addressed in this motion. Counsel for Mr. Ballut shall contact chambers with the updated information as soon as possible. Thereafter, this motion will be addressed by separate report and recommendation.¹

Concerning on-going discovery by the incarcerated Defendants, it appears that the entirety of the matters seized in the 1995 searches have been reviewed at least once by the

¹The court has also directed counsel for Mr. Ballut to distribute to all defense counsel, any indices prepared by the paralegal appointed pursuant to the Criminal Justice Act.

Defendants. Further review of these matters shall be by counsel. There remains for these Defendants' review certain of the documents and other matters seized in the 2003 searches. That portion of these matters which are in the Arabic language shall be made available for the Defendants' personal review. As addressed at the hearing, the remaining matters seized in 2003 are in English and are available for counsels' review at the offices of the F.B.I..

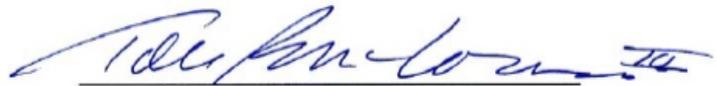
As discussed more thoroughly at the hearing, the court will again bring Defendants Al-Arian and Hammoudeh to Hillsborough County for their remaining document review during September or October. At that time counsel for these Defendants will be granted full opportunity to review the discovery with their clients. In the event that defense counsel have not obtained copies of the documentary evidence by that time, counsel shall contact the F.B.I. to identify those matters which will be necessary for review with their clients so that arrangements may be made in advance for the production of such material.

On or before October 1, 2004, the government shall produce to each Defendant no less than 100 transcripts containing the English language translations of communications intended to be offered by the government in its case-in-chief at trial. By November 1, 2004, an additional 100 (minimum) of such transcripts shall be provided to the Defendants.. Finally, by December 1, 2004, the balance of all such transcripts intended to be used by the Government in its case in chief shall be turned over to the Defendants. On or before December 31, 2004, any counter translations which the Defendants will seek to offer in rebuttal to the government's translations shall be provided to the Government. Additionally, by this date, all other transcripts reflecting English language translations of intercepted communications which any

Defendant seeks or may seek to introduce in his case-in-chief shall be provided to the Government.

Unless otherwise permitted by the trial judge, any motion of a party seeking to conduct depositions to preserve testimony for trial shall be filed with the court on or before sixty (60) days prior to the start of trial

Done and Ordered in Tampa, Florida, this 18th day of August, 2004.



THOMAS B. McCOUN III
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:
Counsel of Record