

FILED

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

03 AUG 18 AM 11:17

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 RENEWED EX PARTE MOTION FOR APPOINTMENT AND COMPENSATION OF PARALEGAL TO ASSIST COUNSEL**

The Defendant, GHASSAN ZAYED BALLUT, by and through his undersigned counsel, hereby renews his Ex Parte Motion for Appointment and Compensation of Paralegal to Assist Counsel and requests this Honorable Court to appoint a specific candidate described below as a paralegal to assist counsel for the Defendant and Co-Defendants SAMI AL-ARIAN and SAMEEH HAMMOUDEH in the review of discovery and related matters in this cause pursuant to the compensation arrangement and other terms and conditions of the Court's Order of July 2, 2003 (Dkt. 207) as approved by the Chief Judge of the United States Court of Appeals for the Eleventh Circuit, and in support therefor states:

1. On May 19, 2003, the Defendant filed his Ex Parte Motion for Appointment and Compensation of Paralegal to Assist Counsel (Dkt. 128), requesting approval for specified compensation for a particular paralegal candidate to assist counsel in the substantial discovery and other pretrial preparation in this case, and proposing a total one-year budget for the paralegal's compensation and expenses of \$57,460.00.

2. The Court's Report and Recommendation (Dkt. 163) advised approval of the Defendant's Motion, and on July 21, 2003, the Eleventh Circuit Court of Appeals approved the

220

Court's Order of July 2, 2003 (Dkt. 207), granting the Defendant's Motion, accepting the proposed budget for the paralegal, and setting out terms and conditions of the paralegal's compensation, expenses, and services.

3. On July 24, 2003, the Defendant provided his Ex Parte Notice of Withdrawal of Ex Parte Motion to advise the Court that the previous candidate for the paralegal position was no longer able to serve in the paralegal position and to request a temporary withdrawal of the paralegal appointment motion without prejudice to renew the motion when a suitable candidate was found.

4. The Defendant's undersigned counsel has located and interviewed a similarly qualified candidate for the position of paralegal who is able and willing to accept the position of paralegal subject to the same conditions of compensation as set out in the Court's Order (Dkt. 207).

5. This new candidate was awarded a Juris Doctor degree cum laude in May 2001 and graduated in the top 10 percent of her law school class. She was also a law review editor. She has been licensed to practice law in the State of Florida since October 2001. She worked as an associate lawyer in an insurance defense firm in Tampa for seven months where she was exposed to the fundamentals of complex civil litigation. She has also worked for the past fifteen months as an assistant public defender in the Tampa Bay area where she received intensive experience in criminal defense trial work. She has already provided her employer with notice of her intention to leave her present employment, although the notice of intent is not contingent on receiving this paralegal position. She plans to leave the active practice of law but wishes to apply her legal education and is therefore motivated to accept this paralegal position. She is also well qualified and willing to assist in legal research as needed by the Defendant and Co-Defendants.

6. It is the belief of the undersigned counsel that this candidate would qualify for the necessary level of security clearance required in this case by the Federal Bureau of Investigation.

7. The same candidate has stated that she would accept the prescribed compensation at the rate of \$25.00 per hour for not more than 40 hours per week, including travel time, resulting in a projected maximum compensation of \$52,000.00 in the first year.

8. The same candidate as a resident of Pinellas County, Florida, would also require the payment of expenses for travel to and from Tampa which will be the discovery venue, and it is the knowledge and belief of the undersigned counsel that mileage and parking expenses would be not more than \$105.00 per week for the first year, resulting in projected maximum expenses of \$5,460.00 in the first year.

9. Total compensation and expenses for the proposed paralegal would therefore be a maximum of \$57,460.00 for a period of one year, as approved by the Eleventh Circuit.

10. It is understood that the paralegal would be directed to seek compensation only for actual time worked and to restrict her hours to the proposed budget, and therefore the actual total of compensation and expenses could be below the proposed budget amount.

11. The Defendant's undersigned counsel will provide this candidate's curriculum vitae and other information at the request of the Court.

**WHEREFORE, the Defendant's undersigned counsel requests this Honorable Court to approve the above-described candidate to serve as paralegal for the Defendant and Co-Defendants pursuant to the Court's earlier Order of July 2, 2003 (Dkt. 207).**

**Memorandum of Law**

Where a defendant in a federal criminal case is unable to obtain investigative, expert, or other services necessary for adequate representation, the defendant may request in an ex parte application that the Court make an appropriate inquiry into the necessity of the services and authorize appointed counsel to obtain the services. 18 U.S.C. § 3006A(e)(1). The Court has been well advised in this case of the Defendant's need for the services of a paralegal to assist in discovery. The Defendant's undersigned counsel is prepared to provide such additional information as the Court may require to approve the employment of the proposed candidate as a paralegal for the Defendant and Co-Defendants.

Respectfully submitted,

Dated this 15<sup>th</sup> day of August, 2003.



---

**Bruce G. Howie**  
**Piper, Ludin, Howie & Werner, P.A.**  
**5720 Central Avenue**  
**St. Petersburg, FL 33707**  
**Telephone (727) 344-1111**  
**Facsimile (727) 344-1117**  
**Florida Bar No. 263230**  
**Attorney for GHASSAN ZAYED BALLUT**