

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001)
) No. 03 MDL 1570 (GBD/FM)
) ECF Case
)

This document relates to:

ASHTON, *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*,
Case No. 02-CV-6977;
BURNETT, *et al.* v. AL BARAKA INVESTMENT & DEVELOPMENT CORP., *et al.*,
Case No. 03-CV-5738;
CANTOR FITZGERALD ASSOCIATES, LP, *et al.* v. AKIDA INVESTMENT CO., LTD., *et al.*,
Case No. 04-CV-7065;
CONTINENTAL CASUALTY CO., *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*,
Case No. 04-CV-05970;
EURO BROKERS, INC., *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*,
Case No. 04-CV-07279;
FEDERAL INSURANCE CO., *et al.* v. AL QAIDA, *et al.*,
Case No. 03-CV-6978; and
ESTATE OF O'NEILL, *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*,
Case No. 04-CV-1923.

Defendant Al Haramain Islamic Foundation, Inc. (USA)'s Second Notice of Filing

Defendant Al Haramain Islamic Foundation, Inc. (USA) ("AHIF-USA") respectfully submits its Second Notice of Filing to apprise the Court and the parties of a further development relating to its Opposition to Plaintiffs' Motion for Sanctions (ECF Nos. 2676) (Jan. 31, 2013).

As noted in AHIF-USA's first Notice of Filing (ECF No. 2683) (Feb. 14, 2013), the U.S. Attorney's Office in Oregon and the Federal Public Defender for the District of Oregon agreed to modifications to the protective order in the prosecution of Mr. Sedaghaty, and had submitted a consent motion "to clarify the limits on Mr. Sedaghaty's criminal defense attorneys' provision of material to civil attorneys" in this Court. *See* Notice of Filing, at 1-2 (Feb. 14, 2013).

On February 14, 2013, Judge Aiken, to whom the criminal case was reassigned following the retirement of Judge Hogan, entered the requested order. *See* Order Modifying Protective Order of December 18, 2007 (attached hereto as Exhibit A). Although signed on February 14, the Order was not docketed until the evening of February 21, 2013. *Id.*

Respectfully submitted,

/s/ Lynne Bernabei

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CERTIFICATE OF SERVICE

I hereby certify that on February 22, 2013, I caused the foregoing Notice of Filing to be served electronically on counsel of record by the Court's Electronic Case Filing (ECF) System, pursuant to ¶ 9(a) of Case Management Order No. 2 (ECF No. 247) (June 16, 2004), and this Court's Order (ECF No. 2652) (Jan. 10, 2013).

/s/ Alan R. Kabat

Alan R. Kabat

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Case 6:05-cr-60008-AA Document 628-2 Filed 02/14/13 Page 1 of 2 Page ID#: 8835

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Plaintiff,

v.

PIROUZ SEDAGHATY,

Defendant.

No. 6:05-cr-60008-AA

**ORDER MODIFYING
PROTECTIVE ORDER OF
DECEMBER 18, 2007**

Upon consideration of the Memorandum Decision and Order of the United States District Court Southern District of New York *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (FM) (ECF No. 2491) (Nov. 22, 2011), and upon agreement of the parties in 6:05-cr-60008-AA, it is hereby

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ORDERED that the protective order issued by this Court on December 18, 2007, *United States v. Sedaghaty*, No. 6:05-cr-60008-AA, (D. Or December 18, 2007) (CR 77), is modified by the following addendum:

IT IS FURTHER ORDERED that defense counsel is not precluded from providing to the civil attorneys for AHIF-USA (Alan Kabat and Lynne Bernabei) for use in the above referenced case, any material provided to defense counsel through discovery that the government obtained as a result of the execution of the search warrant at 3800 S. Highway 99, Ashland, OR 97520, on February 18, 2004, material obtained through grand jury subpoenas served on AHIF-Ashland, and the file provided by Tom Wilcox on June 11, 2009.

Dated this 14th day of February, 2013.



Ann Aiken, Chief Judge
United States District Court Judge

Alan Kabat

From: info@ord.uscourts.gov
Sent: Thursday, February 21, 2013 8:06 PM
To: nobody@ord.uscourts.gov
Subject: Activity in Case 6:05-cr-60008-AA USA v. Al-Haramain Islamic Foundation, Inc et al Order on Motion for Order

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U.S. District Court

District of Oregon

Notice of Electronic Filing

The following transaction was entered on 2/21/2013 at 5:06 PM PST and filed on 2/14/2013

Case Name: USA v. Al-Haramain Islamic Foundation, Inc et al

Case Number: [6:05-cr-60008-AA](#)

Filer:

Document Number: [629](#)

Docket Text:

ORDER Granting [628] Motion to modify 12/18/07 protective order as to Pirouz Sedaghaty (2).Signed on 2/14/13 by Chief Judge Ann L. Aiken. (kf)

6:05-cr-60008-AA-2 Notice has been electronically mailed to:

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