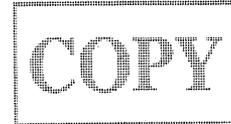


FEDERAL PUBLIC DEFENDER

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*Frank W. Dunham, Jr.
Federal Public Defender*

April 25, 2002

BY HAND

The Honorable Leonie M. Brinkema
U.S. District Court for the
Eastern District of Virginia
401 Courthouse Square
Alexandria, VA 22314

RE: U.S. v. Moussaoui, Cr. No. 01-455A

Dear Judge Brinkema:

As everyone involved must recognize by now, a Muslim attorney who could communicate with Mr. Moussaoui would be most helpful. We presented several names of Muslim attorneys who might be able to help with the above case to the government. Some contacted us – others we have reached out to. I thought a summary report of where we are should the Court decide to appoint conflicts counsel would be helpful. Some background on each and the government's position on their acceptability for that role is as follows:

1. *Atiq Ahmed*. Mr. Ahmed is a member of the Virginia Bar, a 1984 graduate of Georgetown Law School and an active criminal defense attorney, non-death qualified. His telephone number is 301-587-8844. He may be acceptable to the government – we are waiting for the determination.
2. *Asraf Nubani*. Mr. Nubani is a member of the Virginia Bar, JD from Indiana University, and is associated with the firm of Becker, Hadeed, Kellogg & Berry, P.C., in Springfield, Virginia. While not a full-time criminal practitioner, he does have some experience and would be able to handle the role. In my further opinion, he is the one most likely to be able to gain Mr. Moussaoui's confidence. His telephone number is 703-256-1300. He is not acceptable to the government because he represents a potential witness.

DEFENDANT'S
EXHIBIT

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3. *Refai Hamdi*. Mr. Hamdi would be willing to fulfill the role of conflicts counsel. He is a member of the New Jersey Bar and reports that he is active in criminal defense. I have not checked him out from an experience or reputation standpoint. The government has been given the necessary information for them to determine whether he is acceptable to them – no answer as of yet.

4. *John Doe II*. This gentleman is an attorney in New York who does not want his name revealed until the government determines that he is acceptable (he has heard of the difficulty others are having in this regard). He also would like to meet Mr. Moussaoui before he agrees to undertake a role as conflicts counsel or perhaps a lesser role in trying to bridge the gap between Mr. Moussaoui and current counsel. He is not a member of the Virginia Bar. His particulars were given to the government and it has said he may be acceptable but we have no final answer. His earliest availability is May 2.

There are some others who I have been playing telephone tag with and do not yet have sufficient particulars to get them “vetted”:

- Meg Kaheder
- Amal Oummih

Both of these are women so they would not be able to see Mr. Moussaoui without male accompaniment.

Very truly yours,



Frank W. Dunham, Jr.
Federal Public Defender

FWD/jlr

cc: AUSA David Novak, Robert Spencer, Ken Karas (*via fax & mail*)