

### Pan Am Flight 103 Trial Updates

A number of recent court filings have occurred in the case of *United.States.v.j.Abu.Agela. Mohamed. Mas"ud. Kheir. Al\_Marimi* (DC22-cr-392-DLF) scheduled for a jury trial to commence on April 20, 2026, before the Honorable Dabney L. Friedrich, United States District Court, District of Columbia.

On October 7, 2025, the defense filed a motion to continue the trial (ECF 171) citing the recent withdrawal of one attorney due to a conflict, and the need for additional time to get two new experienced attorneys recently added to the trial team prepared for trial. On October 8, 2025, the government filed a motion (ECF 172) opposing the defense continuance due to the potential impact a delay might have on access to evidence, and the negative impact on the victim population.

On October 9, 2025, the Court held a pretrial non-evidentiary hearing to address the pending motion to continue the trial, and to also address other matters including pending motions for Rule 15 depositions, motions concerning the admissibility of Rule 404(b) evidence (i.e., evidence of other bad acts), and other matters concerning the admissibility of foreign government documents at trial. The Court took the trial motion under advisement. The defense was ordered to provide clarity on how much time was needed to properly prepare for trial, and the government was asked to reassess how many more Rule 15 depositions may be needed for witnesses in the case, if witnesses may become unavailable. These issues may impact the ability to hold the trial on April 20, 2026, and thus, the Court wanted to know this information before ruling on the motion. Potential stipulations, and video testimony at trial was also discussed.

On October 10, 2025, the defendant filed (Doc 175), a redacted reply to the government's opposition to the defendant's motion to suppress statements. The defendant claimed to present new information concerning how the corroboration of the defendant's statement had been obtained. On October 17, 2025, the government filed a request to file a sur-reply with the Court (Doc 188-1) and also filed a sur-reply (Doc 188) to the defendant's reply and refuted the defendant's claims about that corroboration.

On October 16, 2025, the government filed replies to the defendant's opposition to the admissibility of the La Belle Discotheque 404(b) evidence, and the admissibility of foreign records (under 18 U.S.C. §3505) at trial.

On October 17, 2025, the Court issued a ruling (Doc. 184) permitting the government to provide certain substitutions and summaries of classified information to the defense.

On October 17, 2025, both parties filed a Joint Status Report (Doc. 185) concerning an agreement to hold one Rule 15 deposition during the first week of February 2026. This Rule 15 deposition needs to be scheduled on or about February 2, 2026, consistent with the Court's calendar.

Also on October 17, 2025, government also filed a response (Doc. 187) opposing the defense motion to exclude the expert testimony at trial of explosive expert Allen Feraday.

Finally, on October 20, 2025, the government filed a status report (Doc. 190) with the Court regarding its Rule 15 Deposition requests, and other related matters. A summary of the government's requested Rule 15 depositions, which will be conducted under seal if authorized, are as follows:

Deposition of Witness 1: Scheduled to take place in the U.S. on December 15, 2025. The deposition will be followed by a hearing on the motion to suppress the defendant's statement in which he admitted to being involved in the bombing of Pan Am Flight 103 and the La Belle Discotheque bombing. The government has asked the Court to set a specific date for the suppression hearing, which will be a public evidentiary hearing.

Deposition of Witness 2: Scheduled to take place in a foreign country beginning on November 17, 2025.

Deposition of Witness 3: To take place in a foreign country, anticipated to take place in early 2026.

Deposition of Witness 4: To take place in the U.S. or a foreign country in early 2026.

Deposition of Witness 5: (if necessary) Expected to take place in the U.S. in early 2026.

Deposition of Witness 6: The government asked the Court to authorize live remote video testimony during the trial, or in the alternative to schedule a deposition that would take place in 2026 in a foreign country.