

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)
)
 v.) Case No. 22CR392 (DLF)
)
 ABU AGILA MOHAMMAD)
 MAS'UD KHEIR AL-MARIMI,)
 Defendant.)

**DEFENDANT'S UNOPPOSED MOTION TO
CONTINUE EXPERT NOTICE DEADLINE**

COMES NOW the defendant, by counsel, Whitney E.C. Minter, Brooke S. Rupert, and Laura J. Koenig, Assistant Federal Public Defenders, and moves this Honorable Court to continue one responsive expert notice deadline for two weeks. The government does not oppose this request. In support of this Motion, defendant states as follows:

1. This Court's December 22 scheduling order [ECF 254] requires that by January 22, 2026, the parties will provide any responsive expert notice, based on expert disclosures made by the opposing party on or before November 25, 2025.
2. On October 23, 2024, the government provided notice of its intent to call Mr. Feraday as an expert in forensic examination and analysis of explosives. As such, the defense responsive expert notice is due by January 22, 2026. The parties seek to briefly extend this deadline to February 5, 2026.
3. At the Rule 15 deposition of Mr. Feraday, he testified to his experience

observing certain non-explosives related activities during the investigation in this case. While Mr. Feraday's expert notice references some aspects of this area, his testimony relied, in part, on his actual observations. The defense has worked since that time to locate and vet potential responsive experts to testify in that area. Given that it is not a traditional subject for expert testimony, defense counsel has faced significant challenges in identifying an expert who is qualified to testify to this subject.¹

4. Counsel has now identified a likely expert in the field, with prior experience testifying as an expert in the broader field at issue. This expert has indicated willingness to work on the case and has been in consistent communication with defense counsel, but has had delays in contract processing due to administrative staff travel. Therefore, in light of the instant disclosure deadline, a brief amount of additional time is needed to formalize the contract, as well as determine if such expert testimony is appropriate and provide sufficient notice to the government. Government counsel does not oppose this request.
5. Accordingly, counsel for Mr. Al-Marimi proposes the following: the defense shall provide its responsive expert notice on or before February 5, 2026, and the government shall provide its rebuttal expert notice on

¹ Numerous candidates have been contacted, however, only two have responded to contact from defense counsel. Defense counsel spoke with an initial candidate in November and believed he

or before February 26, 2026, the parties shall file motions in limine on or before April 9, 2026, the parties shall file responses on or before April 23, 2026, and the parties shall file any replies on or before April 30, 2026.

6. A proposed order is attached.

For all of the foregoing reasons, the defendant respectfully requests that the Court continue the January 22 responsive expert notice deadline as to an expert responsive to Mr. Feraday.

would be retained, but ultimately that company did not return the necessary paperwork to contract with the Office of the Federal Public Defender.

Respectfully submitted
By Counsel,
Geremy C. Kamens,
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By: _____ /s/_____
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