

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

ABU AGILA MOHAMMAD
MAS'UD KHEIR AL-MARIMI,

Defendant.

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Case No. 22-cr-392 (DLF)

[REDACTED]

GOVERNMENT'S MOTION TO SEAL
GOVERNMENT'S RESPONSES TO DEFENDANT'S
MOTION *IN LIMINE* REGARDING DEPOSITION OF [REDACTED]

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully submits this motion to seal its response to the defendant's Motion *In Limine* Regarding the Deposition of [REDACTED]. The document pertains to a matter that the Court has already ruled is properly sealed. The defense does not oppose sealing.

* * *

WHEREFORE, for the foregoing reasons, the United States respectfully requests that the Court issue an order to seal the document until further order of this Court.

Respectfully submitted,
JEANINE FERRIS PIRRO
UNITED STATES ATTORNEY

By: /s/ *Conor Mulroe*
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I hereby certify that on this the 9th day of February, 2026, I will cause a copy of this pleading and associated documents to be served on counsel for the defendant via email.

/s/ *Conor Mulroe*
Conor Mulroe
Assistant United States Attorney

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Case No. 22-cr-392 (DLF)

GOVERNMENT'S RESPONSE TO
DEFENDANT'S MOTION *IN LIMINE* REGARDING
THE DEPOSITION OF [REDACTED]

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully submits this response to the defendant's Motion *In Limine* Regarding the Deposition of [REDACTED] (ECF 307-2).

[REDACTED] testimony will be based on personal knowledge.

The defendant argues that [REDACTED] testimony should be limited to "matters within his own role and responsibilities [REDACTED] ECF 307-2 at 3. They dispute his competence to testify about topics including [REDACTED] [REDACTED]" and [REDACTED] [REDACTED] *Id.* at 4-5.

The government does not intend to elicit testimony that violates the rules of evidence. [REDACTED]'s testimony about [REDACTED] will be based on his own knowledge about [REDACTED] [REDACTED] [REDACTED] [REDACTED] Likewise, the information the government elicits from [REDACTED] about [REDACTED] will be based on his firsthand experience.

Although [REDACTED] has previously given statements about facts he learned through hearsay, the government does not intend to elicit these facts during the deposition testimony. All of his testimony will be supported by adequate foundation that demonstrates his valid bases of knowledge.

2. The [REDACTED] procedures will result in an admissible deposition.

As noted during the status conference on [REDACTED], the government and defense have conferred about [REDACTED] and the government has subsequently conferred with [REDACTED], resulting in amendments to the document that address many of the defense's concerns. For example, the [REDACTED] now allows the parties to

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Based on the government's experience conducting Rule 15 depositions [REDACTED]
[REDACTED], we do not believe [REDACTED] pose a substantial risk of impairing the defense's ability to conduct a meaningful cross-examination. Regardless, the defense does not appear to be seeking any ruling *in limine* from the Court on this issue. The government recognizes that the defense has reserved its right to make any future arguments about what might take place at the deposition, but it is at best premature to address that speculative possibility.

* * *

CONCLUSION

For the above reasons, the Court should deny the defendant's motions *in limine*.

Respectfully submitted,

JEANINE FERRIS PIRRO
UNITED STATES ATTORNEY

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