

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	)	
	)	
v.	)	No. 1:22-cr-392 (DLF)
	)	
ABU AGILA MOHAMMAD	)	
MAS'UD KHEIR AL-MARIMI,	)	
Defendant.	)	

**MR. AL-MARIMI'S OBJECTION TO PORTIONS
OF THE GOVERNMENT'S REVISED NOTICE OF THE
ANTICIPATED TESTIMONY OF ALISON PARGETER THAT DOES NOT
COMPORT WITH THE COURT'S ORDER FROM MAY 4, 2026**

In ECF No. 452, the government provided a revised notice to comport with the Court's oral ruling at the May 4, 2026, hearing on the defense's Motion in Limine, *see* ECF No. 363, regarding Ms. Pargeter's anticipated testimony.

Portions of the government's revised notice for Ms. Pargeter do not comport with the Court's May 4, 2026, ruling:

1. On May 4, 2026, the Court ruled that it would preclude Ms. Pargeter from opining that the external security apparatus had almost unlimited powers to arrest, torture, and liquidate regime opponents. *See* 5/4/26 Tr. at 18 ("In other words, based on the information in Ms. Pargeter's notice, an act committed by Libyan security forces cannot necessarily be tied to the ESO organization specifically, which, as the Court understands from the parties, is just one of several intelligence organizations in the Libyan government."); *id.* at 19 ("So the Court will preclude Ms. Pargeter from stating these opinions. The government is free to propose revised versions of these

opinions that speak to Libyan intelligence services at a higher level of generality.”).

2. Further, the Court ruled that it would preclude Ms. Pargeter from opining that only the most loyal and trusted individuals were permitted to work in the external security apparatus. *Id.* at 18-19 (“As written, Ms. Pargeter’s opinion that only the most loyal and trusted individuals were permitted to work in the ESO implies that there was something special about the ESO and, by implication, the defendant when this conclusion likely applies to several other organizations in the Libyan government and seems to apply most strongly to the leaders of those organizations as opposed to someone in the defendant’s position.”); *id.* at 19 (“So the Court will preclude Ms. Pargeter from stating these opinions. The government is free to propose revised versions of these opinions that speak to Libyan intelligence services at a higher level of generality.”).
3. In its revised notice, the government continues to have these same opinions under the heading “The External Security Organization (ESO)”. ECF No. 452-2 at 8. While the notice itself will not go back to the jury, the government cannot structure its questions of for Ms. Pargeter about the external security apparatus to imply that the two challenged opinions apply to the external security apparatus as opposed to Libyan intelligence services at a higher level of generality.

4. Further, and more specifically, in revising Ms. Pargeter's notice as to the first challenged opinion, the government says, "Indeed, from the late 1970s until the late 1980s, and under al-Bashari's leadership in particular, the ESO — along with other Libyan security forces — had almost unlimited powers to arrest, torture and liquidate regime opponents." ECF No. 452-2 at 8-9. That revision plainly does **not** comport with the Court's ruling that Ms. Pargeter cannot give that exact opinion about the external security apparatus.
5. The government's revised notice makes essentially the same flawed revision to the second challenged opinion. The government's revision says, "Membership in the ESO accorded significant privilege, and — like in other organs of Libya's security apparatus — loyalty to Qaddafi was considered a prerequisite for service there." ECF No. 452-2 at 11. That revision similarly does **not** comport with the Court's ruling that Ms. Pargeter cannot give that exact opinion about the external security apparatus.

Thus, Mr. Al-Marimi objects to these revisions from the government that do not comport with the Court's May 4, 2026, oral ruling.

Respectfully submitted,
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