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**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

AL-HARAMAIN ISLAMIC FOUNDATION,
INC., an Oregon Nonprofit Corporation,
WENDELL BELEW, a U.S. Citizen and
Attorney at Law, and ASIM GHAFOOR, a U.S.
Citizen and Attorney at Law,

Plaintiffs,

vs.

GEORGE W. BUSH, President of the United
States; NATIONAL SECURITY AGENCY and
KEITH B. ALEXANDER, its Director;
OFFICE OF FOREIGN ASSETS CONTROL,
an office of the United States Treasury and
Robert W. Werner, its Director; FEDERAL
BUREAU OF INVESTIGATION and
ROBERT S. MUELLER, its Director,

Defendants.

No. CV '06 274 MO ;

MOTION AND MEMORANDUM IN
SUPPORT TO FILE MATERIAL UNDER
SEAL AND REQUEST FOR *IN-CAMERA*
INSPECTION

**MOTION AND MEMORANDUM IN SUPPORT
TO FILE MATERIAL UNDER SEAL AND REQUEST FOR *IN CAMERA* INSPECTION**

Pursuant to Local Rule 3.9, Plaintiffs respectfully submit the attached material under seal and request the Court review the material *in camera*. Plaintiffs give notice to the Court and

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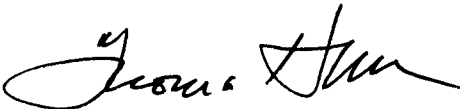
defendants of Plaintiffs' intent to rely on this material for its case. While there appear to be no specific procedures for treatment of the material in the context of this case, plaintiffs believe that 18 U.S.C. Appx. 3 provides policy guidance. Filing the material under seal also appears to conform to the new Oregon Rules of Professional Conduct. See Mark Fucile, *Ethics Focus*, MULTNOMAH LAWYER (February 2006) at page 4.

F.R.C.P. 83(b) governs procedures when there is no controlling law – a circumstance plaintiffs believe to be present in this case – and authorizes the court to “regulate practice in any manner consistent with federal law . . . and local rules of the district. No sanction may be imposed for noncompliance with any requirement not in federal law, federal rules, or the local district rules unless the alleged violator has been furnished in the particular case with actual notice of the requirement.” Although attempts have been made to discuss this and related matters with the United States Attorney for the District of Oregon, plaintiffs' attorneys have received no guidance from federal officials in this regard.

Accordingly, Plaintiffs submit to the court the attached material under seal for the Court's consideration *in camera*.

Finally, plaintiffs believe that the parties defendant are themselves in a better position than plaintiffs to determine which members of defendants' legal team should be allowed access to the material.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas H. Nelson", written in a cursive style.

Thomas H. Nelson, OSB 78315
Of Attorneys for Plaintiffs