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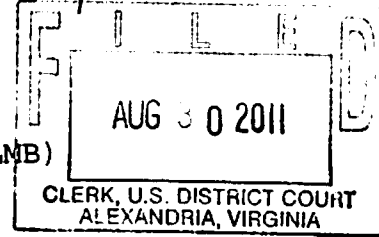
**Filed with Classified
Information Security Officer**

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

CISO FOR THE
Date 8/30/2011

UNITED STATES OF AMERICA,)
)
)
 v.)
)
 JEFFREY ALEXANDER STERLING,)
)
)
 Defendant.)

1:10cr485 (LMB)



ORDER

For the reasons stated on the record during a sealed hearing, Defendant Jeffrey A. Sterling's First Motion to Compel [Dkt. No. 116] is DENIED WITHOUT PREJUDICE, and his Second Motion to Compel [Dkt. Nos. 149, 152] is DENIED. A decision on Defendant's Motion for Issuance of Rule 17(c) Subpoenas [Dkt. No. 130] is deferred while negotiations continue between counsel for the parties and the targets of the subpoenas.

Also for the reasons stated on the record, the Government's Motion for In Camera Hearings and Motion for an Order Pursuant to Sections 6 and 8 of the Classified Information Procedures Act [Dkt. No. 150] are GRANTED IN PART and DENIED IN PART. The Government will be permitted to use limited substitutions and redactions in exhibits subject to the Court's determination that the exhibits are relevant, not cumulative, and not shown by the defense to be unfairly prejudicial. In assessing its proposed redactions, the Government should consider all previous unredacted statements and phrases, including a reference in the

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Opinion issued on June 28, 2011 to a CIA

Mem. Op. at


The Court will also permit the heightened security measure of allowing any Human Asset called to testify to do so behind a screen separating the witness box from the public; other witnesses will testify in public with some additional security measures, which were discussed on the record, as needed. To determine whether the Government may use the silent witness rule for a small number of its proposed exhibits, it is hereby

ORDERED that the Government submit its brief setting forth the basis and proposed use of the silent witness rule by Friday, September 9, 2011. Defendant is directed to file his reply by Friday, September 16, 2011.

The Clerk is directed to forward copies of this Order to counsel of record and the Classified Information Security Officer.

Entered this th30 day of August, 2011.

Alexandria, Virginia



Leonie M. Brinkema
United States District Judge

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