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**FILED**

FEB - 3 2006

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY \_\_\_\_\_

12  
13 IN THE UNITED STATES DISTRICT COURT  
14 FOR THE EASTERN DISTRICT OF CALIFORNIA  
15

16 UNITED STATES OF AMERICA, )  
17 Plaintiff, )  
18 v. )  
19 HAMID HAYAT, )  
UMER HAYAT, )  
20 )  
21 Defendants. )

CR. No. S-05-240 GEB

STIPULATION REGARDING ADMISSION  
OF GOVERNMENT'S EXHIBIT NUMBER  
3; [PROPOSED] ORDER

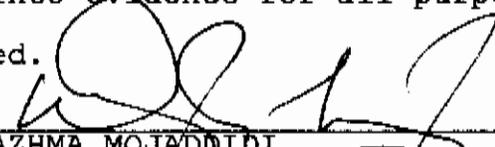
22 **STIPULATION**

23 Defendants and their respective counsel, and plaintiff, by and  
24 through their respective counsel (the "parties"), hereby agree and  
25 stipulate as follows:

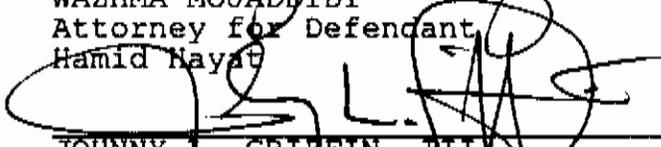
26 The parties agree that Government's Exhibit 3 is a true and  
27 accurate representation of the Earth's surface and of the objects  
28

1 and features at the longitude and latitude noted on the image in the  
2 vicinity of Balakot, Pakistan, as they were when the image was  
3 acquired. The parties further agree that the image was acquired on  
4 the date noted on the image. The image was derived from data  
5 collected by an overhead satellite, and processed in computers  
6 operated by Department of Defense agencies. The parties stipulate  
7 that this exhibit shall be admitted into evidence for all purposes  
8 and that the jury may be so instructed.

9 DATED: 2/3/06

  
WAZHMA MOJADDIDI  
Attorney for Defendant  
Hamid Hayat

11 DATED: FEB. 3, 2006

  
JOHNNY L. GRIFFIN, III  
Attorney for Defendant  
Umer Hayat

14 DATED: Feb 3, 2006

HAMID HAYAT  
HAMID HAYAT  
Defendant

16 DATED: Feb 3, 2006

Umer HAYAT  
UMER HAYAT  
Defendant

18 DATED: 2/3/06

Laura Ferris  
S. ROBERT TICE-RASKIN  
LAURA L. FERRIS  
Assistant U.S. Attorneys

21 DATED: 2/3/06

David Deitch  
DAVID DEITCH  
SHARON LEVER  
Trial Attorneys  
Counterterrorism Section

24 I declare that I am a court <sup>Registered</sup> certified interpreter/translator. On  
25 2-3-06, I read the entire contents of the foregoing  
26 stipulation to Hamid Hayat and Umer Hayat, translating the document  
from English to Urdu.

27 DATED: 2-3-06

Kamliq J. [Signature]  
Interpreter/Translator

**ORDER**

The stipulation of the parties is accepted and the above-noted exhibit shall be admitted into evidence for all purposes at the trial and any further proceedings in connection with this case.

IT IS SO ORDERED.

DATED: 2-3-06

  
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NON. GARLAND E. BURRELL, JR.  
UNITED STATES DISTRICT COURT

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