

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

CLERK'S MINUTES

CASE NO. 8:03-cr-77-T-30TBM DATE: December 6, 2005

HONORABLE James S. Moody, Jr. INTERPRETER N/A

UNITED STATES OF AMERICA

Walter Furr, Terry Zitek, Cherie  
Krigsman and Alexis Collins  
Government Counsel

v.

Sami Amin Al-Arian (present)  
Sameeh Hammoudeh (present)  
Ghassen Zayed Ballut (present)  
Hatem Naji Fariz (present)

Linda Moreno, William Moffitt (telephonically)  
Stephen Bernstein  
Bruce Howie and Brooke Elvington  
Kevin Beck, Allison Guagliardo and  
Wadie Said  
Defense Counsel

Defendant(s)

COURT REPORTER Sherrill Jackson

DEPUTY CLERK S. Boswell

TIME 2:05 - 2:25, 2:45 - 3:35 p.m.

TOTAL 1 hour and 15 minutes

Courtroom 13A

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PROCEEDINGS: JURY TRIAL (DAY 85)

8:30 Jury resumes their deliberations.

12:00 The Court orders lunch for the jury.

2:05 Court addresses a jury note marked as Court's exhibit #33 with the parties. Court responded to the note with a written response which was marked as Court's exhibit #34.

2:15 Jury brought into courtroom. Court asks the jury to go back into their jury deliberation room to discuss if any further deliberations could be accomplished without any one of the jurors feeling pressured.

2:25 Jury excused from the courtroom.

2:45 Jury note, marked as Court's exhibit #36, addressed.

3:15 Jury seated in the courtroom. Jury returns the two remaining verdicts.

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**The Court excuses the alternate jurors. All four verdicts published in open court.**

**The Court orally declares a mistrial as to any counts that the jury could not reach a unanimous verdict on.**

**As to Defendant Sami Amin Al-Arian, not guilty verdicts rendered on Counts 2, 8, 17, 27, 28, 29, 46, and 53 of the Superseding Indictment. The Court declares a mistrial on Counts 1, 3, 4, 7, 9, 38, 39, 40, and 44 of the Superseding Indictment as to Defendant Al-Arian.**

**As to Defendant Sameeh Taha Hammoudeh, not guilty verdicts rendered on Counts 1, 2, 3, 4, 5, 6, 10, 11, 17, and 45 of the Superseding Indictment. All counts in the Superseding Indictment against Defendant Hammoudeh have been disposed of.**

**As to Defendant Ghassan Zayed Ballut, not guilty verdicts rendered on Counts 1, 2, 3, 4, 14, 15, 18, 19, 22, 24, 25, 27, 28, 29, 30, 31, 32, 33, 35, 36, 38, 39, 40, 41, 42, and 43 of the Superseding Indictment. All counts in the Superseding Indictment against Defendant Ballut have been disposed of.**

**As to Defendant Hatem Naji Fariz, not guilty verdicts rendered on Counts 2, 12, 14, 15, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 41, 42, and 43 of the Superseding Indictment. The Court declares a mistrial on Counts 1, 3, 4, 20, 33, 38, 39, and 40 of the Superseding Indictment as to Defendant Fariz.**

**The Court excuses the jury and thanks them for their service.**

**At this time, Defendant Al-Arian will remain in the custody of the Marshal's Office. Defendant Hammoudeh will be released and placed into the custody of the Bureau of Immigration and Customs Enforcement. Defendant Ballut shall be released from his bond conditions. Defendant Fariz shall remain out on bond on the same conditions previously imposed by the Court.**

**Court adjourned.**