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# **EXHIBIT “K”**

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

Crim. No. 04-CR-402  
(Hon. Thomas J. McAvoy)

U.S. DISTRICT COURT  
N.D. OF N.Y.

FILED

-vs-

YASSIN AREF and  
MOHAMMAD HOSSAIN

MAR 10 2006

LAWRENCE K. BAERMAN, CLERK  
ALBANY

**Order Denying Defendants' Motion for Reconsideration**

THIS MATTER is before the Court pursuant to Defendants' Motion for Reconsideration seeking orders suppressing all evidence as tainted by illegal electronic surveillance, dismissing the indictment, and directing the government to affirm or deny the existence of electronic surveillance pursuant to 18 U.S.C. § 3504.


In response to Defendants' Motion, the government filed, on March 10, 2006, its *in camera*, *ex parte* classified response.

Having considered the government's submission and entered a classified Order on it, it is hereby

ORDERED that the defendants' motion for reconsideration is denied.

ENTERED at Albany, New York this 10th day of March

2006.

  
THE HON. THOMAS J. McAVOY  
United States District Judge  
Northern District of New York

cc: U.S. Attorney's Office  
Defense Counsel