IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA) <u>UNDER SEAL</u>
v.) Criminal No.
STEWART DAVID NOZETTE,)
Defendant.)
)

MOTION TO SEAL

The United States of America, by and through the United States Attorney for the District of Columbia, respectfully moves this Honorable Court for entry of an Order in this matter sealing the Arrest Warrant, the Complaint, the accompanying affidavit of Special Agent Leslie G.

Martell, all attachments thereto, together with this Motion to Seal and proposed Order, until the United States makes a motion to unseal these documents. In support of this motion, the United States represents the following:

The complaint concerns violations of 18 U.S.C. § 794, arising from a national security investigation involving allegations that Stewart David Nozette knowingly and willfully attempted to communicate, deliver, and transmit to a foreign government, and representatives, officers, and agents thereof, both directly and indirectly, classified documents and information relating to the national defense of the United States, specifically, information classified as TOP SECRET/SCI and SECRET/SCI, with the intent and reason to believe that said documents and information would be used to the injury of the United States and to the advantage of a foreign nation.

Disclosure of the documents noted above could reasonably be expected to hinder or compromise the ongoing investigation.

WHEREFORE, for the reasons stated above, it is respectfully requested that this motion be granted, and that this Court sign the attached Order sealing the Arrest Warrant, the Complaint, the accompanying affidavit of Special Agent Leslie G. Martell, any attachments thereto, this Motion to Seal, and the sealing Order.

Respectfully submitted,

CHANNING PHILLIPS

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