JHK:BWB

F.# 2009R01793

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

- - - - - - - - - - - - - - - X

UNITED STATES OF AMERICA

NOTICE

- against -

09-CR-663 (RJD)

NAJIBULLAH ZAZI,

Defendant.

- - - - - - - - - - - X

NOTICE OF INTENT TO USE FOREIGN INTELLIGENCE SURVEILLANCE ACT INFORMATION

The United States, through its attorney, Benton J.

Campbell, United States Attorney for the Eastern District of New

York, hereby provides notice to defendant NAJIBULLAH ZAZI and to

the Court, that pursuant to Title 50, United States Code, Section

1806(c) and 1825(d), the United States intends to offer into

evidence, or otherwise use or disclose in any proceedings in the

above-captioned matter, information obtained and derived from

electronic surveillance and physical search conducted pursuant to

the Foreign Intelligence Surveillance Act of 1978 ("FISA"), as amended, 50 U.S.C. §§ 1801-1812 and 1821-1829.

Dated: September 29, 2009 Brooklyn, New York

Respectfully submitted,

BENTON J. CAMPBELL United States Attorney

By: /s/ Berit Berger
Jeffrey Knox
Berit Berger
Assistant U.S. Attorneys
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