

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

**Defendant Mohammed Hossain's Notice of  
Motion to Preclude Testimony of Evan  
Kohlmann and Strike Portions of Record**

-against-

Docket No. 04-CR-402 (TJM)

YASSIN MUHIDDIN AREF and  
MOHAMMED MOSHARREF HOSSAIN.

PLEASE TAKE NOTICE, that upon the annexed affirmation of Kevin A. Luibrand, Esq., dated the 26<sup>th</sup> day of September, 2006, together with the exhibits annexed thereto, and the companion memorandum of law submitted simultaneously herewith, defendant Mohammed Mosharref Hossain, by and through his attorney, Kevin A. Luibrand, Esq., will move this Court at a motion term thereof to be held in and before the United States District Court, Northern District of New York, at the James T. Foley United States Courthouse in Albany, New York, for an order precluding the testimony of Evan Kohlmann insofar as relates to Jamaat-e-Islami Bangladesh and Jamaat-e-Islami, generally, and an order striking from the record portions of the audio-recorded conversation for February 13, 2004, together with such other and further relief as this Court deems just, proper and equitable.

Dated: September 26, 2006

Yours, etc.,

TOBIN and DEMPFF, LLP

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