

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

ROBERT PHILIP HANSSSEN

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UNDER SEAL

CRIMINAL NO. 01-188-A

ORDER PURSUANT TO RULE 11(e) (3) OF
THE FEDERAL RULES OF CRIMINAL PROCEDURE

The parties to the above-entitled proceeding have presented the Court with various papers pursuant to Rule 11(e) (1) (C) of the Federal Rules of Criminal Procedure, including a proposed Plea Agreement, Consent Order of Forfeiture, Statement of Facts and Proffer Agreement. These papers provide that, upon the successful completion of the proffer, the parties will enter into the Plea Agreement submitted to the Court. The Plea Agreement provides that the appropriate disposition of this case is Life Imprisonment without parole. Pursuant to Rule 11(e) (3) of the Federal Rules of Criminal Procedure, the Court accepts the Plea Agreement and hereby informs the Government and the defendant that the Court will embody in its judgment and sentence the disposition provided for in the Plea Agreement, as well as the parties' agreements and stipulations as to the appropriate sentencing factors, adjustments and departure. The Court recognizes that the parties' entry of the Plea Agreement and associated documents is contingent on the successful completion

of the proffer and, therefore, the Court will set this matter for entry of a plea on July 6, 2001, in order to afford the parties the time necessary to complete and evaluate the proffer.

The Court further orders that all documents associated with this submission be placed under seal until the actual entry of a plea or further order of the Court. Specifically, this sealing order covers: (1) the letter from the parties to the Court; (2) the proposed plea agreement; (3) the proposed proffer agreement; (4) the proposed Consent Order of Forfeiture; (5) the proposed Statement of Facts; and (6) this order itself. This action is taken pursuant to the authority granted the Court by Rule 11(e)(2) of the Federal Rules of Criminal Procedure which provides for the in camera filing of such documents for good cause shown. The Court finds that given the potential prejudice which could result from the premature disclosure of these documents, particularly given that a successful proffer is a condition precedent to the entry of the plea, the placing of these documents under seal is warranted. This sealing order does not preclude the Department of Justice, in compliance with its reporting obligations to oversight committees of Congress, from

advising the leadership of such committees of the status of this matter.

SO ORDERED.

Claude M. Hilton
CLAUDE M. HILTON
CHIEF UNITED STATES DISTRICT JUDGE

DATE: June 14, 2001
Alexandria, Virginia

WE ASK FOR THIS:

For the United States:

KENNETH E. MELSON
UNITED STATES ATTORNEY

BY:

Randy I. Bellows 6/14/01
Randy I. Bellows
Justin W. Williams
Gordon D. Kromberg

Laura A. Ingersoll /RIB
Laura A. Ingersoll
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For the defense:

Plato Cacheris
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Sydney J. Hoffmann, Esq.

Robert P. Hanssen
ROBERT PHILIP HANSSEN
DEFENDANT