

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 08-20314

v.

HON. NANCY G. EDMUNDS

ISSAM HAMAMA,

Defendant.

**DEFENDANT'S MOTION TO QUASH A GOVERNMENT SUBPOENA SEEKING THE  
CONTENTS OF THE DEFENDANT'S EMAILS**

Defendant, Issam Hamama, by and through undersigned counsel, respectfully requests this court quash subpoenas that seek the contents of the Defendant's emails accounts held by Internet Service Providers Yahoo! and MSN. This motion is submitted pursuant to the Fed.R.Crim.P. 17(c)(2), the Fourth Amendment and Sixth Amendments to the United States Constitution and the attached brief.

On November 24, 2010, Defendant's counsel received a letter from Counsel for the Government providing notice of an intent to subpoena the email records of Mr. Hamama that are maintained by the ISP Yahoo for email account [hamama\\_sam@yahoo.com](mailto:hamama_sam@yahoo.com) pursuant to the Stored Communications Act (SCA) 18 U.S.C. §2703(b)(B).

Respectfully submitted,

/S/ Haytham Faraj  
Haytham Faraj (P72581)  
Attorney for Defendant  
22167 Morley Ave.  
Dearborn, MI 48124  
(313)457-1390  
[Haytham@puckettfaraj.com](mailto:Haytham@puckettfaraj.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on December 1, 2010, I electronically filed the foregoing paper with the Clerk of Court using the ECF system which will send notification of such filing to the following: Mr. Michael Martin, Assistant U.S. Attorney at [michael.c.martin@usdoj.gov](mailto:michael.c.martin@usdoj.gov) and Ms. Cathleen Corken, Assistant U.S. Attorney at [cathleen.corken@usdoj.gov](mailto:cathleen.corken@usdoj.gov).

/S/ Haytham Faraj  
Haytham Faraj (P72581)  
Attorney for Defendant  
22167 Morley Ave.  
Dearborn, MI 48124  
(313)457-1390  
[Haytham@puckettfaraj.com](mailto:Haytham@puckettfaraj.com)

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Plaintiff,

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HON. NANCY G. EDMUNDS

Issam Hamama,

Defendant.

**ORDER TO QUASHING GOVERNMENT SUBPOENA SEEKING THE CONTENTS OF  
THE DEFENDANT'S EMAILS**

The Court has reviewed the Defense' motion seeking to quash Government subpoenas for the contents of the defendant's email accounts held by Yahoo! and MSN.

Now, therefore, IT IS HEREBY ORDERED that the Defense Motion to quash the subpoenas to Yahoo! and MSN is granted.

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NANCY G. EDMUNDS  
United States District Judge

Dated: