

9/11 Justice: Lawyers' Committee to File Mandamus Petition as U.S. Attorney Declines to Disclose Status of 9/11 Grand Jury Proceeding

By [The Lawyers' Committee for 9-11 Inquiry, Inc.](#) and
[AE911Truth](#)

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*The executive director of the Lawyers' Committee for 9/11 Inquiry, **David Meiswinkle**, and the Lawyers' Committee's litigation director, **Mick Harrison**, spoke last month by telephone with **Michael Ferrara**, the chief of the terrorism unit of the United States Attorney's Office for the Southern District of New York. Mr. Ferrara is one of two officials who signed the [November 7, 2018, letter](#) to the Lawyers' Committee on behalf of **Geoffrey S. Berman**, the United States Attorney for the Southern District of New York.*

In this phone conversation, Mr. Ferrara confirmed that the November 7, 2018, letter he signed was sent with the intention of conveying to the Lawyers' Committee that the U.S. Attorney's Office had received the Lawyers' Committee's [petition](#) and [amended petition](#) (both of which reported federal crimes and evidence relating to the use of explosives at the World Trade Center on 9/11) and that the U.S. Attorney would comply with the federal statute regarding Special Grand Juries as it relates to the two petitions. He said, however, that he could not disclose any information regarding the status of the Lawyers' Committee's petition and amended petition due to the secrecy requirements for federal grand jury proceedings imposed by Federal Rule of Criminal Procedure 6(e). Attorneys Meiswinkle and Harrison thanked Mr. Ferrara for taking their call.

Rule 6(e) does in fact impose substantial secrecy requirements on federal grand jury proceedings, although federal courts can order disclosure under certain circumstances. Given that the U.S. Attorney's Office is reading this rule as preventing any disclosure to the Lawyers' Committee (and all the petitioners) regarding the status of the Lawyers' Committee's petition and amended petition, the Lawyers' Committee is preparing to file a mandamus petition and a petition for disclosure in federal court prior to the upcoming anniversary of 9/11.



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The goal of this federal court filing will be to have the court confirm that the U.S. Attorney's Office has acted in good faith by presenting the Lawyers' Committee's petition, amended petition, and petition supplements with accompanying evidence to a federal Special Grand Jury or to confirm that this has not occurred — and, if the latter, to obtain a court order requiring the U.S. Attorney to present the petition, amended petition, and petition supplements with accompanying evidence to a federal Special Grand Jury.

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