

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

ABDIQAFAR WAGAFE, *et al.*, on behalf
of themselves and others similarly situated,

Plaintiffs,

v.

DONALD TRUMP, President of the
United States, *et al.*,

Defendants.

No. 2:17-cv-00094-RAJ

**DECLARATION OF SAMEER AHMED
IN SUPPORT OF PLAINTIFFS’ REPLY
TO ITS MOTION TO COMPEL AND
OPPOSITION TO DEFENDANTS’
CROSS-MOTION FOR A PROTECTIVE
ORDER**

I, Sameer Ahmed, hereby declare:

1. I have personal knowledge of the facts stated below and am competent to testify regarding the same. I am one of the attorneys for Plaintiffs in this matter, *Wagafe v. Trump*, No. 17-cv-00094 RAJ.

2. Attached as **Exhibit A** is a true and correct copy of a September 21, 2018 letter sent by counsel for Defendants to counsel for Plaintiffs regarding the status of production. In that letter, Defendants stated they expected to produce privilege logs for production volumes 14 through 22 by October 31, 2018.

3. Attached as **Exhibit B** is a copy of a document on national security concerns (Bates No. DEF-00004491) that Defendants produced and designated as “Confidential” subject

1 to the Protective Order in this case. Following a meet and confer on March 20, 2019, Defendants
2 agreed to withdraw the confidential designation.

3 4. Attached as **Exhibit C** is a CARRP training presentation on evidentiary standards
4 (starting at Bates No. DEF-0094968) that Defendants produced and designated as “Confidential”
5 subject to the Protective Order in this case. Plaintiffs moved to file this exhibit under seal.

6 5. Attached as **Exhibit D** is a CARRP training presentation on “articulable link”
7 (starting at Bates No. DEF-00026371) that Defendants produced and designated as
8 “Confidential” subject to the Protective Order in this case. Plaintiffs have moved to file this
9 exhibit under seal.

10 6. Attached as **Exhibit E** is an August 2017 CARRP training presentation (starting
11 at Bates No. DEF-0094351) that Defendants produced and designated as “Confidential” subject
12 to the Protective Order in this case. Plaintiffs moved to file this exhibit under seal.

13 7. Attached as **Exhibit F** is a copy of the USCIS N-336 Decision for Ahmad
14 Muhanna, a plaintiff in another case challenging CARRP in *Muhanna v. USCIS*, No. 14-cv-
15 05995 (C.D. Cal.). Because the document contains sensitive and personal information, Plaintiffs
16 moved to file this exhibit under seal.

17 8. Attached as **Exhibit G** is the FBI Name Check Response for Tarek Hamdi, a
18 petitioner who sought judicial review of USCIS’ denial of his application for naturalization in
19 *Hamdi v. USCIS*, No. 5:10-cv-00894-VAP-DTB (C.D. Cal.). The document was produced by
20 USCIS in that litigation. Because the document contains sensitive and personal information,
21 Plaintiffs moved to file this exhibit under seal.

22 9. Attached as **Exhibit H** is a copy of the FBI Name Check Response for Ahmed
23 Hassan, one of the named plaintiffs in *Muhanna v. USCIS*, No. 14-cv-05995 (C.D. Cal.). The
24 document was disclosed under a Freedom of Information Act request. Because the document
25 contains sensitive and personal information, Plaintiffs moved to file this exhibit under seal.
26

1 10. Attached as **Exhibit I** are copies of the FBI Name Check Response, TECS
 2 records, and related information for Abdiqafar Wagafe, one of the Named Plaintiffs in this case.
 3 The documents were disclosed under a Freedom of Information Act request. Because the
 4 documents contain sensitive and personal information, Plaintiffs moved to file this exhibit under
 5 seal.

6 11. Attached as **Exhibit J** are copies of TECS records disclosed under a Freedom of
 7 Information Act request. Because the document contains sensitive and personal information,
 8 Plaintiffs moved to file this exhibit under seal.

9 12. Attached as **Exhibit K** is a copy of the declaration from the FBI detailing the
 10 FBI’s investigation into Tarek Hamdi produced by USCIS in *Hamdi v. USCIS*, No. 5:10-cv-
 11 00894-VAP-DTB (C.D. Cal.). Because the document contains sensitive and personal
 12 information, Plaintiffs moved to file this exhibit under seal.

13 13. Attached as **Exhibit L** is a copy of the minute order granting in part and denying
 14 in part plaintiff’s motion to compel in *Hamdi v. USCIS*, No. 5:10-cv-00894-VAP-DTB (C.D.
 15 Cal., Nov. 16, 2011), Dkt. 89.

16
 17 EXECUTED this 21st day of March, 2019, at Los Angeles, California.

18 s/ Sameer Ahmed
 19 Sameer Ahmed

CERTIFICATE OF SERVICE

I certify that on the date indicated below, I caused service of the foregoing document via the CM/ECF system, which will automatically send notice of such filing to all counsel of record.

DATED this 21st day of March, 2019, at Seattle, Washington.

s/ Cristina Sepe

Cristina Sepe, WSBA No. 53609

Perkins Coie LLP

1201 Third Avenue, Suite 4900

Seattle, WA 98101-3099

Telephone: 206.359.8000

Facsimile: 206.359.9000

Email: CSepe@perkinscoie.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26