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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**

<p>AYMAN LATIF, et al.,</p> <p style="text-align:center"><i>Plaintiffs,</i></p> <p>v.</p> <p>JEFFERSON B. SESSIONS, et al.,</p> <p style="text-align:center"><i>Defendants.</i></p>	<p>Case No. 3:10-cv-00750-BR</p> <hr/> <p><b>DECLARATION OF HUGH HANDEYSIDE IN SUPPORT OF PLAINTIFFS' MEMORANDUM IN OPPOSITION TO DEFENDANTS' MOTION TO DISMISS FOR LACK OF JURISDICTION</b></p>
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I, Hugh Handeyside, hereby declare and state as follows pursuant to 28 U.S.C. § 1746:

1. I am one of the attorneys representing the Plaintiffs in the above-captioned case. I submit this declaration based on my personal knowledge in support of Plaintiffs' Memorandum in Opposition to Defendants' Motion to Dismiss for Lack of Jurisdiction.

2. In an Order dated October 6, 2016, this Court instructed the parties to brief whether, under 49 U.S.C. § 46110, the Court still had jurisdiction over Plaintiffs' remaining claims in light of Defendants' changes to the No Fly List redress process. ECF No. 337 at 6.

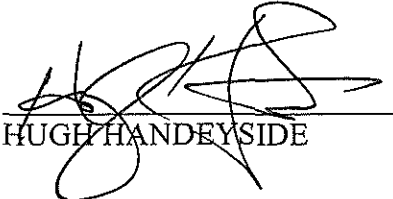
3. Following this ruling, the parties conferred in an attempt to agree on factual stipulations relevant to the issue of jurisdiction. *See* Joint Status Reports, ECF Nos. 340 (Oct. 25, 2016), 341 (Nov. 15, 2016), 343 (Nov. 29, 2016), 345 (Dec. 12, 2016).

4. During this conferral period, Plaintiffs proposed the following specific stipulations of fact:

- a. In making its recommendation to the TSA Administrator, the TSC is not required to disclose to the TSA Administrator all material information that the TSC considered in making the recommendation, including information that may contravene the basis for the petitioner's continued placement on the No Fly List (aside from responsive information provided by the petitioner to DHS TRIP).

- b. To date, the TSA Administrator [has/has never] rejected a recommendation from the TSC that a petitioner should remain on the No Fly List. To date, the TSA Administrator [has/has never] issued an order that a petitioner be removed from the No Fly List.
  - c. In recommending to the TSA Administrator that each named Plaintiff should remain on the No Fly List, the TSC [did/did not] provide the TSA Administrator with all the information that the TSC had considered in making the recommendation with respect to each Plaintiff, including information that may be classified, law enforcement sensitive, and/or contravenes the basis for the Plaintiff's continued placement on the No Fly List (aside from responsive information provided by the Plaintiff to DHS TRIP).
  - d. The TSA Administrator [did/did not] request additional information from the TSC with respect to [Plaintiff [specify]/any Plaintiff].
  - e. The TSA Administrator [did/did not] request that additional information be disclosed to any Plaintiff before accepting the TSC's recommendations that each Plaintiff should remain on the No Fly List.
5. These proposed stipulations were memorialized in an email to Defendants' counsel on November 16, 2016.
6. Defendants declined to agree to, or continue conferring regarding, the above proposed stipulations.
7. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on February 10, 2017.



HUGH HANDEYSIDE

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing declaration was delivered to all counsel of record via the Court's ECF notification system.

/s/ Hugh Handeyside  
HUGH HANDEYSIDE