

EXHIBIT

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The Honorable John C. Coughenour

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ABDIQAFAR WAGAFE, *et al.*,

Plaintiffs,

v.

UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES, *et al.*,

Defendants.

No. 2:17-cv-00094-JCC

DECLARATION OF
LESLIE D. TRITTEN
IN SUPPORT OF DEFENDANTS'
MOTION TO DISMISS SECOND
AMENDED COMPLAINT

I, Leslie D. Tritten declare under penalty of perjury as follows:

1. I have personal knowledge of the facts set forth herein and am competent to testify thereto.

2. I am employed by U.S. Citizenship and Immigration Services ("USCIS") as Field Office Director of the USCIS St. Paul, Minnesota, Field Office. In this capacity, I oversee the daily operations of the St. Paul Field Office, including the supervision of adjudication of immigration benefit applications, such as applications for adjustment of status. I have held this position since March 2014. From October 2011 to March 2014, I was Special Assistant to the Associate Director, USCIS Field Operations.

DECLARATION OF LESLIE D. TRITTEN
IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS
SECOND AMENDED COMPLAINT
(2:17-cv-00094-JCC)

UNITED STATES DEPARTMENT OF JUSTICE
Civil Division, Office of Immigration Litigation
District Court Section
Ben Franklin Station, P.O. Box 868
Washington, DC 20044
(202) 532-4542

1 3. The USCIS St. Paul Field Office has primary responsibility for adjudicating certain
2 immigration benefits from residents of Minnesota, North Dakota, South Dakota, and parts of
3 Wisconsin. These include, *inter alia*, Form I-130 Petition for Alien Relative (Form I-130) and
4 Form I-485, Application to Register Permanent Residence or Adjust Status (Form I-485).

5 5. In my capacity as Field Office Director, I have access to the Alien Registration File
6 (“A-file”) for plaintiff Mr. Mehdi Ostadhassan, and have reviewed his A-file. Based upon this
7 review, I can attest that:

8 a. On February 11, 2014, Ms. Bailey Bubach, a United States citizen, filed a
9 Petition for Alien Relative (Form I-130), wherein she sought to classify Mr. Mehdi Ostadhassan,
10 her spouse, as an immediate relative.

11 b. Also on February 11, 2014, Mr. Ostadhassan filed, concurrently with his
12 spouse’s I-130 petition, an application (Form I-485) to adjust his status to that of a lawful
13 permanent resident based on his claimed relationship to Ms. Bubach.

14 c. Mr. Ostadhassan and Ms. Bubach were interviewed at the St. Paul Field Office
15 concerning the I-130 petition and I-485 application on September 24, 2015.

16 d. On December 4, 2015, the St. Paul Field Office issued a Request for Evidence
17 (“RFE”) to Mr. Ostadhassan on his Form I-485, asking for additional medical documentation.

18 e. On that same date, a second RFE was sent to Ms. Bubach (regarding the Form
19 I-130) related to Mr. Ostadhassan's marital history.

20 f. On or about January 4, 2016, Mr. Ostadhassan filed a response to the RFE
21 concerning his medical history, which consisted of a new Form I-693, Report of Medical
22 Examination and Vaccination Record.

23 g. Ms. Bubach filed a response to the RFE regarding Mr. Ostadhassan's marital
24 history on or about January 11, 2016. This response was insufficient. As a result, on May 3,
25 2016, the USCIS St. Paul Field Office issued a Notice of Intent to Deny (“NOID”) with respect
26 to the I-130 petition.

27 h. On May 20, 2016, Ms. Bubach submitted a response to the NOID.

1 i. On March 24, 2017, USCIS approved Ms. Bubach's I-130 petition.

2 j. On April 5, 2017, USCIS issued a Notice of Intent to Deny ("NOID") to Mr.
3 Ostadhassan with respect to his I-485 application. Mr. Ostadhassan has thirty-three (33) days
4 from April 5, 2017, in which to submit a response to the NOID.

5 6. The documents mentioned above, along with the original petition, application, and
6 other pertinent documents, are maintained in Mr. Ostadhassan's A-file, which is currently located
7 at the St. Paul Field Office.

8 Dated this 18 day of April, 2017.

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