

Exhibit L

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1 - DECLARATION OF ABDULLATIF MUTHANNA
In Support of Plaintiffs' Cross-Motion for Partial Summary Judgment and
In Opposition to Defendants' Motion for Partial Summary Judgment

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2 - DECLARATION OF ABDULLATIF MUTHANNA

In Support of Plaintiffs' Cross-Motion for Partial Summary Judgment and
In Opposition to Defendants' Motion for Partial Summary Judgment

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

AYMAN LATIF, et al.,

Plaintiffs,

v.

ERIC H. HOLDER, JR., et al.,

Defendants.

Case No.: 10-cv-750 (BR)

**DECLARATION
OF ABDULLATIF MUTHANNA
IN SUPPORT OF PLAINTIFFS'
CROSS-MOTION FOR PARTIAL
SUMMARY JUDGMENT AND IN
OPPOSITION TO DEFENDANTS'
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

I, Abdullatif Muthanna, hereby declare and state as follows pursuant to 28 U.S.C. § 1746:

1. I submit this declaration based on my personal knowledge in support of Plaintiffs' cross-motion for partial summary judgment and in opposition to Defendants' motion for partial summary judgment in the above-captioned case.
2. I am a U.S. citizen. I live and work in Rochester, but my wife and children live in Yemen.
3. Prior to June 3, 2010, I flew for years without any problems. I would periodically fly from New York to Yemen to be with my family.
4. In June 2009, I flew from Rochester to Yemen without incident. I planned to return to the United States in June 2010. I booked tickets to fly from Aden, Yemen to New York via Jeddah, Saudi Arabia.

5. On June 3, 2010, I was denied boarding on my flight from Jeddah to New York. An airline employee and Saudi immigration official informed me that I am prohibited from flying.

6. I felt humiliated that everyone near me in the airport, including airline staff and other travelers, saw that I was denied boarding and heard airline and government officials tell me that I am prohibited from flying. I felt that I was being treated like a suspected terrorist.

7. I was very distressed that I could not fly back to the United States. I suffer from mental health and digestive conditions that require medical treatment. I needed to return to Rochester to see my general physician and specialist, to adjust my medication, and to secure medication that was not available in Yemen.

8. In August 2010, I joined this lawsuit. With several other plaintiffs in this case who were stranded abroad, I filed a motion seeking a preliminary injunction requiring the government to permit us to fly home to the United States.

9. Shortly afterwards, U.S. officials communicated with me. They informed me that I could make arrangements to fly back to the United States by contacting the U.S. Embassy. I understood this to mean that I was being given a “one-time waiver” to fly home. However, U.S. officials expressly refused to make any assurances about whether I could fly in the future.

10. On September 29, 2010, I flew from Yemen to New York using this one-time waiver. Until that day, I had been in involuntary exile from the United States for more than three and a half months.

11. I moved back to Rochester and resumed my work. In 2012, however, after being separated from my family for almost two years, I wanted to travel to Yemen to be with them.

12. During the second week of February 2012, I tried to board a flight from Rochester to New York to see if I could fly. I was denied boarding.

13. Several days later, FBI agents came to the store where I work and to my home to question me.

14. On June 18, 2012, I attempted to check in for my flight from New York to Abu Dhabi, but was denied a boarding pass.

15. I was distraught by my separation from my family.

16. For approximately two months, I conducted extensive research for months to find a way to travel from New York to Yemen by boat and over land. I could not find any boats that sailed directly from the United States to Yemen.

17. Eventually, I booked thirty-six-day long journey over land and by ship from Rochester to Yemen. I planned to drive from Rochester to Philadelphia. I then planned to sail by cargo freighter from Philadelphia to Jebel Ali, United Arab Emirates via Antwerp, Belgium through a shipping company called The Cruise People, Ltd. I hoped that after reaching Jebel Ali, I could travel to Yemen by car or bus. I feared that it may not be safe to travel from Jebel Ali to Yemen over land due to the civil conflict in Yemen. But, I could not find any other way to travel to Yemen to be with my family.

18. On the morning of August 12, 2012, I boarded the first cargo freighter in my journey, the *Rickmers Jakarta*, in the Philadelphia port.

19. Shortly afterwards, Captain Jaroscaw Bielewsk told me that I would not be permitted to sail on the ship. He also informed me that I would be denied passage on the cargo freighter on which I had booked passage to sail from Antwerp to Jebel Ali.

20. I called my attorney at the American Civil Liberties Union, Nusrat Choudhury. I handed the captain my phone so he could speak to her. I heard the captain tell my attorney that the company would not permit me passage because of a “CBP [Customs and Border Protection] recommendation.”

21. I left the ship with my belongings. I felt devastated that I could not travel to Yemen to be with my family.

22. Desperate to find a way to be with my family, I tried flying four more times. I was denied boarding on each occasion.

23. Finally, on February 4, 2013, I was permitted to board a flight from New York to Dubai, United Arab Emirates. After being denied boarding five times between June and February 2013, I do not know why I was finally allowed to fly.

24. Because of my placement on the No Fly list, I was separated from my wife and children for more than seven months, from June 18, 2012 to February 4, 2013.

25. I have no idea why the government put me on the No Fly List. I have never been charged, indicted, or convicted of a terrorism crime in a U.S. or foreign court. No government official has ever told me why I was denied boarding or why I would be included in the No Fly List. Because of this, I simply do not know how to explain that I should not be on the No Fly List, or what information I should provide in my defense.

26. I do not pose a threat to civil aviation or national security. I would be willing to undergo any suitable screening procedures in order to be permitted to board planes.

27. To this day, I do not know whether my name remains on the No Fly List.

28. I declare and state under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on March 21, 2013

s/ Abdullatif Muthanna