

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

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

Plaintiffs,

v.

JOSEPH R. BIDEN, President of the  
United States, *et al.*,

Defendants.

No. 2:17-cv-00094-RAJ

**DECLARATION OF NOAH ABRAHAM  
IN SUPPORT OF PLAINTIFFS’  
MOTION FOR SUMMARY  
JUDGMENT**

**NOTE ON MOTION CALENDAR:  
July 2, 2020**

I, Noah Abraham, hereby declare:

1. I makes this declaration based on personal knowledge and if called to testify to these facts, I could and would do so competently.

2. My name is Noah Abraham, and I was formerly known as Mushtaq Jihad.

3. I am a named plaintiff in *Wagafe, et. al v. Joseph R. Biden, et al.*

4. I am an Iraqi refugee and Muslim.

5. In 2008, I resettled in the United States with my wife and children.

6. Prior to coming to the United States, I was a successful businessman in Iraq.

7. However, around 2005, I became the target of a local militia group in Iraq. At first, they came after me and my family because they wanted money. They kidnapped and tortured me and demanded ransom money from my family, but then I escaped. Then they

1 continued to target me because I sought justice against them in court with the assistance of the  
2 American military. Because of this, they threatened my life on multiple occasions.

3 8. This culminated in the militia attacking me with a bomb while I was with my  
4 newborn son. The bomb severely injured me and instantly killed my son. The members of the  
5 militia then shot me in the chest and left me for dead.

6 9. American soldiers eventually found me and gave me First Aid and took me to a  
7 hospital. Eventually, I had to have my leg amputated as a result of injuries I sustained from the  
8 bomb. I also found out that I suffered trauma to my brain, which to this day still affects my  
9 memory of certain things.

10 10. After I was rescued, the American soldiers took my fingerprints and gave me a  
11 “protection card” so that I could escape Iraq as a refugee.

12 11. In July 2013, after living in the United States as a legal permanent resident and  
13 refugee for several years, I applied for naturalization. In my application, I requested that my  
14 name be changed from Mushtaq Jihad to Noah Abraham because I found that Americans  
15 misunderstood the name “Jihad” and discriminated against me as a result.

16 12. That same year, FBI agents came to my house and interrogated me in front of my  
17 family, while my wife was pregnant. They did this for almost six hours. They were asking me  
18 about why I wanted to change my name and about my time in Iraq. I could not understand why  
19 this was happening, as I had already been investigated before we moved to the United States.

20 13. After that visit, I did not receive updates about my application for several years.

21 14. In 2013, I was diagnosed with leukemia. To pay for chemotherapy and ongoing  
22 treatments for my amputated leg, brain injury, and gunshot wounds, I depended on supplemental  
23 social security benefits. Due to the long delay in adjudicating my naturalization application, I  
24 lost these benefits around 2015 due to a law that cuts off benefits to noncitizens after seven years  
25 of being in the country.

26 15. I have four children and a wife. We don’t have money and desperately depended  
27 on the supplemental income assistance. I visit the doctor multiple times a month for my  
28

1 treatments for cancer and other health issues. I take different medications to treat my cancer.  
2 Because of USCIS's delays and my resulting loss of social security assistance, I had to work  
3 long hours at various manual jobs in order to afford my cancer treatment and continue supporting  
4 my family. I had to do this while on chemotherapy and disabled.

5 16. USCIS's delay in adjudicating my application took a toll on my health and caused  
6 me and my family severe stress. My wife has had multiple miscarriages.

7 17. During this time, I was not provided any information as to why my application  
8 was delayed. I was never told if USCIS considered me a national security concern, and I was not  
9 provided with the opportunity to respond and advocate for myself.

10 18. In spring 2017, I joined the *Wagafe* lawsuit as a Named Plaintiff.

11 19. Shortly thereafter, I received a letter to inform me that I had a naturalization  
12 interview scheduled for April 25, 2017. About a month after, I found out that my application had  
13 been granted.

14 20. It took four years for my application to be adjudicated. Throughout this time, my  
15 family and I suffered significantly. It is outrageous that I was never informed about the reasons  
16 for the delay in my application or given an opportunity to answer questions and fight my case. I  
17 am a good person and a hard worker, but it has been so difficult to continue supporting my  
18 family.

19 I declare under penalty of perjury that the foregoing is true and correct to the best of my  
20 knowledge under the laws of the United States of America. Executed on 19th of March, 2021, in  
21 Richland, Washington.

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24 Noah Abraham