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1 Young on behalf of the defendants.

2 THE COURT: All right. Terrific. Good afternoon.

3 We are here for an evidentiary hearing. Are
4 plaintiffs prepared to call their first witness?

5 MR. ZHAO: Yes, Your Honor, we are.

6 Plaintiffs would call Mahamed --

7 MR. SKEDZIELEWSKI: Your Honor, if we may, before
8 we call the first witness, we just, with there being
9 individuals in the courtroom, would request that the Court
10 exclude any witnesses who aren't testifying while witnesses
11 are testifying in the courtroom.

12 THE COURT: I assume that's the plan?

13 MR. ZHAO: Yes, Your Honor.

14 THE COURT: Yes.

15 MR. SKEDZIELEWSKI: Thank you.

16 THE COURT: Terrific. Thank you.

17 MR. ZHAO: So for our first witness, Your Honor,
18 we call Mahamed Eydarus. His declaration was filed at ECF
19 Number 42.

20 THE COURT: All right. Terrific.

21 Good afternoon, sir. I'll ask that you come up,
22 please, here to the front of the courtroom and stand between
23 the railing there and the witness box and face the courtroom
24 deputy right here to be sworn.

25 Just come on right up here. Thank you, sir. And

1 please stand between that railing and the witness box. And
2 then face the courtroom deputy to be sworn.

3 THE COURTROOM DEPUTY: Please state your full name
4 for the record, spelling your last name.

5 THE WITNESS: My name is Mahamed Eydarus. First
6 name, M-A-H-A-M-E-D; last name, E-Y-D-A-R-U-S.

7 THE COURTROOM DEPUTY: You do solemnly swear that
8 the testimony which you shall give in this proceeding now
9 before the Court shall be the truth, the whole truth, and
10 nothing but the truth, so help you God?

11 THE WITNESS: I do.

12 THE COURT: Thank you, sir. Please be seated.
13 Counsel.

14 MR. SAMIE: Thank you, Your Honor.

15 **(Mahamed Eydarus)**

16 **DIRECT EXAMINATION**

17 BY MR. SHAH:

18 Q. Mr. Eydarus, how old are you?

19 A. I am 25 years old.

20 Q. Do you currently live in Minnesota?

21 A. Yes, I do.

22 Q. What city do you live in?

23 A. I live in Fridley, Minnesota.

24 Q. How long have you lived there?

25 A. I've lived there three years now.

1 Q. Have you lived in any other states before that?

2 A. I was born in Atlanta, Georgia, and then I was there
3 briefly until 2001.

4 Q. And so you are a United States citizen by virtue of
5 being born in Atlanta, Georgia?

6 A. Yes.

7 Q. Are you currently employed?

8 A. Yes, I am.

9 Q. Can I have you pull the mic down just closer to your
10 face.

11 A. Yeah. Is this good?

12 Q. That's good. You are currently employed, you said?

13 A. Yes, I am.

14 Q. How many jobs are you employed by?

15 A. I have two jobs.

16 Q. Are those both full-time jobs? One full-time, one
17 part-time? Or something else?

18 A. One is full-time and one is part-time.

19 Q. What is your full-time job?

20 A. I am a recovery coordinator at LifeSource.

21 Q. What are your duties as a recovery coordinator at
22 LifeSource?

23 A. I am responsible in the recovery and process -- the
24 process of recovering organ, eyes and tissue for
25 transplantation.

1 Q. And what is your part-time job?

2 A. I work as a PCA or personal care assistant.

3 Q. What is a personal care assistant?

4 THE COURT REPORTER: Can you slow down a bit,
5 please?

6 MR. SHAH: Yes, I'm sorry.

7 THE COURT REPORTER: And start over.

8 THE COURT: And that podium will go down if it's
9 easier.

10 MR. SHAH: Perfect. Thank you, Your Honor.

11 BY MR. SHAH:

12 Q. What is a personal care assistant?

13 A. A personal care assistant is somebody who is responsible
14 for helping people with either disabilities or any other
15 conditions live independently in their homes, and so I would
16 assist with any tasks that they would need help with.

17 Q. How many clients do you have as a personal care
18 assistant?

19 A. I just work with one.

20 Q. How long have you worked with that client?

21 A. On and off maybe five to six years.

22 Q. Where does that client live?

23 A. He lives in the Cedar-Riverside community.

24 Q. I want to turn your attention back now to the morning of
25 December 10th of 2025. Do you recall that morning?

1 A. Yes, I do.

2 Q. Why do you recall that morning in particular?

3 A. That morning I was stopped by federal agents.

4 Q. Before you were stopped by federal agents, what were you
5 doing?

6 A. So I had just finished working overnight at my PCA job,
7 and my mother comes in the morning to assume care of the
8 same client. And so it had snowed that night, and what I
9 wanted to do was shovel my own car out, but also kind of
10 shovel out a space for my mother to park in that same spot
11 since there wasn't many spots on that street to park -- to
12 begin with.

13 And so, yeah, that's what the plan was. We just
14 met up, and we were going to start just shoveling.

15 Q. While you were shoveling your car out, where was your
16 mother's car?

17 A. She was parked on the side of the street -- I mean, like
18 the side of -- where all the cars are parked, just off the
19 street a little bit, yeah.

20 Q. Were cars still able to pass her car as they were trying
21 to drive by?

22 A. Yes.

23 Q. And did you, in fact, see any vehicles drive past her
24 car that was parked there?

25 A. Yes.

1 Q. And so you knew that they were able to get by because
2 you had, in fact, seen that happen?

3 A. Yes.

4 Q. Can you tell the Court how you came to be stopped by
5 federal agents?

6 A. They kind of approached me without announcing themselves
7 and in a way that I felt that was -- they were trying to
8 surround me without me knowing.

9 Q. And what made you think that they were trying to
10 surround you without you knowing?

11 A. They didn't say anything to me or kind of announce their
12 presence, and I was kind of distracted shoveling.

13 Q. Was your mother shoveling with you at that time?

14 A. Yes, she was.

15 Q. Can you describe where you were in relation to the car?

16 A. So, where my car was parked, I was kind of more at the
17 rear side of my car. And my mother was towards the front,
18 and I was working on the back and she was working in the
19 front.

20 Q. How many federal agents approached you?

21 A. I'd say 6 to 8 men total, but I think two of them
22 weren't, so, yeah.

23 Q. And you used the word "surrounded." What do you mean by
24 "surrounded"?

25 A. Like where I was positioned, they kind of created a

1 barrier around me so that I couldn't walk away.

2 Q. Were they around just you or around you and your mother?

3 A. Me and my mother, yes.

4 Q. How far away from you did the agents get?

5 A. I'd say maybe this distance [indicating].

6 Q. And so you're holding out your arms in front of you.

7 Maybe a couple of feet?

8 A. A little -- yeah, something like that.

9 Q. When you were surrounded by those agents, did you feel
10 like you were free to leave that encounter?

11 A. No.

12 Q. Why not?

13 A. Because just -- just the tone that they were speaking to
14 me, the questions that they were asking me, and any time
15 that I would try to kind of move around, they would use
16 their bodies to kind of stop me from moving in that
17 direction; and so just from that alone, I assumed that
18 there's -- I shouldn't try to leave or walk away.

19 Q. So as you moved, they were sort of blocking you with
20 their bodies?

21 A. Yes.

22 Q. Did these men have any weapons on them?

23 A. They did.

24 Q. What types of weapons did you see?

25 A. They had guns, they had Tasers, pepper spray. They had

1 other things that I can't describe, but they were visible.

2 Q. Did seeing those weapons have any impact on you in that
3 moment?

4 A. I was very intimidated, I would say, you know, seeing --
5 because just seeing people in -- non-uniformed and with
6 masks just approach in that manner wearing those kind of --
7 their vests, and it does make you feel like a little
8 intimidated, I guess.

9 Q. Did they at any point tell you who they were?

10 A. No, they didn't.

11 Q. And you mentioned that -- the things that they were
12 saying to you. What types of things were they saying to
13 you?

14 A. Well, they were asking a lot of questions. And they --
15 during the encounter, they said to me, "Why are you speaking
16 that foreign language?" when I was speaking to my mother.
17 And they were asking me where was I born; and they were also
18 asking -- they wanted to check my ID to make sure I was not
19 illegal.

20 Q. And so to maybe take a step back, what was the first
21 thing you recall them saying to you?

22 A. The first thing I remember when they came was they
23 wanted to check my identification to make sure that I was
24 not illegal.

25 Q. At that point did they give any indication that they

1 knew who you were?

2 A. No.

3 Q. Did they give any indication that they knew where you
4 lived?

5 A. No.

6 Q. You mentioned that you were shoveling out your car. Who
7 was your car registered to?

8 A. It was registered to my father.

9 Q. Is your father a United States citizen?

10 A. He is.

11 Q. And you mentioned that your mother's car was also there.
12 Who was her car registered to?

13 A. To my father as well.

14 Q. Again, he's a United States citizen?

15 A. Yes.

16 Q. And so they -- they said they needed to check to make
17 sure you're not illegal. How did you respond to that?

18 A. I mean, I was -- I was shocked initially, but that kind
19 of also helped me understand that these were ICE agents;
20 but, yeah, that was -- so, I think what really prompted me
21 when they asked me that was, you know, asking who they were,
22 and why did they want my ID. What reason are you guys
23 asking me questions?

24 Q. Did you ever provide them with your identification?

25 A. No.

1 Q. Why not?

2 A. Based on just the way they were speaking to me and my
3 mother and the two gentlemen that were with them as well, I
4 didn't believe I was safe to give them my identification. I
5 was also just very shocked and just the professionalism of
6 those agents as well.

7 Q. At that point did you believe that they had any reason
8 to be asking you for identification?

9 A. I didn't believe that they had a reason to.

10 Q. You mentioned that you were speaking with your mother.
11 What were you saying to your mother?

12 A. Well, I was telling my mother not to provide an
13 identification in Somali. And, yeah, I was just telling her
14 that you don't have to. They're not giving us a reason
15 to --

16 Q. And --

17 A. -- to provide identification, or they're not giving any
18 idea that we are, like, suspects in anything or -- so --

19 Q. Was it when you were speaking in Somali that they
20 responded with, Why are you talking in that foreign
21 language?

22 A. Yes.

23 Q. At some point -- well, let me ask you: In that moment,
24 how did you feel?

25 A. I mean, it was -- it was very sad. I really -- that's

1 kind of like the part of the interaction that really shifted
2 and kind of created this, like, ominous, like, aura on the
3 whole encounter, because I don't -- I've never had that kind
4 of experience with law enforcement. I've always believed
5 that, you know, the law enforcement agents should have at
6 least some kind of decorum and some tone of respect when
7 speaking to people, regardless of the reason that they're
8 stopping them or what they suspect them of.

9 Q. Do you recall if you asked them if you could leave at
10 any point?

11 A. I cannot recall. I do believe I did. I don't think I
12 specifically said, Can I go, but, yeah.

13 Q. But as you've mentioned, the way they were acting, their
14 body language suggested to you that you were not free to
15 leave; is that fair?

16 A. Yeah, I did not -- I -- I did not feel like I could
17 leave. I felt as if -- if I did something wrong, whatever
18 they would determine is wrong, I guess, that they would, you
19 know, physically assault me and -- me and my mother. And,
20 so, I did not feel like I could leave that situation, that I
21 had to just deal with it and speak to the officers.

22 Q. At some point did these officers tell you that you were
23 free to leave?

24 A. They did.

25 Q. Approximately how long after they first surrounded you

1 did they tell you that you could leave?

2 A. I think that's -- that's hard to remember, but I think
3 it was towards, I guess, the middle, towards the end, but,
4 like, halfway through the interaction, they told me I was
5 free to go.

6 Q. And maybe just to give some context to that. How long
7 would you say the entire interaction was?

8 A. I think it took about 30 minutes.

9 Q. So fair to say around the 15-minute mark or so?

10 A. Yeah, maybe 20 minutes, yeah.

11 Q. When they told you that you were free to leave, had you
12 provided them your name by that point in time?

13 A. No.

14 Q. Had you provided them any identification at that point
15 in time?

16 A. I did not.

17 Q. Did you have any indication that they had any more
18 information about you when they told you you were free to
19 leave than when they first stopped you?

20 A. I don't believe so.

21 Q. When they told you that you were free to leave, did they
22 also allow your mother to leave?

23 A. They didn't allow my mother to leave.

24 Q. What did they do in regards to your mother?

25 A. Because of just how the agents were speaking to me

1 and -- and my mother and the comments that they were making,
2 just how aggressive they were, my mother kind of panicked, I
3 guess, in that situation. I think she feared that they
4 would assault me or throw me to the ground or do something
5 of that nature, and, so, because of that, she just didn't
6 want to be in that situation anymore. And so she just
7 handed her ID to them just to kind of, I guess, protect me
8 maybe, but --

9 Q. And is your mother a United States citizen?

10 A. She is.

11 Q. And so she handed over her ID, correct?

12 A. She did.

13 Q. Did they allow her to leave after she handed over her
14 ID?

15 A. No.

16 Q. And then you mentioned that probably a half hour from
17 when they first surrounded you, that's when they told you
18 both that you could go?

19 A. Could you say that again?

20 Q. Yeah, sorry. Approximately a half hour after they first
21 surrounded you, that's when they also let your mother go?

22 A. Yes.

23 Q. You, at some point, called 911 during this interaction?

24 A. I did.

25 Q. Why did you do that?

1 A. Because I felt like the -- the whole interaction was
2 just -- it kept going in circles and circles where they kept
3 asking me the same questions, they kept asking me to give
4 identification. I kept saying no.

5 And, so -- and any question I would ask them, they
6 would just give me non-answers or just ignore it. And, I
7 felt as if, like, it wasn't going anywhere, because I
8 assumed that it's either, I get to go or they handcuff me
9 and take me to a detention center. That's kind of what I
10 was thinking. And they kept just circling back to the
11 original questions.

12 And so I was like, I think they don't have
13 anything on me, and they're just trying to bully me in this
14 situation, so I was -- called 911 too.

15 Q. Did you feel safe in the moments when you were there
16 with the federal agents?

17 A. I did not feel safe at all, no.

18 Q. How has being stopped by these federal agents on
19 December 10th of 2025 impacted you physically -- or mentally
20 and emotionally?

21 A. Well, I couldn't sleep well that night at all. I was
22 very worried about agents coming back to my home. I was
23 very worried about where that content of that video was
24 going to go; whether that person -- the other two men were
25 live streaming or not.

1 I was very nervous about whether they caught my
2 mother's identification information and whether they saw,
3 like, her personal information, our address, and I was very
4 concerned about many things. Yeah.

5 Q. Have you changed your lifestyle or your habits since
6 this incident? For example, do you change where you would
7 go on a regular basis?

8 A. Yeah, me, my family, lots of people in my communities
9 will -- really restricted activity; but for me personally,
10 I've made it like strictly going to and from work, and
11 anything else, I just stopped doing, I guess.

12 Q. Can you give the Court some examples of things that you
13 used to do maybe for fun or for leisure that you no longer
14 do?

15 A. Like, for example, I usually go to the gym about four
16 times a week, and I think I've only been there twice since
17 this incident.

18 And, you know, I usually do hang out with my
19 friends and other relatives, and I haven't done much of that
20 at all.

21 Q. You mentioned that your family members and community
22 members have -- have also sort of changed what they've been
23 doing over the last few months. Do you have any examples
24 of -- of what they've changed?

25 A. Really just staying out of the city; staying away from,

1 I guess, hotspots of where ICE is; and also carrying
2 identification and documents to prove, I guess, their
3 citizenship. For example, lots of people -- and it's been
4 widely spread, like, everyone should be carrying their
5 passports. Yeah.

6 Q. Have you seen federal agents or ICE agents since this
7 incident on December 10th of 2025?

8 A. I've -- I mean, I've seen them a couple times. I've
9 also done a very good job of avoiding ICE agents and not
10 being seen by them, but I've -- I've seen them, yes.

11 Q. When you say avoiding them, are you actively taking
12 steps to avoid federal agents and ICE agents?

13 A. Yeah, so try not to be noticed by them; or if I am ever
14 around them or -- just, like, knowing where they might be or
15 areas in the city, so, that's what I mean by, like, avoid.

16 Q. You mentioned hotspots and stuff like that --

17 A. Yeah.

18 Q. -- where you try to avoid. What are some of these
19 hotspots?

20 A. So, for example, like South Minneapolis, I have -- I try
21 to avoid it a lot because I know there's a huge presence
22 based on, I guess, reports from my family and all their
23 friends and people in the community.

24 Q. Have you heard from other community members in the
25 Somali community that they have been stopped, detained, or

1 arrested by ICE agents?

2 A. Multiple. I mean, I think there hasn't been a day since
3 this incident where I haven't heard some story about
4 somebody being questioned on the street, being detained,
5 being held in a facility for no reason, having their
6 documents and still being taken. And, so, yeah.

7 Q. And it's February 17th today. Your incident was
8 December 10th. So fair to say for over the last over two
9 months, you've heard about that on almost a daily basis?

10 A. Every single day.

11 Q. Have you heard about the circumstances of what those
12 people were doing before they were stopped, detained, or
13 arrested? Are they going about their daily lives?

14 A. They're just going -- I mean, it's kind of like they're
15 just going about their daily lives. And usually I think
16 what the trend is, based on what I heard, is they are just
17 randomly stopped by agents in the streets doing their normal
18 activities.

19 MR. SHAH: Thank you. I have no further
20 questions.

21 THE COURT: Thank you.

22 Counsel.

23 **CROSS-EXAMINATION**

24 BY MR. SKEDZIELEWSKI:

25 Q. Good afternoon. So on the morning of December 10th,

1 2025, ICE officers approached you, correct?

2 A. Yes.

3 Q. And you saw the word "police" on the vests of the men
4 who approached you, correct?

5 A. Yes.

6 Q. So you knew there was some kind of law enforcement when
7 you saw that, right?

8 A. I mean, I could assume that they were some type of law
9 enforcement; however, they were also wearing different
10 vests. They weren't wearing any formal uniform, so I kind
11 of -- I could assume that they were police, but, it wasn't
12 clear.

13 Q. Do you encounter people on a daily basis wearing police
14 patches that aren't police officers?

15 A. No.

16 Q. Now, you also saw patches on their clothing that said
17 "ICE;" is that right?

18 A. Yes.

19 Q. And that's why you said in your declaration that you
20 suspected you were dealing with ICE officers --

21 A. Yes.

22 Q. -- early on in the interaction?

23 A. Yes.

24 Q. And then those officers asked you for your
25 identification, correct?

1 A. They did.

2 Q. They actually asked multiple times; is that right?

3 A. They did.

4 Q. But you refused to give them your ID?

5 A. I did.

6 Q. And you refused to give them your ID because you did not
7 know who they were; is that right?

8 A. I -- they didn't -- they chose not to identify
9 themselves when they approached. And they just -- it
10 very -- it felt very ominous when they came to me. And, so,
11 I didn't think I should have given them -- my ID to them.
12 There was also a guy that was recording as well, the whole
13 interaction, and, so, I was very worried about my ID being
14 captured by his footage.

15 Q. You testified a moment ago that when they started asking
16 you -- and the ICE officers started asking you questions
17 about where you were from, that that tipped you off that
18 they were probably immigration officers; is that right?

19 A. Maybe.

20 Q. Maybe as in you don't remember?

21 A. It could be part of it, yeah.

22 Q. So part of the reason that you didn't give them your ID
23 when they asked --

24 A. Yes.

25 Q. -- was because you knew they were doing an immigration

1 inspection?

2 A. Could you say that again.

3 Q. Sure. So part of the reason you didn't give them your
4 ID when they asked was because you knew that they were doing
5 an immigration inspection?

6 A. I didn't know what they were doing.

7 Q. But they asked you where you were from and what your
8 status was, right?

9 A. They did.

10 Q. So despite the fact that their patches said "police" and
11 "ICE," early on in the interaction, you still claim that you
12 weren't sure who they were or what they were doing with you?

13 A. Yes, they were also just not wearing any uniforms, they
14 were masked, they did not want to identify themselves, and,
15 so, yeah, it made me -- you know, I was concerned during
16 that interaction if they weren't actually ICE.

17 Q. But you had evidence that they were law enforcement
18 based on the word "police" on their vests, right?

19 A. Yes.

20 Q. And you have some evidence that they were ICE officers
21 because of the ICE patches on the vests, right?

22 A. Yes, but I --

23 Q. And you had some additional evidence that they were
24 immigration officers because of the specific questions they
25 were asking you, correct?

1 A. Yes, but they were also in unmarked vehicles, and so
2 that added to my concern.

3 Q. Have you seen state police in unmarked vehicles before?

4 A. I haven't, but --

5 Q. I'm sorry?

6 A. I haven't.

7 Q. You have not?

8 A. I haven't.

9 Q. Okay. Have you seen local police in unmarked vehicles
10 before?

11 A. I know law enforcement can be in unmarked vehicles, yes.

12 Q. Now, during the encounter, you were speaking to your
13 mother in Somali, right?

14 A. Yes.

15 Q. And none of the officers said that they questioned you
16 because of your race, correct?

17 A. Well, they -- they did question me when I was speaking
18 Somali. They asked me why was I was speaking that foreign
19 language.

20 Q. That wasn't my question. My question was: Did any of
21 the officers tell you that they were questioning you based
22 on your race?

23 A. They didn't say it, no.

24 Q. Okay. Did any of the officers tell you that they were
25 stopping you because of your ethnicity?

1 A. They didn't say that.

2 Q. Did any of them say that they were stopping you or
3 talking to you because you're Somali?

4 A. They didn't say that.

5 Q. Did any of them say they were talking to you because
6 you're Latino?

7 A. Excuse me?

8 Q. I understand you may not be Latino, but I'd like an
9 answer to the question anyway. None of them said that they
10 were detaining -- they were stopping you and talking to you
11 because -- because you're Latino, correct?

12 A. Yes.

13 Q. And you can't read officers' minds, correct?

14 A. No, I can't.

15 Q. So since the officers didn't tell you why they
16 questioned you, and you can't read minds, you're only
17 speculating about why they stopped and talked to you,
18 correct?

19 A. I mean, they also didn't give me any information about
20 why they stopped me. I did ask them many times, What is --
21 what's the reason why you guys aren't talking to me or
22 asking me any questions, and they didn't provide any of that
23 information.

24 Q. I understand that, but that wasn't my question. My
25 question was: Since the officers didn't tell you why they

1 were questioning you, and you can't read minds, you're only
2 speculating about why they were speaking with you, correct?

3 A. Yes, yes.

4 Q. Do you have any social media accounts?

5 A. I do.

6 Q. Which ones?

7 A. Uh --

8 Q. I don't want the handles. I don't -- I don't want to
9 look them up. I just want to know which accounts -- which
10 platforms you use.

11 A. Instagram, Snapchat, yes.

12 Q. Twitter or X?

13 A. Yes.

14 Q. Bluesky?

15 A. No. Not familiar with that one.

16 Q. Facebook?

17 A. Don't -- don't have one anymore.

18 Q. Have you -- and you've heard on social media that ICE
19 was stopping people based on ethnicity?

20 A. Say that again.

21 Q. You've heard it said on social media that ICE is
22 stopping people based on ethnicity or race?

23 A. I've seen their stops. I've seen many videos of them
24 doing their immigration stops.

25 Q. Have you seen commentary saying that ICE is out there

1 stopping people based on ethnicity?

2 A. I have seen that commentary, yes.

3 Q. And did you see that commentary before December 10th?

4 A. I have.

5 Q. Returning to the events of December 10th, despite the
6 fact that you were never showed -- excuse me -- despite the
7 fact that you never showed the ICE officers your ID, they
8 eventually told you that they determined you were a United
9 States citizen, correct?

10 A. They said that, yes.

11 Q. And then they -- right after that, they told you that
12 you were free to go?

13 A. They did.

14 Q. Okay. And then you took your parked car and drove it
15 away from the vicinity of their investigation, correct?

16 A. Not my car, my mother's car.

17 Q. Excuse me. And so you took your mother's car and drove
18 that away from the scene of the investigation, correct?

19 A. Yes.

20 Q. And, in part, that was because you wanted to remove your
21 little brother from the scene who was in the car?

22 A. I did, yeah.

23 Q. But then after you left, you returned to the scene of
24 the investigation, correct?

25 A. Yes.

1 Q. And you brought your little brother with you?

2 A. I did.

3 Q. And you mentioned earlier that you have seen immigration
4 officers since December 10th, correct?

5 A. I have.

6 Q. And you said it was a few times; is that right?

7 A. I think -- I think I know of at least three instances
8 when I did see them, but I think I've seen them more. But
9 I'm not sure as well, because I -- they could have been,
10 like, in my area, because they are moving in those unmarked
11 vehicles. And so I don't know how many times I've seen ICE
12 agents.

13 Q. Did you see them more than five times since
14 December 10th?

15 A. I could say three.

16 Q. Three. Possibly more than three, though?

17 A. Possibly, yeah.

18 Q. But the encounter on December 10th was the only time
19 immigration officers have stopped you to talk to you,
20 correct?

21 A. Yes.

22 Q. And since December 10th, you haven't been stopped by any
23 immigration officers again, correct?

24 A. I have not.

25 Q. And you mentioned earlier that you were afraid that

1 federal officers would come to your home. Have they ever
2 done so since December 10th?

3 A. They did not.

4 MR. SKEDZIELEWSKI: That's all I've got.

5 **REDIRECT EXAMINATION**

6 BY MR. SHAH:

7 Q. Mr. Eydarus, you mentioned these two people with video
8 cameras who were recording. Do you recall that?

9 A. Yes, I do.

10 Q. Where did these people come from? How did they get to
11 the scene?

12 A. They -- I believe they were with the law enforcement,
13 but they arrived at the same time as the federal agents
14 arrived.

15 Q. Did you see if they got out of the same vehicles as the
16 federal agents?

17 A. I'm not sure if they were in the same vehicles, but it
18 seemed as if they knew each other based -- based on what I
19 saw.

20 Q. How close were these two individuals that you've
21 mentioned allowed to get to you?

22 A. They were right next -- literally recording like this
23 close to me [indicating] right here, on my right side.

24 Q. You're holding your hand up about a foot away from your
25 face?

1 A. Yeah.

2 Q. Were there other people on scene or in the area of
3 recording?

4 A. Yes, they were.

5 Q. Where were those people?

6 A. They were on the sidewalk across the street from where
7 the interaction was.

8 Q. Did the federal agents or these ICE officers allow those
9 people to get any closer to the scene?

10 A. They did not.

11 Q. Did you in fact see them go over and tell them to stay
12 away?

13 A. There was people who tried to come and record, but they
14 were told by law enforcement if they came closer, then --
15 that they would be impeding and they would be arrested for
16 that.

17 And then so a majority of the bystanders and
18 community members kind of like congregated on that sidewalk
19 that was across the street from where the interaction was
20 occurring.

21 Q. But these other two individuals they permitted to be
22 right there, as you said, about a foot from your face?

23 A. Right next to me, yes.

24 Q. Is shoveling snow -- you said you've lived in Minnesota
25 for quite some time, right?

1 A. Yes.

2 Q. Is shoveling snow something that you've done on a
3 regular basis throughout your life?

4 A. Yes, especially when it snows --

5 THE COURT: Sorry, Counsel, I'm going to
6 interrupt.

7 I'm going to ask that you two please find a seat.
8 And just can I clarify, you're not a witness, correct?

9 UNIDENTIFIED SPEAKER: No.

10 THE COURT: Neither of you is a witness?

11 UNIDENTIFIED SPEAKER: No.

12 THE COURT: Okay. Thank you very much.

13 MR. SHAH: Thank you, Your Honor.

14 BY MR. SHAH:

15 Q. Mr. Eydarus, I think the question was: Is shoveling
16 snow something you've done on a regular basis throughout
17 your life?

18 A. Yes, especially when it snows like that.

19 Q. Have you ever been stopped by law enforcement officers
20 while you were shoveling snow before this?

21 A. Never.

22 Q. And just to be clear, you didn't invite these federal
23 officers or ICE agents to come and talk to you, correct?

24 A. No.

25 Q. Did you at any point tell them that you were okay with

1 them being there in your face talking to you?

2 A. I was never okay with them.

3 MR. SHAH: Thank you. I have no further
4 questions.

5 THE COURT: Counsel, anything further?

6 MR. SKEDZIELEWSKI: No, Your Honor.

7 THE COURT: Sir, I just have a couple of
8 questions.

9 I'm -- one of the things you indicated in response
10 to your direct examination was at first that you were there
11 for 30 minutes, and then you backed up and said it was 20.

12 Was that the time that the officers were just with
13 you, or was it the time that the officers were with both you
14 and your mom? What's the -- let's start it this way.

15 How long do you recall -- well, do you recall how
16 long they were with you?

17 THE WITNESS: I believe it was about 30 minutes,
18 yes.

19 THE COURT: With you personally?

20 THE WITNESS: Yes, with me personally and my
21 mother, yes.

22 THE COURT: Okay. With both of you together?

23 THE WITNESS: Oh, I'm sorry. So it was -- I
24 believe that the whole encounter took 30 minutes. I think
25 when it comes to me and my mother, it was about 20 minutes.

1 THE COURT: Okay.

2 THE WITNESS: That's when I was asked to leave.

3 THE COURT: So they were with just you for about
4 10 minutes and with your mother for about 20?

5 THE WITNESS: They were with my mother for the
6 full 30, and I was there for the first 20 minutes.

7 THE COURT: All right. Were they questioning both
8 of you at the same time, or were they just questioning you
9 at one point and then proceeded to ask your mother
10 questions?

11 THE WITNESS: Yeah, so there was -- there was a
12 lot of movement, I guess, that was occurring, but we kind of
13 got separated into, like, two groups where I was kind of
14 surrounded by a few and my mother was surrounded by a few,
15 so, yeah.

16 THE COURT: Okay.

17 THE WITNESS: Yeah, and so they were questioning
18 us at the same time, but they were also close enough to
19 where I could kind of hear, like, what was going on on my
20 mom's side whenever I would, like, kind of turn to that side
21 and listen.

22 THE COURT: And they told you you were free to go
23 before they told your ma she was free to go?

24 THE WITNESS: Yeah, they told me I was free to go
25 when my mom handed her ID to the agents.

1 THE COURT: Okay.

2 THE WITNESS: Yeah.

3 THE COURT: But they kept her there?

4 THE WITNESS: They kept her there. They -- they
5 said that her ID was not acceptable and that they need to
6 continue to investigate.

7 THE COURT: All right. And then how long did that
8 take? From the time they said her ID wasn't acceptable
9 until the time they said she was free to go, how long did
10 that take?

11 THE WITNESS: That was right before -- I mean,
12 yeah, that would be like the last ten minutes. But she gave
13 her ID right before they kind of told me I was free to go.
14 And so I think once they got her ID, they told me I was free
15 to go. I believe that it was because I was talking to her
16 and I was telling her what to do, I guess, in the situation.
17 And I think they didn't like that, but, I don't -- I'm not
18 sure.

19 THE COURT: Okay.

20 The folks who were recording the encounter, were
21 they law enforcement officers or do you know?

22 THE WITNESS: I don't believe they were law
23 enforcement or associated with any agency, but I do know
24 they do have like a social media account. One of them has
25 one.

1 THE COURT: So do you know who these -- do you
2 know whether these people were associated with law
3 enforcement or not?

4 THE WITNESS: I don't know specifically if they
5 have any, like, formal association. I don't think they were
6 agents, specifically, but --

7 THE COURT: Could -- is it -- I gather you're --
8 you're sort of hinting that you don't think they were just
9 members of the public observing?

10 THE WITNESS: I don't -- I believe that they were
11 riding along with the ICE agents and --

12 THE COURT: Okay.

13 THE WITNESS: Yeah.

14 THE COURT: What were the -- what were the ICE
15 agents wearing? You said they weren't wearing traditional
16 law enforcement gear. What were they wearing?

17 THE WITNESS: So they had vests on, but they also
18 just had normal clothes on. I remember -- I think one of
19 them had like a button-up shirt under -- like those stripped
20 button-up shirts. Others had, like, hoodies and jeans and
21 just normal outer clothes. I'd say like, if -- I could have
22 worn one of their vests and I would have looked like --
23 looked like them, I guess, but --

24 THE COURT: All right. Thank you, sir. I don't
25 have anything further.

1 Let me ask: Do plaintiffs' counsel have any
2 further questions based on the questions that I've asked?

3 MR. SHAH: No, Your Honor. Thank you.

4 THE COURT: Defendants' counsel?

5 MR. SKEDZIELEWSKI: No, Your Honor.

6 THE COURT: All right. Thank you for being here
7 today, sir.

8 THE WITNESS: Thank you.

9 THE COURT: You're excused.

10 THE WITNESS: Thank you, Judge.

11 THE COURT: Mr. Zhao.

12 MR. ZHAO: Plaintiffs would next call Mustafa
13 Mohamed. His declaration can be found at ECF 90-7.

14 THE COURT: Good afternoon.

15 Good afternoon, sir. I'll ask that you please
16 come up to the front of the courtroom and stand next to that
17 railing, if you would, that leads up to the witness chair.

18 And then please, sir, if you would, face the
19 courtroom deputy to be sworn.

20 MR. ZHAO: You can stop right there and then --

21 THE COURTROOM DEPUTY: Please state your full name
22 for the record, spelling your last name.

23 THE WITNESS: My name is Mustafa Mohamed, last
24 name is M-O-H-A-M-E-D.

25 THE COURTROOM DEPUTY: You do solemnly swear that

1 the testimony which you shall give in this proceeding now
2 before the Court shall be the truth, the whole truth, and
3 nothing but the truth, so help you God?

4 THE WITNESS: Yes.

5 THE COURT: Thank you, sir. Please be seated.

6 And, sir, let's make sure that microphone is pulled up real
7 close to you so we can hear you loud and clearly, all right?
8 Thank you.

9 THE WITNESS: Thank you.

10 THE COURT: Counsel.

11 **(Mustafa Mohamed)**

12 **DIRECT EXAMINATION**

13 BY MR. ZHAO:

14 Q. There's also water if you need it.

15 Sir, could you please introduce yourself to the
16 Court.

17 A. Yes, my name is Mustafa Mohamed.

18 Q. How old are you?

19 A. I'm 53 years old.

20 Q. And where do you live?

21 A. I live New Hope, Minnesota.

22 Q. How long have you lived in Minnesota?

23 A. Since 2016.

24 Q. How long have you lived in the United States?

25 A. Since 1999.

1 Q. What's your current immigration status?

2 A. I'm American citizen.

3 Q. And when did you become an American citizen?

4 A. 2008.

5 Q. Are you Somali?

6 A. I'm Somali.

7 Q. Did you submit a declaration in this lawsuit?

8 A. Yes.

9 Q. In your declaration, you stated that it was read to you
10 in Somali; is that correct?

11 A. Yes.

12 Q. Are you able to understand my questions in English
13 today?

14 A. Yes.

15 Q. In your declaration, you describe an encounter with
16 immigration officers; is that correct?

17 A. Yes.

18 Q. What was the date of that encounter? Can you tell the
19 Court, please?

20 A. January 15th, 2026.

21 Q. And what were you doing before you had this encounter
22 with the immigration officers? Can you please tell the
23 Court.

24 A. Yes, I was dropping off my sister-in-law for work job
25 interview for Amazon Shakopee.

1 And after I drop her off, I went to the gas
2 station to buy a cup of coffee. And I went to the gas
3 station Speedway and buy the coffee and hotdog and came back
4 to my car.

5 Q. Sir, I'm going to stop you just real quick.

6 A. Okay.

7 Q. Can you tell the Court where -- in what city was this
8 Speedway gas station that you were at?

9 A. Shakopee.

10 Q. Shakopee?

11 A. Yes.

12 Q. What happened after you got back to your car after
13 buying coffee and a hotdog?

14 A. I place my coffee in my cupholder, and at the front seat
15 and tried to shut my door, but two gentlemen come to my door
16 and grab the door and grab me out of the car.

17 Q. What were -- you said two men.

18 A. Yes.

19 Q. Two gentlemen.

20 A. Yes.

21 Q. Can you describe for the Court what they looked like.

22 A. They were half in mask face and half in -- vest half
23 police and ICE sign on it.

24 Q. But besides wearing the vest, what other clothes were
25 they wearing? Can you describe that for the Court, please.

1 A. In -- they have little -- gray clothing -- dark gray
2 clothing and wearing vest and wearing mask face -- face
3 mask.

4 Q. I guess what I was asking is were they wearing uniforms,
5 if you could tell, or was it just plainclothes?

6 A. Uniform.

7 Q. Uniform under the vest?

8 A. Under the vest, yes.

9 Q. What happened after -- let me ask a different question.

10 Before the men grabbed you, did they identify
11 themselves?

12 A. No.

13 Q. Did they identify what agency or what part of law
14 enforcement they were from?

15 A. No.

16 Q. Okay. What happened after the men grabbed you?

17 A. They grabbed me out of car and pushed me towards the
18 car. And, like, I was screaming, like, What do you want
19 from me, and, Who are you, and, like, all those things. And
20 they never say nothing to me. And pulling my arms both ways
21 and -- and arrest me.

22 Q. Can you describe for the Court how it felt when the men
23 had their hands on you.

24 A. I feel pain for my shoulders. And I told them, like,
25 I'm in pain. I'm like, you have to -- you're violating my

1 rights. I'm an American citizen, and you're detaining me
2 illegally.

3 Q. Were you handcuffed, sir?

4 A. I handcuffed, yes.

5 Q. What, if anything, did the officers say to you after you
6 said to them that you were an American citizen?

7 A. You know, like, those guys -- each of them throwing on
8 me bad words. And, like, each of them -- like, one of them
9 would say, like, Why you don't go back your country? And,
10 What city you born? And you -- bad words -- if -- momma
11 "eff" and, like, all those bad words, like, each of them
12 thrown on me, those words.

13 Q. Did they ever ask you what city you were born in or what
14 country you were from?

15 A. Yes.

16 Q. Was that before or after you were in handcuffs?

17 A. After.

18 THE COURT: Mr. Zhao, can I just interrupt for one
19 second?

20 MR. ZHAO: Of course.

21 THE COURT: I'm sorry.

22 MR. ZHAO: Yes.

23 THE COURT: I appreciate, Mr. Mohamed, that it's
24 difficult to say bad words in public, especially in a formal
25 setting like this, but it's important that I know exactly

1 what the officers said to you. And if you remember exactly
2 what bad words they said to you, I'd like to know that.

3 THE WITNESS: Yeah, one of them say to me, son of
4 a bitch. And one of them said to me, Shut the fuck up,
5 motherfucker.

6 BY MR. ZHAO:

7 Q. Was that in response to anything that you said?

8 A. Yes.

9 Q. What did you say that led to --

10 A. No, I haven't respond anything. You know, like only
11 word I said the whole time, I was saying, like, You detain
12 me illegally. You violating my rights. I'm an American
13 citizen, and my country is the United States. All those
14 things I was say whole time.

15 Q. Did the officers ever ask you for your name?

16 A. No.

17 Q. Did they have -- did they ever show you a warrant?

18 A. No.

19 Q. Did they give any indication to you that they knew who
20 you were before they grabbed you?

21 A. No.

22 Q. Were you able, did you offer to provide identification
23 to the officers?

24 A. They never asked me identification.

25 Q. Did they eventually see your identification?

1 A. Yes. After they handcuff on me, they reach my pocket
2 and retrieve my wallet.

3 Q. Okay. What did you have in your wallet?

4 A. My ID.

5 Q. What ID was that, sir?

6 A. A Minnesota driver's license.

7 Q. Okay. Did agents look at your driver's license?

8 A. Yes.

9 Q. What happened after that?

10 A. You know, after they look my ID, like, they use some
11 terminology number -- use language they knew each other on,
12 like, "back 49" or "59," something like that, and,
13 unhandcuff on me, and they gone. And the guy who uncuff me,
14 I ask him, like, why you treat me like that? He say, like,
15 I'm doing my job, and he ran away.

16 Q. Were there observers or anyone that witnessed this
17 arrest by ICE at the gas station?

18 A. Say that again.

19 Q. I'm sorry. Were there other witnesses, were there other
20 people there that witnessed this encounter?

21 A. Yes.

22 Q. Were -- were they white?

23 A. Yes.

24 Q. Did you see the ICE officers ask any of the white people
25 who were there for identification?

1 A. No.

2 Q. Did the ICE officers put their hands on any of the white
3 people?

4 A. No.

5 Q. How has your arrest by ICE on January 15th impacted you?

6 A. It impacts me -- it leaves me in fear, fear ICE. And I
7 will not -- it was something I would never expect to happen
8 to me in --

9 Q. Have you changed any part of your daily routines or
10 habits or life as a result of this arrest?

11 A. Taken a lot of -- a lot of things on me.

12 Q. Well, can you tell the Court how this arrest has --

13 A. Yes, I -- I don't go some area I usually used to go
14 because I am afraid maybe that they're there.

15 Q. What areas? Can you give the Court an example, please.

16 A. Example, like, Karmel Mall, which is like big Somalian
17 mall. We -- a lot of people hang out at restaurants and
18 shopping centers and stuff. So, I don't go there to keep
19 away from them.

20 Q. Is Karmel Mall in Minneapolis?

21 A. Yes.

22 Q. Okay. Before your arrest, did you visit that mall?

23 A. Yes.

24 Q. What about now?

25 A. No.

1 Q. Since your arrest on January 15th, have you seen ICE
2 agents?

3 A. Yes.

4 Q. Can you tell the Court the circumstances of the
5 additional sightings.

6 A. There's a Latino store I usually buy something in and
7 was going to go there and buy some stuff. And I see them,
8 two SUVs, parked across -- like opposite each other, and
9 they crack the window just a little bit. And by the time I
10 was going to turn, I see them. They were wearing the masks
11 in the cars -- two cars, and, like, I realize they are the
12 guys I -- so I ran away from them. You know, I don't turn
13 there. I just go straight. Go somewhere else.

14 Q. Are you afraid of being stopped by ICE agents again?

15 A. Yes, very.

16 MR. ZHAO: No further questions at this time,
17 Your Honor.

18 THE COURT: Counsel.

19 **CROSS-EXAMINATION**

20 BY MR. SKEDZIELEWSKI:

21 Q. Good afternoon, Mr. Mohamed.

22 A. Good afternoon.

23 Q. So on January 15th, immigration officers handcuffed you;
24 is that correct?

25 A. Yes.

1 Q. And the immigration officers asked you what city you
2 were born in; is that right?

3 A. Yes.

4 Q. But you didn't answer that question, correct?

5 A. No.

6 Q. And they asked you what country you're from, right?

7 A. Yes.

8 Q. And you answered the USA, right?

9 A. I -- I answer them -- like, I don't answer specific
10 question, but I was -- kept telling them, my -- I'm -- I'm
11 American citizen, and that's what I kept answering. I never
12 answer the question for what country I'm from.

13 Q. Okay. So when they asked you what country you are from,
14 you answered by saying that you're an American citizen; is
15 that right?

16 A. Yes, yes.

17 Q. But where were you born?

18 A. I born in Somalia.

19 Q. In Somalia, but you never told the officers that?

20 A. No.

21 Q. And once the officers checked your ID, they scanned it
22 and let you go; correct?

23 A. Yeah, after they handcuff me.

24 Q. Right. So they handcuffed you, checked your ID, scanned
25 it, and let you go, correct?

1 A. Yes.

2 Q. And none of the officers said that they questioned you
3 because of your race, correct?

4 A. No.

5 Q. And none of the officers said that they questioned you
6 based on your ethnicity, right?

7 A. What I believe, like, they profile on me because so many
8 people who are out except (indiscernible) than me, and they
9 never take anybody else.

10 Q. I understand what you believe, but that's not my
11 question. My question is: Did the officers say that they
12 questioned you because of your ethnicity?

13 A. No, they don't say that.

14 Q. And none of the officers said that they questioned you
15 because you're from Somalia, correct?

16 A. They don't say that, but I'm -- I'm suspicious of that,
17 profiling on me.

18 Q. And none of the officers said that they were questioning
19 you because you're Latino, correct?

20 A. No.

21 Q. And you can't read the officers' minds, correct?

22 A. No.

23 Q. So since the officers didn't tell you why they stopped
24 you and questioned you, and you can't read minds, you're
25 only speculating about why they stopped you, right?

1 A. They don't -- they don't even stop me. They just attack
2 me.

3 Q. That doesn't answer my question.

4 A. I'm already -- I already stop. I'm sitting. I'm not
5 driving. I'm, like, sitting in a car, but they don't --
6 they don't stop me, they just attack me.

7 Q. So, since the officers didn't tell you why they stopped
8 you and questioned you and handcuffed you and you can't read
9 minds, you're only speculating about why they handcuffed
10 you, correct?

11 A. Yes.

12 Q. Do you have social media accounts?

13 A. No -- yes, yes.

14 Q. I'm not asking for --

15 A. Yes.

16 Q. -- a handle.

17 A. Yes.

18 Q. I just want to know, do you have Twitter?

19 A. No.

20 Q. Facebook?

21 A. Yes.

22 Q. Instagram?

23 A. No.

24 Q. What other social media accounts do you have besides
25 Facebook?

1 A. I have Facebook. I have WhatsApp.

2 Q. Have you heard people say on social media that ICE or
3 DHS are stopping people based on race?

4 A. I seen the social media a lot of people who get arrest,
5 get beat up, and get killed.

6 Q. I understand that, but that wasn't my question.

7 Have you seen people commenting on social media --

8 MR. ZHAO: Your Honor, I'm going to object to this
9 line of questioning. I don't know what the relevance is of
10 the witness's social media accounts, whether he has them,
11 what accounts. It seems a little bit like a fishing
12 expedition.

13 THE COURT: I'll allow it.

14 BY MR. SKEDZIELEWSKI:

15 Q. So the question was: Have you seen people commenting on
16 social media that ICE officers are stopping people on the
17 basis of race?

18 A. I see a lot of people in social media, a lot of people
19 who get hurts, get killed, and get beat up.

20 Q. I understand that, but that's not my question.

21 My question is: Have you seen people saying on
22 social media that there -- that ICE is out there stopping
23 people on the basis of race?

24 A. Yes.

25 Q. And have you seen people saying on social media that ICE

1 is out there stopping people based on ethnicity?

2 A. Yes.

3 Q. Have you seen that very often?

4 A. No.

5 Q. A few times?

6 A. Sometimes.

7 Q. But more than once?

8 A. Say that again.

9 Q. But you've seen that more than once?

10 A. I don't understand.

11 Q. You've seen people saying that ICE is stopping people on
12 the basis of --

13 A. You know, the -- the fact is in every Minnesota resident
14 or every Minnesota citizens knows what's going on in
15 Minnesota and see it on social media, but -- not just me.
16 Like, everybody's seeing it, and I -- and I'm one of them.

17 Q. Do you speak to everybody in your community?

18 A. Not everybody.

19 Q. Now, have you seen immigration officers since
20 January 15th?

21 A. Yes.

22 Q. You saw them at least once, right, when you said you saw
23 them in the car with the masks on near the grocery store you
24 shop at?

25 A. Yes.

1 Q. Have you seen them more than that one time since
2 January 15th?

3 A. No.

4 Q. Okay. So you've seen immigration officers once since
5 January 15th?

6 A. Yes.

7 Q. But you were only arrested -- you were only handcuffed
8 by immigration officers on January 15th, not since then,
9 correct?

10 A. No.

11 Q. And immigration officers didn't approach you that day
12 that you drove past them, correct?

13 A. No.

14 Q. They didn't follow you and pull you over?

15 A. No.

16 Q. So since December 2025, you've only been stopped by
17 immigration officers one time, correct?

18 A. Yes.

19 MR. SKEDZIELEWSKI: That's it. Thank you.

20 THE COURT: Counsel.

21 **REDIRECT EXAMINATION**

22 BY MR. ZHAO:

23 Q. Just one question, sir. You only -- since your arrest
24 January 15th, you only have seen ICE officers one additional
25 time, correct?

1 A. Yes.

2 Q. But can you tell the Court again whether you're taking
3 active, affirmative steps to avoid potentially running into
4 ICE officers because of your arrest?

5 A. Say that again.

6 Q. Yes. You've only seen ICE officers once since your
7 arrest?

8 A. Yes.

9 Q. Are you taking steps to try to avoid seeing ICE officers
10 again?

11 A. Yes.

12 MR. ZHAO: No further questions.

13 THE COURT: Counsel, anything further?

14 MR. SKEDZIELEWSKI: No, thank you, Your Honor.

15 THE COURT: Sir, thank you for being here. You're
16 free to go.

17 THE WITNESS: Thank you.

18 MS. AHLIN-HALVERSON: Plaintiffs call Christian
19 Molina, Your Honor. Excuse me. Christian Molina.

20 MR. ZHAO: Your Honor, his declaration is ECF
21 Number 90-4.

22 THE COURT: Thank you.

23 Sir, I'll ask that you come up to the front of the
24 courtroom, please, stand in between the railing and the
25 witness box, and face the courtroom deputy to be sworn.

1 Sir, yeah, please stand.

2 THE COURTROOM DEPUTY: Please state your full name
3 for the record, spelling your last name.

4 THE WITNESS: M-O-L-I-N-A, Molina.

5 THE COURTROOM DEPUTY: Okay. You do solemnly
6 swear that the testimony which you shall give in this
7 proceeding now before the Court shall be the truth, the
8 whole truth, and nothing but the truth, so help you God?

9 THE WITNESS: Yes.

10 THE COURT: Thank you, sir. Please be seated.

11 THE WITNESS: Thank you.

12 THE COURT: Counsel.

13 MS. AHLIN-HALVERSON: Thank you, Your Honor.

14 **(Christian Eduardo Molina Silva)**

15 **DIRECT EXAMINATION**

16 BY MS. AHLIN-HALVERSON:

17 Q. Please state your full name for the record.

18 A. Christian Eduardo Molina Silva.

19 Q. How old are you?

20 A. 40, 40 years old.

21 Q. Where do you live?

22 A. Coon Rapids, Minnesota.

23 Q. Who do you live with?

24 A. My family; my wife, my four kids, and my mom.

25 Q. How old are your kids?

1 A. The oldest is 12, 10, 7, and 6 month -- 6 month.

2 Q. Where were you born?

3 A. Guayaquil, Ecuador.

4 THE COURT REPORTER: I'm sorry. Where?

5 THE WITNESS: Guayaquil, Ecuador. Guayaquil is
6 the city.

7 BY MS. AHLIN-HALVERSON:

8 Q. When did you first move to Minnesota?

9 A. Back in 2000.

10 Q. Are you a naturalized United States citizen?

11 A. Yes, I am.

12 Q. When did you become naturalized?

13 A. About five years ago.

14 Q. Do you own a business?

15 A. Yes, I do.

16 Q. What is your business?

17 A. I own a small logistic transportation business. We
18 deliver furniture and home appliances to people's home.

19 Q. I'd like to turn your attention to the day of
20 January 12th, okay?

21 What were you doing -- and your encounter with
22 federal immigration agents that day, okay?

23 What were you doing when you saw federal
24 immigration agents on January 12th?

25 A. Well, first, I had a meeting at work. After that, I

1 went to get some parts for my wife's car that we were going
2 to meet up the mechanic. And then driving on my way to the
3 mechanic, that's when I saw them.

4 Q. Is the car you were driving registered to you?

5 A. Yes.

6 Q. Now where was the mechanic located that you were going
7 to?

8 A. He lives on 35th and Portland.

9 Q. In Minneapolis?

10 A. In South Minneapolis.

11 Q. What street were you driving on when you first saw ICE
12 agents that day?

13 A. I was driving down 36th Street.

14 Q. Where were ICE agents in -- when you saw them?

15 A. When -- as I was driving down 36th Street, I saw them
16 between -- it was Park and Oakland, in, like, alleyway.

17 Q. When you saw the --

18 A. Yeah, Portland and Oakland, that -- around that area,
19 and park in, like, an alleyway.

20 Q. Okay. In an alley between Portland and Oakland?

21 A. Yes.

22 Q. What -- and were the agents in a car?

23 A. Yes. I saw -- so when I was driving down, I saw a black
24 car park in the alley. It was a man standing outside the
25 car talking to them or yelling at them or something, and I

1 saw some guys with masks in there.

2 Q. What did you do when you saw the guys with masks in the
3 car in that alleyway?

4 A. So I just drove by, and I kind of looked at them to my
5 left because they were perpendicular to my -- to the side.
6 So I was driving, and I looked at them. And then once I
7 keep driving, they just, like, came out of the alleyway
8 right away.

9 Q. They came out of the alleyway and started following you?

10 A. Yes.

11 Q. Is 36th Street a one-way street?

12 A. 36th, yes.

13 Q. Which lane were you in on 36th?

14 A. The left lane.

15 Q. So you were in the left lane closest to that alley where
16 you saw the ICE agents?

17 A. Correct.

18 Q. How did you feel when you realized that the agents were
19 following you?

20 A. I was scared at first. I didn't know -- you know, it
21 was a black car with tinted windows and the mask on, I
22 wasn't sure, you know, I felt scared at first.

23 Q. At some point did the ICE agents turn their flashing
24 lights on?

25 A. They did. After like about half a block, I turned a

1 left on Park Avenue; about half a block, they turned the
2 light on.

3 Q. So you drove with them following you about a half block,
4 turned left and drove another half block, and then they
5 turned their flashing lights on?

6 A. Yes.

7 Q. What were you thinking after they turned on those
8 flashing lights?

9 A. I was still scared. I wasn't -- -- I didn't know what
10 to do. I mean, I kept going. And then I took another left
11 on 35th.

12 Q. At the time that they turned their flashing lights on,
13 were you following the speed limit?

14 A. I was. I was. I was just -- like I said, I was scared.
15 I didn't know if I should stop, but -- so I kept going
16 another half block, took a left from 35th.

17 Q. So you drove a half block with the flashing lights
18 behind you and you turned onto 35th?

19 A. Yes.

20 Q. Is 35th Street also a one-way?

21 A. Also it's a one-way, and then I was going to park. I
22 was going to pull over to the right.

23 Q. So you intended to pull over. What lane were you in
24 when you started to pull over?

25 A. On the left -- so I was in the left lane, and I was

1 getting to my right lane.

2 Q. You were moving to the right lane to pull over?

3 A. Yes.

4 Q. At the time that you were moving into the right lane to
5 pull over, what happened?

6 A. That's when I got rammed, I got hit by the -- they
7 probably thought I wasn't going to stop, so they just, like,
8 rammed me to -- to the side of the --

9 Q. The ICE agents ran -- rammed into your car?

10 A. Yes.

11 Q. Where on your car did the ICE agents ram it?

12 A. On the back left corner the driver's side.

13 Q. How much damage did the ICE agents do to your car?

14 A. It was pretty -- pretty bad. It was totalled -- I
15 believe the car's totalled clearly. The bumper fell off the
16 next day and these, like, lights are damaged. It's like a
17 big dent in the rear end.

18 Q. After the agents hit your car, did one of them come
19 towards your car window?

20 A. Yes, they did.

21 Q. What did you do as he was approaching?

22 A. I came out of my car angry and told them, Do you see
23 what you did to my car?

24 Q. After -- as that agent approached you, did he identify
25 himself as an ICE agent?

1 A. He never did. I saw the vests, you know. And they keep
2 asking -- they demanding for -- if I was -- for papers for
3 identification.

4 Q. Did they ask your permission to talk to you?

5 A. No, they didn't.

6 Q. You're -- the ICE agent asked you for your
7 identification?

8 A. They did, and then one of them asked me if I was a
9 citizen.

10 Q. What did you say when he asked you if you were a
11 citizen?

12 A. I told him, yes, I'm a citizen, but I wasn't going to
13 give any identification or ID. I told him to give his badge
14 number, and, like, he should not cover his face. I want to
15 see his face, and I told him to call the police.

16 Q. How did he respond to that?

17 A. He keep demanding to give me my ID. And then he's like,
18 Do you have insurance? And I told him, Yes. And he's like,
19 I need to see it. I told him, I'm not going to give it to
20 you. I need the police to be here first.

21 Q. Why did you want the police to be there?

22 A. I didn't feel safe.

23 Q. Why didn't you feel safe?

24 A. I was scared for everything that's going on, and, you
25 know, through the whole ICE -- between, you know, the whole

1 time this happening, you see on the news. Plus, they
2 were -- like I said, they were wearing masks. And I was
3 scared they would, like, do something to me.

4 Q. Did the fact that they had rammed your car impact how
5 you were feeling in that moment?

6 A. Yes, I was shaking, I was shaking.

7 Q. Did they use your name when they came up to you?

8 A. No, no, he didn't. Never did.

9 Q. Did any of the agents show you a warrant at any time?

10 A. No.

11 Q. At the time that the agent came up to you, did they tell
12 you that they had run your license plates?

13 A. Nope, they never did.

14 Q. Did you feel at that moment that you could exit the
15 conversation if you wanted to?

16 A. No.

17 Q. Why?

18 A. They're surrounding me. And then I was, like -- they
19 blocked me, he got in front of me, and then more agents came
20 after that.

21 Q. So how many agents were surrounding you?

22 A. I would say it was like two or three more cars came.
23 And one of the agents -- that's the only one that I could
24 talk to -- he was nice to me, he approached me in a nice
25 way.

1 Q. Oh, wait. Before we get to that, though, how many
2 are -- when you were feel -- were surrounded and you were
3 being questioned, how many agents were there?

4 A. It was about four or five.

5 Q. Was your wife there when you were surrounded by those
6 agents?

7 A. She -- she got -- right -- yeah, she got at this at the
8 moment of the incident right after they hit me, because she
9 was going to meet up at the mechanic.

10 Q. And was she separated from you?

11 A. Yes, she was driving her own car.

12 Q. And she wasn't within that circle of agents that were
13 surrounding you?

14 A. She tried to get closer. She was crying and begging the
15 officer not to do anything to me.

16 Q. Did they let her get closer to you?

17 A. Not really. They were just, like, trying to keep people
18 out of the way, because more -- you know, people started
19 coming and whistle -- using their whistles and stuff like
20 that.

21 Q. But just with respect to your wife, did they allow your
22 wife to come get near you when they were questioning you
23 about your citizenship?

24 A. Not really.

25 Q. How -- at some point did any ICE agent take a picture or

1 face scan of you?

2 A. Yes. He did once I denied to give my information out.
3 He just pull out his phone and started, like -- like,
4 scanning my face or recording me.

5 Q. And at some -- sorry, and I'm realize -- at some point
6 you said there was an agent that was nice that came to talk
7 to you?

8 A. Yes.

9 Q. Was that after they took the face scan of you?

10 A. Yep, after he was, like, scanning my face, this -- or
11 agent came and then one of them approached me and then
12 started talking to me.

13 Q. And what did that agent say?

14 A. He said that every's going to be fine. That he -- they
15 were -- that he was sorry that happened to me, and -- and
16 that they going to take care of, like, the car and they're
17 going to pay for it.

18 Q. And did he say anything else?

19 A. Yes, he -- and then he start asking me for -- he asked
20 me if I was Christian. He's like, Are you Christian? And I
21 told him, Yes. And then he's like, Are you from Ecuador? I
22 told him, Yes.

23 Q. Do you have an understanding of how he learned your name
24 and where you were born at that point?

25 A. I have no idea. Maybe that he ran my plates or

1 something, or -- I have no idea.

2 Q. Did the ICE agents eventually leave?

3 A. They left after a while, after they threw a tear gas,
4 because, like, it got really crowded there. It was about
5 30, 40 people around that area. The whole block was
6 blocked, the whole street was blocked.

7 Q. Did the police ever arrive before the ICE agents left?

8 A. No, they didn't.

9 Q. Did the ICE agents tell you why they left?

10 A. No, no reason.

11 Q. Did you ever show them your identification documents?

12 A. No, I never did. I told the officer, why he pull me
13 over, why he follow me. Give me probable cause, a reason
14 why, you know, I was being followed and pulled and ran --
15 and ran me over, and he just ignored me.

16 Q. Did they tell you that they -- when they did finally
17 leave, did they tell you that they left because they had
18 confirmed your citizenship?

19 A. No, they never did.

20 Q. Did you ever get any information from them about how to
21 submit a claim for payment for the damage to your car?

22 A. No.

23 Q. Those ICE agents that were surrounding you and
24 questioning you, were they armed?

25 A. Yes.

1 Q. How close were they to you when they were questioning
2 you?

3 A. He was, I would say, like almost on my face, but in --
4 like I said, then my wife came crying, and then he kind of
5 backed up a little bit.

6 Q. So when you said "almost to your face," are you saying
7 about a foot away from you?

8 A. Yes.

9 Q. And then -- and then you -- sorry. Go ahead.

10 A. Yep. My wife, like, got on the scene and she started
11 crying and begging the officer not to do anything to me,
12 that I'm a citizen. She was yelling that I'm a citizen.
13 And I was just angry, cursing at them. I was mad and -- you
14 know.

15 Q. Did the ICE agents ever ask you about your family?

16 A. No.

17 Q. Did they ever ask you how long you've lived in
18 Minnesota?

19 A. No.

20 Q. Did they ask you about your job?

21 A. No.

22 Q. Did they ask you anything about the things you're
23 involved in in your community?

24 A. No.

25 Q. How has this ICE encounter impacted you?

1 A. A lot.

2 Q. Can you describe how it's impacted you?

3 A. I mean, I'm scared. I feel scared now on days. Worry
4 that I cannot just go down the street, walk on the streets,
5 or go to places without being harassed by, like, one of
6 these agents just by profiling.

7 Q. How has this ICE encounter impacted your family?

8 A. A lot. My wife is a -- she's terrorized. She's scared.
9 She have nightmares. My daughter is really scared nowadays
10 when she hear the word "ICE" or "police." She's like --
11 starts shaking and kind of comes to us, you know, for
12 safety.

13 Q. Have -- has your wife changed anything in her life in
14 response to this ICE encounter that you had?

15 A. Yes, she did.

16 Q. What did she do?

17 A. So we decided that she was going to quit her job after
18 what happened to me.

19 Q. Why did you decide that?

20 A. She didn't feel safe.

21 Q. What was her job?

22 A. She work at a -- like social work, work with immigrant
23 families and work with kids through social work, like visits
24 their home.

25 Q. Is your wife also from Ecuador?

1 A. She is.

2 Q. Is she also a citizen?

3 A. She is.

4 Q. At some point did your wife have an interaction or
5 encounter with ICE?

6 A. She told me yes, she did. Like a week before she quit
7 her job, she was being followed by one of -- one car.

8 Q. And was that while she was working?

9 A. Yes.

10 Q. At the point that she was followed by ICE, had she given
11 notice to her job yet?

12 A. She did, yeah.

13 Q. And so it was within her last two weeks of work?

14 A. Right.

15 Q. How did she react -- how did she tell you about it?

16 A. She called me right away and she was crying and shaking
17 over the phone. I got scared. I worry. I just told her
18 not to do anything. Just -- if they pull -- they pull her
19 over, just pull over and show your identification, just be
20 calm. And I was trying to calm her down. She didn't know
21 where to go. And --

22 Q. But you were on the phone with her while it was
23 happening?

24 A. Yes.

25 Q. And then -- and did they pull her over?

1 A. No. They eventually got next to her, they honk their
2 horn, and they went like thumbs up, like that [indicating],
3 to her.

4 Q. Are you worried about getting stopped by ICE again?

5 A. Yes.

6 MS. AHLIN-HALVERSON: Okay. I have no further
7 questions.

8 THE COURT: Counsel.

9 **CROSS-EXAMINATION**

10 BY MR. SKEDZIELEWSKI:

11 Q. Good afternoon, Mr. Molina.

12 A. Good afternoon.

13 Q. So you were stopped by ICE officers on January 12th,
14 2026, correct?

15 A. Correct.

16 Q. And on that day, the ICE officers asked you for
17 documents to prove that you're a U.S. citizen, right?

18 A. Correct.

19 Q. But you said in your declaration that's been submitted
20 in this case that you were too angry to show them your ID,
21 right?

22 A. Yes, I was angry they keep asking for identification.

23 Q. So you didn't show them your ID at all that day,
24 correct?

25 A. I didn't show anything. I told them I need a police

1 officer to be on the scene.

2 Q. And you also repeatedly yelled at the officers, correct?

3 A. Yes.

4 Q. You mentioned in your declaration that you were "very
5 hot," that's a quote; is that correct?

6 A. Yes.

7 Q. What does that mean?

8 A. I just keep yelling at them. I was mad about being hit.
9 I was -- yeah, I was -- just told them, Why did you hit me?
10 Give me a reason why you pulled me over.

11 Q. So does being very hot mean that you were enraged?

12 A. No, I wasn't.

13 Q. Just angry?

14 A. Just angry, just mad.

15 Q. And agents repeatedly -- agents who pulled you over
16 repeatedly asked you for your place of birth?

17 A. No, he never did. Like I said, the older agent came and
18 asked me if I was Christian. And the same -- the older
19 agent -- the one that like came to me, he's like, Are you
20 Christian? I told him, Yes. And then he's like, Are you
21 from Ecuador? I say, Yes.

22 Q. So agents asked you where you're from but not your place
23 of birth?

24 A. Right.

25 Q. Do you remember saying in your declaration -- that's

1 Docket 103-1 -- that agents asked you for your place of
2 birth?

3 A. Just the one guy that, like I said, he said, Are you
4 from Ecuador? The other agents, they just keep asking for
5 my identification. They asked me if I'm a citizen. The
6 ones that rammed my car, they asked me for -- Are you a
7 citizen?

8 Q. And did they repeatedly ask you for your name?

9 A. No.

10 Q. Okay. Did they repeatedly ask you for your ID?

11 A. They did. And my insurance, too, after --

12 Q. And you -- other than when the agent come up and asked
13 if you were from Ecuador, besides that, you didn't tell them
14 where you were born?

15 A. I'm sorry?

16 Q. Scratch that.

17 You never gave the agents your name, right?

18 A. I give the -- my name to the agent, like the one that
19 approached me nicely. He was like, You Christian? And I
20 told him, Yes.

21 Q. About how far into the interaction was the -- that
22 interaction with that agent who came up and asked you
23 nicely?

24 A. He was really close to me. He was -- he came to me in a
25 nice way.

1 Q. No, I meant how many minutes into --

2 A. How many minutes? It was about like 5 or 7 minutes.

3 Q. So but before that, for the first 5 or 7 minutes, you
4 hadn't told them your name, correct?

5 A. Correct.

6 Q. You hadn't given them your ID --

7 A. Correct.

8 Q. -- during that time?

9 And during that time, before the 5 -- during the 5
10 to 7 minutes, you had not told them where you were born?

11 A. Correct.

12 Q. Okay. And you were -- and I'm sorry. I just want to
13 get this right. You were born in Honduras?

14 A. I'm sorry.

15 Q. You were born in Honduras or Ecuador?

16 A. No, Ecuador.

17 Q. Ecuador. And did any of the officers tell you that they
18 were stopping you based on your race?

19 A. No, they didn't. They -- I keep asking, Give me a
20 reason why you pulled me over. He just stay quiet.

21 Q. So they also didn't ask you -- or excuse me -- they also
22 didn't tell you that they were stopping you based on your
23 ethnicity?

24 A. No.

25 Q. None of the officers mentioned that they, you know,

1 pulled you over because you're Latino?

2 A. No, they didn't.

3 Q. And you can't read the officers' minds, correct?

4 A. No, I -- I can't.

5 Q. So since they didn't tell you why they pulled you over
6 and you can't read their minds, you're just speculating
7 about why they pulled you over, correct?

8 A. It's not that I'm speculating. I mean, they didn't give
9 me a reason why. There's no traffic violation or anything
10 that I did wrong.

11 Q. Right. So since they didn't give you a reason why, you
12 don't know why they pulled you over?

13 A. Right. Except why they ram my car? They didn't pull me
14 over. They rammed my car.

15 Q. Right. You do believe that they ran your license plate,
16 correct?

17 A. Nope, I don't believe they did.

18 Q. Okay.

19 A. Because they -- he started following me right after I
20 passed them.

21 Q. Do you have social media accounts?

22 A. Not really. Just like basic TikTok or something like
23 that, but not really.

24 Q. Yeah. And I don't want to know, you know, your handle
25 or anything.

1 A. Yeah.

2 Q. I don't want to look you up. So you have TikTok. Do
3 you have Facebook?

4 A. I don't have Facebook.

5 Q. Instagram?

6 A. Nope.

7 Q. Twitter?

8 A. No.

9 Q. Bluesky? Snapchat?

10 A. Nope.

11 Q. Just TikTok? Okay.

12 Have you seen on TikTok people saying that ICE is
13 stopping people based on race?

14 MS. AHLIN-HALVERSON: Objection, Your Honor. This
15 is irrelevant.

16 THE COURT: I'll allow it.

17 THE WITNESS: I -- I seen that. I mean --

18 BY MR. SKEDZIELEWSKI:

19 Q. Was that a yes?

20 A. Yeah, I guess. I've seen the stuff like that, yeah.

21 Q. And have you seen people saying on TikTok that ICE is
22 stopping people based on ethnicity?

23 A. Yeah, from the news you can see that, yeah.

24 Q. On the news as well you see it?

25 A. Correct.

1 Q. So you see people on the news and on TikTok saying that
2 they're stopping Latinos?

3 A. I mean, they're stopping anybody with a race color, I
4 guess, from brown or -- I don't see them stopping white
5 people.

6 Q. And you believe that because that's what you're seeing
7 on social media?

8 A. It's not that because I'm seeing. I just felt like
9 because they saw me, I looked at them, they saw me, I had a
10 mustache at that time, I'm brown, why -- give me a reason
11 why he follow me. I'm asking you, I'm sorry.

12 Q. I'll ask the questions today.

13 A. Yeah.

14 Q. Have you seen immigration officers since January 12th,
15 2026?

16 A. I did once in a rest area where you -- you know, where
17 you're driving the trucks and you're -- one of those rest
18 area.

19 Q. On the highway?

20 A. I saw one coming out of the bathroom.

21 Q. Okay. That's the only other time since January 12th
22 that you've seen immigration officers?

23 A. Correct.

24 Q. But your interaction on the 12th -- on January 12th,
25 that was the only time that they -- that they stopped you

1 and questioned you?

2 A. Yes.

3 Q. So since January 12th, you haven't had any further
4 interactions with immigration officers yourself?

5 A. No, I haven't.

6 MR. SKEDZIELEWSKI: Just a moment, Your Honor.
7 I'd like to introduce an exhibit.

8 THE COURT: Certainly.

9 MR. SKEDZIELEWSKI: Your Honor, I would just like
10 to introduce the Government's Exhibit Number 1, which is a
11 record in this case, the witness's declaration.

12 THE COURT: The declaration that's been filed
13 already?

14 MR. SKEDZIELEWSKI: That's correct.

15 May I approach the bench, Your Honor?

16 THE COURT: You may.

17 (Handing document to Court)

18 BY MR. SKEDZIELEWSKI:

19 Q. And Mr. Molina, do you recognize this document?

20 A. Yes.

21 Q. What is this document?

22 A. That's a declaration that I made.

23 Q. This is your declaration?

24 A. Correct.

25 Q. That was submitted in this case, right?

1 A. Correct.

2 Q. Okay. I'll just draw your attention to paragraph 13.

3 So that paragraph says the entire episode lasted about 45 to
4 60 minutes with ICE agents constantly demanding my ID, name,
5 and place of birth; is that right?

6 A. Correct.

7 Q. You mentioned earlier that they didn't ask you?

8 A. Well, they asked for my ID. If I had a place of birth,
9 the other guy did, he asked me if I'm from Ecuador. And I
10 told him, Yes. But it did last about 45 minutes. They
11 didn't leave right away.

12 Q. Okay. So just to get clarity. So they did ask you for
13 your place of birth?

14 A. The other guy did. He's like, Are you from Ecuador? I
15 told you that already.

16 Q. But that only happened one time?

17 A. Yeah, but the whole situation lasted, like, 45 minutes.

18 Q. I understand. So -- but here it says they constantly
19 asked you for those things, including place of birth. But
20 that's not correct. They actually only asked you place of
21 birth one time, right?

22 A. Correct. The lead guy constantly keep asking for ID. I
23 mean, I'm not counting how many time he asked me, you know,
24 but I don't want to say, oh, he can keep asking the whole
25 45 minutes for it, but that's how -- what I meant is that he

1 constantly keep asking for ID, and I told him I'm not going
2 to give it to him.

3 Q. Understood. I'd like to draw your attention to
4 paragraph 12 on the same page. That paragraph reads, "I
5 believe they ran my license plate which would have confirmed
6 that I was a U.S. citizen"; do you see that?

7 A. Yes.

8 Q. A moment ago you told me that you did not believe that
9 they ran your license plate. I just want to ask you which
10 is it? Did they or -- do you believe or do you not believe
11 they ran your license plate?

12 A. They probably ran my plate after they -- they rammed my
13 car, because how he -- how did he know my name and how --
14 why did he ask me for -- if I'm from Ecuador.

15 Q. So you believe that they ran your plates after --

16 A. Yes.

17 Q. -- they pulled you over?

18 A. Because before that, they didn't know who I was.

19 MR. SKEDZIELEWSKI: Okay. No further questions.

20 Thank you.

21 THE COURT: Counsel.

22 MS. AHLIN-HALVERSON: Thank you, Your Honor. Just
23 a few more questions.

24 **REDIRECT EXAMINATION**

25 **BY MS. AHLIN-HALVERSON:**

1 Q. I just want to clarify. When the first agent came to
2 talk with you and question you, he didn't use your name?

3 A. No.

4 Q. And he didn't say where you were born?

5 A. No.

6 Q. And when you were surrounded by the agents and they were
7 questioning you, they didn't use your name or your place of
8 birth at that time?

9 A. No.

10 Q. And you didn't have any understanding at that time that
11 they had run your plates before they rammed your car?

12 A. Correct.

13 Q. After -- when the agent came to you and asked you if you
14 were Christian and you were from Ecuador, was that after
15 they did the face scan of you?

16 A. Correct.

17 Q. In your declaration, you said in paragraph 13 -- or
18 sorry, in paragraph 12 that you believe they ran your
19 license plate. And what you were referencing there is the
20 fact that they learned your name and place of birth during
21 the interaction?

22 A. Yes.

23 Q. You summarized your encounter with the agents in your
24 declaration; is that fair to say?

25 A. Correct.

1 Q. And you've provided more detail here today --

2 A. Yeah.

3 Q. -- than you provided in your declaration?

4 Did you mean in your declaration that the ICE
5 agents were asking you questions every minute when you said
6 "constantly," or was that summarizing the entirety of the --

7 A. It was summarizing --

8 Q. -- entirety of the interaction?

9 A. -- summarizing the whole entire incident of what
10 happened.

11 Q. Okay.

12 MS. AHLIN-HALVERSON: Thank you. No further
13 questions.

14 THE COURT: Counsel, anything further?

15 MR. SKEDZIELEWSKI: Just one.

16 **REXCROSS EXAMINATION**

17 BY MR. SKEDZIELEWSKI:

18 Q. Earlier you mentioned that the agent apologize to you.

19 A. One of them did, not -- not everybody.

20 Q. And did you understand his apology to be in reference to
21 the car accident?

22 A. He came -- when he said he's sorry for what's happening.
23 I keep talking. He spoke Spanish. He was talking Spanish
24 to me. He keeps saying, I'm sorry. And I ask him, hey, ask
25 him for why he pull me over, why he follow me, and then he

1 just kept saying sorry.

2 MR. SKEDZIELEWSKI: Okay. Understood. Thank you.

3 MS. AHLIN-HALVERSON: One more.

4 THE COURT: That's all right.

5 Counsel.

6 MS. AHLIN-HALVERSON: Thanks.

7 **FURTHER REDIRECT EXAMINATION**

8 BY MS. AHLIN-HALVERSON:

9 Q. Was there anything about the way that the ICE agent
10 rammed your car that indicated to you that it was an
11 accident as opposed to intentional?

12 MR. SKEDZIELEWSKI: Objection, calls for
13 speculation.

14 THE WITNESS: I feel it was intentional.

15 THE COURT: Overruled.

16 Sir, I need to hear that answer again. Sorry. I
17 didn't hear it.

18 THE WITNESS: I feel it was intentional.

19 MS. AHLIN-HALVERSON: Thank you.

20 THE COURT: But the question was why, why do you
21 think that.

22 MS. AHLIN-HALVERSON: Yeah.

23 THE WITNESS: I believe he thought I was going
24 to -- I wasn't going to stop. I -- like I say, I got to the
25 right side and then he just rammed me maybe thinking that I

1 wasn't going to make a stop or stop.

2 MS. AHLIN-HALVERSON: Okay. No further questions.

3 THE COURT: Counsel, anything further?

4 MR. SKEDZIELEWSKI: No, thank you, Your Honor.

5 THE COURT: Sir, can you -- I just have one
6 question. How long -- I think I just have one question.

7 How long had you been driving after they turned or
8 activated their lights between the time that they hit you
9 from behind?

10 THE WITNESS: So it was about half a block from
11 Park -- so half a block from Park, I took a left on 35th,
12 right when I took a left on 35th, I was going to get to my
13 right lane. That's when they hit my rear end.

14 THE COURT: Right. And you're heading north on
15 Park?

16 THE WITNESS: That's south and then north on 35th,
17 I believe.

18 THE COURT: Okay. Got it.

19 Well, all right. I don't know that it really
20 matters.

21 Counsel, anything further based on the question I
22 just asked?

23 MS. AHLIN-HALVERSON: No, Your Honor.

24 THE COURT: Counsel.

25 MR. SKEDZIELEWSKI: No.

1 THE COURT: All right. Thank you for being here
2 today, sir. You're excused.

3 THE WITNESS: Thank you. Thank you.

4 MR. ZHAO: Your Honor, may I --

5 THE COURT: Certainly.

6 MR. ZHAO: One housekeeping matter.

7 Counsel for the Government admitted a declaration
8 that was already a part of this case. We're not intending
9 to resubmit all of the declarations; and even for the
10 witnesses who are testifying, we assume that their
11 declarations were already part of the record. I just wanted
12 to --

13 THE COURT: They're part of the record, and I
14 don't think putting it in as a separate exhibit is either
15 incorrect or -- or necessary or it just is what it is.

16 MR. ZHAO: Okay. And also just in the interests
17 of time, for some of our witnesses, we're not planning to
18 necessarily go over every single thing in their declarations
19 because we assume the Court will consider everything.

20 THE COURT: That's fair, yes.

21 MR. ZHAO: All right. Thank you.

22 THE COURT: All right. Thank you.

23 MR. ZHAO: Plaintiffs would next call Mubashir
24 Hussen. This will probably be a longer examination. I only
25 mention that in case it's relevant to whether the Court

1 would like to take a break.

2 (Discussion held off the record.)

3 THE COURT: Thank you for giving me a heads-up on
4 that, Mr. Zhao.

5 We will take a 15-minute break. It's a little
6 before 2:30 right now, but we'll resume proceedings promptly
7 at 2:45. I'll see everybody then. Until then, we are in
8 recess.

9 (Recess taken at 2:28 p.m.)

10 * * * * *

11 (2:44 p.m.)

12 **IN OPEN COURT**

13
14 THE COURT: Are plaintiffs prepared to call their
15 next witness?

16 MR. YOUNG: Your Honor, a quick point of
17 housekeeping before the plaintiffs call their next witness.
18 This morning we submitted a notice based on four videos that
19 plaintiffs have said they were going to use in Mr. Hussen's
20 testimony. Plaintiffs have also come to us this morning
21 with two demonstrative exhibits. We did not include those
22 in the motion, but our point still stands that those are not
23 part of the record yet. We did not file them to be part of
24 the record, and they should not be included within the
25 record of this testimony. And we base that -- our basis for

1 those arguments are in our brief, Your Honor.

2 THE COURT: Understood. I'm going to consider
3 that evidence. Whether it ends up ultimately --

4 MR. YOUNG: Sorry.

5 THE COURT: -- whether it ultimately ends up being
6 a part of whatever it is that -- whatever decision is made
7 in this case is a different question.

8 MR. YOUNG: Yes, Your Honor. Thank you.

9 THE COURT: All right. Thank you.

10 Mr. Zhao.

11 MR. ZHAO: Your Honor, I'm happy to call our next
12 witness. I would at some point, maybe tomorrow, I'd like
13 the opportunity to be heard on the Government's notice that
14 they filed this morning. We obviously haven't had a chance
15 to respond to that.

16 THE COURT: I think tomorrow.

17 MR. ZHAO: Okay.

18 THE COURT: During the argument.

19 MR. ZHAO: Thank you, Your Honor.

20 Plaintiffs call Mubashir Hussen. His declaration
21 is found at ECF No. 34?

22 THE COURT: Terrific. Thank you.

23 Mr. Hussen, good afternoon. I'll ask you, sir, to
24 come up here if you would, please, and stand between the
25 railing and the witness box, and face the courtroom deputy

1 to be sworn.

2 THE COURTROOM DEPUTY: Raise your right hand --
3 please raise your right hand, please.

4 Please state your full name for the record,
5 spelling your last name.

6 THE WITNESS: Mubashir Hussen, H-U-S-S-E-N.

7 THE COURTROOM DEPUTY: You do solemnly swear that
8 the testimony which you shall give in this proceeding now
9 before the Court shall be the truth, the whole truth, and
10 nothing but the truth, so help you God?

11 THE WITNESS: Yes.

12 THE COURT: Thank you, sir. Please be seated.

13 And let's make sure we pull that microphone up
14 real close to you so that we can hear you loud and clear.

15 Mr. Zhao.

16 (Mubashir Hussen)

17 DIRECT EXAMINATION

18 BY MR. ZHAO:

19 Q. There's water there too, if you need it.

20 A. Okay.

21 Q. Sir, can you please introduce yourself to the Court.

22 A. My name is Mubashir Hussen.

23 Q. And how old are you, sir?

24 A. 20.

25 Q. Are you a citizen of the United States?

1 A. I am.

2 Q. Was that by naturalization?

3 A. Yes.

4 Q. When were you naturalized?

5 A. 2019.

6 Q. And where do you live, sir?

7 A. Minneapolis.

8 Q. Can you tell the Court what neighborhood in Minneapolis

9 you live in?

10 A. I live in the Uptown neighborhood.

11 Q. Are you a named plaintiff in this lawsuit?

12 A. I am.

13 Q. Did you submit a declaration in this lawsuit?

14 A. Correct.

15 Q. In your declaration, you describe an encounter with

16 immigration; is that correct?

17 A. Correct.

18 Q. Are you aware of whether there are any videos of your

19 encounter?

20 A. I am.

21 Q. Have you personally seen some of these videos?

22 A. I have.

23 Q. Have you reviewed your declaration that was submitted in

24 this lawsuit?

25 A. Yes.

1 Q. Is there anything in your declaration that you would
2 like to correct today?

3 A. Yes.

4 Q. What is -- what is -- what are some of the things --
5 strike that.

6 What is something that you would like to correct
7 today?

8 A. I'd like to correct the date. The date of the
9 declaration is December 10th, but the incident took place on
10 December 9th.

11 Q. Was there anything else that you would like to correct
12 in your declaration?

13 A. Yes.

14 Q. And what is that, sir?

15 A. In the declaration, I wrote that I turned away; but
16 after reviewing the videos, I ran away.

17 Q. You ran away. Okay.

18 MR. ZHAO: I would like to admit Plaintiffs'
19 Hearing Exhibit Number 1. It is a video. I would like to
20 -- I would like permission to show the video and then ask
21 the witness some questions before playing it.

22 THE COURT: But let's -- sorry, Mr. Zhao. You're
23 going to show the witness the video, but then ask questions
24 before you play it?

25 MR. ZHAO: Well, I'm going to just do the still

1 shot of the video. Before I hit play, I'll ask him if he's
2 recognized it, and then --

3 THE COURT: All right.

4 MR. ZHAO: -- subject to Your Honor's ruling, hit
5 play.

6 THE COURT: We'll deal with admissibility after
7 the video has been played. I'm not a jury. I can -- I'm
8 not going to be prejudiced by seeing something that I can't
9 later consider in making a decision.

10 MR. ZHAO: That's certainly my view, too, to be
11 honest.

12 THE COURT: And the Eighth Circuit's.

13 MR. ZHAO: Yes, yeah.

14 BY MR. ZHAO:

15 Q. Sir, if -- I think you can see it on the screen,
16 Plaintiffs' Hearing Exhibit Number 1. Do you recognize this
17 -- well, this video?

18 A. I do.

19 Q. Have you seen it before?

20 A. I have.

21 Q. Does this video show an encounter with ICE that you
22 described in your declaration?

23 A. It does.

24 MR. ZHAO: Your Honor, with the Court's
25 permission, we'd like to play it.

1 THE COURT: Please. Thank you.

2 (Video Playing)

3 BY MR. ZHAO:

4 Q. Sir, did that video describe the encounter that you
5 testified about in your declaration?

6 A. It does.

7 Q. There was a date stamp.

8 MR. ZHAO: Kshithij, if you could move up just a
9 little bit.

10 BY MR. ZHAO:

11 Q. There's a date stamp in the upper corner of the video.
12 Can you see that?

13 A. Correct.

14 Q. Does that describe -- does that state the date of your
15 encounter with ICE?

16 A. Correct.

17 Q. There's also a time stamp on the video. Do you see
18 that?

19 A. I do.

20 Q. Do you know one way or the other whether that time is
21 correct?

22 A. I don't know.

23 Q. Okay. Right around the 30-second mark, there's a person
24 wearing white. Do you see that?

25 A. I do.

1 Q. Who is that?

2 A. That is me.

3 Q. And what are you doing at this time in the video?

4 A. I am walking -- I am talking to a man before going to a
5 restaurant.

6 Q. Okay. And what were you talking to this man about?

7 A. I had asked the man about what had happened earlier.

8 Q. You had -- I'm sorry. Say that one more time.

9 A. I had asked a man about what had happened earlier.

10 Q. Was there a particular event or something that you had
11 seen that led to this question?

12 A. Yes. Earlier in the day, I was upstairs in the office
13 of where I work at, and I noticed federal immigration agents
14 detain people. And one of the men detained, I knew him as a
15 restaurant worker, and he was a United States citizen. So I
16 had asked the man if they took him away.

17 Q. I'm going to back up just a little bit. Where do you
18 work, sir?

19 A. I work at Crossroad Health Services.

20 Q. And where is that located?

21 A. It is located in the Cedar-Riverside neighborhood.

22 Q. Okay. And were you able to see what had happened with
23 the ICE officers earlier from where you were working?

24 A. Correct.

25 Q. You said there were ICE officers. How did you know

1 that?

2 A. I heard people whistling and honking their horns. And I
3 seen one of the unmarked SUVs had its lights on.

4 Q. And you said that you saw ICE arrest someone who was a
5 U.S. citizen. How did you know this person was a U.S.
6 citizen?

7 A. I see that person every time I go downstairs to eat, and
8 I talked to him regularly. And I know he's a U.S. citizen.

9 BY MR. ZHAO:

10 Q. At about 38 seconds, an SUV pulls up --

11 MR. ZHAO: And if you could stop it right there.

12 BY MR. ZHAO:

13 Q. It's a little bit hard to see, but can you tell the
14 Court what you saw at that moment?

15 A. At that moment, I seen a marked, tan SUV approach us.
16 And the car stopped, and I seen a tall Black African
17 American man wearing a ski mask and a police-style vest exit
18 the vehicle and come towards me.

19 Q. Did this gentleman identify himself?

20 A. No.

21 Q. Did he say what agency he was with?

22 A. No.

23 Q. Did he tell you to stop or just at the moment he came
24 out?

25 A. No, he didn't say anything to me.

1 Q. Why did you turn around and run at this moment?

2 A. In that moment, I ran away because earlier I had
3 witnessed the same federal immigration agents detain a U.S.
4 citizen and I got really scared. I'm only 20 years old. I
5 never had any interaction with law enforcement officers, and
6 I didn't want to be put in a situation where I am detained
7 and taken away from my family.

8 Q. Where did you run to, sir?

9 A. I ran -- I ran the direction of Sagal's Restaurant.

10 Q. Okay.

11 THE COURT REPORTER: What was that?

12 THE WITNESS: Sagal's.

13 BY MR. ZHAO:

14 Q. Can you spell that?

15 A. S-A-G-A-L-S. It's a restaurant -- it's a Somali-owned
16 restaurant that serves Somali food.

17 Q. Where is your office in relation to this restaurant?

18 A. It is under my office.

19 Q. The restaurant is under your office?

20 A. Correct.

21 Q. And when you were standing here, is that the front of
22 the restaurant or the back of the restaurant?

23 A. That is the back of the restaurant.

24 Q. Okay. So, I'm sorry if you already answered this.

25 Where did you run to?

1 A. I ran to the direction of the restaurant, and I only got
2 to maybe a couple steps before the agent grabbed me and
3 pushed me inside.

4 Q. Pushed you inside of where?

5 A. Sagal's Restaurant.

6 Q. Inside a stairwell?

7 A. Correct.

8 Q. How far had you moved away from the man before he
9 grabbed you?

10 A. A couple steps, three steps.

11 Q. Not the length of a football field or anything like
12 that?

13 A. No.

14 MR. ZHAO: I would like to mark Plaintiffs'
15 Hearing Exhibit Number 2. It's just a photograph. With the
16 Court's permission, I'd like to publish it and then ask some
17 questions about its authenticity and admissibility.

18 THE COURT: That's fine.

19 MR. ZHAO: I'm sorry, Your Honor.

20 THE COURT: That's okay.

21 MR. ZHAO: We're going to put some -- we actually
22 have physical copies of this too, Your Honor, if that's
23 easier. I'm sorry. We should have --

24 THE COURT: Either way. Whatever works, yeah.

25 THE CLERK: You want to do that now?

1 MR. ZHAO: If we could have it up on the screen, I
2 can ask questions while the stickers are being put on.

3 BY MR. ZHAO:

4 Q. Do you recognize what's --

5 MR. ZHAO: There we go, great. Thank you.

6 BY MR. ZHAO:

7 Q. Do you recognize what this picture shows?

8 A. I do.

9 Q. Okay. What does it show?

10 A. It shows -- it shows the street of where the incident
11 had took place.

12 Q. Is this behind the restaurant where the video was?

13 A. Correct.

14 Q. And is this the location of where the tan SUV pulled
15 around and the man came out and you ran?

16 A. Correct.

17 MR. ZHAO: Can we show the -- I would like, Your
18 Honor, now to mark Plaintiffs' Hearing Exhibit Number 3.
19 It's another photograph.

20 BY MR. ZHAO:

21 Q. Do you recognize this picture, sir?

22 A. I do.

23 Q. And what does this show, sir?

24 A. It shows the entrance to Sagal's Restaurant.

25 Q. Okay. And does it show where you ran to after the agent

1 came out of the tan SUV?

2 A. Correct.

3 Q. Where did you run to in this picture?

4 A. I ran towards the door.

5 Q. The door being the one that's a few steps up?

6 A. Correct.

7 Q. Okay. And does this describe where the agent pushed you
8 into?

9 A. It does.

10 Q. And is it the door that is a few steps up right kind of
11 in the center of the picture?

12 A. Correct.

13 Q. What happened inside --

14 MR. ZHAO: You can take that down.

15 Your Honor, may I approach with the exhibits?

16 THE COURT: Certainly.

17 (Handing documents to Court)

18 BY MR. ZHAO:

19 Q. Can you tell the Court what happened inside the
20 restaurant stairwell?

21 A. Inside the restaurant, the ICE agent pushed me towards
22 the metal -- metal fence that covers the stairs. And I had
23 told the officer, What's going on? I'm a U.S. citizen.

24 And I again repeated, I have my ID. I'm a U.S.
25 citizen. I'm a U.S. citizen. And the agent keep saying,

1 That don't matter. That don't matter. And a second ICE
2 agent entered the restaurant to where they handcuffed me and
3 they squeezed my hand. They pushed me to a wall once more.

4 Q. I want to ask. So after you said "I'm a citizen, I'm a
5 citizen," did the agent let you go?

6 A. No.

7 Q. Did he say anything else to you other than, That don't
8 matter?

9 A. No.

10 Q. Did he ask you why you were running?

11 A. Yes.

12 Q. And what did you say to him?

13 A. I told him, I wasn't running.

14 Q. Did anyone else enter the stairwell while you were with
15 the ICE officers?

16 A. Yes.

17 Q. Who?

18 A. A couple of neighbors entered.

19 Q. What were they doing?

20 A. The neighbors had their phones out, and they were
21 recording the incident.

22 Q. Were they doing anything else?

23 A. If I remember correctly, some of them had whistles.

24 Q. Okay. Are you aware of whether there's any video of
25 what happened to you inside that stairwell?

1 A. I do.

2 Q. Have you seen video of what happened to you inside that
3 stairwell?

4 A. I have.

5 MR. ZHAO: Your Honor, with the Court's
6 permission, we would like to mark Plaintiffs' Hearing
7 Exhibit Number 4.

8 BY MR. ZHAO:

9 Q. Sir, is this video, is this something you've seen
10 before?

11 A. Correct.

12 Q. Does this video depict what happened to you in the
13 stairwell on December 9th as described in your declaration?

14 A. It does.

15 MR. ZHAO: Your Honor, may we play it?

16 THE COURT: You may.

17 (Video Playing)

18 BY MR. ZHAO:

19 Q. Sir, my first question is, there appears to be a date on
20 this video. Does -- is that the date of the encounter that
21 you described in your declaration?

22 A. Correct.

23 Q. And there's also a time stamp, but do you know if that
24 time is correct one way or the other?

25 A. I don't know.

1 Q. I thought I heard you say in the video you had ID. Do
2 you remember saying that?

3 A. I do.

4 Q. Did the officer ask to see your identification?

5 A. No.

6 Q. We heard a lot of screaming in that video. Was that
7 you?

8 A. Correct.

9 Q. Why were you screaming?

10 A. The agents, he once again pushed me into the wall; and
11 both the agents, with the handcuffs on, they were both --
12 they were squeezing my hand really hard.

13 Q. Were you in pain?

14 A. I was.

15 Q. Can you describe for the Court how you were feeling
16 inside while you were inside the stairwell with the two ICE
17 agents?

18 A. I was feeling really scared. I didn't know what was
19 going on. All I had done was step outside, and now I was in
20 a secluded area with no one around. And they were just
21 roughing me up, squeezing my hand, pushing again. I was
22 really scared.

23 Q. Did the agents eventually take you out of the stairwell?

24 A. Correct.

25 Q. Are you aware of whether there's any video of you after

1 you were taken out of the stairwell?

2 A. I am.

3 Q. Have you seen video?

4 A. I have.

5 MR. ZHAO: With the Court's permission, I'd like
6 to mark Plaintiffs' Hearing Exhibit Number 5.

7 BY MR. ZHAO:

8 Q. Have you seen this video before?

9 A. I have.

10 Q. And does this video describe the encounter that -- with
11 ICE that's described in your declaration?

12 A. It does.

13 Q. Does it describe what happened to you after you were
14 taken out of the stairwell?

15 Or sorry. Does the video depict what happened to
16 you after you were taken out of the stairwell?

17 A. It does.

18 MR. ZHAO: Your Honor, may we play it?

19 THE COURT: You may.

20 (Video Playing)

21 BY MR. ZHAO:

22 Q. Sir, after you were taken out -- I know we just watched
23 the video -- can you tell the Court what happened to you?

24 A. After I was taken outside, the -- both the ICE agents
25 were holding my arms. They walked me towards the car, and,

1 again I repeated, I have my ID. And that's when one of the
2 agents he pushed me to the ground and he pulled me in a
3 headlock for a couple seconds.

4 Q. How did that feel when the agent had you in a headlock?

5 A. I was really scared. I felt like I don't breathe. He
6 was choking me really hard.

7 Q. Were you scared?

8 A. Yes.

9 Q. Right at the 56-second mark, there's a man that appears
10 to be running after the vehicle. He's wearing a black hat.

11 MR. ZHAO: Can -- stop right there.

12 BY MR. ZHAO:

13 Q. Do you know who that man is?

14 A. I do.

15 Q. Who was that?

16 A. That's my employer.

17 Q. And what was he trying to do?

18 A. He was -- he was showing the agents a copy of my
19 passport card that he had at the office upstairs.

20 Q. Why would he have a copy of your passport card?

21 A. From my employment records.

22 Q. Did the ICE officers let you go after -- after this
23 happened?

24 A. No.

25 MR. ZHAO: You can take down the video. I'm not

1 going to show it.

2 BY MR. ZHAO:

3 Q. I want to ask you about what happened inside the SUV
4 now.

5 Actually, before I do, Mr. Hussen, I'm going to
6 take you back to the stairwell. I'm not going to put the
7 video up unless you think you need it.

8 A. Okay.

9 Q. In addition -- did you say you were a citizen when you
10 were in that stairwell?

11 A. Correct.

12 Q. Did you say it more than once, to the best of your
13 recollection?

14 A. Yes.

15 Q. All right. Sorry. Back to the SUV.

16 Can you tell the Court what happened to you right
17 after the agents put you inside the SUV?

18 A. Right after they put me inside the SUV, if I remember
19 correctly, my jacket fell off. And I had told the agents,
20 Can you please grab my jacket? It has my phone, and I could
21 show you guys my passport card. And that's when the agents
22 grabbed my jacket. The driver -- the driver got in, the
23 passenger got in, and they started driving away.

24 Q. Did they let you -- let me ask a different question.

25 Did you have a picture of your passport card on your phone?

1 A. Yes.

2 Q. Did the agents let you show them a picture of your
3 passport card on your phone?

4 A. No, they turned my phone off.

5 Q. Did they do anything else to you?

6 A. After they started driving away?

7 Q. No. Did they try to take a picture of you? Did they
8 try to do anything else while the car was still where it
9 was?

10 A. At that point, one of the agents, the one that detained
11 me, he was still squeezing my hands. He was waiting for the
12 passenger to get in. And after they got in, that's when my
13 employer came and he showed them my passport card through
14 the windshield. And I had verbally told the agents, That
15 man right there has my passport card. And both the agents
16 had told me, We don't care.

17 Q. Did they try to scan your face?

18 A. Yes.

19 Q. Did you let them?

20 A. At that point when we were still stationary, I did not
21 let them because I didn't feel comfortable because the agent
22 was still squeezing my hand.

23 Q. Were you still handcuffed at this time?

24 A. Yes.

25 Q. Besides asking you about a face scan, did the officers

1 ask you any other questions, such as -- well, let me just
2 ask open-ended.

3 Do you recall if the officers asked you any other
4 questions?

5 A. No.

6 Q. At any point up until this moment, did either the man
7 who ran after you and pushed you into the stairwell or any
8 of the men in the SUV, did they ask you your name?

9 A. No.

10 Q. Did any of them show you a warrant?

11 A. No.

12 Q. Did they give any indication that they knew who you
13 were?

14 A. No.

15 Q. They ask you where you lived?

16 A. No.

17 Q. Where you worked?

18 A. No.

19 Q. How long you've lived in Minnesota?

20 A. No.

21 Q. Any other questions about your ties to the community?

22 A. No.

23 Q. We saw the SUV drive away. Did they eventually take you
24 to ICE Detention Center?

25 A. No.

1 Q. Did they eventually take you there?

2 A. Correct.

3 Q. Okay. I know there's some other stops; but in the
4 interests of time, I want to take you to the part of your
5 declaration where you described the ICE Detention Center.
6 Do you know the name of that building?

7 A. The Whipple Building.

8 Q. Okay. So can you tell the Court what happened when you
9 got to the Whipple Building?

10 A. When we got to the Whipple Building, the agents stopped
11 at one of the gates. There was two cars in front of them.
12 They stopped, and the agents forced me outside. And there
13 was multiple agents, five agents. And again they had --
14 they scanned my face one more time. And the face thing,
15 nothing -- nothing came, and they put me inside the vehicle,
16 eventually.

17 Q. Okay. After they scanned your face, did they
18 immediately let you go?

19 A. No.

20 Q. Okay. Did they eventually take you inside the building?

21 A. Yes.

22 Q. Were you eventually allowed to show your identification?

23 A. Yes.

24 Q. Okay. What happened after you showed your
25 identification?

1 A. I showed one of the women ICE agents my identification.
2 She took a picture of me, and she brought me up to a
3 computer area and she fingerprinted me and she searched my
4 name through multiple databases.

5 Q. When you showed your identification, was this
6 passport -- picture of the passport card on your phone?

7 A. Correct.

8 Q. Did ICE eventually let you go?

9 A. Yes.

10 Q. From the time that you walked downstairs and were -- and
11 saw a man come out of the tan SUV to when they let you go,
12 approximately how long did that take?

13 A. That took more than two hours.

14 Q. Did any of the ICE officers at any point in time ever
15 tell you why you were stopped and arrested?

16 A. No.

17 Q. Can you please describe for the Court how the arrest has
18 impacted your physical and mental health?

19 A. Yes. The arrest had a long-lasting impact on me. Every
20 night when I go to sleep, that day just replays in my head
21 every night. And every time I'm out in public, I'm super
22 anxious about my surroundings, about any cars that I see.

23 And some physical impact is that day I -- when he
24 pushed me into that metal fence, I still have pain on my
25 back. I take Tylenol and muscle relaxants every night to

1 ease the pain before I go to bed.

2 Q. Have you seen any medical professionals?

3 A. Yes.

4 Q. For what?

5 A. For my physical and mental.

6 Q. Okay. Are those the same providers -- the same doctors
7 or the same people or different?

8 A. Different people.

9 Q. Do you have health insurance, sir?

10 A. I do.

11 Q. Does your health insurance cover all of your physical
12 and mental health needs?

13 A. Except for mental health.

14 Q. Can you say that again, please?

15 A. Except for mental health.

16 Q. Okay. So your health insurance covers your physical
17 doctor visits but not your mental health services; is that
18 correct?

19 A. Correct.

20 Q. Have you seen any mental health counselors?

21 A. Correct.

22 Q. Are you intending to continue to see mental health
23 counselors?

24 A. Correct.

25 Q. Has anyone set up a fundraiser for you?

1 A. Correct.

2 Q. Is that a yes?

3 A. Yes.

4 Q. Okay. Who?

5 A. My sister.

6 Q. And do you know why she's doing that?

7 A. To cover those expenses.

8 Q. The expenses that aren't covered by your health
9 insurance?

10 A. Correct.

11 Q. Are you using your involvement in this lawsuit in any
12 way to get additional donations?

13 A. No.

14 Q. Can you tell the Court why you decided to be a named
15 plaintiff?

16 A. I decide to be a named plaintiff in this case because I
17 don't want what happened to me to happen to anyone else. I
18 don't want my brothers, my sisters, my community members to
19 go through what I went through just for being -- for being
20 out in public. I'm here today to show my community that our
21 rights still matter, and -- yeah.

22 Q. Since what happened to you, have either you or your
23 family been subject to any harassment or experienced any
24 negativity?

25 A. Yes.

1 Q. And can you describe some of those for the Court,
2 please.

3 A. Yes. On social media, I see a lot of hateful stuff
4 about me. Some -- and the people found my sister's e-mail,
5 and they e-mail her saying, Go back to your country. You
6 don't belong here. ICE should have deported you. And I see
7 those things every time I'm on social media.

8 Q. The e-mail that your sister received, do you know who
9 it's from?

10 A. I don't know.

11 Q. It was anonymous?

12 A. Correct.

13 Q. When did your sister receive that e-mail? Was it before
14 or after we filed this lawsuit with you as a named
15 plaintiff?

16 A. After.

17 Q. I want to cover -- let me start over.

18 In your declaration, you describe a second
19 encounter that you had with ICE. Do you remember that?

20 A. I do.

21 Q. When did that second encounter take place?

22 A. The second incident took place on January 6th.

23 Q. Okay. I think we can be kind of brief about it, but can
24 you briefly tell the Court what happened on January 6th?

25 A. On January 6th, I was on my way to get food. That's

1 when I noticed a couple people outside and people honking.
2 And that's when I noticed two big SUVs. And I heard a
3 Hispanic woman yelling, crying, saying, They took my
4 coworker, they took my coworker.

5 And I decided to peacefully observe. I parked out
6 on the sidewalk. I was recording the ICE agents. And
7 that's when one of the vehicles exited. And the ICE agent,
8 he put down his window, and he pepper sprayed me as he drove
9 away.

10 Q. When you say "exited," did you mean the ICE agent just
11 rolled down the window?

12 A. Correct.

13 Q. Can you tell the Court why, even though you had been
14 arrested by ICE just a month before -- roughly a month
15 before, why you approached ICE officers again voluntarily?

16 A. I felt like I had to be out there and record what was
17 happening. That woman was going through a traumatic
18 experience, and I wanted to document what was happening
19 and --

20 Q. Since your arrest, have you seen ICE officers or
21 officers you think might be ICE officers since then?

22 A. Correct.

23 Q. Yes, you have?

24 A. I have.

25 Q. Okay. Can you tell the Court when was the most recent

1 time you saw an ICE officer?

2 A. The most recent time I've seen the ICE was on Sunday.

3 Q. This Sunday?

4 A. Correct.

5 Q. And how did you know this person was an ICE officer?

6 A. I seen through their windshield, it was two agents.

7 They were wearing those gaiters that covers their mouth, and
8 they have vest on.

9 Q. Are you worried about being stopped or arrested by ICE
10 again?

11 A. I am.

12 Q. Can you tell the Court why that is?

13 A. I am worried of being stopped again just for how I'm
14 being perceived just being out in public, walk into a store.

15 Q. Are you still spending time in your neighborhood and
16 doing the things that you did before your arrest?

17 A. I am.

18 Q. What are some of those things?

19 A. Those things include playing basketball two times a
20 week, going to the gym, hanging out with my friends and
21 families. I still want to live a normal life.

22 Q. First, does your doctor know that you're playing
23 basketball?

24 A. She does.

25 Q. Okay. What does she have to say about you playing

1 basketball?

2 A. She said it's okay. Don't overwork yourself.

3 Q. Even though you're still playing basketball and still
4 trying to see your family and friends, can you tell the
5 Court if you've -- is there anything that's changed about
6 your behavior or what you're doing that you didn't do before
7 your arrest on December 9th?

8 A. Yes. Before this incident, I used to walk to my -- the
9 stores nearby my house, including the grocery stores, the
10 Karmel Mall, which is a Somali mall that has a lot of Somali
11 shops, for food, coffee, clothing, barbershop, I used to
12 walk there, but now I avoid walking there and I drive there
13 instead to not be confronted.

14 Q. So, Karmel Mall, can you tell the Court how often before
15 your arrest you would visit Karmel Mall?

16 A. I would visit Karmel Mall at least almost every day or
17 every other day to get a cup of coffee before I went into
18 work.

19 Q. And since your arrest on December 9th, how many times
20 have you been to Karmel Mall?

21 A. Zero.

22 Q. Have you -- do you know or have you had heard of anyone
23 who has been stopped or arrested by ICE at Karmel Mall?

24 A. Yes.

25 Q. How do you know that?

1 A. The person that was stopped and questioned at Karmel
2 Mall was a friend of mine. He was at Karmel Mall. He was
3 getting food. And as he stepped outside, he was questioned
4 by ICE agents.

5 Q. Was this after your arrest on December 9th?

6 A. Correct.

7 Q. Was it after your -- you were pepper sprayed on
8 January 6th?

9 A. Correct.

10 Q. Was this friend Somali?

11 A. He is.

12 Q. Ramadan's coming up, right?

13 A. It is.

14 Q. Is there anything -- are you or your family doing
15 anything different about observing Ramadan or attending
16 Iftar this year because of what happened to you and because
17 of ICE?

18 A. Yes.

19 Q. Can you explain to the Court what that is.

20 A. Those things include, in the past years, families would
21 gather up and we will break our fast together at -- after
22 the sun sets, but this year we decided not to do that and
23 stay inside and break our fast indoors.

24 MR. ZHAO: No further questions at this time,
25 Your Honor.

1 Actually, Your Honor, would you -- might be a
2 silly question. Do plaintiffs need to formally move for the
3 admission or should we just talk about that tomorrow?

4 THE COURT: Well, we can talk a little bit about
5 that tomorrow, but let me ask just a couple of questions
6 that.

7 MR. ZHAO: Yes, of course.

8 THE COURT: Mr. Hussen, those pictures and videos
9 that you watched -- let's talk about the pictures, the two
10 photographs of the location where ICE officers detained you
11 originally or initially.

12 Do you know what I'm talking about there?

13 THE WITNESS: I am, Your Honor.

14 THE COURT: Okay. Do you know who took those?

15 THE WITNESS: I don't know.

16 THE COURT: Okay. Do you know when they were
17 taken?

18 THE WITNESS: I don't know.

19 THE COURT: Do those photographs fairly and
20 accurately depict that area behind the restaurant where ICE
21 agents seized you?

22 THE WITNESS: It does, Your Honor.

23 THE COURT: Okay. Would -- let me ask about the
24 video within the video. Does that make sense?

25 THE WITNESS: It does.

1 THE COURT: Do you know who took that?

2 THE WITNESS: I took that video.

3 THE COURT: You took that video?

4 THE WITNESS: Correct.

5 THE COURT: On your phone?

6 THE WITNESS: Correct.

7 THE COURT: Do you remember when?

8 THE WITNESS: I believe I took that video the
9 night of the incident.

10 THE COURT: Okay. Where were you when you took
11 that video?

12 THE WITNESS: I was in a restaurant called West
13 Bank Diner.

14 THE COURT: Okay. And I guess it sounds like a --
15 sort of a silly question, but it's an important one to me.

16 Does that video fairly and accurately depict the
17 scene, the incident were you -- where the ICE officer first
18 steps out of their vehicle -- or the officers first step out
19 of their vehicle and then come after you?

20 THE WITNESS: It does, Your Honor.

21 THE COURT: I get that it's kind of hard to see,
22 it's small, but it's a fair depiction of what happened.
23 That's what you're saying today?

24 THE WITNESS: Correct. But I believe we could get
25 a better video from the surveillance. There was more

1 surveillance of cameras in that area. There was one by the
2 entrance -- the back entrance of the restaurant, and there's
3 another one on the other side, so I believe there's a way
4 better angle than the one I took.

5 THE COURT: Okay. So better pictures are out
6 there. But my question is: The one that you took, as far
7 as you're concerned, is accurate?

8 THE WITNESS: To the best of my knowledge,
9 Your Honor.

10 THE COURT: Yeah, okay. And then does -- would
11 you say the same about the video that was taken from with --
12 inside the restaurant where we're looking up the stairway at
13 where ICE officers brought you in and pushed you up against
14 the wall. Is that a fair and accurate description of what
15 happened or depiction?

16 THE WITNESS: It is, Your Honor.

17 THE COURT: And then same for the video that's
18 outside, when they bring you outside and push you to the
19 ground?

20 THE WITNESS: It is, Your Honor.

21 THE COURT: Okay. I don't have any further
22 questions about that. I won't decide the admissibility
23 question here this minute. I'll give the Government an
24 opportunity to deal with that tomorrow if it really thinks
25 there's an outstanding issue left, but that's all I've got.

1 Mr. Zhao, any follow up?

2 MR. ZHAO: No, Your Honor. I appreciate the
3 follow-up questions.

4 THE COURT: Okay. Counsel.

5 **CROSS-EXAMINATION**

6 **BY MR. SKEDZIELEWSKI:**

7 Q. Good afternoon, Mr. Hussen. How are you?

8 A. I am good. How are you?

9 Q. Good. Thanks.

10 So you said in your declaration that you knew that
11 ICE agents are bullies; is that right? Do you remember
12 that?

13 A. I haven't said that.

14 MR. SKEDZIELEWSKI: If it's okay with the Court,
15 we can do this maybe the easier way, and I can just hand him
16 his -- a copy of his declaration and one for the Court?

17 THE COURT: That's fine with me.

18 MR. SKEDZIELEWSKI: Is that okay with the
19 plaintiffs?

20 MR. ZHAO: No objection, Your Honor.

21 THE COURT: Thank you.

22 MR. SKEDZIELEWSKI: Approach the bench,
23 Your Honor?

24 THE COURT: Thank you.

25 MR. ZHAO: I would ask the Court's permission for

1 Mr. Hussen to review the document if he needs time.

2 THE COURT: Certainly, I'll let him do that as
3 questions are asked if there's a need to do it as we go
4 along here.

5 MR. ZHAO: Of course, Your Honor. Thank you.

6 BY MR. SKEDZIELEWSKI:

7 Q. Do you recognize this document?

8 A. I do.

9 Q. What is this document?

10 A. My declaration.

11 Q. And so you swore to this declaration under penalty of
12 perjury, correct?

13 A. Correct.

14 Q. Okay. Can you take a look at the paragraph 6 that's on
15 page 2. Do you see that paragraph?

16 A. Yes.

17 Q. The last sentence of that paragraph reads, "I knew that
18 ICE agents are bullies and targeting people that look like
19 me." Do you see that?

20 A. I do.

21 Q. But your testimony today is that you don't -- you didn't
22 say that?

23 A. I didn't recall that I said that, but after reading
24 that, I do -- I do see it.

25 Q. Okay. Do you still maintain that, that ICE officers are

1 bullies?

2 A. I don't know.

3 Q. Okay. So today you're not sure, but when you signed the
4 declaration, you thought that they were bullies; is that
5 fair?

6 A. I don't know.

7 Q. Well, at the time that you signed the declaration, you
8 thought they were bullies, correct?

9 A. Correct.

10 Q. But today you're not sure?

11 A. I don't know.

12 Q. Okay. Is it true that your first interaction with ICE
13 was on December 10th of 2025?

14 A. That's not -- it's December 9th.

15 Q. Thank you. We corrected -- you corrected that earlier
16 today. So is it true that your first interaction with ICE
17 was December 9th, correct?

18 A. Correct.

19 Q. So before December 9th, you had never had a personal
20 interaction with ICE officers?

21 A. Correct.

22 Q. So you had no first-hand knowledge of ICE's behavior as
23 of December 8th, 2025?

24 A. December -- correct.

25 Q. When the ICE officer approached you on December 9th, you

1 corrected the declaration today and said that you did run
2 away from him; is that right?

3 A. That's correct.

4 Q. The ICE officer asked you, once he caught up to you, why
5 you ran away from him. Did you hear that in the video
6 earlier?

7 A. Correct.

8 Q. And at the -- during that initial interaction with the
9 officers and throughout the rest of December 9th, none of
10 the officers told you that they stopped you because of your
11 race; is that right?

12 A. To the best of my knowledge, correct.

13 Q. And none of the officers that day told you that they
14 stopped you based on your ethnicity?

15 A. Correct.

16 Q. And none of them said they stopped you based on the fact
17 that you're Somali?

18 A. Correct.

19 Q. And none of them said they stopped you because you're
20 Latino?

21 A. Correct.

22 Q. And you're not able to know what any given officer is
23 thinking, correct?

24 A. I don't know.

25 Q. So since the officers didn't tell you why they stopped

1 you, you're only speculating about why they stopped you that
2 day; is that right?

3 A. I don't know.

4 Q. Well, so, if you take a look at paragraph 37 of your
5 declaration, that's on page 8, do you see that?

6 A. Correct.

7 Q. And you write there in the first sentence of
8 paragraph 37, "I believe I was stopped and arrested solely
9 because of the color of my skin and my appearance as it was
10 clear the arresting agents did not know who I was, did not
11 present any warrant, and did not say why I was stopped and
12 why I was being arrested." Do you see that?

13 A. I do.

14 Q. And do you still maintain that?

15 A. Yes.

16 Q. And my question is: You have no firsthand knowledge
17 based on anything that ICE officers said to believe that; is
18 that correct?

19 A. I don't know.

20 Q. You don't know whether you do or don't have firsthand
21 knowledge?

22 A. I don't know.

23 Q. We already established, though, that the ICE officers
24 didn't tell you they were stopping you based on your race,
25 correct?

1 A. I don't know.

2 Q. Well, you just answered a moment ago that they did not
3 tell you that. Is that -- are you changing your answer?

4 A. I don't understand your question. Can you clarify?

5 Q. Yeah, sure. So did the ICE officers ever tell you that
6 they were stopping you or arresting you because of your
7 race?

8 A. Not that I recall.

9 Q. Did they ever tell you that they were stopping you or
10 arresting you because of your appearance?

11 A. Not that I recall.

12 Q. Did they ever tell you that they were stopping you or
13 arresting you based on your ethnicity?

14 A. Not that I recall.

15 Q. But here you say that they stopped you because of the
16 color of your skin, correct, in your declaration?

17 A. Correct.

18 Q. Okay. But you didn't get that idea from the officers,
19 correct, because they never told you that?

20 A. I would say so.

21 Q. I'm not quite sure what that answer means. I'll just
22 ask the question again, if you can give me a yes or a no.

23 The officers never told you that they were
24 stopping you based on the color of your skin, correct?

25 A. Correct.

1 Q. And so it's not anything that the officers told you that
2 made you believe what you wrote in paragraph 37 of your
3 declaration, right?

4 A. Correct.

5 Q. Do you have any social media accounts? You mentioned
6 earlier you have some, right?

7 A. Excuse me? Can you repeat that?

8 Q. You mentioned earlier that you have some social media
9 accounts.

10 A. I haven't mentioned that I have social media.

11 Q. I think in a question that you were asked earlier you
12 said you feel like you've been harassed on social media?

13 A. Correct.

14 Q. Okay. So I don't want to know, you know, the name of
15 your accounts. I'm not -- I don't want to look you up or
16 anything. I just want to know what platforms or apps you
17 have. So do you -- what social media apps do you use?

18 MR. ZHAO: Your Honor, plaintiffs would object to
19 this line of questioning. I think it's appropriate to ask
20 more generally, but naming specific social media
21 applications does not seem to have any relevance.

22 THE COURT: I'll allow it.

23 THE WITNESS: Can you repeat your question?

24 BY MR. SKEDZIELEWSKI:

25 Q. Sure. So the question is just which social media

1 applications do you use?

2 A. Of -- where I seen those hateful comments?

3 Q. Just in general, leaving the hateful comments aside,
4 just what social media accounts do you use?

5 A. The popular ones.

6 Q. Which ones are those?

7 A. That includes anything from YouTube, Instagram, et
8 cetera.

9 Q. Do you have Facebook?

10 A. Not that I recall.

11 Q. Twitter or X?

12 A. Correct.

13 Q. Bluesky?

14 A. No.

15 Q. Snapchat?

16 A. I don't know.

17 Q. And maybe a few others that you don't recall today?

18 A. Can you repeat that?

19 Q. Is it the case that you might have a few other social
20 media accounts that you're not remembering today?

21 A. I don't know.

22 Q. Okay. Do you have any more accounts besides YouTube,
23 Instagram and X?

24 A. Not that I recall.

25 Q. And have you heard on social media people saying that

1 ICE is stopping people on the basis of race?

2 A. Correct.

3 Q. And have you heard people saying on social media that
4 ICE is stopping people on the basis of ethnicity?

5 A. To the best of my knowledge, I would say so.

6 Q. Have you specifically heard people saying that ICE is
7 stopping people with a Somali background for that reason,
8 because they're Somali?

9 A. I would say so.

10 Q. And have you heard that often?

11 A. I don't recall.

12 Q. But more than once?

13 A. I don't recall.

14 Q. Now, going back to the day of September -- December 9th,
15 you repeatedly -- let me back up.

16 Officers tried to scan your face a few times; is
17 that right?

18 A. Can you repeat your question?

19 Q. On December 9th, officers tried to scan your face using
20 a phone a few times; is that right?

21 A. Correct.

22 Q. And you repeatedly refused to let the officers do that;
23 is that correct?

24 A. Eventually the officers did scan my face.

25 Q. Right. But in the sort of first part of the interaction

1 before they did scan your face, you avoided allowing them to
2 scan your face a number of times, right?

3 A. Correct, because the other agent was grabbing my hand,
4 he was squeezing it. How am I supposed to let him scan my
5 face if he's squeezing my hand and I turn to the right side.

6 Q. So if you could look at paragraph 17 of your
7 declaration, it's page 4.

8 That paragraph reads, "At this second location,
9 the officers" -- I'm sorry, did you find paragraph 17?

10 A. Correct.

11 Q. Okay. I'll just read it. "At this second location, the
12 officers pulled over and continued insisting on taking my
13 picture for a face scan. I continued to refuse and repeated
14 persistently that I was a citizen and I have ID and passport
15 card that I could can show them on my phone." Is that all
16 what's in there? Did I read that correctly?

17 A. You did.

18 Q. Okay. Now you say the "second location," so at this
19 point you're in the vehicle with the officers; is that
20 correct?

21 A. Correct.

22 Q. Okay. So at this point, the officers are not holding
23 your hand or squeezing your wrist; is that correct?

24 A. The officer is still squeezing my hand.

25 Q. So he's in the back seat squeezing your hands at the

1 time that you're referring to in paragraph 17?

2 A. Correct.

3 Q. Okay. But you're just sitting in the back seat of the
4 car next to the officer; is that right?

5 A. Correct.

6 Q. Okay. And you avoided getting your face scanned by
7 turning your head away; is that right?

8 A. No.

9 Q. How did you avoid getting your face scanned at that
10 time?

11 A. I put my head down like this [indicating].

12 Q. Just put your head down, okay.

13 And let the record reflect that when the witness
14 said "like this," he just tucked his chin towards chest.

15 Is that fair?

16 A. I would say so.

17 Q. After being in the car for some time, the officers then
18 took you to Fort Snelling; is that right?

19 A. Correct.

20 Q. And once you got there, and you mentioned this a moment
21 ago, then they actually scanned your face at that time?

22 A. Correct.

23 Q. And shortly after that, they let you go, correct?

24 A. Correct.

25 Q. About how long was that from the time they finally did

1 scan your face to when they let you go?

2 A. Close to an hour.

3 Q. It was an hour?

4 A. Close to an hour.

5 Q. Okay. As of January 15th, which is the date that you
6 signed your declaration, you saw federal immigration agents
7 in your neighborhood every day; is that right?

8 A. I wouldn't say every day, but close enough -- close to
9 that.

10 Q. Okay. Let's look at paragraph 38 of your declaration
11 which is on page 9.

12 Do you see that paragraph 38?

13 A. I do.

14 Q. Okay. So it says, "Since Operation Metro Surge started
15 in the neighborhood in which I live, which is near Karmel
16 Mall and Lake Street, I see federal immigration agents every
17 day"; is that right?

18 A. Correct.

19 Q. Okay. But now you're -- you're correcting your
20 declaration now and saying it wasn't every day?

21 A. Are you speaking of right now or back in January when I
22 signed this declaration?

23 Q. Yeah. I'm asking just from the perspective of when you
24 signed this declaration. As of January 15th, is it true
25 that you were seeing federal immigration agents every day?

1 A. Correct.

2 Q. Okay. But now we're, you know, a month after
3 January 15th, you're not seeing them every day; is that
4 right?

5 A. Correct.

6 Q. How often do you see them now?

7 A. Every other day.

8 Q. Every other day now?

9 A. Correct.

10 Q. All right. Now, again, just thinking -- well, let me
11 rephrase that.

12 Despite the presence of the federal immigration
13 officers in your neighborhood every day and since
14 January 15th every other day, you've continued to live your
15 life; is that right?

16 A. Correct.

17 Q. And so that means you've gone to work every day you've
18 had to work since then?

19 A. Correct.

20 Q. And you went to the gym the way you normally would?

21 A. Correct.

22 Q. And you played basketball twice per week during that
23 time?

24 A. Correct.

25 Q. And you spent time with family and friends during that

1 time as well, correct?

2 A. Correct.

3 Q. And you still went to Friday prayers at the mosque; is
4 that right?

5 A. Correct.

6 Q. Okay. So the only other time you interacted with ICE
7 officers during this -- you know, since December through
8 today, was when you approached them on January 6th; is that
9 right?

10 A. If I recall correct, that's true.

11 Q. Okay. And you approached them voluntarily on
12 January 6th, correct?

13 A. If I recall, correct.

14 Q. Is that a yes or a no?

15 A. Yes.

16 Q. So the agents that day, they didn't approach you, you
17 approached the agents; is that fair?

18 A. I would say so.

19 Q. Okay. So despite immigration officers' presence in your
20 neighborhood every day or every other day, you've only had
21 one interaction with ICE officers where they approached you,
22 was that fair?

23 A. I would say so.

24 Q. Okay. When -- going back to the very beginning of your
25 interaction on December 9th, did you resist the officers

1 when they were trying to gain control of you in the
2 stairwell?

3 A. No.

4 Q. Did you offer them your hands to put cuffs on you?

5 A. If I recall correctly, yes.

6 Q. Okay. So if one of those officers said that you were
7 struggling aggressively, do you think that's not correct?

8 A. If I recall correctly, correct.

9 Q. And just to be clear, because there's some caveats
10 there, if an officer said that you were struggling
11 aggressively, do you think that's true?

12 A. Can you repeat your question?

13 Q. Sure. Is it true that you were struggling aggressively
14 when the officers were trying to gain control of you on
15 December 9th?

16 A. No.

17 Q. Okay. Is it true that you were violently obstructing
18 their attempt to gain control of you on December 9th?

19 A. No.

20 Q. Is it true that you were putting up physical resistance
21 to officers when they tried to detain you on December 9th?

22 A. No.

23 Q. Okay. When the officer approached you in the first
24 instance on December 9th, you told the officer that you were
25 not running; is that correct?

1 A. I don't recall.

2 Q. I think we just discussed this a few minutes ago with
3 your counsel and it was on the video. So I'll ask the
4 question again, maybe you'll remember.

5 I'll ask it differently. I'll back up a step in a
6 second.

7 So when the officer, you know, went into the
8 stairwell with you, he asked you right away, he said it a
9 few times, Why did you run; is that right?

10 A. Correct.

11 Q. And you responded and said that you didn't run; is that
12 right?

13 A. I don't recall what I said.

14 Q. You don't recall what the video that you just watched a
15 few minutes ago said?

16 A. It was hard to hear what I was saying.

17 Q. Okay. You corrected your declaration today, and I'd
18 like to draw your attention to the paragraph that you
19 corrected.

20 MR. SKEDZIELEWSKI: Just give me one moment.

21 BY MR. SKEDZIELEWSKI:

22 Q. Paragraph 6 on page 2, sort of jumping to the middle of
23 that paragraph, the sentence that starts with "because," do
24 you see that?

25 A. On -- which paragraph?

1 Q. I'll back up. So paragraph 6, do you see that, on
2 page 2?

3 A. I do.

4 Q. And then in the middle of that paragraph, two sentences
5 in, it says, "because he did not say anything to me."

6 A. I see that.

7 Q. Okay. I'm going to read that sentence. "So because he
8 did not say anything to me, I turned to walk away hoping he
9 would leave me alone." Did I read that correctly?

10 A. Correct.

11 Q. Okay. And is that the paragraph that you wanted to
12 correct today when you said that now -- let me just ask it
13 that way.

14 Is that a paragraph you wish to correct today?

15 A. No.

16 Q. What paragraph do you wish to correct today?

17 A. The paragraph that I wish to correct is, "He quickened
18 his pace and came at me, grabbed me forcefully, pushed me
19 into the restaurant, and asked, Why are you running from me?
20 This was false, as I was not running. I was just walking
21 away."

22 Q. Okay. So that sentence that says, "I was not running,"
23 that's the sentence you want to correct?

24 A. Correct.

25 Q. Okay. And what should it say now?

1 A. That I was running.

2 Q. I was running. Okay.

3 And do you remember now, seeing this declaration,
4 whether you responded to the officer that day saying that
5 you were not running?

6 A. I don't recall.

7 Q. Okay. So you don't recall saying that to the officer,
8 but you do want to correct the record here and change this
9 to saying that you were running?

10 A. Correct.

11 Q. And why did you say that you were not running in this
12 declaration?

13 A. I don't know.

14 Q. Do you understand -- well, let's take a look at the last
15 page of the declaration, so on page 11.

16 You see the last paragraph there that's not
17 numbered starts "I declare"?

18 A. I do see that.

19 Q. Okay. And that says, "I declare under penalty of
20 perjury that the foregoing is true and correct to the best
21 of my knowledge and belief." Is that -- did I read that
22 correctly?

23 A. Correct.

24 Q. Okay. And you understand you're under a similar oath
25 today in this court?

1 A. Correct.

2 Q. Okay. And so when you signed this declaration, did you
3 believe that you didn't run that day?

4 A. To the best of my knowledge -- what was -- can you
5 clarify your question?

6 Q. Sure. So you signed this declaration on January 15th.
7 On a January 15th when you signed the declaration, did you
8 believe that you did not run when the ICE officers
9 approached you?

10 A. Correct. To the best of my knowledge, when I signed
11 this declaration, I believed that I didn't run.

12 Q. Okay. And you said earlier I think that you watched the
13 video that we saw earlier on the same day that this incident
14 happened, on December 9th; is that right?

15 A. I don't recall.

16 Q. Well, when was that video that we just watched earlier
17 from?

18 A. It's from the incident that happened.

19 Q. Yeah. So let me -- let me lay a bit more of a
20 foundation.

21 So one of the videos that we watched, as the Court
22 described it, was a video within a video. Do you remember
23 that one?

24 A. I do.

25 Q. That was I believe Plaintiffs' Exhibit Number 1. So

1 I'll call that Plaintiffs' Exhibit Number 1 for now just for
2 reference.

3 So Plaintiffs' Exhibit 1, when did you first see
4 that video?

5 A. I don't -- I don't recall when I first seen that video.

6 Q. Didn't you tell the judge a few minutes ago that you
7 were recording -- you were recording that video on your
8 phone, correct?

9 A. I don't know.

10 Q. Take your time. You know, I just want to get a truthful
11 answer, so if you need a break or something, just let me
12 know, but I'll ask the question again. I'll give you a
13 chance to get some water.

14 So you mentioned earlier today that on the same
15 day of the interaction with the ICE officers, December 9th,
16 that you recorded that video on your phone; is that right?

17 A. I believe so.

18 Q. Okay. And so that was December 9th. You signed this
19 declaration on January 15th, about a month later. So you
20 knew on December 9th that you ran from the ICE officer
21 because you saw it on the video, correct?

22 A. I don't recall what I was thinking on December 9th.

23 Q. But you did watch that video, Plaintiffs' Exhibit 1, on
24 December 9th?

25 A. If I watched that video?

1 Q. Right. You watched it, correct?

2 A. Correct.

3 Q. Did you watch it ever again after December 9th?

4 A. I don't recall when I last watched that video, except
5 for today.

6 Q. And when did you give that video to your attorneys?

7 A. I don't recall.

8 Q. Was it in February this year?

9 A. I don't recall.

10 Q. You don't recall whether it was --

11 MR. ZHAO: Hang on. Objection, this is getting
12 into privileged territory.

13 THE COURT: So two observations.

14 One, I don't think when he gave you the video is
15 privileged. That would be a fair answer in normal times.
16 Two, I think you've made your point.

17 MR. SKEDZIELEWSKI: Fair enough.

18 BY MR. SKEDZIELEWSKI:

19 Q. You mentioned that you saw ICE officers this past
20 Sunday?

21 A. Correct.

22 Q. And you didn't have any interaction with them this past
23 Sunday?

24 A. Correct.

25 Q. And you mentioned that you're seeking mental health

1 treatment; is that right?

2 A. Correct.

3 Q. Okay. And I don't want any details of your mental
4 health treatment. I just want to know, for the sake of the
5 record, that if there's any reason that the testimony you
6 gave today -- if there's any reason that the testimony you
7 gave today is not truthful based on mental health concerns?

8 A. I don't understand your question. Can you repeat what
9 are you asking?

10 Q. Yeah, sure. Are you taking any medication today that
11 would make it difficult for you to give truthful answers to
12 this testimony -- to my questions today?

13 A. No.

14 Q. And is there any other mental health concern that would
15 make it difficult for you to answer my questions truthfully
16 today?

17 A. No.

18 Q. Okay. Thank you.

19 THE COURT: Counsel.

20 MR. ZHAO: Thank you, Your Honor.

21 **REDIRECT EXAMINATION**

22 BY MR. ZHAO:

23 Q. Mr. Hussen, were you trying to tell the truth to the
24 best of your ability when you signed the declaration on
25 January 15th?

1 A. Correct.

2 Q. You were?

3 A. Yes.

4 Q. And are you, to the best of your recollection and
5 ability, trying to tell the truth today?

6 A. Yes.

7 Q. Did you just make a mistake in paragraph 6 of your
8 declaration?

9 A. Correct.

10 Q. Did watching the video that we've been describing as
11 Plaintiffs' Exhibit 1 -- do you know what I'm talking about?

12 A. I am.

13 Q. Did seeing that video after you signed your declaration
14 refresh your recollection about what happened that day?

15 A. It does.

16 Q. You were asked a number of questions about how you
17 responded to the officer in the stairwell. Do you remember
18 that?

19 A. I do.

20 Q. And I believe you testified that you didn't remember
21 everything that you said; is that fair?

22 A. Yes.

23 Q. Do you remember -- do you have a clear memory of stating
24 that you told the officer that you were a U.S. citizen?

25 A. Yes.

1 Q. That's something that you remember doing?

2 A. Yes.

3 Q. But you don't remember everything that you said?

4 A. Yes.

5 Q. Do you have a clear memory that after you told the
6 officer that you were a U.S. citizen, the officer saying,
7 That don't matter?

8 A. Yes.

9 Q. Can you tell the Court again -- I know we covered it
10 briefly, but can you tell the Court again just how you were
11 feeling inside that stairwell when the officer had his hands
12 on you?

13 A. I was feeling really scared and frightened. I didn't
14 know what was going on. I didn't know why the officers
15 grabbed me and pushed me inside the restaurant and cuffed
16 me, even though I insisted I was a citizen. I was really
17 scared. I didn't know where they were going to take me,
18 what they were going to do with me.

19 Q. You were asked about a second location right after the
20 SUV drove away from the restaurant. You were asked
21 questions about why you didn't let the officers scan your
22 face. Do you remember that?

23 A. I do.

24 Q. And I believe you testified that the officer was
25 squeezing your hand; do you remember that?

1 A. I do.

2 Q. Were you still handcuffed at this time?

3 A. I was.

4 Q. When did the officers remove the handcuffs?

5 A. The officers removed the handcuffs at the Whipple
6 Building, and that's when they put shackles on me.

7 Q. Around your ankles?

8 A. Correct.

9 Q. Were you in pain this entire time the handcuffs were on
10 you?

11 A. I was.

12 Q. Can you describe to the Court how tight the handcuffs
13 were?

14 A. Yes, the handcuffs, to begin with, they were on
15 extremely tight, and every time I asked the agent, Can you
16 please loosen my handcuffs, he would squeeze my hands even
17 tighter. And my hands became numb, and I had bruises on my
18 wrist and hand.

19 Q. You were asked questions about paragraph 37 of your
20 declaration. Do you mind turning to that.

21 Now you testified that the officers never told you
22 that they were arresting you because of your skin color or
23 ethnicity; is that correct?

24 A. Correct.

25 Q. But did they give you any reason whatsoever why they

1 grabbed you, why they arrested you, why they put you in a
2 headlock, why they took you to the Whipple Building?

3 A. No.

4 Q. Before -- you testified earlier that you had a picture
5 of your passport card on your phone. Do you remember that?

6 A. I do.

7 Q. When did you start carrying around a picture of your
8 passport card?

9 A. I started carrying a picture of my passport card on --
10 when they announced that ICE was coming to Minnesota.

11 Q. And why did you feel like you needed a picture of your
12 passport card?

13 A. Because I knew they were stopping people based on their
14 perceived race or ethnicity.

15 Q. And how did you know that? Can you tell the Court,
16 please?

17 A. Yes, I knew that from arrests I seen on the news.

18 Q. Before your arrest on December 9th, had you heard anyone
19 in the administration make disparaging remarks about Somali
20 people?

21 A. Yes.

22 Q. Can you tell the Court what you heard?

23 A. Yeah, I heard President Don Trump, he made comments
24 about Somali people. I don't recall what he said, but he
25 said Somalis are garbage, and -- et cetera.

1 MR. ZHAO: I have no further questions at this
2 time, Your Honor.

3 THE COURT: Counsel.

4 **RECCROSS EXAMINATION**

5 BY MR. SKEDZIELEWSKI:

6 Q. So earlier I asked you after December 9th how many times
7 you had watched the video within the video, Plaintiffs'
8 Exhibit 1, and the answer was, I don't know. Do you
9 remember that?

10 A. Can you please clarify the question you're asking me?

11 Q. Yeah, do you remember when I asked you a few minutes ago
12 whether you had watched Plaintiffs' Exhibit 1 after
13 December 9th?

14 A. I do.

15 Q. Okay. And just now plaintiffs' counsel asked you if
16 watching that video had refreshed your memory about that
17 day. Do you remember that?

18 A. I do.

19 Q. Okay. And you said it did, right?

20 A. Correct.

21 Q. And when did you watch that video that it refreshed your
22 recollection?

23 A. I watched that video today and the past couple of days.

24 Q. Okay. So you watched it today and sometime in the past
25 few days, sometime in the last week; is that fair?

1 A. I would say so.

2 Q. Okay. But you don't remember if you ever watched it
3 before the past few days; is that right?

4 A. If I recall correctly, yes.

5 Q. You may have, you have just don't remember?

6 A. Yes.

7 MR. SKEDZIELEWSKI: Okay. That's all I have.

8 MR. ZHAO: Nothing further, Your Honor.

9 THE COURT: Mr. Hussen, thank you for being here
10 today.

11 THE WITNESS: Thank you.

12 THE COURT: You're excused.

13 THE WITNESS: Thank you, Your Honor.

14 THE COURT: Are plaintiffs prepared to call their
15 next witness?

16 MR. SHAH: Yes, Your Honor. We call Ramon Menera.

17 THE COURT: Sir, I'll ask you to come up here
18 please, if you would, and stand between the railing and the
19 witness box, which is right there.

20 Just stand at the base of the steps and face the
21 courtroom deputy to be sworn, please.

22 THE WITNESS: Right here?

23 THE COURT: Please.

24 THE COURTROOM DEPUTY: Please state your full name
25 for the record, spelling your last name.

1 THE WITNESS: What's that?

2 THE COURTROOM DEPUTY: Please state your full name
3 for the record, spelling your last name.

4 THE WITNESS: Okay. My name is Ramon Menera,
5 M-E-N-E-R-A.

6 THE COURTROOM DEPUTY: Do you solemnly swear that
7 the testimony which you shall give in this proceeding now
8 before the Court shall be the truth, the whole truth, and
9 nothing but the truth, so help you God?

10 THE WITNESS: Yes.

11 THE COURTROOM DEPUTY: Thank you.

12 THE COURT: Thank you, sir.

13 Please have a seat, and let's get that microphone
14 pulled up to you as close as you can, sir, so that we can
15 hear you loud and clearly.

16 Counsel, your witness. And just FYI, by our
17 clock, you've got about 25 or 26 minutes.

18 MR. SHAH: Thank you, Your Honor.

19 THE COURT: Thank you.

20 **(Ramon Menera Romero)**

21 **DIRECT EXAMINATION**

22 BY MR. SHAH:

23 Q. Mr. Menera, how old are you?

24 A. I'm 30 years old.

25 Q. Do you live in the State of Minnesota?

1 A. Yes, I do.

2 Q. What city do you live in?

3 A. Columbia Heights.

4 Q. How long have you lived in Minnesota?

5 A. I in Minnesota have lived around -- since 2012.

6 Q. And how long have you lived in the United States?

7 A. Same.

8 Q. Where were you born?

9 A. I was born in Mexico.

10 Q. And then you came to the United States and Minnesota
11 specifically in 2012?

12 A. Well, I got first of all, in California. I was there
13 for, like, three months or so, then moved up here.

14 Q. Thank you for clarifying that.

15 And at some point did you become a legal permanent
16 resident --

17 A. Yes.

18 Q. -- of the United States?

19 That was yes?

20 A. Yes.

21 Q. What year was that, if you recall?

22 A. I don't remember the year exactly, but I will say it was
23 in 2014, if I'm not wrong.

24 Q. And then at some point did you choose to become a
25 citizen of the United States of America?

1 A. Yes.

2 Q. When was that, if you recall?

3 A. It was in 2019.

4 Q. And you live in Columbia Heights. Do you own a house or
5 did you purchase that house?

6 A. Well, I got a loan through the bank. I'm paying the
7 house, so, yes.

8 Q. So you have like a mortgage through the bank that you
9 pay --

10 A. Yes.

11 Q. And who do you live with at that house?

12 A. I live with my girlfriend and my daughter.

13 Q. How old is your daughter?

14 A. My daughter is five years old.

15 Q. Now, you submitted a declaration in this case in which
16 you describe an incident where you were stopped and arrested
17 by ICE on January 14th of 2026. Do you recall that?

18 A. Yes. That's correct.

19 Q. Do you recall that date?

20 A. Yes, it was Wednesday, January 14th.

21 Q. And you recall the circumstances surrounding that
22 incident, correct?

23 A. What was that?

24 Q. You recall what happened to you that day?

25 A. So basically we went to get an ice cream with my

1 daughter, and when we were coming back, there were agents
2 trying to detain or -- detaining someone, like in front of
3 my driveway. So I was trying to park when I first saw them.
4 They saw me, and they point at me with their guns, so
5 yelling at me to get back, to move out of the way. I try to
6 explain to them -- or yell at them, Hey, I live there. I
7 have to park my car.

8 Q. And were there -- did they have vehicles -- or were they
9 in front of your driveway so you couldn't get into your
10 driveway?

11 A. Yes, there were vehicles, like, blocking the entrance,
12 like, both sides, and the person who they were detaining was
13 -- his car was in front of my driveway. So my daughter saw
14 that, unbuckled herself, jump on me, yelling and crying,
15 like, Dad, let's go! Let's go! So I sat there and I
16 decided to go park first, park into the front, and we went
17 inside of the house.

18 Q. And you went inside the house. Did you leave your
19 daughter inside the house?

20 A. Yes, I left my daughter inside of the house, so we were
21 talking with my girlfriend, and I'm like, I'm going to go
22 outside, make sure they don't leave their car in front
23 because we cannot park in the street during the winter. So
24 I decided to go out there. But before, though, I start
25 recording. That's when I was waiting for them to move their

1 car, or finish with their -- whatever they were doing.

2 Q. And when you went back outside and you started
3 recording, where were you standing?

4 A. I was standing in my property inside of my fence.

5 Q. And so you have a fenced-in yard there?

6 A. Yes.

7 Q. Were you in the front of your house near the garage?

8 A. It was in the backyard of my house.

9 Q. The backyard?

10 A. Yes.

11 Q. Okay. And you were standing within the fence of your
12 property, correct?

13 A. Yes.

14 Q. What happened while you were standing there?

15 A. So, we were recording. They were taking someone in. I
16 think they were almost ready to leave when a gentleman from
17 them decided that, I don't know, he -- he just stare at me,
18 walk straight to me. And when he was walking into my
19 property, I told him he was not allowed. It was private
20 property and he didn't have permission. He didn't care. He
21 just came towards me and started asking me questions like
22 where I was born at. And I think he asked for my paperwork
23 to show him, which I answer him, like, I shouldn't be
24 required to have my paperwork on me.

25 Q. And so I'm going to back up just a step. You told him

1 it was private property and he was not allowed on there,
2 correct?

3 A. Yes.

4 Q. Fair to say you did not invite him onto your property,
5 right?

6 A. I didn't. I was actually telling him he was not
7 allowed. I wasn't giving permission. So he knew that he
8 wasn't welcome in -- or we didn't want him close by.

9 Q. And despite you saying that he did not have permission,
10 he continued to walk towards you; is that correct?

11 A. Yes.

12 Q. And then he came up to you and he asked you where you
13 were born and for your paperwork. What did you say back to
14 him?

15 A. I told him that I wasn't required to show him my
16 paperwork, and he say that, yes, I was required. And I
17 think he said that if I didn't show, he was going to take
18 me.

19 Q. Did he -- well, did you ask him why you were required to
20 show your paperwork?

21 A. Yes, I did. I -- well, I think I did ask him why he was
22 asking for my paperwork. And he say because of my accent.
23 So I answer him back, like, Now are you base on accent? You
24 have an accent too. And that's when I think he got mad and
25 he just pulled me out of the fence of -- the door of my

1 fence, and he decided to take me.

2 Q. And so when you asked him, Why do I have to show my
3 paperwork, he said, It's because of your accent?

4 A. Yes.

5 Q. And then you said that he grabbed you and pulled you
6 outside of your fence?

7 A. Yeah, before -- before he grabbed me, like I said, I
8 told him, like, Oh, you have an accent too. Like, in my
9 point of view, I wasn't a valid reason to take me or to ask
10 me for my paperwork. And I think when I say that, he got
11 mad, and he's like, Okay, I'm going to take you.

12 Q. Because that didn't seem fair, right, if he had an
13 accent and --

14 A. Not at all, because that's what my point, when he gave
15 me a reason, I'm like, If I have an accent and you think I'm
16 illegal or something that I had to prove you that I'm not,
17 well, you have an accent, so it shouldn't be a valid --

18 Q. When these men came up to you, how many men came inside
19 of your fence property?

20 A. So, I think inside my fence were two, and by the garage,
21 were, like, another -- I don't know, another three, if I'm
22 not wrong. I couldn't really pay attention to the other
23 guys coming in. I was focused on the one in front of me.
24 And one of them was covering my wife from recording and told
25 her to not record because otherwise it was going to the same

1 for her.

2 Q. Did these men who came into your yard, did they have any
3 weapons on them?

4 A. Well, like I said, when I saw them in the -- in the
5 alley, they all were -- had guns pointing on us. By the
6 time --

7 THE COURT REPORTER: I'm sorry. Could you repeat
8 that?

9 A. When I saw them in the alley, they were pointing of us,
10 me and my daughter in the truck, so they were walking
11 towards us, pointing with their guns.

12 But at the time they got there, on the garage, I
13 didn't see if they have guns. I guess they did.

14 Q. Okay. But you had seen them with guns previously?

15 A. Yes.

16 Q. And then you said they grabbed you. Did they handcuff
17 you at some point?

18 A. Yes, so they -- they throw me against my garage door,
19 push me, and told me to not resist. I'm like, I'm not
20 resisting, but I had, like, three guys around me trying
21 to -- where, like, I wasn't even resisting. They did put
22 their handcuff on me, so --

23 Q. And what did they do after you were handcuffed?

24 A. So after I was handcuffed, they took me to the van.

25 They told me that they were going to take me. And when I

1 was in the van, one of the guys told -- ask one of them that
2 what came out of the scan face they did to me. They say
3 that I was a citizen since 2019, and even so, they were
4 going to take me.

5 So I told them, Hey, I have my passport in my
6 wallet, which one of the guys just laughed at me like, Oh, a
7 passport in your wallet? I'm like, Yes, a passport card.
8 It's in my wallet. Can you pick it up, please, and make
9 sure.

10 Q. And so you told them you had the passport in your wallet
11 and he laughed at you?

12 A. Yes.

13 Q. At some point did they take the passport card out of
14 your wallet and look at it?

15 A. Yes, they took the passport card out of my wallet, and
16 same thing, they scan it, and same thing, I think they're
17 like, What came out again? And they're like, Yes, he's a
18 U.S. citizen since 2019.

19 Q. And then at that point did they decide to let you go?

20 A. The guy in charge of the guy in the van told him to let
21 me go. He didn't want to let me go. He's like, Oh, he lie
22 about it, he lied so we should take him in. And he's like,
23 What it came out? He's like, again, Yes, he's a U.S.
24 citizen. Let him go.

25 Q. And at some point as they were letting you go, did this

1 man who had come to you at first, did he say something to
2 you while they letting you go?

3 A. So before he let me go, he got mad, because -- or what I
4 saw or heard his voice, he seemed like mad or disappointed
5 because his boss told him to let me go. So he went in the
6 van and grab something to loosen my handcuffs, but he told
7 me in Spanish, Next time I see you, I will take you. And I
8 don't care if you are a U.S. citizen, and I don't care I
9 have to do extra paperwork, but I will take you.

10 Q. And so as he was undoing your handcuffs, he said, Next
11 time I see you, I don't care, I'm going to take you in even
12 if you're a U.S. citizen?

13 A. Yes, and he didn't care too if he had to do extra
14 paperwork.

15 Q. How did that make you feel?

16 A. Well, like, it bugged me. Like, I felt so helpless.
17 Like, now they're -- because I felt like I was protected
18 being a U.S. citizen and that they couldn't do anything to
19 me. Like even so, like later on they will find out I'm a
20 U.S. citizen, they will, like, apologize or something, like,
21 Hey, we did something wrong. But after he knew that I was a
22 U.S. citizen -- that I am a U.S. citizen, he still think
23 like that. I'm like no way that I'm -- I'm going to -- I
24 have no rights, like, I feel so helpless.

25 Q. You had mentioned earlier on that -- before these ICE

1 agents came to you, you had gone to get ice cream with your
2 daughter. Was that something that you had done regularly
3 with your daughter in the time period leading up to this
4 day?

5 A. No, so before we -- we were not going out much, we were
6 trying to stay inside as much as we can, only go when it's
7 necessary. But that day my daughter wanted to go get an ice
8 cream, and I told her, like, everything was going on and
9 people are in the streets and, like, we shouldn't go out
10 because there is people who will probably stop us with guns
11 and all that. She's like, I'm brave, I can go. And she's
12 like, We can take our mom too. Her mom didn't want to go.
13 She's like, No, if you want to take her, you go -- you and
14 her.

15 Q. So it sounds like you've got a very brave daughter
16 there?

17 A. Yeah, she's brave, but when -- you know, they're kids
18 still so when they see all these people with masks, guns
19 pointed, she just --

20 Q. And I was going to ask, even as brave as your daughter
21 is, have you seen that this incident affected her in any
22 way?

23 A. It did, it did affect her a lot.

24 Q. How has it affected her?

25 A. She don't want to go out no longer. She's always --

1 when we go out, she's always looking for those cars with
2 dark windows. She's always looking -- she's like, Dad,
3 look, there's ICE. I just saw them. I'm like, How you know
4 this? Look her windows are dark. Oh, their plates are dark
5 too. I'm like, those -- she's like, Let's go home, let's go
6 home. Because we went to get ice cream a different day
7 after that too, and she saw this car and she's like, I don't
8 want ice cream no more, let's go home.

9 And the day they were detaining this kid Liam, I
10 think it went viral, we were driving through the street, she
11 saw the cars and the people yelling. She just started
12 crying again. She's like, Dad, don't stop. Please, let's
13 go home. Please, let's go home.

14 And when we got home, I wanted to cry really bad
15 because we got home, she closed all the curtains, put shoes
16 in front of the door so people -- they couldn't get inside
17 the door. Like, that's -- how can you explain to her, or
18 how -- it's enough for just break you.

19 Q. And when you referenced Liam, is that the little boy who
20 was on the news in the bunny hat with the Spider-Man
21 backpack?

22 A. I think so. This is the one with the little blue hat.

23 Q. Your daughter witnessed that, and then that's when you
24 described she was --

25 A. We didn't really witness this. We were -- we were just

1 passing through and we saw him.

2 Q. Okay.

3 A. We saw the kid. And we're like, Oh. And that's where
4 she say, They can take kids too? I'm like, No, we don't
5 think they can take kids. Like, Don't worry. You're fine.
6 You're with us. Nothing's going to happen to you.

7 Q. Now, you mentioned before going to get ice cream you'd
8 been staying in the house and not really leaving a whole
9 lot. Why was that?

10 A. Because of everything that's going on. Like, everything
11 is going around. We're -- I feel like we're being profiled.
12 They don't really follow the law. They really rough
13 detaining people. So they don't -- sometimes they don't
14 even ask, like, for your paperwork.

15 Q. Since this incident on January 14th of 2026, have you
16 changed your lifestyle or your habits at all to try to avoid
17 federal agents or ICE agents?

18 A. Yes, we do.

19 Q. What changes have you made?

20 A. We no longer go to places where a lot of Latin people
21 get together. Like I say, we try to not go outside as much
22 as we used to. We no longer go, like, to the store saying
23 -- be -- feel safe. We always watching around, see if
24 someone needs -- now, we all carry our passports, even my
25 daughter's passport we have it with us in case, like, we get

1 stopped.

2 Q. Have you heard from others in your community, in the
3 Latin community, that they've made similar changes to their
4 lives?

5 A. Yeah, most of my friends close by. Like I said, we also
6 used to have friends reunions, and now they don't want to
7 come out. They don't want us to go visit them neither,
8 like -- they're, like, Don't risk it, just wait until all
9 this is gone.

10 Q. Have you heard about other people in the Latin community
11 being stopped, detained, or arrested by ICE agents?

12 A. I have heard and seen a lot of the news.

13 Q. And when you've heard of that from people that you know,
14 what have those folks been doing? Have they just been going
15 about their daily lives or have they been involved in
16 something when they get picked up? Do you know?

17 A. They just trying to go to work. They just doing -- most
18 of them they want to do just their normal life, like duties.
19 Sometimes they're just in the road and get pulled over.

20 Q. And after hearing what that agent had to say to you on
21 January 14th of 2026, do you think these agents care whether
22 or not the people that they're stopping are here legally?

23 A. That's what worry me the most, because just what he told
24 me, it's like he didn't care knowing that I was a U.S.

25 citizen. That's where he's, like, Are they really trying to

1 do their job or they just trying to detain people and make
2 all us go through through suffer?

3 MR. SHAH: Thank you. I have no further
4 questions, Mr. Menera.

5 THE COURT: Counsel.

6 **CROSS-EXAMINATION**

7 BY MR. SKEDZIELEWSKI:

8 Q. Good afternoon, Mr. Menera.

9 A. Good afternoon.

10 Q. So January 14th, 2026, that was the day that you noticed
11 the ICE agents near your home, right?

12 A. Yes.

13 Q. And once you got inside, you went back outside to see
14 what was going on, right?

15 A. Yes.

16 Q. And then the agent asked you what country you were from,
17 correct?

18 A. Yes.

19 Q. And you answered, This country, right?

20 A. No. He -- I denied to answer the questions because I
21 didn't want to answer him the questions. So when he asked
22 me, Where you from, I didn't want to answer him the
23 questions.

24 But after he's like, Where you from, and I answer
25 him, like -- or told him, like, I'm from this country,

1 because I'm a U.S. citizen.

2 Q. Okay. So you didn't tell him that you were from this --
3 you didn't answer his question right away about where you
4 are from?

5 A. No.

6 Q. Then a few moments transpired, and then you answered
7 that question when he asked --

8 A. When he was telling me he was trying to take me in or he
9 will take me even if I don't show my IDs.

10 Q. Okay. So at first you didn't answer it, and then he
11 asked you a few additional questions?

12 A. He keep -- he keep asking -- he kept asking, like, the
13 same question one time and another time. And where you
14 from? Where were you born at?

15 Q. Okay. So --

16 A. Or what country -- I think he said, What country were
17 you born at. And I think -- I didn't answer what country I
18 was born at, but I told him, I'm from this country -- or,
19 I'm from here. I think that was my answer, I'm from here.
20 Because I'm a U.S. citizen, I feel like I belong here.

21 Q. Understood. So it sounds like he asked you at least a
22 few times what country you are from, correct?

23 A. Yes.

24 Q. Okay. And you -- what country were you born in?

25 A. I was born in Mexico.

1 Q. Mexico. And you never told him that?

2 A. No, because I feel like if I tell him I was born in
3 Mexico, that will give him more reason to believe that I'm
4 illegal. Because if he just believed that I was illegal
5 because of my accent, if I answer him like, Oh, I was born
6 in Mexico, that will give him like a way to say, Oh, yes, he
7 might be illegal.

8 Q. And then the immigration officer asked you to show him
9 your papers; is that right?

10 A. Yes.

11 Q. And you refused to show him your ID at first, correct?

12 A. Yes.

13 Q. And it wasn't until you were handcuffed that an agent
14 then removed your passport from your wallet, right?

15 A. Yes, until I was about to be taken away.

16 Q. Okay. And you said that you didn't show him your ID at
17 first because you didn't believe you were required to show
18 immigration officers ID when they asked for it?

19 A. Well, why I didn't show it to him, my ID, was because I
20 didn't believe I was required to show my ID while living in
21 my home or because without a warrant or something, a valid
22 reason. Because the reason he gave me wasn't valid to me,
23 that's why I didn't give him my ID.

24 Q. Right. And you refused to show your ID a number of
25 times, right, not just once?

1 A. Well, like I said, I didn't show it to him until, like,
2 they were taking me.

3 Q. How many times did he ask to see your ID?

4 A. I didn't count the times he asked.

5 Q. But it was more than once, though?

6 A. I would say so.

7 Q. Okay. More than five times?

8 A. Like I said, I don't remember how many times he asked.

9 Q. And you said earlier that the officer wanted to see your
10 ID and he mentioned your accent as a reason; is that right?

11 A. Yes.

12 Q. You wrote in your declaration that the officer said, You
13 know what, sir, now talking to you, seeing you, hearing that
14 you have an accent, I have reason to believe that you are
15 not born of this country. What country are you from? Do
16 you have documentation? Does that sound correct?

17 A. Like I said, I don't remember exactly the words because
18 they were already more than a month, but --

19 Q. Sure.

20 MR. SKEDZIELEWSKI: I'd like to introduce the
21 witness's declaration document.

22 May I approach the bench?

23 (Handing document to Court)

24 BY MR. SKEDZIELEWSKI:

25 Q. Do you recognize this document, Mr. Romero?

1 A. Yes.

2 Q. And what is it? What is this document?

3 A. It's a declaration.

4 Q. Is it yours?

5 A. Yes.

6 Q. Okay. And you signed it on January 21st; is that right?

7 A. What was that?

8 Q. And did you sign, it looks like electrically, this
9 declaration on January 21st?

10 A. Yes.

11 Q. Okay. So I just want to draw your attention to
12 paragraph 8 of the declaration. Do you see that,
13 paragraph 8? The pages aren't -- it's hard to see the
14 numbering, so I'll just refer to the paragraphs.

15 Do you see that paragraph 8 there?

16 A. Yes, I see it.

17 Q. So that's where I got that, where it says, "The ICE
18 agent said, You know what, sir, now I'm talking to you,
19 seeing you, hearing that you have an accent, I have reason
20 to believe that you were not born of this country. What
21 country are you from? Do you have any documentation?" Did
22 I read that correctly?

23 A. Yes.

24 Q. Okay. And is it your testimony today the same, that
25 that's what the agent said to you on January 14th?

1 A. What was the question again?

2 Q. Is your testimony today the same; namely, that the agent
3 said what you have written here in paragraph 8?

4 A. I think that's what I said.

5 Q. Okay. And when he asked you after this time what
6 country are you from, did you answer him?

7 A. Like I said, I don't remember exactly when I answered
8 the question or when I said, I'm from here. But I do
9 remember telling him that I'm from here.

10 Q. Understood. If you look at the very next paragraph,
11 paragraph 9, halfway down it says, "I told the agent I was
12 not required to show him anything and reiterated that he was
13 on my property." Do you see that?

14 A. Yes.

15 Q. So, in response to this time where you quote the agent,
16 it looks like you did not answer his question that time; is
17 that fair?

18 A. I will -- if you say so.

19 Q. Well, no, I'm asking you. I mean, you have a quote from
20 the agent and then, you know, you describe your response.

21 A. Okay.

22 Q. But you don't answer the agent's question. I just want
23 to confirm that when he asked you that question, you did not
24 give him an answer.

25 A. I don't think I did.

1 Q. Okay. So, did the officer tell you that he was
2 handcuffing you because of your race?

3 A. No.

4 Q. Okay. And the officer didn't tell you he was
5 handcuffing you based on your ethnicity, correct?

6 A. No.

7 Q. And none of the officers that day said that they were
8 handcuffing you because you're Latino?

9 A. No.

10 Q. And you're not able to know what the officers are
11 thinking at any given moment, right?

12 A. I can't know what they were thinking.

13 Q. Right. So, but you claim in your declaration that you
14 were discriminated against for being Hispanic, right?

15 A. Yes.

16 Q. Okay. But you're -- you have nothing but your own sort
17 of beliefs and speculation to support that, right?

18 A. Well.

19 MR. SHAH: I'll object as it misstates the record.

20 THE COURT: Overruled. I'll allow -- I'll allow
21 it. You can answer, sir.

22 THE WITNESS: Well, like I said, he wouldn't know
23 my accent before talking to me when he decided walking
24 towards me, before hearing me or before asking any question,
25 he from far away saw me and started walking into my

1 property. It's not like I was yelling to him or nothing or
2 I wasn't talking to him, so he wouldn't know my accent
3 until, like, he already decided that I was potential illegal
4 or something, because I don't see what -- what other reason
5 would he had in order to decide to question me already.

6 Q. Okay. Do you have social media accounts?

7 A. Yes.

8 Q. Okay. And I don't want to know the handles or the names
9 of the accounts, but just wondering what applications you
10 use.

11 A. What applications do I use?

12 Q. Yes.

13 A. I will not like to answer that question if I can.

14 Q. I just want to know if you use Instagram, for example.

15 A. Yeah, like I said, I wouldn't like to answer the type of
16 social media that I use.

17 Q. Okay. Again, I'm not --

18 THE COURT: Sir, you need to answer. He's not
19 asking you what your handles are, he's not asking you what
20 your names or what your at -- title of your social media
21 accounts are. He just wants to know what social media
22 accounts you use. And I've already decided today that
23 that's a fair question for him to ask.

24 THE WITNESS: I use Instagram, Facebook.

25 BY MR. SKEDZIELEWSKI:

1 Q. Anything else?

2 A. Snapchat.

3 Q. Okay. Twitter or X?

4 A. I'm not sure if -- I don't use it. I'm not sure if I
5 have a account.

6 Q. Okay.

7 A. But I don't really use it.

8 Q. Other than Instagram, Facebook, and Snapchat, you might
9 have another account out there, but those are the main ones
10 that you use?

11 A. Yeah, those are the main ones that I use.

12 Q. Okay. Now have you heard people say on social media
13 that ICE has been stopping people on the basis of ethnicity?

14 A. Yes, I have seen that in news, in social media too.

15 Q. So you've seen it both on the news and on social media
16 that people are saying that ICE is stopping people based on
17 ethnicity?

18 A. Yes.

19 Q. And have you seen it on social media or the news that
20 ICE is stopping people on the basis of race?

21 A. Well, what's that again? Sorry.

22 Q. Have you seen -- I'll simplify that. Have you seen it
23 on social media that people are saying that ICE is stopping
24 people on the basis of their race?

25 A. Yes.

1 Q. And have you seen it said on social media that ICE is
2 stopping people on the basis of them being Latino?

3 A. Yes.

4 Q. Okay. Have you seen all that on the news as well?

5 A. Yes.

6 Q. Okay. So when you were handcuffed on January 14th, a
7 supervisor, I think you called him, the agent's boss, told
8 the agent who had -- who was holding you to let you go
9 because you are a U.S. citizen; is that right?

10 A. Yes.

11 Q. Okay. Did he have to repeat -- did the -- scratch that.

12 And based on your observations, who was in charge,
13 the officer who handcuffed you or the person who told him to
14 let you go?

15 A. I think the person that told to let me go.

16 Q. Okay. So, even though the officer, in your opinion,
17 stopped you based upon your ethnicity, or I think, as you
18 say in your declaration, being Hispanic, his supervisor
19 ordered you to be released due to your citizenship status,
20 right?

21 A. Yes.

22 Q. And have you seen immigration officers since
23 January 14th?

24 A. Yes, a lot.

25 Q. You've seen them a lot?

1 A. Yes.

2 Q. About how many times?

3 A. Like I said, I didn't count them. The time that we saw
4 this little boy being detained, I think we saw them like
5 four times that day.

6 Q. Four times just that day?

7 A. Yes.

8 Q. Okay. So, other than January 14th, you saw immigration
9 officers four times on one day. Any other times?

10 A. Yeah. Every single time, like, we hear mostly, like,
11 whistles, honking when we go through the streets or we go to
12 Latino market, but we always try to just don't get close by.

13 Q. And it's your understanding that when you hear those
14 whistles, people are using them to alert other people that
15 immigration enforcement is nearby?

16 A. Yes.

17 Q. So more than five times you've seen immigration officers
18 near you since January 14th?

19 A. Yes.

20 Q. More than 10 times?

21 A. Like I said, I don't -- I really -- I don't count them,
22 and we try to not go outside as much we can.

23 Q. Okay. But the encounter on January 14th, that was the
24 only time immigration officers stopped you, correct?

25 A. Yes.

1 Q. And they haven't stopped you since then?

2 A. No.

3 Q. You mentioned that the agents had firearms earlier,
4 correct?

5 A. I'm not sure if they were firearms, but I saw them
6 pointing with their guns. Because I know some of them use
7 paint guns. I'm not sure what they called.

8 Q. Okay. So, yeah, you're aware that some officers might
9 use devices that might look like guns but they're not
10 firearms; is that right?

11 A. Like I said, I'm not sure what type of guns were they.
12 I know they were guns. I'm not sure if they were firearm
13 guns or paint guns or any other object, but they look like
14 guns.

15 Q. Are you aware of the difference between firearms and
16 less lethal devices?

17 A. No.

18 Q. Okay.

19 MR. SKEDZIELEWSKI: That's it. Thank you.

20 THE WITNESS: Okay.

21 THE COURT: Mr. Shah.

22 MR. SHAH: Thank you, Your Honor.

23 **REDIRECT EXAMINATION**

24 BY MR. SHAH:

25 Q. Mr. Menera, is the only reason you believe you were

1 stopped because of the color of your skin is because you've
2 seen things like that on social media?

3 A. Can you rephrase that?

4 Q. Yeah. Counsel asked you a lot about social media, and I
5 just want to clarify. You know, you feel like you were
6 profiled based on the color of your skin; correct?

7 A. Yes.

8 Q. Is the only reason you think that because of what you've
9 seen on social media?

10 A. No. The reason why I said is because it was a -- some
11 other people around yelling at them, cursing at them. And
12 me, that I was not doing nothing, standing inside of my
13 property fence, just recording, making sure that they didn't
14 left that car in front of my driveway, because I use diesel
15 trucks, so I have to charge them at night because,
16 otherwise, they don't start the next day.

17 So, I was the only one being asked for it. I saw
18 a lot of white people were yelling and cursing at them,
19 telling them bad things and to get out of there. And they
20 were close by, which I tried to stay a little farther, but I
21 was the only one taken that day from the rest.

22 Q. And so you weren't cursing or yelling at these agents,
23 correct?

24 A. Nothing, because my daughter was watching me from my
25 window inside of the home, so I didn't want to engage with

1 them, but at the same time, I want to make sure they moved
2 that car.

3 Q. And you saw a bunch of white people who were out there
4 cursing at them, yelling at them, correct?

5 A. Yes, they were -- I could hear a few people by --
6 yelling at them, like, and I heard ICE on my video again, I
7 heard it, people yelling, cursing at them, and I was the
8 only one who was target.

9 Q. And when they came to you did, they give any indication
10 that they knew who you were?

11 A. No.

12 Q. You were just a man standing on your own property,
13 correct?

14 A. Yes, and like I say, there wasn't even -- he say that
15 because of my accent. He didn't hear my accent before even
16 deciding that I was a target to question in all this, like,
17 to give me a reason.

18 Q. Yeah. And even when they came up to you, right -- like,
19 as you agreed, they didn't say, Oh, we're stopping you
20 because you're Latino or we're stopping you because we think
21 you're Mexican. But he did tell you that you needed to
22 provide documentation because of your accent, correct?

23 A. Yes.

24 Q. When you said that you were from this country, do you
25 consider the United States your country now?

1 A. Yes. The United States is my half -- I think when I
2 became a citizen, I say -- oh, how do I say that? Sorry.
3 Let me rephrase that.

4 Q. And maybe I'll just ask a different question. Do you
5 feel like this is your home country now?

6 A. Yes. I feel like when I became a citizen, I changed
7 Mexico to the United States to be my home country. So, if
8 you will ask me what is my country, I will say this is my
9 country, because I say that I will fight and protect the
10 United States when I became a citizen.

11 Q. And you've -- you've done that. You've worked to build
12 a life here, correct?

13 A. Yes.

14 Q. You bought a house?

15 A. Yes.

16 Q. You've had a daughter who you're raising here?

17 A. Yes.

18 Q. And you were stopped just for standing in your own
19 backyard, correct?

20 A. Yes.

21 MR. SHAH: Thank you. I have no further
22 questions.

23 THE COURT: Counsel.

24 **REXCROSS EXAMINATION**

25 BY MR. SKEDZIELEWSKI:

1 Q. When you first pulled towards your home in your vehicle
2 with your daughter in the vehicle, and the person who was
3 pulled over was blocking your driveway; do you remember that
4 part of story?

5 A. Yes.

6 Q. So at that point, did you say anything to the officers
7 there about trying to get into your driveway?

8 A. Well, yes, when one of them came -- well, one of them
9 were yelling, I mean, to move out of their -- of the way,
10 and I told him that I live there, I was trying to park. And
11 I roll my window up, like, I was afraid I was going to get
12 shoot or something.

13 Q. So as you pull up, your window was already down?

14 A. Yes.

15 Q. And --

16 A. So I roll it down to -- when he was -- when he was
17 telling me to get out -- to back -- to get out of there, so
18 I roll it down to tell him that I live there, so let him
19 know I live there, had to park.

20 Q. So that officer who you were speaking to, he would have
21 had the opportunity to hear your accent then, correct?

22 A. If he was the same officer, probably, yes.

23 Q. It was a different officer that you were speaking to?

24 A. I'm not sure which. They all have face masks. I can't
25 recognize which one is which so --

1 Q. Okay. So you could have been speaking to the same
2 officer who later handcuffed you or not, you're not sure?

3 A. Like I said, it could -- I'm not sure if it was the same
4 one who was yelling in the front and then came back to my
5 house.

6 Q. Understood. Thank you.

7 A. Yeah.

8 MR. SHAH: I have nothing further, Your Honor.

9 THE COURT: Mr. Menera, thank you for being here
10 today.

11 THE WITNESS: All right.

12 THE COURT: You're excused.

13 THE WITNESS: Thank you.

14 MR. ZHAO: Your Honor, could we get a time check,
15 please?

16 THE COURT: Four minutes and 20 seconds.

17 MR. ZHAO: 4 minutes and 20 seconds.

18 Your Honor, we do have two more live witnesses who
19 are here.

20 Obviously -- I don't -- I don't think we could
21 even finish one in four minutes. I don't think they're
22 terribly long. Obviously the Government has more of their
23 time, they don't have any witnesses at all. So I guess if
24 Your Honor would like to hear from them, we think they will
25 be short. But obviously we understand if four minutes is

1 all we have.

2 THE COURT: So I put those time limits in place
3 because I wanted to be done by 5:00 today. And I thought
4 that that was sufficient for the presentation of evidence.
5 We do have time before 5:00. If you want -- are these
6 people who filed declarations too?

7 MR. ZHAO: Yes, Your Honor.

8 THE COURT: Is the testimony you'd elicit from
9 them essentially what's in their declarations, or is it in
10 addition to or different from it?

11 MR. ZHAO: Do you want to take that? Excuse me,
12 Your Honor.

13 THE COURT: It's all right.

14 MR. SAMIE: Good afternoon, Your Honor. Bahram
15 Samie appearing on behalf of the plaintiffs.

16 Yes, consistent, but there may be additional --
17 addition color that we would offer.

18 THE COURT: I'll give you -- I'll give you -- will
19 it matter to you if I give you five minutes with each
20 person? It's two, right?

21 MR. SAMIE: Two.

22 THE COURT: Will it matter to you if I give you
23 five minutes? Can you get it done in five?

24 MR. SAMIE: We could -- five additional minutes in
25 addition to the four we have?

1 THE COURT: No, I'd just be giving you five for
2 each.

3 MR. SAMIE: We could try with the first witness,
4 if that's all right, and then assess for the second.

5 Or, Your Honor, we could do one in ten minutes, if
6 that's appropriate.

7 THE COURT: That's fine. We'll do -- I'll give
8 you ten minutes for one more witness, and I'll give -- the
9 Government's got more than enough time to cross, so we're
10 doing all right.

11 MR. SAMIE: All right.

12 THE COURT: All right.

13 MR. ZHAO: Your Honor, the plaintiffs call Raul
14 Aguirre Castrejon.

15 THE COURT: Sir, I'm going to ask that you come up
16 here, if you would, and stand at the bottom of the stairs
17 just next to the railing there.

18 THE WITNESS: Right here?

19 THE COURT: Just on this side by the railing at
20 the bottom of the stairs.

21 THE WITNESS: Yes.

22 THE COURT: And if you would, please face the
23 courtroom deputy to be sworn.

24 THE COURTROOM DEPUTY: Please state your full name
25 for the record, spelling your last name.

1 THE WITNESS: My name is Raul Aguirre Castrejon,
2 my last name is C-A-S-T-R-E-J-O-N.

3 THE COURTROOM DEPUTY: Do you solemnly swear that
4 the testimony which you shall give in this proceeding now
5 before the Court shall be the truth, the whole truth and
6 nothing but the truth, so help you God?

7 THE WITNESS: Yes.

8 THE COURT: Thank you, sir. Please be seated.

9 THE WITNESS: Thank you.

10 THE COURT: And let's make sure we've got that
11 microphone pulled up close to you so we can hear you loud
12 and clear, all right?

13 THE WITNESS: Yes, sir.

14 THE COURT: Thank you.

15 Counsel.

16 **(Raul Aguirre Castrejon)**

17 **DIRECT EXAMINATION**

18 BY MR. SAMIE:

19 Q. Good afternoon, Mr. Castrejon.

20 A. Good afternoon.

21 Q. How old are you?

22 A. I'm 44 years old.

23 Q. Are you a lawful permanent resident here in the United
24 States?

25 A. Correct.

1 Q. Since when?

2 A. 2005.

3 Q. And where do you live right now?

4 A. I live in Monticello, Minnesota.

5 Q. Excuse me. You said -- since when are you a lawful
6 permanent resident?

7 A. 2005 -- 2025.

8 Q. 2025?

9 A. '25, sorry.

10 Q. Yes, right.

11 Did you provide a written sworn statement in
12 connection with this lawsuit?

13 A. Yes.

14 Q. Okay. And does that describe an encounter with ICE
15 officers on January 10th of this year?

16 A. Correct.

17 Q. All right. I'm just going to kind of ask you a couple
18 of questions about that incident, okay?

19 A. Okay.

20 Q. Did you go grocery shopping that day at Walmart?

21 A. Correct.

22 Q. And is that the Walmart in Monticello, Minnesota?

23 A. Yes, sir.

24 Q. Is that where you live?

25 A. Yes.

1 Q. Who were you with?

2 A. My niece.

3 Q. How old is your niece?

4 A. She's 18 years old.

5 Q. Why did you go with your niece to Walmart?

6 A. Because she was scared to go by herself to get grocery
7 store -- to get groceries at the store because we hear there
8 was an ICE agent active in town.

9 Q. Is she a United States citizen?

10 A. Yes, sir.

11 Q. But she was still scared to go alone?

12 A. Yes.

13 Q. Who was driving?

14 A. My niece was driving.

15 Q. Whose vehicle was it?

16 A. That was her vehicle.

17 Q. Who was it registered to?

18 A. To her father.

19 Q. So it was her father's vehicle, but the daughter was
20 driving it?

21 A. Correct.

22 Q. Okay. Does your -- your declaration describes how you
23 -- what happened after you left the Walmart; is that right?

24 A. Yes.

25 Q. Did you go to your home?

1 A. Yes.

2 Q. How far is that from the Walmart?

3 A. Oh, three minutes away, five minutes away.

4 Q. And after -- did you then leave your home after a couple
5 minutes?

6 A. Yes. I was -- I got home, and then I went inside to
7 grab my gift cards that I forgot at home. And then she --
8 we were -- we were left from the parking lot, from my
9 driveway. And then we saw vehicles in there. They were
10 waiting for us to turn to -- I was -- I have to take the
11 Highway 25. And there were -- there were two cars and they
12 were waiting for us to turn, so it was a black Cherokee with
13 very dark windows.

14 Q. Okay, Mr. Castrejon, in the interests of time, did you
15 believe that these vehicles were following you after you
16 left your home?

17 A. Yes.

18 Q. Okay. And, again, I apologize I'm perhaps rushing this,
19 but this is described in your declaration; is that right?

20 A. Correct.

21 Q. Did the vehicles eventually cause your car to come to a
22 stop?

23 A. Yes.

24 Q. And could you just quickly describe how that happened?

25 A. My niece was driving, and then there was a car that went

1 right up from her bumper, and then a second vehicle got
2 really close to the trunk, and there was another vehicle
3 next to her.

4 Q. So when your vehicle came to a stop, what happened next?

5 A. When we got stopped, there was -- ICE agents came down
6 and opened my -- my door and pulled me out from the car.

7 Q. Okay. I want to ask you just a couple of questions
8 about these agents.

9 A. Mm-hmm.

10 Q. Can you describe what they were wearing?

11 A. They were wearing mask and baseball hats.

12 Q. How many were there?

13 A. There were five persons that they were take me out of
14 the car. There was a lot of police agents. There were so
15 many, maybe, I will say, like -- like, 20 agents.

16 Q. Okay. About how many vehicles were around your car when
17 it came to a stop?

18 A. It was around 12 vehicles.

19 Q. Okay. Did you feel like you were free to leave when
20 these men approached your car?

21 A. No.

22 Q. Did they take you out of your car?

23 A. Yes.

24 Q. And what did they do to you once they took you outside?

25 A. They take me out and they handcuff on me --

1 Q. Okay.

2 A. -- without asking my identification on anything?

3 Q. Say it again.

4 A. Without asking for my identification on anything.

5 Q. And what, if anything, did you say to them?

6 A. I told them that I was legal several times, but they
7 didn't care. They still handcuffs on me and --

8 Q. I'm sorry. Go ahead.

9 A. -- and they pushed me against the car when they
10 handcuffs on me.

11 Q. Did you have proof of your permanent resident status
12 with you?

13 A. Yes.

14 Q. What proof did you have?

15 A. I got my driver's license and my resident card.

16 Q. Did they allow you to show that to them?

17 A. No.

18 Q. Did the agents take anything from you?

19 A. Yes. They took my cell phone, they took my wallet, and
20 they took money out of my wallet as well.

21 Q. They took money out of your wallet as well?

22 A. Yes.

23 Q. Did you receive your phone and wallet -- otherwise
24 receive those back?

25 A. I did receive my phone, but I have to yell, Can I get my

1 phone back, please, and they throw the phone to my knees.

2 Q. Okay. How did this incident end?

3 A. It was very scary.

4 Q. I understand. I'm just kind of asking, how did it end?

5 A. Well, how it end? Okay. So when they try -- they tried
6 to put me in their vehicle, and I start resisting when they
7 try to put me in their car with handcuffs. So -- and then a
8 little bit after, one of the agent came with a laptop in
9 their hand and told the other agents that I was legal and
10 told them, Let him go, he's legal. And when -- and they
11 took the handcuffs on me.

12 Q. Okay. Did any of the agents ever tell you why you were
13 stopped?

14 A. They say because the car wasn't registered in my niece
15 name.

16 Q. Okay. During the entire time that you were with your
17 niece, did you observe her violate any traffic laws?

18 A. No, she was following every single sign.

19 Q. Did anything about the agents' actions act as if they
20 knew who you were?

21 A. I don't know.

22 Q. Did they know your name when they approached you?

23 A. No.

24 Q. Okay. Did they ever ask any questions about whether or
25 not you had ties to the community?

1 A. No.

2 Q. Can you please tell the Court how this incident -- this
3 arrest has impacted you?

4 A. It's impact me in so many different ways. It's very
5 hard to go to work. It's very hard even go outside to my
6 driveway to turn on my car without -- I have to bring my
7 driver's license with me and my permit -- resident permit.
8 And this has impact me in so hard way. It's also impact my
9 niece as well.

10 Q. How so?

11 A. She doesn't want to talk to anybody anymore. She's
12 locked in her room all the time. She's really scared to go
13 to college. She doesn't want to be driving with her friends
14 or anything.

15 Q. Mr. Castrejon, as someone with a lawful permanent
16 resident status, is there anything scary to you about
17 testifying here today?

18 A. Well -- will you repeat the question again, please.

19 Q. Sure. Is there anything scary for you about testifying
20 as part of this case?

21 A. Well, yes, I'm scared because I'm scared this can affect
22 me in my U.S. citizenship.

23 Q. So why are you here testifying today?

24 A. Because -- I'm sorry -- I promised my niece that I was
25 going to do anything to stop this. And that's why I am

1 here. I think I have rights and that's why I'm here, to
2 fight for my rights.

3 MR. SAMIE: Thank you. No further questions,
4 Your Honor.

5 THE COURT: Counsel.

6 **CROSS-EXAMINATION**

7 BY MR. SKEDZIELEWSKI:

8 Q. Good afternoon, Mr. Castrejon.

9 A. Good afternoon, sir.

10 Q. So on January 10th, 2026, that's when the ICE officers
11 pulled you over, correct?

12 A. Correct.

13 Q. And the officers told you that they pulled you over
14 because the driver of the vehicle did not match the
15 registered owner of the vehicle, right?

16 A. Correct.

17 Q. And that driver was your niece?

18 A. Correct.

19 Q. And in your interactions with the officers that day at
20 any time, none of them told you that they pulled you over
21 because of your race, correct?

22 A. Correct.

23 Q. And none of them told you that they pulled you over
24 based on your ethnicity, correct?

25 A. Can you repeat the question right now, please?

1 Q. Yeah. None of the officers told you that day that they
2 pulled you over based on your ethnicity, correct?

3 A. Correct.

4 Q. And none of them said they pulled you over because
5 you're Latino, correct?

6 A. Correct.

7 Q. And you don't know what the officers are thinking at any
8 given moment, right?

9 A. Mm-hmm.

10 Q. Was that a yes or no?

11 A. Yes.

12 Q. Thank you. Just for the record.

13 And so despite -- now, in this case, the officers
14 told you that they pulled you over because of the
15 registration issue, right?

16 A. Correct.

17 Q. So despite what those officers told you, you believed
18 that they stopped you based on your skin color and
19 appearance, is that right?

20 A. Do you repeat it again, please?

21 Q. Sure. I'll back up. In your declaration, you say that
22 you believe that they stopped you because of the color of
23 your skin and appearance; do you remember that?

24 A. Yes.

25 Q. And you still believe that?

1 A. Yes.

2 Q. Okay. And you believe that despite the fact that the
3 officers gave you a different reason for pulling you over,
4 correct?

5 A. Yes.

6 Q. Do you have any social media accounts?

7 A. No.

8 Q. None at all?

9 A. No.

10 Q. No Facebook or Instagram?

11 A. No.

12 Q. Okay. Do you watch the news?

13 A. Yes, I watch the news.

14 Q. Okay. And have you seen it reported on the news, people
15 saying -- commentating on the news that ICE officers are
16 detaining or arresting people based on their ethnicity?

17 A. Yes.

18 Q. And have you seen them specifically mention that ICE
19 officers are detaining people because they're Latino?

20 A. Yes.

21 Q. Have you seen that multiple times?

22 A. Yes.

23 Q. More than five times?

24 A. Yes.

25 Q. Ten times?

1 A. Yes.

2 Q. Fifteen times?

3 A. Yes.

4 Q. Twenty times?

5 A. Yes.

6 Q. Thirty times?

7 A. Yes.

8 Q. You've seen it a lot?

9 A. Yes.

10 Q. Okay. I mean, this only happened on January 10th, and

11 you've heard it said, you know, more than 30 times that ICE

12 is stopping people because they're Latino, right?

13 A. Yes.

14 Q. Okay. Now, have you seen immigration officers in person

15 again since January 10th?

16 A. Yes.

17 Q. How many times?

18 A. I will say about eight times.

19 Q. And did the immigration officers stop you any of those

20 times?

21 A. No.

22 Q. They didn't pull you over any of those eight times?

23 A. No.

24 Q. They didn't, you know, stop you to do an immigration

25 inspection during any of those eight times?

1 A. No.

2 Q. Okay.

3 MR. SKEDZIELEWSKI: That's all I've got. Thank
4 you.

5 THE WITNESS: Thank you.

6 MR. SAMIE: Nothing further, Your Honor.

7 THE COURT: All right. Sir, thank you for being
8 here today.

9 THE WITNESS: Thank you, sir.

10 THE COURT: You're excused. You can go. Thank
11 you.

12 All right. We have a hearing tomorrow morning
13 beginning at 10:00 a.m. I have some thoughts as to how best
14 that hearing should be conducted.

15 I'm -- I've been working on that over the weekend
16 and this morning. It seems to me that there are several
17 categories or issues that it would be helpful to tackle sort
18 of one at a time. And I think you all can probably forecast
19 what those issues are. I don't know that I have them in my
20 head right now or a firm outline in my head right now, but I
21 don't think any of it will come as a surprise to you.

22 The only exception to that that I wanted to give
23 you a heads-up about tonight is that I do have questions
24 regarding the status of things as we are here today. That's
25 not an issue that's been addressed here. It wasn't really

1 an issue addressed to any meaningful degree in the parties'
2 submissions, I understand that. Obviously, just to be
3 clear, I'm not faulting anybody for that. These are changes
4 or things that have come up since the parties have filed
5 their submissions.

6 But I do think they matter, and I do have
7 questions about that so I wanted to give you a heads-up that
8 I'd be asking about that tomorrow or hoping the parties
9 would address that as a separate topic, so to speak, the
10 drawdown.

11 So if the parties have questions for me that might
12 be helpful to talk through tonight before we get to tomorrow
13 morning, I'll give you an opportunity to ask them. Beyond
14 what I've already said, I don't know how much else I could
15 tell you, but I wanted to give you that opportunity.

16 The plaintiffs have anything that they'd like to
17 discuss tonight before we get to tomorrow morning?

18 MR. ZHAO: I have one thing.

19 THE COURT: Certainly.

20 MR. ZHAO: Sorry, Your Honor. I have one thing.
21 It's possible Mr. Samie might have something else. It
22 probably wouldn't surprise Your Honor to know that we've
23 kind of divided up the argument. I guess my question is, if
24 Your Honor knows, do you intend to ask about preliminary
25 injunction first or class certification? It would affect,

1 perhaps, our argument.

2 THE COURT: Class cert is going to come after.

3 MR. ZHAO: All right.

4 THE COURT: The way I'm thinking about this thing,
5 I've got to decide preliminary injunction first, and prior
6 to that, standing.

7 MR. ZHAO: Of course.

8 THE COURT: And so standing, preliminary
9 injunction, and then if we have time, class cert.

10 MR. ZHAO: Understood, Your Honor.

11 THE COURT: Yeah, we do have a hearing -- I've got
12 a sentencing at 1:00 tomorrow, so we've got a hard stop
13 certainly at least a half hour before then.

14 MR. ZHAO: Understood.

15 THE COURT: Okay.

16 MR. SAMIE: Your Honor, very briefly, we received
17 the Court's order on Thursday with respect to the pseudonym
18 motions. And certainly have -- will make every effort to
19 address those at argument tomorrow, if that's what the Court
20 prefers with the time that we have.

21 There -- there was a bit of a challenge, though,
22 because we had set out and noticed who our witnesses were
23 going to be for this evidentiary hearing before receiving
24 that order. And those were really largely focused on some
25 of the issues that you've highlighted here to some degree

1 about getting you a better vision of the stops and the
2 arrests, what those look like.

3 And so we'll be prepared to argue about pseudonyms
4 tomorrow, but there is -- it does sound like from the
5 Court's order that you would -- you had perhaps anticipated
6 us building that out more during today's evidentiary
7 hearing. I think there was some items here that came up
8 that we can discuss at the time of argument, but we would
9 request to have perhaps until the end of the week to
10 supplement the record as to the pseudonym motions, which are
11 undisputed by the Government.

12 So I just wanted to ask how the Court would like
13 us to proceed with respect to those motions.

14 THE COURT: You have additional testimony you'd
15 like to supplement?

16 MR. SAMIE: We would anticipate written
17 submissions, declarations and the like.

18 THE COURT: I think if we can cover that in briefs
19 as opposed to taking time tomorrow on that issue, that would
20 be preferable.

21 MR. SAMIE: Okay. Thank you, Your Honor.

22 THE COURT: Yeah, if you all can get together and
23 decide how best you think that ought to be presented and
24 stipulate, that's great. If you can't, let me know and I'll
25 enter an order.

1 MR. SAMIE: Okay.

2 THE COURT: Well, I'll tell -- I'll tell you
3 tomorrow what you ought to do.

4 MR. SAMIE: Thank you, Your Honor.

5 THE COURT: We'll do it that way. Yeah.

6 All right. Anything from defense side on any of
7 this?

8 MR. SKEDZIELEWSKI: No, that's it. Thank you,
9 Your Honor.

10 THE COURT: All right. Thank you, everybody, for
11 your time today. In addition to -- obviously, in addition
12 to giving me a bit more insight into the facts underlying
13 the motion for preliminary injunction, obviously you've
14 given the public insight into it as well, and I think that's
15 important, so I'm grateful for that.

16 We are adjourned for the day. I'll see you all
17 tomorrow morning.

18 (Court adjourned at 5:06 p.m.)

19 * * *

20 REPORTER'S CERTIFICATE

21 I certify the foregoing pages of typewritten
22 material constitute a full, true and correct transcript of
23 my original stenograph notes, as they purport to contain, of
24 the proceedings reported by me at the time and place
25 hereinbefore mentioned.

/s/Lynne M. Krenz
Lynne M. Krenz, RMR, CRR, CRC