

Jennifer Stisa Granick (SBN 168423)
AMERICAN CIVIL LIBERTIES UNION FOUNDATION
425 California Street, Seventh Floor
San Francisco, CA 94110
Telephone: (415) 343-0758
jgranick@aclu.org

Nathan Freed Wessler (*pro hac vice* to be filed)
Scarlet Kim (*pro hac vice* to be filed)
AMERICAN CIVIL LIBERTIES UNION FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Telephone: (212) 549-2500
nwessler@aclu.org
scarletk@aclu.org

Stephen A. Loney, Jr. (*pro hac vice* to be filed)
Ari Shapell (*pro hac vice* to be filed)
AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA
P.O. Box 60173
Philadelphia, PA 19102
Telephone: (215) 592-1513
sloney@aclupa.org
ashapell@aclupa.org

Jacob Snow (SBN 285075)
Nicolas Hidalgo (SBN 339177)
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF NORTHERN CALIFORNIA, INC.
39 Drumm Street
San Francisco, CA 94111
Telephone: (415) 621-2493
jsnow@aclunc.org
nhidalgo@aclunc.org

Attorneys for Movant Jon Doe

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

*In the Matter of Subpoena Number HSI-DC-2026-
007280-001:*

JON DOE,

Movant,

v.

THE UNITED STATES DEPARTMENT OF
HOMELAND SECURITY,

Respondent.

Misc. Case No.:

**DECLARATION OF MOVANT JON
DOE IN SUPPORT OF MOTION TO
QUASH ADMINISTRATIVE
SUBPOENA**

Date: To be set by the Court
Time: To be set by the Court
Courtroom: To be set by the Court

1 I, JON DOE, declare as follows:

- 2 1. I am an individual over 18 years of age and the movant in this action. I make this declaration in
3 support of the Motion to Quash Administrative Subpoena relating to the Department of Homeland
4 Security (“DHS”) administrative subpoena that seeks personal information related to me and my
5 Google account. I can testify to the following matters from personal knowledge, except as those
6 matters stated on information and belief. As to those I believe them to be true.
7

8 **My Background**

- 9 2. I am a resident of the greater Philadelphia area and a U.S. citizen.
10 3. I care deeply about international and human rights and refugee issues and my ability to advocate
11 for the humane treatment of asylum seekers is important to me. I took a class to learn how to
12 advocate for immigrants, I volunteer with my synagogue’s refugee committee, and I contact
13 government representatives about these and other issues.
14 4. On the morning of October 30, 2025, I read the *Washington Post* article authored by John Cox,
15 *Trump Administration Makes Misleading Case in High-Stakes Asylum Hearing*.¹ The article
16 reported on troubling conduct by government attorneys who are attempting to deport a man who
17 assisted American forces in Afghanistan back to that country, where the man says he will almost
18 certainly be killed by the Taliban. H is the pseudonym that the *Washington Post* article used for
19 the man.
20 5. Upon reading the article, I was alarmed by the reported government conduct. I wished to express
21 my concerns about this egregious violation of human rights principles, and so I endeavored to urge
22 the government to take the threats to H’s life seriously.
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27 ¹ John Woodrow Cox, *Trump Administration Makes Misleading Case in High-Stakes Asylum Hearing*,
28 Wash. Post (Oct. 30, 2025), <https://www.washingtonpost.com/investigations/2025/10/30/trump-asylum-afghanistan-deport-immigration/>.

1 6. I noted that the *Washington Post* article named “[t]he lead attorney for Homeland Security, Joseph
2 Dernbach.”

3 7. Through a brief Google search, I found a DHS email address associated with Joseph Dernbach.

4 8. At 10:34 AM ET on October 30, 2025, I sent an email to that address from my personal Gmail
5 account. The email subject line was “H” and the body of the email read as follows:

6 Mr. Dernbach, don’t play Russian roulette with H’s life. Err on the side of caution.

7 There’s a reason the US government along with many other governments don’t
8 recognize the Taliban. Apply principles of common sense and decency.
9

10 9. I signed the email with my first and last name. A true and correct copy of this email dated October
11 30, 2025, is attached as **Exhibit A**. My name and email address are redacted in exhibits to this
12 declaration to protect my privacy and to avoid the threat of harassment.

13 10. This email was the full extent of my communication with Dernbach or any other representative of
14 DHS prior to the issuance of the administrative subpoena.
15

16 **Email Exchanges with Google**

17 11. At 3:45 PM ET, on October 30, 2025—the same day that I wrote Dernbach—I received an email
18 from requestrecords-noreply@google.com with the subject line “[Time Sensitive] Notification
19 from Google.” On information and belief, this email and linked user notice was from Google. A
20 true and correct copy of this message is attached as **Exhibit B**.
21

22 12. The email stated the following:

23 Google has received legal process from a Law Enforcement authority compelling
24 the release of information related to your Google Account. . . . For a copy of the
25 legal demand, please contact the issuing authority using the information provided
26 above.
27
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1 13. The email stated that the legal request type was a subpoena, in the jurisdiction of the Eastern
2 District of Virginia, issued by the Department of Homeland Security, with an issuance date of
3 October 29, 2025. It also provided a reference number.

4 14. The email from requestrecords-noreply@google.com directed me to contact DHS for more
5 information regarding the case but did not provide any contact information for the agency. It also
6 did not provide a copy of the subpoena.

7 15. Instead, the email provided a link for more information about the release. When I clicked on the
8 link it took me to a general "User notice for release of information." A true and correct copy of the
9 linked "User notice for release of information" is enclosed as **Exhibit C**.

10 16. The linked notice did not help me understand why law enforcement was subpoenaing my personal
11 information, nor my options for responding. It stated:

12
13 Google has received a compulsory legal demand from a Law Enforcement authority
14 which obligates Google to provide certain information related to the account that
15 received that email. **No action is required from you.** However, you may wish to
16 challenge the legal demand in court by filing a motion to quash it. If you choose to
17 do so, we must promptly receive a copy of your filed motion to quash, which must
18 be file stamped by a court of competent jurisdiction. Otherwise, Google will, to the
19 extent required by law, provide the information required by the legal demand. See
20 the Electronic Communications Privacy Act, 18 U.S.C. § 2701 et seq. . . . You or
21 your legal representation may return to this page at any time over the next 7 days
22 to upload a motion to quash or request a copy of the legal process. You must use
23 the exact URL linked in the email when you do. **After 7 days, this page will no**
24 **longer be accessible.**

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26
27 17. The notice provided a transparency report, and a box to upload a letter of representation or a motion
28 to quash file-stamped by a court of competent jurisdiction.

1 18. I was shocked and confused when I received the email from Google. I was fearful about why the
2 government was targeting me and what would happen if Google gave the government my personal
3 information. I speculated that it had to do with the concerned email that I had sent to Joseph
4 Dernbach that morning.

5 19. The email from Google made me feel fearful and helpless, as I did not understand the opaque legal
6 process and there was no apparent way to reply to the company and ask for more information. The
7 linked notice indicated that I only had seven days to file a motion to quash, however I did not have
8 an attorney or the financial means to pay for legal representation.

9 20. I searched the Internet for DHS contact information to follow up with the agency for a copy of the
10 subpoena like the email from Google advised, but the phone numbers I identified online were no
11 longer in operation or were for entirely irrelevant purposes.

12 21. I reached out to nonprofit legal organizations for support, and a nonprofit eventually provided me
13 with a new contact address at Google, usernotice@google.com, to request a copy of the subpoena.

14 22. On November 21, 2025, I wrote to usernotice@google.com and requested a copy of the subpoena.
15 I reiterated my concern that the company had not provided sufficient information to permit me to
16 obtain the subpoena directly from the agency, which prevented me from defending my rights. A
17 true and correct copy of this email exchange with Google is included in **Exhibit D**.

18 23. That same day, I received an email response from usernotice@google.com signed by “Legal
19 Investigations Support.” The email stated

20 Google has received legal process from the Department of Homeland Security
21 compelling the release of information related to your account. Attached is a copy
22 of the legal process. For more information about Google’s user notification process
23 and the different data types that Google may be required to disclose, view our
24 transparency report at [http://www.google.com/transparencyreport/](http://www.google.com/transparencyreport/userdatarequests/legalprocess/#i_received_an_email)
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26
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28 userdatarequests/legalprocess/#i_received_an_email. Google is not in a position to

1 provide you with legal advice or discuss the substance of the legal process. For
2 more information regarding this case, including a copy of any production, please
3 contact the agency that issued the legal process.

4 24. The November 21 email from usernotice@google.com included an attachment titled
5 “DEPARTMENT OF HOMELAND SECURITY IMMIGRATION ENFORCEMENT
6 SUBPOENA to Appear and/or Produce Records 8 U.S.C. § 1225(d) and 8 C.F.R. § 287.4.” The
7 document listed “Google – LERS Legal Department Custodian of Records” as the recipient, and
8 sought a variety of information about me and my Gmail account. A true and correct copy of the
9 document that was attached to the email dated November 21, 2025 is attached as **Exhibit E**.

11 25. The subpoena is dated October 30, 2025. However, Google’s original October 30, 2025 email to
12 me stated that the subpoena issuance date was October 29, 2025. It is my belief that Google made
13 an error in describing the subpoena issuance date in its email to me.

14 26. On November 24, 2025, I received a new email from usernotice@google.com that informed me
15 that Google “has not yet responded to [the] legal process issued by the Department of Homeland
16 Security compelling the release of information related to your Google account.” See **Exhibit D**.

18 27. On November 27, 2025, I wrote to usernotice@google.com with the following message:

19 I am relieved to receive your assurance that you have **NOT** disclosed my account
20 information to the Department of Homeland Security. I ask that you not do so
21 without a court order sanctioning the disclosure [sic]. I see that the records
22 information that is the subject of the subpoena, is extremely broad and on that
23 ground alone is defensible. I am not someone with sufficient financial means to
24 enable retaining a lawyer to submit a motion to quash. I am currently fundraising
25 to see if I can gather sufficient resources to be able to do that. In the meantime I am
26 requesting that you please provide me with advance notice prior to any imminent
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1 release by Google including any court order to that effect. Please acknowledge
2 receipt of this email.

3 A true and correct copy of this email is included as **Exhibit F**.

4 28. On December 2, 2025, I followed up with usernotice@google.com requesting confirmation of
5 receipt of my November 27 email.

6 **DHS Comes to My Home to Interrogate Me**

7
8 29. I reside in a quiet suburban town with my spouse.

9 30. At around 9:30 AM ET, on November 17, 2025, I heard a knock on our front door and observed
10 two vehicles parked outside, a local police vehicle, and an unmarked sedan.

11 31. Three individuals were standing on my porch. Two were in plain clothes and the third was a
12 uniformed police officer. My spouse and I stepped outside, and the plain-clothed individuals
13 introduced themselves as agents of Homeland Security Investigations.

14
15 32. I asked to see identification and the agents showed me their badges. One of the agents asked me if
16 my name was Jon Doe, and I said yes.

17 33. The police officer went inside the house with my spouse, while I remained outside with the two
18 DHS agents. The agents said they wanted to ask me some questions.

19 34. I was panicked, scared, and embarrassed, but I tried to remain calm and answer their questions.

20
21 35. One of the agents took out his phone and pulled up the email that I had written to Joseph Dernbach
22 on October 30, 2025. He asked me if I had written the email, and after I confirmed that I had, asked
23 me to explain it. I explained that I wrote the email in response to the *Washington Post* article about
24 “H”, and that it was simply an expression of my opinion about H’s case and an appeal to protect
25 H from the Taliban. I recounted my concerns: that H had taken risks to support the U.S. mission
26 in Afghanistan by providing assistance to American forces and in speaking out against the Taliban.
27 I explained that I found it unconscionable that H lost his humanitarian parole status under the
28

1 Trump administration even though he faced execution upon deportation to Afghanistan. I told the
2 agents that the fact that the U.S. doesn't recognize the legitimacy of the Taliban regime speaks
3 volumes about how dangerous it would be to send him back to Afghanistan, and that this is no way
4 to help those who helped us.

5 36. The agents asked me how I obtained Dernbach's email, and I explained that I found it with a brief
6 Google search.

7 37. I asked the agents about the issuance of the subpoena, and the agents seemed to be unaware of it.
8 I pulled the subpoena up on my phone and showed it to them. The agents indicated that this must
9 be how the agency had learned about my address, but that it was only conjecture on their part.
10

11 38. After twenty minutes, the agents concluded their questioning and I went inside my house. The
12 agents remained in front of my house for some time speaking with the police officer.

13 **Fearfulness After the Subpoena and Interrogation**

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15 39. I was shocked, fearful, and deeply troubled by this escalating action. I was deeply troubled to be
16 questioned by government agents at my home. My spouse was also upset and fearful after the
17 encounter.

18 40. As a result of this investigation against me, with no apparent articulable purpose, I have been
19 concerned for my safety. Especially given the hostile climate against immigrants, I am afraid the
20 government is retaliating against me for my criticism of DHS.

21
22 41. I believe DHS is targeting me because I expressed disagreement with the government's handling
23 of Afghan asylum cases.

24 42. Because of this investigation, I am hesitant to communicate with government officials again about
25 issues that I care about. I feel especially intimidated and chilled in my advocacy for immigrants
26 and refugees. Since I learned about the subpoena, I have not sent any messages to government
27 officials expressing my views on any issue.
28

1 43. I am also afraid that, because of this investigation, members of the public who find out about it
2 will assume I have done something wrong and treat me as a threat.

3 44. This compounding fear and anxiety makes me think twice about whether and how I should
4 participate in advocacy on immigration and other issues in the future.

5 45. I declare under penalty of perjury that the foregoing is true and correct.
6

7
8 Executed this 1st day of February, 2026.

9
10 /s/ John Doe

11 Jon Doe
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