

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ANGE SAMMA *et al.*, on behalf of
themselves and others similarly situated,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
DEFENSE *et al.*,

Defendants.

No. 20-CV-1104-PLF

SUPPLEMENTAL DECLARATION OF DANIELLE QUAIL

I, Danielle Quail, hereby declare as follows:

1. I am a paralegal at the law firm Cascadia Cross Border Law Group (“Cascadia”) in Anchorage, Alaska.
2. As a paralegal, I am responsible for assisting our firm’s attorneys with research, client correspondence, and locating the proper channels of authority for N-426 certification for our military clients, as well as gathering the necessary information and documentation needed to finalize our client’s applications before they are submitted to U.S. Citizenship and Immigration Services (“USCIS”).
3. I have been assisting Attorney Margaret Stock to obtain a certification of honorable service (“N-426 certification”) for Zhen Pang, a client of Cascadia since April of 2019.
4. On October 21, 2015, Mr. Pang enlisted in the United States Army through the Military Accessions Vital to the National Interest (“MAVNI”) program.
5. On June 21 or 22, 2021, Mr. Pang shipped to basic combat training (“BCT”) at Fort Leonard Wood, Missouri.

6. As documented in my first declaration, on July 7, 2021, I contacted the Office of the Staff Judge Advocate (“OSJA”) at Fort Leonard Wood on Mr. Pang’s behalf. I stated that I was a paralegal with Cascadia and was assisting Attorney Margaret Stock to obtain an N-426 certification for Mr. Pang. The following day, I spoke again with the OJSA, where a civilian employee informed me that each time the office has forwarded an N-426 form for certification to the Battalions, the O-6 officer in the relevant Battalion has refused to certify the form. The employee further stated that the O-6 officers in the Battalions are commonly telling service members that they must wait until they arrive at their first duty station to obtain their N-426 certifications. *See* ECF No. 62, at ¶¶ 3–7.
7. Around July 13, 2021, with Attorney Stock’s approval, I provided Zhen Pang’s N-426 form to the American Civil Liberties Union (“ACLU”) staff attorneys to assist in obtaining Mr. Pang’s N-426 certification. The OJSA office had only provided a phone number for Mr. Pang’s Battalion at that time. Given the OSJA’s representations regarding the refusal by Battalions at Fort Leonard Wood to certify N-426 forms, I did not contact the Battalion directly, and requested assistance from the ACLU instead.
8. On July 24, 2021, I received Mr. Pang’s N-426 certification via email from the ACLU staff attorneys.
9. On August 2, 2021, our office submitted Mr. Pang’s naturalization application to USCIS on his behalf. USCIS received Mr. Pang’s naturalization application on August 3, 2021.
10. On August 12, 2021, Mr. Pang graduated from BCT.
11. On August 13, 2021, Mr. Pang shipped to advanced individual training (“AIT”) at Fort Lee, Virginia.
12. On August 10, 2021, Mr. Pang received an email with a Request for Evidence from

USCIS stating that Mr. Pang's N-426 form was incomplete and instructing Mr. Pang to obtain a completed N-426 certification. Attached as Exhibit A is a true and correct copy of the USCIS Request for Evidence for Zhen Pang.

13. On August 16, 2021, Mr. Pang forwarded the Request for Evidence from USCIS to Attorney Stock to request further guidance.

14. On August 18, 2021, Mr. Pang called the USCIS Military Helpline and was told that the certifying officer incorrectly completed the N-426 form. Specifically, box 4 of Part 8 of the N-426 Form, which the certifying officer must complete, was incorrectly completed. Mr. Pang was instructed to obtain a new N-426 certification from his AIT unit.

15. On August 24, 2021, Mr. Pang submitted his N-426 form to his chain of command at his AIT unit.

16. For approximately five weeks after Mr. Pang submitted his N-426 form for certification, Mr. Pang asked his drill sergeant weekly about the status of his N-426 certification.

17. Approximately five weeks after Mr. Pang submitted his N-426 form for certification, Mr. Pang asked a different drill sergeant to check the status of his new N-426 form. This drill sergeant informed Mr. Pang that his N-426 form and the N-426 forms submitted by other members in his company around the same time were lost. The drill sergeant told Mr. Pang that information on the N-426 forms needed to be corrected, so the forms were rejected and sent back to his battalion. However, neither Mr. Pang nor the other service members ever received the rejected forms. Mr. Pang then filled out a new N-426 form and submitted it to his chain of command again.

18. A few weeks later, Mr. Pang's chain of command informed him again that his N-426 form and those submitted by other service members in his company were rejected a second time

due to the same issue. However, because Mr. Pang was never told what was incorrect with the first N-426 form he submitted (and he never received that rejected N-426 form), he did not know what was incorrect on this second rejected N-426 form. Mr. Pang then filled out yet another N-426 form and submitted it to his chain of command for a third time.

19. Around the time of his third submission of his N-426 form, Mr. Pang complained to his first sergeant about the issues he was having with obtaining a new N-426 certification.

20. On October 25, 2021, Mr. Pang received a new N-426 certification from his chain of command.

21. At the time Mr. Pang received his new, properly certified N-426 form, it had been over four months since he began his service by shipping to BCT.

22. At the time Mr. Pang received his new, properly certified N-426 form, it had been nearly four months since I first requested Mr. Pang's N-426 certification on his behalf.

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

Executed on October 29, 2021.

A handwritten signature in black ink, appearing to read "Danielle Quail", is written over a horizontal line.

Danielle Quail