

EXHIBIT D

(Respondent's Second Supplemental Responses to
Petitioner's First Set of Interrogatories)

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ADHAM AMIN HASSOUN,

Petitioner,

Case No. 1:19-cv-370-EAW

v.

JEFFREY SEARLS, in his official capacity
as Acting Assistant Field Office Director and
Administrator, Buffalo Federal Detention
Center,

Respondent.

**RESPONDENT'S SECOND SUPPLEMENTAL RESPONSES TO PETITIONER'S
FIRST SET OF INTERROGATORIES**

In accordance with the Court's scheduling order of December 20, 2019 (ECF No. 58), Respondent Jeffrey Searls provide these supplemental responses to Petitioner Adham Amin Hassoun's First Set of Interrogatories.

OBJECTION WHICH APPLIES TO ALL INTERROGATORIES:

Respondent maintains a standing objection to the convening of an evidentiary hearing, as all relevant factual information necessary for judicial review is contained within the administrative record. By providing responses to these Interrogatories, Respondent does not concede that an evidentiary hearing is appropriate.

RESPONSES:

INTERROGATORY NO. 1:

Identify all informants (including their past and present histories and locations of incarceration and/or detention) relied upon in preparing the Federal Bureau of Investigation's

(FBI) letter dated February 21, 2019, and provided as part of the administrative record in this matter.

RESPONSE TO INTERROGATORY NO. 1:

Consistent with the discussions between the parties, Respondent construes Interrogatory No. 1 to seek only the identities of such informants and the dates they were detained at the Buffalo Federal Detention Facility.

Respondent objects to Interrogatory No. 1 and invokes the confidential informant privilege, which bars the disclosure of such information.

Notwithstanding, Respondent waives the confidential informant privilege as to the following individuals only:

Informant Name		Dates of Detention at BDFD
1	Ahmed Khamis Hamed	November 6, 2017 to July 16, 2018; and July 31, 2018 to September 17, 2018
2	Hector Moises Rivas Merino	August 6, 2018, to December 18, 2018
3	Shane Remi Ramsundar	January 22, 2018, to present

INTERROGATORY NO. 2:

Identify all persons interviewed or contacted by the government from October 2017 to present regarding Petitioner but on whom the FBI did not rely in its letter dated February 21, 2019, and provided as part of the administrative record in this matter.

RESPONSE TO INTERROGATORY NO. 2:

Consistent with the discussions between the parties, Respondent construes Interrogatory No. 2's use of the term "government" to mean "any government official with a role in the

determination process at DHS or DOJ, including people involved in investigating any of the allegations that the government intends to use as a basis to justify detention (other than allegations relating to his criminal conviction).” Respondent also construes Interrogatory No. 2 to be limited to persons interviewed or contacted regarding the allegations in the FBI letter.

Respondent objects to Interrogatory No. 2 and invokes the confidential informant privilege, which bars the disclosure of such information, for the same reasons given in Respondent’s response to Interrogatory No. 1.

Notwithstanding, Respondent waives the confidential informant privilege as to the following individuals only: Ahmed Khamis Hamed; Ahmed Abdelraouf; Hector Moises Rivas Merino; Shane Remi Ramsundar.

INTERROGATORY NO. 3:

Identify all government officials (including their agency affiliations and job titles) who took witness statements, conducted interviews, and/or gathered evidence in connection with Department of Homeland Security’s determination to certify Petitioner under 8 C.F.R. § 241.14(d) or 8 U.S.C. § 1226a, or the development of the FBI’s recommendation to certify Petitioner under these provisions.

RESPONSE TO INTERROGATORY NO. 3:

Respondent responds to Interrogatory No. 3 with the following individuals:

	Witness Name	Agency Affiliation	Job Title
1	Cornelius O’Rourke	U.S. Immigration and Customs Enforcement, Homeland Security Investigations	Joint Terrorism Task Force, Task Force Officer
2	Joe Gillet	U.S. Immigration and Customs Enforcement, Homeland Security Investigations	Special Agent

3	Edward Guzdek	U.S. Immigration and Customs Enforcement, Homeland Security Investigations	Joint Terrorism Task Force, Task Force Officer
4	Michael Ambrosia	U.S. Immigration and Customs Enforcement, Homeland Security Investigations	Special Agent
5	Gregory Conwall	U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations	Joint Terrorism Task Force, Task Force Officer
6	Ken Oliver	U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations	Deportation Officer
7	William Kirchmeyer	U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations	Deportation Officer
8	George Harvey	U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations	Supervisory Detention and Deportation Officer
9	Christopher Lemmo	U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations	Deportation Officer
10	Keith Oliveri	U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations	Deportation Officer

INTERROGATORY NO. 4:

Identify all witnesses Respondent intends to call at the evidentiary hearing to be set by the Court in this Matter.

RESPONSE TO INTERROGATORY NO. 4:

Respondents object to this interrogatory as premature because the Court will set the deadline for witness disclosures at the hearing scheduled for March 16, 2020. Respondent is in the process of identifying witnesses and will make full disclosures in accordance with the

witness deadline scheduled by the Court. To the extent that Respondent waives the confidential informant privilege and intends to call any informant as a witness, disclosure of such witness will be made in accordance with the witness disclosure deadline set by the Court. Subject to the foregoing, Respondent presently intends to call the following persons as witnesses at the evidentiary hearing:

	Witness Name	Present or Last Known Address	Present or Last Known Place of Employment
1	Adham Amin Hassoun	Buffalo Federal Detention Facility	N/A
2	Cornelius O'Rourke	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station Washington, DC 20044	U.S. Immigration and Customs Enforcement, Homeland Security Investigations, Buffalo
3	Joe Gillet	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station Washington, DC 20044	U.S. Immigration and Customs Enforcement (retired)
4	Edward Guzdek	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station Washington, DC 20044	U.S. Immigration and Customs Enforcement
5	Michael Ambrosia	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station Washington, DC 20044	U.S. Immigration and Customs Enforcement, Homeland Security Investigations
6	Emilio Alvarez	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station	Buffalo Federal Detention Facility

		Washington, DC 20044	
7	Todd Pratt	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station Washington, DC 20044	AGS, Buffalo Federal Detention Facility
8	Paul Prince	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station Washington, DC 20044	AGS, Buffalo Federal Detention Facility
9	Gene Richley	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station Washington, DC 20044	AGS, Buffalo Federal Detention Facility
10	Jeffrey Searls	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station Washington, DC 20044	U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations, Buffalo Federal Detention Facility
11	Christopher Lemmo	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station Washington, DC 20044	U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations, Buffalo Federal Detention Facility
12	William Kirchmeyer	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station Washington, DC 20044	U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations, Buffalo Federal Detention Facility
13	George Harvey	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station Washington, DC 20044	U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations,

			Buffalo Federal Detention Facility
14	Gregory Conwall	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station Washington, DC 20044	U.S. Immigration and Customs Enforcement
15	Ahmed Abdelraouf	153 Briele Avenue Staten Island, NY 10314	
16 <i>-n</i>	Informant John Doe(s)	c/o Timothy Belsan, Anthony Bianco & Steven Platt U.S. Department of Justice P.O. Box 868 Ben Franklin Station Washington, DC 20044	N/A

Respondent reserves the right to call any witness identified by Petitioner. Respondent reserves the right to amend this list up to the date set by the Court for identifying witnesses. Respondent objects to Interrogatory No. 4 insofar as it requests rebuttal witnesses, whom Respondent is under no obligation to disclose.

Date: March 5, 2020

Respectfully submitted,

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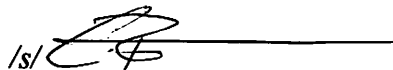
VERIFICATION

I, Cornelius B. O'Rourke, declare, under penalty of perjury:

I am employed by U.S. Immigration and Customs Enforcement ("ICE") as a Special Agent in SAC Buffalo, Buffalo, New York. As such, I am authorized to make this verification on behalf of ICE for Respondent's Second Supplemental Responses to Petitioner's First Set of Interrogatories.

I have read and know the contents of the specified responses. These responses were prepared after obtaining information reasonably available to ICE through its officers and employees. This response is true and correct to the best of my knowledge, information, and belief.

Executed this 4th day of March, 2020.


/s/ _____
Cornelius B. O'Rourke
Special Agent - ICE