

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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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.

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**DECLARATION OF STEVEN A. PLATT IN SUPPORT OF  
RESPONDENT'S NOTICE OF SUPPLEMENTAL DISCOVERY PRODUCTION**

I, Steven A. Platt, counsel for Respondent, hereby declare and state the following:

1. I am a member of the State Bar of Minnesota. I am employed as a Trial Attorney at U.S. Department of Justice, Civil Division, Office of Immigration Litigation, District Court Section. I have personal knowledge of the events described therein, and could testify to them if called to do so.
2. I represent Respondent in the above captioned case.
3. On July 17, 2020, Respondent produced to Petitioner Production Volume 018 (DEF-00021660 to DEF-00023792). Production Volume 018 consists of documents responsive to Petitioner's request for production number 2, to include the six categories of documents described in Petitioner's motion for sanctions and to compel. On June 20, 2020 and June 22, 2020, counsel for Respondent had informed counsel for Petitioner of the existence of this tranche of documents. Notice (Dkt. No. 251). Respondent did not send any documents to Petitioner from this Production Volume 018, but did produce a privilege log for every document.

4. The documents in Volume 18 are responsive only to category number 2 of the six categories of documents described in Petitioner's motion for sanctions and to compel. That category is "all additional documents showing that the government is aware of significant credibility issues with Mr. Ramsundar or any other witnesses." Order at 22 (Dkt. No. 225). Volume 18 documents are related to the government agencies' evaluation of Shane Ramsundar's credibility that occurred after Petitioner served his May 7, 2020 discovery demand letter. They include, primarily, emails between Department of Justice litigators and agency counsel at the Department of Homeland Security, Immigration and Customs Enforcement, and the Federal Bureau of Investigation, as well as written communications between agency counsel at those entities and field operators at those entities. Several draft documents are also included in this Volume.

5. On July 17, 2020, Respondent produced to Petitioner Production Volume 019 (DEF-00023793 to DEF-00023908). Production Volume 019 consists of, inter alia, documents related to Ahmed Abdelraouf, whom Respondent had listed on his witness list, to include the six categories of documents described in Petitioner's motion for sanctions and to compel. On July 16, 2020, counsel for Respondent had informed counsel for Petitioner of the existence of this Abdelraouf tranche of documents.

6. As Respondent noted to Petitioner on July 16, most of this Abdelraouf tranche of documents relate to Mr. Abdelraouf's criminal convictions, which were fully identified in Respondent's Production Volume 1 (DEF-00000001 to DEF-00000058) back on February 3, 2020. Platt Decl. ¶ 16 (Dkt. No. 184-1). Most of the new pages are further recitations of that criminal history, for example: Customs and Border Protection database query results noting the fact of the convictions, DEF-00023842 to 23850; U.S. Citizenship and Immigration Services

documents relying on the convictions, DEF-00023830 to 23831; and a copy of a judgment of conviction. Most of the remaining pages concern the denial of Mr. Abdelraouf's application for lawful permanent resident status in 1996. *See, e.g.*, DEF-00023906. (Mr. Abdelraouf was granted LPR status in 2017. DEF-00001107.) Finally, this tranche contains an immigration court brief, authored by Immigration and Customs Enforcement, advocating for Respondent's removal. DEF-00023793 to 23799. The brief questions Respondent's financial claims, although it acknowledged that the immigration court "has made a ruling that [the government] did not prove . . . fraud allegations." DEF-00023794 at n.1.

7. Finally, Volume 19 contains a single document unrelated to Mr. Abdelraouf, an email post-dating Petitioner's May 7, 2020 discovery demand letter. This document relates to category 1: "all additional documents that suggest Mr. Ramsundar or any other government witness has previously described similar allegations against other people." Order at 22 (Dkt. No. 225).

Dated: July 24, 2020

Respectfully submitted,

/s/ Steven A. Platt  
STEVEN A. PLATT  
Trial Attorney  
United States Department of Justice  
Civil Division  
Office of Immigration Litigation  
District Court Section