

# Exhibit 6

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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**RESPONDENT'S FIRST REQUEST TO PETITIONER  
FOR PRODUCTION OF DOCUMENTS AND THINGS**

Pursuant to 28 U.S.C. § 2241, Federal Rule of Civil Procedure 34 and the Court's order of December 20, 2019, Respondent Jeffrey Searls requests that Petitioner Adham Amin Hassoun respond to the following Requests for Production ("Requests") by the deadline specified by the Court.

**I. DEFINITIONS & INSTRUCTIONS**

1. This document incorporates by reference the definitions and rules of construction set forth in Rule 26 of the Local Rules of Civil Procedure for the Western District of New York.
2. In construing these Requests and the definitions below:
  - a. Masculine, feminine, or neutral pronouns do not exclude other genders; and
  - b. The tense of a verb includes all other tenses, as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside its scope.

3. The term “CONCERN” or “CONCERNING” means, in whole or in any part, discussing, mentioning, alluding to, responding to, relating to, in connection with, involving, commenting on, in respect to, about, associated with, evidencing, reflecting, showing, describing, analyzing, summarizing, memorializing, consisting of, constituting, identifying, stating, tending to support, tending to discredit, referring to, or in any way touching upon.

4. “INCLUDE” or “INCLUDING” means “include, but do not limit your response to,” “examples include” or “including, but not limited to.” “INCLUDE” or “INCLUDING” shall not be construed as a limitation.

5. “ALL” and “ANY”: The term “ALL” includes and encompasses the words “each,” “every,” and “any.” “The word “any” includes “all.”

6. “YOU” and “YOUR” refer to Petitioner Adham Amin Hassoun, and his agents, guardians, employees, associates, investigators, attorneys, representatives, and all persons who act, or purport to act, on behalf of him or on behalf of his counsel.

7. Utilization of the spelling “Adham Amin Hassoun” shall also include any and all alternative spellings thereof.

## II. INSTRUCTIONS

In addition to those in the Federal Rules of Civil Procedure and Local Rules, the following instructions apply to these Requests:

1. These Requests for Production (“Requests”) seek the inspection and production of all documents in YOUR possession, custody, or control.

2. These Requests further encompass any and all documents which may come into your possession, custody, or control between the time of service and the time of response.

3. The Federal Rules of Civil Procedure require YOUR compliance when YOU serve YOUR written responses to the Requests. With respect to the actual production of documents, any documents demanded shall either be produced as they are kept in the usual course of business or be organized and labeled to correspond with the categories in the demand. *See* Fed. R. Civ. P. 34(b)(2)(E)(i). With respect to a written response, the requirements of Rule 34(b)(2) must be strictly followed so that Respondent can ascertain: (i) the scope of each stated objection; (ii) which documents will be withheld on grounds of the stated objections; and (iii) which documents will be produced notwithstanding such objections. Notwithstanding any objections, YOU must comply fully with the other parts of the request to which YOU do not object.

4. If any part of a document is responsive to any request, the entire document shall be produced. Any document responsive to a request shall be produced with all attachments, enclosures, or other matter affixed to or incorporated by reference within the document. To the extent that documents responsive to any request are found attached to other documents, by means of paper clips, staples, or other means of attachment, such documents shall be produced together in their condition when found.

5. Any document responsive to any request should be identified as being responsive to the specific request involved. If the same document is responsive to more than one request, all requests to which it is responsive should be identified.

6. In the event that no documents are responsive to a particular request, please provide a sworn affidavit that YOU do not possess or cannot reasonably secure any responsive documents.

7. If, after exercising due diligence to do so, YOU cannot answer any one or any sub-part of these document requests in full, explicitly so state, and state what YOU did in an attempt to secure the unknown information. Answer all other document requests and sub-parts, and give

any information in Petitioner's possession which may partially answer the document request or sub-part which YOU cannot answer fully or which may lead Respondent to discover the unknown information.

8. A request for a particular document requires that YOU produce the document in question and all other non-identical drafts, versions, or mark-up thereof. Documents attached to each other should not be separated. Documents that are located in files, folders, binders, and the like must be produced in a manner that enables Respondent to determine which particular pages were contained in a given file, folder, or binder. The labels of any files, folders, or binders that contain responsive documents must also be copied. ALL non-identical copies of a document must also be produced. Separate, distinct documents should not be produced as one, non-unitized .pdf document.

9. If, in responding to any of these Requests, YOU perceive any ambiguity in construing either the Request or a definition or instruction relevant to it, YOU shall set forth the matter deemed ambiguous and the construction used in responding to the Request.

10. If a document responsive to any of the following requests is withheld from production on the basis of privilege or otherwise, for each such document, YOU are required to provide a privilege and/or redaction log, which shall provide the author of the document, all recipients of the document, a description that describes the document in a way sufficient to substantiate the claim of privilege, and the privilege asserted. If only part of a document is subject to an asserted privilege, the document must be produced in redacted form. *See* Fed. R. Civ. P. 34(b)(2)(C).

11. These Requests are continuing in nature to the fullest extent permitted by the Federal Rules of Civil Procedure.

### **REQUESTS FOR PRODUCTION**

1. All documents and other evidence that tend to contradict YOUR claim that YOUR detention is not authorized by 8 U.S.C. § 1226a, including, but not limited to, all documents and other evidence that would tend to undermine the credibility of YOU and/or any of YOUR witnesses.

2. All documents or other evidence YOU intend to introduce, or may introduce, or intend to rely on or otherwise reference at the evidentiary hearing to be set by the Court in this matter.

3. To the extent not otherwise requested in these Requests, any documents YOU relied on, identified, or otherwise referenced or consulted in YOUR responses to Respondent's First Set of Interrogatories to Petitioner.

Date: December 27, 2019

Respectfully submitted,

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*/s/ Steven A. Platt*

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