

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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HAMID HASSAN RAZA; MASJID AL-ANSAR;
ASAD DANDIA; MUSLIMS GIVING BACK;
MASJID AT-TAQWA; MOHAMMAD
ELSHINAWY,

Plaintiffs,

-against-

CITY OF NEW YORK; MICHAEL R.
BLOOMBERG, in his official capacity as Mayor of
the City of New York; RAYMOND KELLY, in his
official capacity as Police Commissioner for the City
of New York; DAVID COHEN in his official
capacity as Deputy Commissioner of Intelligence for
the City of New York,

Defendants.
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**DEFENDANTS' FIRST SET OF
INTERROGATORIES AND
REQUESTS FOR PRODUCTION
OF DOCUMENTS**

13-CV-3448 (PKC)(JMA)

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and Local Rules 26.2 and 26.3 of this Court, defendants City of New York, and in their official capacities, Michael Bloomberg, Raymond Kelly, and David Cohen [collectively, "Defendants"] hereby request that plaintiffs Hamid Hassan Raza, Masjid Al-Ansar, Asad Dandia, Muslims Giving Back, Masjid At-Taqwa, and Mohammad Elshinaway [hereinafter, "Plaintiff" or "Plaintiffs"] produce the below-requested items on or before January 6, 2013 at the offices of Michael A. Cardozo, Corporation Counsel of the City of New York at 100 Church Street, New York, New York 10007, Attn.: Cheryl Shammas, Esq.

These document requests are continuing. If, at any time after service of the items hereto plaintiffs or anyone acting on behalf of plaintiffs obtain or become aware of additional information pertaining to any of these document requests, or a document pertaining to these

Requests is located or is created which is responsive, plaintiffs shall serve upon the undersigned supplemental disclosures forthwith.

INSTRUCTIONS FOR INTERROGATORIES

1. In furnishing answers to these Interrogatories, each plaintiff is to provide all information which is available to him, including information in the possession, custody or control of Plaintiff(s) or his attorneys or investigators, or anyone else acting on behalf of Plaintiff(s), and not merely such information held by Plaintiff(s) on the basis of personal knowledge.

2. Each answer is to be made separately and fully. An incomplete or evasive answer will be considered a failure to answer. If after exercising due diligence to secure the information a plaintiff cannot answer in full any one of the following Interrogatories, the Plaintiff should expressly indicate so, answer to the extent possible, specifying the Plaintiff's inability to answer the remainder of the Interrogatory and stating whatever information or knowledge Plaintiff has concerning the unanswered portion(s) including the name of any person(s) who may have additional knowledge or information to complete the response.

3. Each Interrogatory may be answered in whole or in part by attaching documents that contain sufficient information to answer the question completely. The relevant portion of the Document, however, shall be so marked or indicated.

4. To the extent that a Plaintiff may assert any objections to an Interrogatory in whole or in part, he shall do so by stating the grounds for his objection with specificity, in accordance with the federal rules, to allow Defendants to evaluate and respond to the objection(s), and, if necessary, the Court to rule on the objection.

5. If the answer to all or any part of an interrogatory is not presently known or available, include a statement to that effect and furnish any information currently known or available and a description of the source of information that was once known or available that could have been used to respond to the interrogatory.

6. If any information called for by an interrogatory is withheld by reason of a claim of privilege, state with specificity the information required by Local Rule 26.2. 2.

INSTRUCTIONS FOR DOCUMENT REQUESTS

1. These Requests are to be read, interpreted, and responded to in accordance with the definitions, instructions and details required by the Federal Rules of Civil Procedure and Local Civil Rules.

2. In responding to Defendants' Requests, each plaintiff must furnish all items which are available, including items in the possession, care, custody or control of plaintiffs, plaintiffs' attorneys, investigators or anyone else acting for or on behalf of the plaintiffs, and not merely those items held by Plaintiffs. If a Plaintiff is unaware of the existence of any items responsive to a request, the Plaintiff must expressly so indicate, answer to the extent possible and identify any person(s) who may have additional knowledge or information to complete the response.

3. If a plaintiff has possession, care, custody or control of the originals of the items requested, then the originals and all non-identical copies must be produced.

4. In accordance with Local Rule 26.2, where a claim of privilege is asserted in objection to Defendants' Requests, the attorney asserting the privilege shall identify the nature of the privilege (including work product) which is being claimed and, where applicable, the rule of law being invoked; and the following information shall be provided in the objection:

(A) For documents: (i) the type of document, e.g., letter or memorandum; (ii) the general subject matter of the document; (iii) the date of the document; and (iv) such other information as is sufficient to identify the document for a subpoena *duces tecum*, including, where appropriate, the author of the document, the addressees of the document, and any other recipients shown in the document, and, where not apparent, the relationship of the author, addressees, and recipients to each other;

B. For oral communications: (i) the name of the person making the communication and the names of persons present while the communication was made and, where not apparent, the relationship of the persons present to the person making the communications; (ii) the date and place of communication; and (iii) the general subject matter of the communication.

5. If any document that would have been responsive to these Requests has been lost, destroyed or is no longer in a plaintiff's possession, care, custody or control, please provide the following information:

- (a) The type and title of document;
- (b) The date the document was created, number of pages, and subject matter of the document;
- (c) The names and job titles of the preparer(s), sender(s), and recipient(s) of the documents;
- (d) The date of and the identity of the person responsible for its destruction, loss, transfer, or other act or omission by which the document left Plaintiff's possession, custody or control; and
- (e) The date and circumstances surrounding the loss, destruction, or discarding of the document, the reason for its loss, destruction, or discarding, and the name(s) of the person(s) who destroyed, lost, or discarded the document or who had ordered or authorized same.

6. If no documents exist that are responsive to a particular Request herein, so state in writing.

7. Defendants request that plaintiffs' responses be organized and labeled to correspond to the categories in the Request, in accordance with Rule 34 of the Federal Rules of

Civil Procedure; and further, that plaintiffs' responses to each request be identified by Bates numbers.

In responding to Defendants' Requests, each plaintiff must furnish all items concerning the period January 1, 2000 to the present day.

DEFINITIONS

1. These definitions incorporate by reference the Uniform Definitions in Discovery Requests set forth in Federal Rule 34(a) and Local Rule 26.3.

2. *Action.* The term "action" means the above-captioned case filed on June 18, 2013.

3. *Communication.* The term "communication" means the transmittal of information (in the form of facts, ideas, inquiries or otherwise) and includes but is not limited to letters, emails, text messages, instant messages, online postings or communications, and any other type of hard copy, electronic or digital communication.

4. *Document.* The term "document" is defined to be synonymous in meaning and equal in scope to the usage of this term in Federal Rule of Civil Procedure 34(a), and includes, without any limitation, electronic or computerized data compilations. A draft or non-identical copy is a separate document within the meaning of this term. Examples of documents include but are not limited to the following: all objects, tangible or intangible, from which information may be derived, however reproduced, including any recording in any tangible form of any information, whether handwritten, typed, printed, stored electronically, stored on computer, laptop, mobile device, tablet, online storage area (*i.e.*, iCloud), computer disk, USB flash drive, DVD, CD, tape, or database, or otherwise stored or reproduced; originals, copies

when the original is not available and each non-identical copy, including those that are non-identical by reason of notation or markings; any statements, conversations, correspondence; messages, e-mails, text messages, telephone records; friend requests, facsimiles, voicemails, websites, blogs, social media sites or accounts, including but not limited to Facebook, Twitter, Tumblr, MySpace; any other online forum; contracts, agreements, receipts, books, literature, handouts, flyers, postings, messages, programs, pamphlets, guides, instructions, course material, speeches, sermons, periodicals, letters, reports, memoranda, handwritten notes, notations, telegrams, cables, drafts, diaries, videotapes, video files, audio tapes, audio files, studies, analyses, summaries, magazines, booklets, circulars, bulletins, instructions, board meeting minutes, photographs, tabulations, questionnaires, surveys, drawings, sketches, working papers, charts, graphs, indexes, tapes, correspondence, agreements, trip reports, releases, estimates, opinions, transcriptions, or any and all other written, printed, typed, punched, taped, filmed, or graphic matter or tangible thing, of whatsoever description, however produced or reproduced (including computer stored or generated data, together with instructions and programs necessary to search or retrieve such data), and shall include all attachments and enclosures to any requested item, which shall not be separated from the items to which they are attached or enclosed.

5. *Identify (with respect to documents)*. When referring to a document, “to identify” means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s), and recipient(s).

6. *Identify (with respect to persons)*. When referring to a person, “to identify” means give the person’s full name, present home and business addresses, and telephone numbers (or, if unknown, the person’s last known address, telephone number and last known

place of employment). If you are unable to identify an individual within the meaning of Local Rule 26.3, describe that individual's physical appearance.

7. *Parties.* The terms "Plaintiff" or "Plaintiffs" and "Defendant" or "Defendants" as well as a party's full or abbreviated name or a pronoun referring to a party mean the party and, where applicable, its officers, directors, employees, partners, subsidiaries or affiliates.

8. *Person.* The term "person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association.

9. *Concerning.* The term "concerning" means relating to, referring to, describing, evidencing or constituting.

10. *NYPD Informant.* The term "NYPD Informant" shall mean any confidential informant who communicates with the NYPD.

11. *Law Enforcement Personnel.* The term "Law Enforcement Personnel" shall mean employees of the New York Police Department, such as uniformed members, civilians, undercover officers, or plain clothes officers conducting surveillance or investigations.

12. *Muslims Giving Back.* "Muslims Giving Back" means the plaintiff Muslims Giving Back ("MGB"), any predecessor entity, including but not limited to Fesabeelillah Services of NYC, Inc. ("FSBNYC"); chapters; subsidiaries; affiliates; founders, successors, assigns, and past and present employees, directors, officers, representatives and agents.

13. *Masjid Al-Ansar.* "Masjid Al-Ansar" means plaintiff Masjid Al-Ansar and any other name by which Masjid Al-Ansar has been or is known or identified; Al-Ansar Center, Inc.; parent corporations; subsidiaries; affiliates; founders; predecessors; successors;

assigns; past and present employees and religious leaders; directors, officers, representatives and agents.

14. *Masjid At-Taqwa*. “Masjid At-Taqwa” means plaintiff Masjid At-Taqwa and any other name by which Masjid At-Taqwa has been or is known or identified; Masjid At-Taqwa Inc.; the Zam Zam Shop; the Taqwa Bookstore; subsidiaries; affiliates; founders; predecessors; successors; assigns; past and present employees and religious leaders, directors, officers, representatives and agents. .

15. *Hamid Hassan Raza*. “Hamid Hassan Raza” means plaintiff Hamid Hassan Raza and includes any other names plaintiff is currently known by, or has formerly been known by.

16. *Asad Dandia*. “Asad Dandia” means plaintiff Asad Dandia and includes any other names plaintiff is currently known by, or has formerly been known by..

17. *Mohammad Elshinawy*. “Mohammad Elshinawy” means plaintiff Mohammed Elshinawy and includes any other names plaintiff is currently known by, or has formerly been known by..

18. *Intelligence Division*. Defendants incorporate by reference the definition of the term “Intelligence Division”, as set forth in Plaintiffs’ First Request For the Production of Documents, annexed as Schedule A to Plaintiffs’ Motion for Expedited Discovery (Docket Entry # 20).¹

¹ Defendants object to plaintiffs’ definitions and do not agree to them or adopt them. Notwithstanding, and without waiving or in any way limiting defendants’ objections, defendants herein incorporate certain terms defined by Plaintiffs for consistency.

19. *Investigation.* Defendants incorporate by reference the definition of the term “Investigation”, as set forth in Plaintiffs’ First Request For the Production of Documents, annexed as Schedule A to Plaintiffs’ Motion for Expedited Discovery (Docket Entry # 20).

20. *Surveillance.* Defendants incorporate by reference the definitions of the term “Surveillance”, as set forth in Plaintiffs’ First Request For the Production of Documents, annexed as Schedule A to Plaintiffs’ Motion for Expedited Discovery (Docket Entry # 20).

21. *Foreign Terrorist Organization.* The term “Foreign Terrorist Organization” (“FTO”) means any organization so designated by the United States Department of State, as recorded at <http://www.state.gov/j/ct/rls/other/des/123085.htm>, or any affiliate of an FTO.

22. *Congregant.* The term “Congregant” shall mean any person, member or nonmember, who has attended Masjid Al-Ansar or Masjid At-Taqwa on at least one occasion.

23. The following rules of construction apply to all discovery requests:

- (a) *All/Each.* The terms “all” and “each” shall be construed as encompassing all.
- (b) *And/Or.* The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of discovery request all responses that might otherwise be construed to be outside of its scope.
- (c) *Number.* The use of the singular form of any word includes the plural and vice versa.

INTERROGATORIES

To Masjid Al-Ansar Only:

1. Identify all persons who decided to record sermons at Masjid Al-Ansar, and the persons involved in the purchase or installation of video or audio recording equipment, as referenced in ¶ 51 of the complaint.
2. Identify all persons within the mosque leadership who had “heightened concerns” resulting from a 2011 visit from a purported NYPD informant, or who decided to sponsor a civil rights workshop due to these concerns, as alleged in ¶ 55 of the complaint.
3. Identify all persons who informed Masjid Al-Ansar or Imam Raza that the man with the “extremely unusual behavior” was an NYPD Informant , as alleged in ¶ 57 of the complaint.
4. Identify the “young congregants” who showed Imam Raza a Facebook post in which Shamiur Rahman identified himself as an Informant , as alleged in ¶ 58 of the complaint.
5. Identify the members of Masjid Al-Ansar believed to be surveilled or investigated by the NYPD, as alleged in ¶ 60 of the complaint.
6. Identify the congregants whom Imam Raza discouraged from discussing certain religious topics or concepts, as alleged in ¶¶ 62-64. .
7. Identify the “friend” who warned Imam Raza about the purported practices and teachings of NYPD surveillance teams, as alleged in ¶¶ 69 and 71 of the complaint.
8. Identify all persons referenced in ¶¶ 73-74 of the complaint, including
 - a. Persons who have warned Imam Raza about newcomers or have shared suspicions that newcomers might be police Informant s; or
 - b. Newcomers who have reacted to this reception with “alarm” or

who have told Imam Raza that “the environment at the mosque is hostile to them , that longstanding congregants view newcomers with suspicions, or that newcomers are excluded from many facets of social life at the mosque.”

9. Identify all persons who are “constantly worried whether they are safe from police spying” or are “suspicious of their fellow worshippers”, as alleged in ¶ 75 of the complaint.

10. Identify all persons referenced in ¶ 76 of the complaint, including persons (a) who grew even more suspicious of newcomers after the Associated Press began reporting on the NYPD’s surveillance; (b) whose fears have increased from the confirmation of NYPD surveillance; (c) who have declined to attend afternoon prayers on weekdays; or (d) who have declined to attend prayers at any time on any day; or (e) who declined to attend the mosque due to surveillance by the NYPD.

To Asad Dandia/Muslims Giving Back Only:

11. Identify all persons who were active members of Fesabeelilah (“FSNYC”), who donated to FSNYC, or who regularly attended FSNYC events, as alleged in ¶ 81 of the complaint

12. Identify all persons who Dandia introduced to Shamiur Rahman in 2012, as alleged in ¶ 84 of the complaint.

13. Identify all persons who were asked by Rahman for their phone numbers, as alleged in ¶ 87 of the complaint.

14. Identify all efforts specifically undertaken by Dandia to publicize FSNYC and MGB, as alleged in ¶ 92 of the complaint.

15. Identify all persons referenced in ¶¶ 90-92 of the complaint, including (i) all “friends” who told Dandia that NYPD Informant s had infiltrated FSNYC; (ii) the identity of

the “credible source in the NYPD Intelligence Division”; and (iii) the identities of the NYPD Informant s who purportedly infiltrated FSNYC.

16. Identify the “friends” who were told by Dandia of the alleged “infiltration” by the NYPD, and the “FSNYC board member” who decided to be less active with the organization out of concern that the organization was infiltrated, as alleged in ¶ 93 of the complaint.

17. Identify the persons present at the “Napoleon event” referred to in ¶ 95 of the complaint, including but not limited to, all speakers, invitees, and attendees.

18. Identify all members who told Dandia that they would cease their activities with FSNYC “largely because they were fearful of being spied upon by an NYPD Informant ” as alleged in ¶ 95 of the complaint.

19. Identify the members of Muslims Giving Back who were gathered together outside Masjid Omar in September 2012, and the “friend” who attempted to end the conversation with Rahman, as alleged in ¶ ¶ 101 and 102.

20. Identify all persons inside Masjid Omar whom Rahman attempted to engage in discussions concerning political developments in the Middle East in September 2012, including all persons who left, “saying that they were not comfortable having the discussion”, as alleged in ¶ 102 of the complaint.

21. Identify all persons who told Dandia that “Rahman was a ‘spy’” as alleged in ¶ 103 of the complaint.

22. Identify the religious leader at Masjid Omar who asked plaintiff Dandia to stop posting and soliciting donations at Masjid Omar after Friday services as alleged in ¶ 106 of the complaint.

23. Identify the religious leader at Masjid Omar who asked Dandia to stop holding meetings and bringing new people to Masjid Omar, as alleged in ¶ 108 of the complaint.

24. Identify the web pages where Muslims Giving Back posted online pictures, as alleged in ¶ 110 of the complaint.

25. Identify the members of Muslims Giving Back who were allegedly concerned with drawing attention from law enforcement after promulgation of Rahman's identify, as alleged in ¶ 110 of the complaint.

To Masjid At-Taqwa Only:

26. Identify all persons who own, manage, operate or work at the Zam Zam Shop or Taqwa Bookstore

27. Identify the congregants of Masjid At-Taqwa who were "intimated" or who suffered anxiety purportedly from the NYPD surveillance camera, as alleged in ¶¶ 116-117 of the complaint.

28. Identify all congregants who spoke with mosque leaders concerning feelings of intimidation, anxiety, or concern, or who "started staying away from the mosque" by reason of the NYPD surveillance camera, as alleged in ¶ 117 of the complaint.

29. Identify all mosque leadership who spoke with congregants about the allegations in ¶ 117 of the complaint.

30. Identify all entities and persons who do (or who have) provided security services for Masjid At-Taqwa.

31. Identify the security personnel upon whom background checks were conducted.

32. Identify all persons involved in taking precautionary measures to protect

Masjid At-Taqwa, as alleged in ¶ 123 of the complaint.

33. Identify all third party witnesses to religious counseling conversations, as alleged in ¶ 126 of the complaint.

34. Identify all congregants who expressed discomfort with the presence of third party witnesses to their counseling conversations, or who have been prevented from receiving complete religious guidance, as alleged in ¶ 126 of the complaint.

35. Identify all persons who informed Masjid At-Taqwa about the presence of NYPD Informants at mosques prior to the time that such information became public, as alleged in ¶ 127 of the complaint

36. Identify all persons who Imam Adam spoke to concerning the plane crash referenced in ¶¶ 128 and 129 of the complaint.

37. Identify all persons who suspected that Rahman was an informant, including but not limited to the congregant who complained to Imam Adam that Rahman “was questioning people in the mosque about the September 11, 2001 attacks”, and the congregants who were being questioned, as alleged in ¶ 131 of the complaint.

38. Identify all persons referenced in ¶ 132 of the complaint, including but not limited to, all congregants who purportedly behave like informants; all congregants who complained to Imam Adam about the congregants who “behaved like informants;” and the persons who were told to leave the mosque by Imam Adam.

39. Identify all persons at Masjid At-Taqwa who participated in any decision to cease holding mosque social activities or other events, including but not limited to whitewater rafting, camping, and paintball trips, as alleged in ¶ 133 of the complaint, allegedly for “fear that they will heighten NYPD surveillance of the congregations”.

To Elshinawy Only:

40. Identify all persons who warned Elshinawy that the NYPD had questioned them about Elshinawy or had had asked them to inform on the contents of his religious lessons and sermons, as alleged in ¶ 136 of the complaint.

41. Identify the “young man” who told Elshinawy that NYPD officers had offered to pay him to be an informant, as alleged in ¶ 141.

42. Identify all “other NYPD agents in Mr. Elshinawy’s immediate circles” as alleged in ¶ 148 of the complaint.

43. Identify all persons or entities whose relationship with Elshinawy has purportedly been affected by NYPD surveillance, including but not limited to: persons in Elshinawy’s audiences; “longtime friends” who have stopped attending his sermons; “longtime friends” who have stopped associating with Elshinawy; and any other person who reduced their contact or association with Elshinawy by reason of his being the subject of surveillance or investigation by the NYPD, as alleged in ¶¶ 149-152.

44. Identify all Brooklyn Islamic Center (“BIC”) leaders who expressed fear or concern of being scrutinized by the NYPD as a result of surveillance or investigation of Elshinawy by the NYPD.

45. Identify all founding members of Masjid Al-Ansar who purportedly discouraged Elshinawy from holding a leadership position or serving on the mosque’s board due to concerns that Elshinawy was the subject of surveillance or investigation by the NYPD, as alleged in ¶ 155 of the complaint.

46. Identify all persons who informed Elshinawy that the Brooklyn Islamic Center canceled summer camping trips that Elshinawy wished to organize due to concerns that

Elshinawy was the subject of surveillance or investigation by the NYPD, as alleged in ¶¶ 157 and 158 of the complaint.

47. Identify all Brooklyn Islamic Center event organizers who purportedly wanted to avoid drawing a large attendance to the lecture of a “prominent Islamic scholar” for fear of prompting NYPD surveillance or who relayed that information to Elshinawy, or who forbade Elshinawy from helping to advertise events hosted by the Brooklyn Islamic Center due to concerns that Elshinawy was the subject of surveillance or investigation by the NYPD, as alleged in ¶ 159 of the complaint.

48. Identify the dates of Elshinawy’s last visit to Masjid At-Taqwa and Masjid Al-Ansar.

Requests to All Plaintiffs

49. Identify all persons who provided plaintiffs with documents or communications concerning surveillance or investigations by the NYPD of plaintiffs or other Muslims, and the nature of the information provided.

50. Identify all purported NYPD Informants s who communicated with plaintiffs, plaintiffs’ congregants, or plaintiffs’ members, donors or attendees concerning surveillance or investigations of plaintiffs by the NYPD.

51. Identify all founding members, leaders, Imams, assistant Imams, clergy, cleriq, heads of security, board members, and directors of plaintiffs Masjid Al-Ansar, Masjid At-Taqwa and Muslims Giving Back.

52. Describe the current organizational structure of Muslims Giving Back, Masjid Al-Ansar and Masjid At-Taqwa, and identify the current leadership, head of security, board members, officers, and executives.

53. Identify all fundraising events and activities held or organized by plaintiffs and the amounts collected from each event.

54. Identify all persons at Muslims Giving Back, Masjid Al-Ansar and Masjid At-Taqwa whose duties and responsibilities include the management or handling of its finances, including but not limited to, the maintenance of books and records; payment of expenses; or the collection of revenue or donations.

55. Identify any and all employers of plaintiffs Raza, Dandia, and Elshinawy, both past and present, including the name, telephone number and address of each employer and the dates (month and year) of each employment..

56. Identify each occasion, if any, on which plaintiffs Raza, Dandia, and Elshinawy have been arrested, including the (i) date and location of the arrest, (ii) all charges for which the person was arrested, and (iii) the disposition of each charge (including expunged). This request includes all arrests in any jurisdiction.

57. Identify any and all additional names, legal names, illegal names, aliases, former/prior names, birth names, business names, doing-business-as names, nicknames, if any, ever used by plaintiffs.

DOCUMENT REQUESTS

Requests Pertaining to All Plaintiffs

1. All documents and communications concerning surveillance or investigations of plaintiffs by the NYPD or any other law enforcement agency.
2. All documents and communications concerning surveillance or investigations of Muslims generally by the NYPD or any other law enforcement agency.
3. All Communications concerning this Action between any Plaintiff and any person.
4. All documents and communications from, to, or concerning any of the following persons: (a) the person identified by plaintiffs in the complaint as “Bilal”; (b) Kamil Pasha; (c) Shamiur Rahman; (d) Detective O’Gara; (e) any NYPD Informants or Law Enforcement Personnel; or (f) any federal or other investigators, domestic or foreign.
5. All documents and communications from, to, or concerning any of the following persons:
 - a. Mohammad Babar;
 - b. Syed Hashmi;
 - c. Abdel Hameed Shehadeh;
 - d. Agron Hasbajrami;
 - e. Carlos Almonte;
 - f. Mohammed Alessa;
 - g. Hesham Elashry;
 - h. Ali Jawad;
 - i. Rany Kased;
 - j. Moazzam Begg;
 - k. Farooque Ahmed;
 - l. Clement Rodney Hampton-El;
 - m. Siddig Siddig Ali;
 - n. El Sayyid Nosair;
 - o. Marcus Dwayne Robertson;
 - p. Abdel Naser Zaben;
 - q. Wesam Elhanafi;
 - r. Sabirhan Hasanoff;

- s. Najibullah Zazi;
- t. Zarein Ahmedzay;
- u. Adis Medunjanin;
- v. Omar Abdel Rahman;
- w. Muhammad Butt;
- x. Justin Kaliebe;
- y. Anwar Al-Awlaki
- z. Tarek Mehanna

6. All documents and communications between any Plaintiff and any person charged, convicted, or sentenced in connection with any terrorist-related offense.

7. Documents and communications concerning the attendance or absence of Bilal, Kamil Pasha, Shamiur Rahman, Detective O’Gara, or any NYPD Informants or Law Enforcement Personnel at lectures, speeches, sermons or charity events hosted, given, or organized by plaintiffs.

8. Documents and communications concerning Plaintiffs’ alleged fears of attracting unwarranted NYPD scrutiny due to alleged surveillance of plaintiffs by the NYPD.

9. Any NYPD document in the possession of any Plaintiff.

10. All documents and communications by Imam Adam concerning the plane crash referenced in ¶ 129 of the complaint.

11. All Documents and Communications concerning, implicitly or explicitly, the use of physical force, violence or unlawful acts as a way to (i) promote religious goals; (ii) harm non-Muslim people or groups; or (iii) effect political change in the United States or abroad.

12. All Documents and Communications by plaintiffs concerning: “terrorism”; “jihad”; “jihad training”; the concept of “jihad”; “Salafi jihad”; “Califate”; “revolution”; “mujahedeen”; the war in Afghanistan; current events; “khufar”; or “Inspire”.

13. All Documents and Communications to, from or concerning any Foreign Terrorist Organization or affiliate thereof.

14. All documents and communications concerning the alleged altering or curtailment of speech by any Plaintiff.

15. All documents' and communications concerning the alleged acquisition and installation of video and audio recording equipment by plaintiffs Masjid At-Taqwa and Masjid Al-Ansar due to alleged NYPD Investigation or Surveillance.

16. All attendance records or documents and communications concerning the number of congregants at Masjid Al-Ansar and Masji At-Taqwa on a daily, weekly, monthly, and annual basis.

17. All documents and communications concerning attendance at sermons, lectures, study groups and other forms of religious ministry led by Elshinawy.

18. All documents and communications concerning congregants who discontinued their attendance at Masjid Al-Ansar and Masjid At-Taqwa.

19. All documents and communications concerning congregants who are newcomers to Masjid Al-Ansar and Masjid At-Taqwa.

20. All documents' concerning the incorporating, establishment, founding, entity status, or registration of Masjid Al-Ansar, Masjid At-Taqwa and Muslims Giving Back.

21. All documents and communications from Masjid Al-Ansar, Masjid At-Taqwa or Muslims Giving Back to donors or contributors concerning annual charitable contributions.

22. All documents concerning plaintiffs' Federal, State and local tax filings and tax status, for all related and unrelated business, including but not limited to: Tax returns; Pay stubs; Annual returns of income and expenses; Annual electronic notices; Form 990 and 990-T's; W-2's and 1099's; Annual exempt organization returns; applications for recognition of

tax exemption (both approved and unapproved); with all supporting documents including annual tax information returns; recognition of tax exemption; other returns and reports filed; annual electronic notices.

23. All documents concerning plaintiffs' finances, as follows:

- a. Accounting records, including but not limited to: general ledger; books of original entry; accounts receivable; cash flow statements; expense statements; balance sheets; profit and loss statements; accounts payable statements; annual gross receipts; bank statements for all fund accounts; and corporate books and records;
- b. Income, Revenue or Gross Earnings, including but not limited to: speaking engagements; ministering; membership dues; donations; sales of lectures, speeches or sermons; sales of texts or books, and sales of religious items.
- c. Expenses or Expenditures, including but not limited to: payroll statements; compensation for guest speakers; expenditures on security personnel

24. All documents concerning the sale of goods or services at Masjid At-Taqwa, Masjid Al-Ansar and Muslims Giving Back, including but not limited to lectures, sermons, speeches, religious or ritual items and objects, books teachings, workshops, classes, camps, or schools.

25. All documents and communications concerning the purchase, sale, lease, rental, use or ownership of real property by Masjid Al-Ansar, Masjid At-Taqwa or Muslims Giving Back.

26. The by-laws, mission statements, rules and regulations of Masjid Al-Ansar, Masjid At-Taqwa and Muslims Giving Back.

27. Board minutes and board agenda of Masjid Al-Ansar and Masjid At-Taqwa concerning any of the following: (i) the number of congregants attending the mosque; (ii) any changes in the number of congregants, donors, or attendees; (iii) the acquisition or

installation of video equipment to record sermons; (iv) surveillance or investigations by the NYPD or other agencies; or (v) fears or concerns resulting from any alleged surveillance or investigations;

28. All documents and communications concerning contributions, donations, funds, and grants, made to plaintiffs, including but not limited to: (i) donor lists; (ii) amounts contributed by donors; (iii) dates of donations; (iii) the events or activities at which the contribution was collected; (iv) method of payment, *i.e.*, cash, check, credit card, or PayPal; and (v) method of collection, *i.e.*, via collection plates, donation boxes, fundraising events or activities, online solicitations or requests, or advertisements.

29. All documents and communications concerning all contributions, donations, and grants, made by plaintiffs, including but not limited to: (i) donee or recipient lists; (ii) amounts contributed; (ii) dates of donations; (iii) method of payment, *i.e.*, cash, check, credit card, PayPal or wire transfer; (iv) method of distribution, *i.e.*, via collection plates, donation boxes, fundraising events or activities, online solicitations or requests, or advertisements.

Plaintiff-Specific Requests

Mohammad Elshinawy

30. All documents and communications between Mohamed Elshinawy and his father Ali Elshinawy concerning (i) Omar Abdel Rahman (the Blind Sheikh); (ii) the Al Kifah Refugee Center in Brooklyn, New York; or the Islamic Group (aka Gamaa Islamiya).

31. All documents and communications concerning speaking engagements given by Elshinawy.

32. All documents and communications concerning alleged questioning of any attendees at Elshinawy's lectures or congregants at mosques at which he delivered sermons, as alleged in ¶ 136 of the complaint.

33. All documents and communications concerning offers by NYPD Informants or Law Enforcement Personnel to pay money to persons who reported on the content of Elshinawy's lectures, as referenced in ¶ 141 of the complaint.

34. All documents and communications concerning Elshinawy's alleged acts of altering the content of his lectures or otherwise fully communicating his religious beliefs, as alleged in ¶¶ 145, 146 of the complaint.

35. All documents and communications concerning the scheduling or meeting locations of study circles held or organized by Elshinawy, as referenced in ¶ 147 of the complaint.

36. All documents and communications concerning the effect on Elshinawy's reputation, lectures, audiences, and his relationships with others allegedly resulting from surveillance or investigation by the NYPD as alleged in ¶¶ 149-151 of the complaint.

37. All documents and communications concerning the reasons why persons allegedly stopped attending Elshinawy's lectures.

38. All documents and communications concerning religious institutions that have distanced themselves from Elshinawy as a result of surveillance by the NYPD as alleged in ¶ 152 of the complaint.

39. All documents and communications from the Brooklyn Islamic Center to Elshinawy concerning fears of prompting scrutiny by the NYPD as alleged in ¶¶ 153 and 159 of the complaint.

40. All documents and communications concerning the prominent speakers who Elshinawy proposed to the Brooklyn Islamic Center but who were rejected as alleged in ¶ 153 of the complaint.

41. All documents and communications by Masjid Al-Ansar to Elshinawy concerning Elshinawy's leadership position or service on the mosque's board as alleged in ¶ 155 of the complaint.

42. Documents and communications concerning Brooklyn Islamic Organizers who forbade Elshinawy from helping to advertise the a lecture by a prominent Islamic scholar as alleged in ¶ 159 of the complaint.

43. All documents and communications concerning community events or extracurricular activities which Elshinawy organized or was otherwise involved, including but not limited to, whitewater rafting, camping, and paintball.

Masjid At-Taqwa

44. All documents concerning the incorporation, registration, or establishment of the Zam Zam Shop or the Taqwa Bookstore.

45. Documents and communications concerning financial transactions between or among Masjid At-Taqwa, the Zam Zam Shop, and the Taqwa Bookstore.

46. All documents and communications from congregants to Masjid At-Taqwa concerning congregants' concerns that a camera was recording their "prayer patterns," resulting in their discontinued attendance at Masjid At-Taqwa, as alleged in ¶ 117 of the complaint.

47. All documents and communications regarding charitable contributions from Masjid At Taqwa to the Benevolence International Foundation, the al-Haramain

Foundation, the Global Relief Foundation (USA), the Holy Land Foundation, the Bank of Taqwa, or Kind Hearts

48. All documents and communications by or between Masjid At-Taqwa and the NYPD concerning the NYPD camera that was allegedly installed at Masjid At-Taqwa.

49. All documents and communications concerning by, between, or among the leadership of Masjid At-Taqwa concerning the NYPD camera.

50. All documents and communications concerning time taken out Imam Wahhaj's schedule to reassure congregants about surveillance, as alleged in ¶ 118 of the complaint.

51. All documents and communications concerning precautions taken to protect the congregation of Masjid At-Taqwa, as alleged in ¶¶ 123 and 125.

52. All documents and communications concerning the sale or use of firearms by Masjid At-Taqwa, the Zam Zam Shop, or At Taqwa Bookstore, including but not limited to security personnel or caretakers.

Masjid Al-Ansar/ Hamid Hassan Raza

53. Documents and communications by or between Imam Raza and persons who advised of the presence of NYPD Informants at Masjid Al-Ansar.

54. All financial records or receipts concerning the cost of the video upgrade at Masjid Al-Ansar, as alleged in ¶ 51 of the complaint, including but not limited to any IRS claims of depreciation or capital improvement.

Asad Dandia/Muslims Giving Back

55. All documents and communications concerning decisions by donors to discontinue their donations to Muslims Giving Back.

56. Documents and communications concerning efforts undertaken by Dandia to publicize MGB, as alleged in ¶ 92 of the complaint.

57. Documents and communications between Dandia and Shamiur Rahman, including but not limited to social media, Facebook, emails, friend requests, text messages, and correspondence.

58. Documents and communications between Dandia and any other persons concerning Shamiur Rahman, including but not limited to social media, Facebook, emails, text messages, and written correspondence, as alleged in ¶ 82 of the complaint.

Muslims Giving Back

59. All documents and communications concerning the April 13, 2012 meeting referenced in ¶ 88 of the complaint, including but not limited to copies of invitations for the meeting.

60. All documents and communications concerning the “Napoleon event,” referenced in ¶¶ 95 and 96 of the complaint.

61. All documents and communications by Muslims Giving Back concerning the decision to cease fundraising activities, and the process in which the organization scaled back, as alleged in ¶¶ 95 and 96 of the complaint.

62. All documents and communications concerning any positive or negative reaction towards Muslims Giving Back following Rahman’s Facebook posting as alleged in ¶¶ 104 and 106 of the complaint.

63. All Documents and Communications that Plaintiffs intend to use to support their claims in this Action.

64. Complete and provide the annexed authorizations for release of all tax records requested herein.

Dated: New York, New York
December 6, 2013

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
*Attorney for Defendants City, Bloomberg, Kelly,
and Cohen*
100 Church Street
New York, New York 10007
(212)-356-2406

By: _____


Peter Farrell
Cheryl Shammass

VIA EMAIL By agreement
Hina Shamsi
Patrick Toomey
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Form **4506**

Request for Copy of Tax Return

OMB No. 1545-0429

(Rev. January 2012)

Department of the Treasury
Internal Revenue Service

► **Request may be rejected if the form is incomplete or illegible.**

Tip. You may be able to get your tax return or return information from other sources. If you had your tax return completed by a paid preparer, they should be able to provide you a copy of the return. The IRS can provide a **Tax Return Transcript** for many returns free of charge. The transcript provides most of the line entries from the original tax return and usually contains the information that a third party (such as a mortgage company) requires. See **Form 4506-T, Request for Transcript of Tax Return**, or you can quickly request transcripts by using our automated self-help service tools. Please visit us at IRS.gov and click on "Order a Transcript" or call 1-800-908-9946.

1a Name shown on tax return. If a joint return, enter the name shown first.	1b First social security number on tax return, individual taxpayer identification number, or employer identification number (see instructions)
2a If a joint return, enter spouse's name shown on tax return.	2b Second social security number or individual taxpayer identification number if joint tax return
3 Current name, address (including apt., room, or suite no.), city, state, and ZIP code (see instructions)	
4 Previous address shown on the last return filed if different from line 3 (see instructions)	
5 If the tax return is to be mailed to a third party (such as a mortgage company), enter the third party's name, address, and telephone number.	

Caution. If the tax return is being mailed to a third party, ensure that you have filled in lines 6 and 7 before signing. Sign and date the form once you have filled in these lines. Completing these steps helps to protect your privacy. Once the IRS discloses your IRS return to the third party listed on line 5, the IRS has no control over what the third party does with the information. If you would like to limit the third party's authority to disclose your return information, you can specify this limitation in your written agreement with the third party.

6 Tax return requested. Form 1040, 1120, 941, etc. and all attachments as originally submitted to the IRS, including Form(s) W-2, schedules, or amended returns. Copies of Forms 1040, 1040A, and 1040EZ are generally available for 7 years from filing before they are destroyed by law. Other returns may be available for a longer period of time. Enter only one return number. If you need more than one type of return, you must complete another Form 4506. ► _____

Note. If the copies must be certified for court or administrative proceedings, check here

7 Year or period requested. Enter the ending date of the year or period, using the mm/dd/yyyy format. If you are requesting more than eight years or periods, you must attach another Form 4506.

8 Fee. There is a \$57 fee for each return requested. **Full payment must be included with your request or it will be rejected. Make your check or money order payable to "United States Treasury." Enter your SSN or EIN and "Form 4506 request" on your check or money order.**

a Cost for each return	\$ 57.00
b Number of returns requested on line 7	
c Total cost. Multiply line 8a by line 8b	\$

9 If we cannot find the tax return, we will refund the fee. If the refund should go to the third party listed on line 5, check here

Caution. Do not sign this form unless all applicable lines have been completed.

Signature of taxpayer(s). I declare that I am either the taxpayer whose name is shown on line 1a or 2a, or a person authorized to obtain the tax return requested. If the request applies to a joint return, **either** husband or wife must sign. If signed by a corporate officer, partner, guardian, tax matters partner, executor, receiver, administrator, trustee, or party other than the taxpayer, I certify that I have the authority to execute Form 4506 on behalf of the taxpayer. **Note.** For tax returns being sent to a third party, this form must be received within 120 days of the signature date.

Phone number of taxpayer on line 1a or 2a

Sign Here

Signature (see instructions)	Date
Title (if line 1a above is a corporation, partnership, estate, or trust)	
Spouse's signature	Date

Section references are to the Internal Revenue Code unless otherwise noted.

What's New

The IRS has created a page on IRS.gov for information about Form 4506 and its instructions, at www.irs.gov/form4506. Information about any recent developments affecting Form 4506, Form 4506T and Form 4506T-EZ will be posted on that page.

General Instructions

Caution. Do not sign this form unless all applicable lines have been completed.

Purpose of form. Use Form 4506 to request a copy of your tax return. You can also designate (on line 5) a third party to receive the tax return.

How long will it take? It may take up to 60 calendar days for us to process your request.

Tip. Use Form 4506-T, Request for Transcript of Tax Return, to request tax return transcripts, tax account information, W-2 information, 1099 information, verification of non-filing, and record of account.

Automated transcript request. You can quickly request transcripts by using our automated self-help service tools. Please visit us at IRS.gov and click on "Order a Transcript" or call 1-800-908-9946.

Where to file. Attach payment and mail Form 4506 to the address below for the state you lived in, or the state your business was in, when that return was filed. There are two address charts: one for individual returns (Form 1040 series) and one for all other returns.

If you are requesting a return for more than one year and the chart below shows two different addresses, send your request to the address based on the address of your most recent return.

Chart for individual returns (Form 1040 series)

If you filed an individual return and lived in:	Mail to the "Internal Revenue Service" at:
-------------------------------------------------	--------------------------------------------

Alabama, Kentucky, Louisiana, Mississippi, Tennessee, Texas, a foreign country, American Samoa, Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, or A.P.O. or F.P.O. address	RAIVS Team Stop 6716 AUSC Austin, TX 73301
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------

Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming	RAIVS Team Stop 37106 Fresno, CA 93888
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------

Connecticut, Delaware, District of Columbia, Florida, Georgia, Maine, Maryland, Massachusetts, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia	RAIVS Team Stop 6705 P-6 Kansas City, MO 64999
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------

Chart for all other returns

If you lived in or your business was in:	Mail to the "Internal Revenue Service" at:
------------------------------------------	--------------------------------------------

Alabama; Alaska, Arizona, Arkansas, California, Colorado, Florida, Hawaii, Idaho, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, a foreign country, or A.P.O. or F.P.O. address	RAIVS Team P.O. Box 9941 Mail Stop 6734 Ogden, UT 84409
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------

Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin	RAIVS Team P.O. Box 145500 Stop 2800 F Cincinnati, OH 45250
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Specific Instructions

Line 1b. Enter your employer identification number (EIN) if you are requesting a copy of a business return. Otherwise, enter the first social security number (SSN) or your individual taxpayer identification number (ITIN) shown on the return. For example, if you are requesting Form 1040 that includes Schedule C (Form 1040), enter your SSN.

Line 3. Enter your current address. If you use a P.O. box, please include it on this line 3.

Line 4. Enter the address shown on the last return filed if different from the address entered on line 3.

Note. If the address on Lines 3 and 4 are different and you have not changed your address with the IRS, file Form 8822, Change of Address.

Signature and date. Form 4506 must be signed and dated by the taxpayer listed on line 1a or 2a. If you completed line 5 requesting the return be sent to a third party, the IRS must receive Form 4506 within 120 days of the date signed by the taxpayer or it will be rejected. Ensure that all applicable lines are completed before signing.

Individuals. Copies of jointly filed tax returns may be furnished to either spouse. Only one signature is required. Sign Form 4506 exactly as your name appeared on the original return. If you changed your name, also sign your current name.

Corporations. Generally, Form 4506 can be signed by: (1) an officer having legal authority to bind the corporation, (2) any person designated by the board of directors or other governing body, or (3) any officer or employee on written request by any principal officer and attested to by the secretary or other officer.

Partnerships. Generally, Form 4506 can be signed by any person who was a member of the partnership during any part of the tax period requested on line 7.

All others. See section 6103(e) if the taxpayer has died, is insolvent, is a dissolved corporation, or if a trustee, guardian, executor, receiver, or administrator is acting for the taxpayer.

Documentation. For entities other than individuals, you must attach the authorization document. For example, this could be the letter from the principal officer authorizing an employee of the corporation or the letters testamentary authorizing an individual to act for an estate.

Signature by a representative. A representative can sign Form 4506 for a taxpayer only if this authority has been specifically delegated to the representative on Form 2848, line 5. Form 2848 showing the delegation must be attached to Form 4506.

Privacy Act and Paperwork Reduction Act Notice. We ask for the information on this form to establish your right to gain access to the requested return(s) under the Internal Revenue Code. We need this information to properly identify the return(s) and respond to your request. If you request a copy of a tax return, sections 6103 and 6109 require you to provide this information, including your SSN or EIN, to process your request. If you do not provide this information, we may not be able to process your request. Providing false or fraudulent information may subject you to penalties.

Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation, and cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file Form 4506 will vary depending on individual circumstances. The estimated average time is: **Learning about the law or the form**, 10 min.; **Preparing the form**, 16 min.; and **Copying, assembling, and sending the form to the IRS**, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making Form 4506 simpler, we would be happy to hear from you. You can write to:

Internal Revenue Service
Tax Products Coordinating Committee
SE:W:CAR:MP:T:M:S
1111 Constitution Ave. NW, IR-6526
Washington, DC 20224.

Do not send the form to this address. Instead, see *Where to file* on this page.

Form **4506-T**
 (Rev. January 2012)
 Department of the Treasury
 Internal Revenue Service

Request for Transcript of Tax Return

OMB No. 1545-1872

▶ Request may be rejected if the form is incomplete or illegible.

Tip. Use Form 4506-T to order a transcript or other return information free of charge. See the product list below. You can quickly request transcripts by using our automated self-help service tools. Please visit us at IRS.gov and click on "Order a Transcript" or call 1-800-908-9946. If you need a copy of your return, use **Form 4506, Request for Copy of Tax Return**. There is a fee to get a copy of your return.

1a Name shown on tax return. If a joint return, enter the name shown first.	1b First social security number on tax return, individual taxpayer identification number, or employer identification number (see instructions)
2a If a joint return, enter spouse's name shown on tax return.	2b Second social security number or individual taxpayer identification number if joint tax return
3 Current name, address (including apt., room, or suite no.), city, state, and ZIP code (see instructions)	
4 Previous address shown on the last return filed if different from line 3 (see instructions)	
5 If the transcript or tax information is to be mailed to a third party (such as a mortgage company), enter the third party's name, address, and telephone number.	

Caution. If the tax transcript is being mailed to a third party, ensure that you have filled in lines 6 through 9 before signing. Sign and date the form once you have filled in these lines. Completing these steps helps to protect your privacy. Once the IRS discloses your IRS transcript to the third party listed on line 5, the IRS has no control over what the third party does with the information. If you would like to limit the third party's authority to disclose your transcript information, you can specify this limitation in your written agreement with the third party.

- 6 Transcript requested.** Enter the tax form number here (1040, 1065, 1120, etc.) and check the appropriate box below. Enter only one tax form number per request. ▶
- a Return Transcript**, which includes most of the line items of a tax return as filed with the IRS. A tax return transcript does not reflect changes made to the account after the return is processed. Transcripts are only available for the following returns: Form 1040 series, Form 1065, Form 1120, Form 1120A, Form 1120H, Form 1120L, and Form 1120S. Return transcripts are available for the current year and returns processed during the prior 3 processing years. Most requests will be processed within 10 business days
 - b Account Transcript**, which contains information on the financial status of the account, such as payments made on the account, penalty assessments, and adjustments made by you or the IRS after the return was filed. Return information is limited to items such as tax liability and estimated tax payments. Account transcripts are available for most returns. Most requests will be processed within 30 calendar days
 - c Record of Account**, which provides the most detailed information as it is a combination of the Return Transcript and the Account Transcript. Available for current year and 3 prior tax years. Most requests will be processed within 30 calendar days
- 7 Verification of Nonfiling**, which is proof from the IRS that you **did not** file a return for the year. Current year requests are only available after June 15th. There are no availability restrictions on prior year requests. Most requests will be processed within 10 business days
- 8 Form W-2, Form 1099 series, Form 1098 series, or Form 5498 series transcript.** The IRS can provide a transcript that includes data from these information returns. State or local information is not included with the Form W-2 information. The IRS may be able to provide this transcript information for up to 10 years. Information for the current year is generally not available until the year after it is filed with the IRS. For example, W-2 information for 2010, filed in 2011, will not be available from the IRS until 2012. If you need W-2 information for retirement purposes, you should contact the Social Security Administration at 1-800-772-1213. Most requests will be processed within 45 days

Caution. If you need a copy of Form W-2 or Form 1099, you should first contact the payer. To get a copy of the Form W-2 or Form 1099 filed with your return, you must use Form 4506 and request a copy of your return, which includes all attachments.

9 Year or period requested. Enter the ending date of the year or period, using the mm/dd/yyyy format. If you are requesting more than four years or periods, you must attach another Form 4506-T. For requests relating to quarterly tax returns, such as Form 941, you must enter each quarter or tax period separately.

Check this box if you have notified the IRS or the IRS has notified you that one of the years for which you are requesting a transcript involved **identity theft** on your federal tax return

Caution. Do not sign this form unless all applicable lines have been completed.

Signature of taxpayer(s). I declare that I am either the taxpayer whose name is shown on line 1a or 2a, or a person authorized to obtain the tax information requested. If the request applies to a joint return, **either** husband or wife must sign. If signed by a corporate officer, partner, guardian, tax matters partner, executor, receiver, administrator, trustee, or party other than the taxpayer, I certify that I have the authority to execute Form 4506-T on behalf of the taxpayer. **Note.** For transcripts being sent to a third party, this form must be received within 120 days of the signature date.

	Phone number of taxpayer on line 1a or 2a
▶ Signature (see instructions)	Date
▶ Title (if line 1a above is a corporation, partnership, estate, or trust)	
▶ Spouse's signature	Date

Sign Here

Section references are to the Internal Revenue Code unless otherwise noted.

What's New

The IRS has created a page on IRS.gov for information about Form 4506-T at www.irs.gov/form4506. Information about any recent developments affecting Form 4506-T (such as legislation enacted after we released it) will be posted on that page.

General Instructions

CAUTION. Do not sign this form unless all applicable lines have been completed.

Purpose of form. Use Form 4506-T to request tax return information. You can also designate (on line 5) a third party to receive the information. Taxpayers using a tax year beginning in one calendar year and ending in the following year (fiscal tax year) must file Form 4506-T to request a return transcript.

Note. If you are unsure of which type of transcript you need, request the Record of Account, as it provides the most detailed information.

Tip. Use Form 4506, Request for Copy of Tax Return, to request copies of tax returns.

Where to file. Mail or fax Form 4506-T to the address below for the state you lived in, or the state your business was in, when that return was filed. There are two address charts: one for individual transcripts (Form 1040 series and Form W-2) and one for all other transcripts.

If you are requesting more than one transcript or other product and the chart below shows two different addresses, send your request to the address based on the address of your most recent return.

Automated transcript request. You can quickly request transcripts by using our automated self-help service tools. Please visit us at IRS.gov and click on "Order a Transcript" or call 1-800-908-9946.

Chart for individual transcripts (Form 1040 series and Form W-2 and Form 1099)

If you filed an individual return and lived in:	Mail or fax to the "Internal Revenue Service" at:
Alabama, Kentucky, Louisiana, Mississippi, Tennessee, Texas, a foreign country, American Samoa, Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, or A.P.O. or F.P.O. address	RAIVS Team Stop 6716 AUSC Austin, TX 73301 512-460-2272
Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming	RAIVS Team Stop 37106 Fresno, CA 93888 559-456-5876
Connecticut, Delaware, District of Columbia, Florida, Georgia, Maine, Maryland, Massachusetts, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia	RAIVS Team Stop 6705 P-6 Kansas City, MO 64999 816-292-6102

Chart for all other transcripts

If you lived in or your business was in:	Mail or fax to the "Internal Revenue Service" at:
Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Hawaii, Idaho, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, a foreign country, or A.P.O. or F.P.O. address	RAIVS Team P.O. Box 9941 Mail Stop 6734 Ogden, UT 84409 801-620-6922
Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin	RAIVS Team P.O. Box 145500 Stop 2800 F Cincinnati, OH 45250 859-669-3592

Line 1b. Enter your employer identification number (EIN) if your request relates to a business return. Otherwise, enter the first social security number (SSN) or your individual taxpayer identification number (ITIN) shown on the return. For example, if you are requesting Form 1040 that includes Schedule C (Form 1040), enter your SSN.

Line 3. Enter your current address. If you use a P. O. box, include it on this line.

Line 4. Enter the address shown on the last return filed if different from the address entered on line 3.

Note. If the address on lines 3 and 4 are different and you have not changed your address with the IRS, file Form 8822, Change of Address.

Line 6. Enter only one tax form number per request.

Signature and date. Form 4506-T must be signed and dated by the taxpayer listed on line 1a or 2a. If you completed line 5 requesting the information be sent to a third party, the IRS must receive Form 4506-T within 120 days of the date signed by the taxpayer or it will be rejected. Ensure that all applicable lines are completed before signing.

Individuals. Transcripts of jointly filed tax returns may be furnished to either spouse. Only one signature is required. Sign Form 4506-T exactly as your name appeared on the original return. If you changed your name, also sign your current name.

Corporations. Generally, Form 4506-T can be signed by: (1) an officer having legal authority to bind the corporation, (2) any person designated by the board of directors or other governing body, or (3) any officer or employee on written request by any principal officer and attested to by the secretary or other officer.

Partnerships. Generally, Form 4506-T can be signed by any person who was a member of the partnership during any part of the tax period requested on line 9.

All others. See section 6103(e) if the taxpayer has died, is insolvent, is a dissolved corporation, or if a trustee, guardian, executor, receiver, or administrator is acting for the taxpayer.

Documentation. For entities other than individuals, you must attach the authorization document. For example, this could be the letter from the principal officer authorizing an employee of the corporation or the letters testamentary authorizing an individual to act for an estate.

Privacy Act and Paperwork Reduction Act Notice. We ask for the information on this form to establish your right to gain access to the requested tax information under the Internal Revenue Code. We need this information to properly identify the tax information and respond to your request. You are not required to request any transcript; if you do request a transcript, sections 6103 and 6109 and their regulations require you to provide this information, including your SSN or EIN. If you do not provide this information, we may not be able to process your request. Providing false or fraudulent information may subject you to penalties.

Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation, and cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file Form 4506-T will vary depending on individual circumstances. The estimated average time is: **Learning about the law or the form, 10 min.; Preparing the form, 12 min.; and Copying, assembling, and sending the form to the IRS, 20 min.**

If you have comments concerning the accuracy of these time estimates or suggestions for making Form 4506-T simpler, we would be happy to hear from you. You can write to:

Internal Revenue Service
Tax Products Coordinating Committee
SE:W:CAR:MP:T:M:S
1111 Constitution Ave. NW, IR-6526
Washington, DC 20224

Do not send the form to this address. Instead, see *Where to file* on this page.



New York State Department of Taxation and Finance

Authorization for Release of Photocopies of Tax Returns and/or Tax Information

DTF-505
(11/12)

Part A – Taxpayer and tax form information			
Name of taxpayer(s) as shown on return		Current name (if different from name on return)	
Street address as shown on return		Current street address (if different than on return)	
City, state, and ZIP code as shown on the return		Current city, state, and ZIP code (if different than on return)	
Primary social security number shown on return	Joint taxpayer's social security number	Employer ID number (EIN) shown on return	
If taxpayer is deceased, list date of death	Sales tax Certificate of Authority number	Vehicle ID number (if requesting Form DTF-802)	
Form number	Form title/tax type		Tax year or period requested
Reason for request:			

Part B – Authorized representative/person/company to receive copy of form(s) (Complete only if information is to be sent to an individual/entity other than the one listed in Part A)
Print name of authorized individual
Print firm's name, if applicable
Street address
City, state and ZIP code
Telephone number (including area code)

Part C – Certification		
I declare that I am either the taxpayer whose name is shown on the return, or a person authorized to obtain the tax return requested. If the request applies to a joint return, only one spouse is required to sign. If signed by a corporate officer, partner, guardian, tax matters partner, executor, receiver, administrator, trustee, or party other than the taxpayer, I certify that I have the authority to execute Form DTF-505 on behalf of the taxpayer.		
Printed name	Title	
Signature	Date	Telephone number

506001120094



DTF-505 (11/12) (back)

Instructions

Use Form DTF-505 to request a copy of your New York State tax information. You can also designate a third party to receive this information (see Part B).

To avoid a delay in the handling of your request, you should provide a form of identification from which your signature can be validated (for example, your driver's license or passport). We may return your request if your form is incomplete and/or you did not provide a valid copy of your identification. It may take up to 60 days for your request to be processed once all the necessary information has been received.

Enclose a check or money order payable to **Commissioner of Taxation and Finance**. This fee covers the cost of photocopying each page of the return at a rate of twenty-five cents (\$.25) per page; **the minimum fee is \$2.00.**

Mail your completed request to: NYS TAX DEPARTMENT
DISCLOSURE UNIT
WA HARRIMAN CAMPUS
ALBANY NY 12227

If you are requesting that tax information be sent to someone besides yourself, complete Parts A, B, and C.

If the taxpayer is unable to sign, you must submit a power of attorney, power of appointment, or other evidence to establish that you are authorized to act on behalf of the taxpayer or are authorized to receive the taxpayer's tax information. A representative can sign Form DTF-505 for a taxpayer only if this authority has been specifically delegated to the representative on a Power of Attorney (usually Form POA-1). Attach a copy.

For a corporation, the signature of the president, secretary, or other principal officer is required.

For partnerships, any person who was a member of the requesting partnership during any part of the tax period can sign the form.

For entities other than individuals, you must attach the authorization document. For example, this could be the letter from the principal officer authorizing an employee of the corporation or the Letters Testamentary authorizing an individual to act for an estate.

Privacy notification

The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 5-a, 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

506002120094



Form **8821**
 (Rev. October 2012)
 Department of the Treasury
 Internal Revenue Service

Tax Information Authorization

OMB No. 1545-1165
For IRS Use Only
 Received by: _____
 Name _____
 Telephone _____
 Function _____
 Date _____

- ▶ Information about Form 8821 and its instructions is at www.irs.gov/form8821.
- ▶ Do not sign this form unless all applicable lines have been completed.
- ▶ To request a copy or transcript of your tax return, use Form 4506, 4506-T, or 4506T-EZ.

1 Taxpayer information. Taxpayer must sign and date this form on line 7.

Taxpayer name and address (type or print)	Taxpayer identification number(s)
	Daytime telephone number
	Plan number (if applicable)

2 Appointee. If you wish to name more than one appointee, attach a list to this form.

Name and address	CAF No. _____ PTIN _____ Telephone No. _____ Fax No. _____ Check if new: Address <input type="checkbox"/> Telephone No. <input type="checkbox"/> Fax No. <input type="checkbox"/>
------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

3 Tax matters. The appointee is authorized to inspect and/or receive confidential tax information for the tax matters listed on this line. Do not use Form 8821 to request copies of tax returns.

(a) Type of Tax (Income, Employment, Payroll, Excise, Estate, Gift, Civil Penalty, etc.) (see instructions)	(b) Tax Form Number (1040, 941, 720, etc.)	(c) Year(s) or Period(s) (see the instructions for line 3)	(d) Specific Tax Matters (see instr.)

4 Specific use not recorded on Centralized Authorization File (CAF). If the tax information authorization is for a specific use not recorded on CAF, check this box. See the instructions. If you check this box, skip lines 5 and 6

- 5 Disclosure of tax information** (you must check a box on line 5a or 5b unless the box on line 4 is checked):
- a** If you want copies of tax information, notices, and other written communications sent to the appointee on an ongoing basis, check this box
 - Note.** Appointees will no longer receive forms, publications and other related materials with the notices.
 - b** If you do not want any copies of notices or communications sent to your appointee, check this box

6 Retention/revocation of tax information authorizations. This tax information authorization automatically revokes all prior authorizations for the same tax matters you listed on line 3 above unless you checked the box on line 4. If you do not want to revoke a prior tax information authorization, you **must** attach a copy of any authorizations you want to remain in effect **and** check this box

To revoke this tax information authorization, see the instructions.

7 Signature of taxpayer. If signed by a corporate officer, partner, guardian, executor, receiver, administrator, trustee, or party other than the taxpayer, I certify that I have the authority to execute this form with respect to the tax matters and tax periods shown on line 3 above.

- ▶ IF NOT SIGNED AND DATED, THIS TAX INFORMATION AUTHORIZATION WILL BE RETURNED.
- ▶ DO NOT SIGN THIS FORM IF IT IS BLANK OR INCOMPLETE.

Signature	Date
Print Name	Title (if applicable)
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	PIN number for electronic signature

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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form 8821 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/form8821.

Purpose of Form

Form 8821 authorizes any individual, corporation, firm, organization, or partnership you designate to inspect and/or receive your confidential information for the type of tax and the years or periods you list on Form 8821. You may file your own tax information authorization without using Form 8821, but it must include all the information that is requested on Form 8821.

Form 8821 does not authorize your appointee to advocate your position with respect to federal tax laws; to execute waivers, consents, or closing agreements; or to otherwise represent you before the IRS. If you want to authorize an individual to represent you, use Form 2848, Power of Attorney and Declaration of Representative.

Use Form 4506, Request for Copy of Tax Return, to get a copy of your tax return.

Use Form 4506-T, Request for Transcript of Tax Return, to order: (a) transcript of tax account information and (b) Form W-2 and Form 1099 series information.

Use Form 4506T-EZ, Short Form Request for Individual Tax Return Transcript, to request a tax return transcript for the current and three prior tax years that includes most lines of the original return. The transcript will not show payments, penalty assessments, or adjustments made to the originally filed return.

Use Form 56, Notice Concerning Fiduciary Relationship, to notify the IRS of the existence of a fiduciary relationship. A fiduciary (trustee, executor, administrator, receiver, or guardian) stands in the position of a taxpayer and acts as the taxpayer. Therefore, a fiduciary does not act as an appointee and should not file Form 8821. If a fiduciary wishes to authorize an appointee to inspect and/or receive confidential tax information on behalf of the fiduciary, Form 8821 must be filed and signed by the fiduciary acting in the position of the taxpayer.

When To File

Form 8821 must be received by the IRS within 120 days of the date it was signed and dated by the taxpayer.

Where To File

Generally, mail or fax Form 8821 directly to the IRS. See the *Where To File Chart*, below. Exceptions are listed next.

If Form 8821 is for a specific tax matter, mail or fax it to the office handling that matter. For more information, see the instructions for line 4.

Where To File Chart

IF you live in . . .	THEN use this address . . .	Fax Number*
Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, or West Virginia	Internal Revenue Service Memphis Accounts Management Center PO Box 268, Stop 8423 Memphis, TN 38101-0268	855-214-7519
Alaska, Arizona, California, Colorado, Hawaii, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, or Wyoming	Internal Revenue Service 1973 N. Rulon White Blvd. MS 6737 Ogden, UT 84404	855-214-7522
All APO and FPO addresses, American Samoa, nonpermanent residents of Guam or the U.S. Virgin Islands**, Puerto Rico (or if excluding income under section 933), a foreign country, U.S. citizens and those filing Form 2555, 2555-EZ, or 4563.	Internal Revenue Service International CAF 2970 Market St. MS 3-E08.123 Philadelphia, PA 19104	855-772-3156

*These numbers may change without notice. For updates to these fax numbers, go to www.irs.gov/form8821.

**Permanent residents of Guam should use Department of Taxation, Government of Guam, P.O. Box 23607, GMF, GU 96921; permanent residents of the U.S. Virgin Islands should use: V.I. Bureau of Internal Revenue, 6115 Estate Smith Bay, Suite 225, St. Thomas, V.I. 00802.

Your appointee may be able to file Form 8821 electronically with the IRS from the IRS website. For more information, go to IRS.gov. Under the *for Tax Pros* tab, go to *Other Tools & Information* and click on *Use e-Services for Tax Pros*. If you complete Form 8821 for electronic signature authorization, do not file a Form 8821 with the IRS. Instead, give it to your appointee, who will retain the document.

Taxpayer Identification Number (TIN)

A TIN is used to confirm the identity of a taxpayer and identify the taxpayer's return and return information. It is important that you furnish your correct name, social security number (SSN), individual taxpayer identification number (ITIN), and/or employer identification number (EIN).

Partnership Items

A Tax Matter Partner is authorized to perform certain acts on behalf of an affected partnership. Rules governing the use of Form 8821 do not replace any provisions of law concerning the tax treatment of partnership items.

Appointee Address Change

If your appointee's address changes, a new Form 8821 is not required. The appointee can provide the IRS with the new information by sending written notification of the new address to the location where the Form 8821 was filed. Your appointee must sign and date the written notice.

Specific Instructions

Line 1. Taxpayer Information

Individual. Enter your name, TIN, and your street address in the space provided. Do not enter your appointee's address or post office box. If a return is a joint return, the appointee(s) identified will only be authorized for you. Your spouse, or former spouse, must submit a separate Form 8821 to designate an appointee.

Corporation, partnership, or association. Enter the name, EIN, and business address.

Employee plan or exempt organization. Enter the name, address, and EIN or SSN of the plan sponsor/plan name, exempt organization or bond issuer. Enter the three-digit plan number when applicable. If you are the plan's trustee and you are authorizing the IRS to disclose the tax information of the plan's trust, see the instructions relating to trust.

Trust. Enter the name, title, and address of the trustee, and the name and EIN of the trust.

Estate. Enter the name and address of the estate. If the estate does not have an identification number, enter the decedent's SSN or ITIN.

Line 2. Appointee

Enter your appointee's full name. Use the identical full name on all submissions and correspondence. Enter the nine-digit CAF number for each appointee. If an appointee has a CAF number for any previously filed Form 8821 or power of attorney (Form 2848), use that number. If a CAF number has not been assigned, enter "NONE," and the IRS will issue one directly to your appointee. The IRS does not assign CAF numbers to requests for employee plans and exempt organizations.

If you want to name more than one appointee, indicate so on this line and attach a list of appointees to Form 8821. If more than two appointees are listed and you request copies of notices and communications be sent to your new appointees (see line 5), copies of notices and communications will be sent only to the first two appointees.

Note. Because the IRS will send copies of notices and communications to no more than two persons, if you previously filed a Form 2848, Power of Attorney and Declaration of Representative, for the same tax matters and periods and you requested copies of notices and communications be sent to your representative(s) at that time, requesting your new appointee(s) receive copies of notices and communications may stop notices and communications from being sent to your authorized representative(s).

Check the appropriate box to indicate if either the address, telephone number, or fax number is new.

Line 3. Matters

Enter the type of tax, the tax form number, the years or periods, and the specific matter. Enter "Not applicable," in any of the columns that do not apply.

For example, you may list "Income, 1040" for calendar year "2010" and "Excise, 720" for "2010" (this covers all quarters in 2010). Multiple years or a series of inclusive periods, including quarterly periods, you may list 2008 through (thru or a hyphen) 2010. For example, "2008 thru 2010" or "2nd 2009-3rd 2010." For fiscal years, enter the ending year and month, using the YYYYMM format. Do not use a general reference such as "All years," "All periods," or "All taxes." Any tax information authorization with a general reference will be returned.

You may list the current year or period and any tax years or periods that have already ended as of the date you sign the tax information authorization. However, you may include on a tax information authorization only future tax periods that end no later than 3 years after the date the tax information authorization is received by the IRS. The 3 future periods are determined starting after December 31 of the year the tax information authorization is received by the IRS. You must enter the type of tax, the tax form number, and the future year(s) or period(s). Only tax forms directly related to the taxpayer may be listed on line 3. If the matter relates to estate tax, enter the date of the decedent's death instead of the year or period.

If you appoint someone only with respect to a penalty and interest due on that penalty, enter "civil penalty" in the description of matters column. If applicable, enter the tax year(s) for the penalty. Enter "NA" (not applicable) in the tax form number column. You do not have to enter the specific penalty.

Column (d). Enter any specific information you want the IRS to provide. Examples of column (d) information are: lien information, a balance due amount, a specific tax schedule, or a tax liability. Enter "not applicable" in column (d) if you are not limiting your appointee's authority to inspect and/or receive confidential tax information described in columns (a), (b), and (c).

For requests regarding Form 8802, Application for United States Residency Certification, enter "Form 8802" in column (d) and check the specific use box on line 4. Also, enter the appointee's information as instructed on Form 8802.

Note. If the taxpayer is subject to penalties related to an individual retirement account (IRA) (for example, a penalty for excess contributions) enter, "IRA civil penalty" on line 3, column a.

Note. If Form W-2 is listed on line 3, then the appointee may receive information regarding any civil penalties charged that relate to that Form W-2.

A Form 8821 that lists a particular tax return will also entitle the appointee to receive the taxpayer notices regarding any return-related civil penalties and a specific reference to penalties is not required. However, any civil penalty that is not return-related is not covered by the Form 8821 unless it references "civil penalties" or a specific penalty is stated.

Line 4. Specific Use Not Recorded on CAF

Generally, the IRS records all tax information authorizations on the CAF system. However, authorizations relating to a specific issue are not recorded.

Check the box on line 4 if Form 8821 is filed for any of the following reasons:

- (a) requests to disclose information to loan companies or educational institutions,
- (b) requests to disclose information to federal or state agency investigators for background checks,
- (c) application for EIN, or
- (d) claims filed on Form 843, Claim for Refund and Request for Abatement.

If you check the box on line 4, your appointee should mail or fax Form 8821 to the IRS office handling the matter. Otherwise, your appointee should bring a copy of Form 8821 to each appointment to inspect or receive information. A specific-use tax information authorization will not revoke any prior tax information authorizations.

Line 6. Retention/Revocation of Tax Information Authorizations

Check the box on this line and attach a copy of any tax information authorization you do not want to revoke. The filing of Form 8821 will not revoke any Form 2848 that is in effect.

If you want to revoke an existing tax information authorization and do not want to name a new appointee, send a copy of the previously executed tax information authorization to the IRS, using the *Where To File Chart*, earlier. The copy of the tax information authorization must have a current signature of the taxpayer and date under the original signature on line 7. Write "REVOKE" across the top of Form 8821.

If you do not have a copy of the tax information authorization you want to revoke, send a statement to the IRS. In the statement:

- (a) indicate that the authority of the appointee is revoked,

- (b) list the name and address of each recognized appointee whose authority is revoked,
- (c) list the tax matters and tax periods, and
- (d) sign and date the statement.

If you are completely revoking the authority of the appointee, state "remove all years/periods" instead of listing the specific tax matters, years, or periods.

To revoke a specific use tax information authorization, send the tax information authorization or statement of revocation to the IRS office handling your case, using the above instructions.

Line 7. Signature of Taxpayer

Individual. You must sign and date the authorization. If a joint return has been filed, your spouse must execute his or her own authorization on a separate Form 8821 to designate an appointee.

Corporation. Generally, Form 8821 can be signed by:

- (a) an officer having authority under applicable state law to bind the corporation,
- (b) any person designated by the board of directors or other governing body,
- (c) any officer or employee on written request by any principal officer and attested to by the secretary or other officer, and
- (d) any other person authorized to access information under section 6103(e)(1)(D), except for a person described in section 6103(a)(1)(D)(ii) (bona fide shareholders of record owning 1% or more of the outstanding stock of the corporation).

Partnership. Generally, Form 8821 can be signed by any person who was a member of the partnership during any part of the tax period covered by Form 8821. See *Partnership Items*, earlier. If the Form 8821 covers more than one tax year or tax period, the person must have been a member of the partnership for all or part of each tax year or period covered by Form 8821.

Employee plan. If the plan is listed as the taxpayer on line 1, a duly authorized individual having authority to bind the taxpayer must sign and that individual's exact title must be entered.

If the trust is the taxpayer, listed on line 1, a trustee having the authority to bind the trust must sign with the title of trustee entered. If the trust has not previously submitted a completed Form 56, Notice Concerning Fiduciary Relationship, identifying the current trustee, the trust must submit a Form 56 to identify the current trustee.

Estate. If there is more than one executor, only one executor having the authority to bind the estate is required to sign. See regulations section 601.503(d).

All others. See section 6103(e) if the taxpayer has died, is insolvent, is a dissolved corporation, or if a trustee, guardian, executor, receiver, or administrator is acting for the taxpayer.

Privacy Act and Paperwork Reduction Act Notice

We ask for the information on this form to carry out the Internal Revenue laws of the United States. Form 8821 authorizes the IRS to disclose your confidential tax information to the person you appoint. This form is provided for your convenience and its use is voluntary. The information is used by the IRS to determine what confidential tax information your appointee can inspect and/or receive. Section 6103(c) and its regulations require you to provide this information if you want to designate an appointee to inspect and/or receive your confidential tax information. Under section 6109, you must disclose your identification number. If you do not provide all the information requested on this form, we may not be able to honor the authorization. Providing false or fraudulent information may subject you to penalties.

We may disclose this information to the Department of Justice for civil or criminal litigation, and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to

enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Recordkeeping**, 6 min.; **Learning about the law or the form**, 12 min.; **Preparing the form**, 24 min.; **Copying and sending the form to the IRS**, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making Form 8821 simpler, we would be happy to hear from you. You can write to Internal Revenue Service, Individual and Specialty Forms and Publications Branch, SE:W:CAR:MP:T:I, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. **Do not** send Form 8821 to this address. Instead, see the *Where To File Chart*, earlier.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

HAMID HASSAN RAZA; MASJID AL-ANSAR;
ASAD DANDIA; MUSLIMS GIVING BACK;
MASJID AT-TAQWA; MOHAMMAD ELSHINAWY,

Plaintiffs,

v.

CITY OF NEW YORK; MICHAEL R. BLOOMBERG,
in his official capacity as Mayor of the City of New
York; RAYMOND W. KELLY, in his official capacity
as Police Commissioner for the City of New York;
DAVID COHEN, in his official capacity as Deputy
Commissioner of Intelligence for the City of New York,

Defendants.

No. 13-cv-03448-PKC-JMA

Hon. Judge Pamela Chen

**PLAINTIFFS' RESPONSES AND OBJECTIONS TO DEFENDANTS' FIRST SET OF
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS:**

**INTERROGATORY RESPONSES OF
MOHAMMAD ELSHINAWY**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff MOHAMMAD ELSHINAWY ("Plaintiff") submits the following responses and objections to the interrogatories set forth in Defendants' First Set of Interrogatories and Requests for Production of Documents, , dated December 6, 2013 ("Interrogatories").¹

GENERAL RESPONSES AND OBJECTIONS

1. These general objections apply to each of the Interrogatories. To the extent that certain of these general objections are cited in response to a particular Interrogatory, these

¹ Additional responses and objections to Defendants' First Set of Interrogatories and Requests for Production of Documents by each of the Plaintiffs are being served on Defendants concurrently with this response.

specific citations are provided because they are believed to be particularly applicable to the Interrogatory and are not to be construed as a waiver of any other general objection applicable to information or documents falling within the scope of the Interrogatory.

2. This response is based on Plaintiffs' knowledge of the facts and information presently available. Plaintiffs have not completed their discovery, investigation, and preparation for trial in this matter.

3. This response is necessarily limited because there is no protective order in place between Plaintiffs and the Defendants. Plaintiffs reserve the right to supplement, modify, or amend those responses and objections as appropriate after the entry of any protective order.

4. Plaintiffs object to the Interrogatories to the extent that they exceed the scope of discovery authorized by the Court in its Memorandum and Order dated November 22, 2013, which limited discovery in connection with Plaintiffs' motion for a preliminary injunction. As explained in the letter from Hina Shamsi to Peter Farrell dated December 13, 2013, the scope and the sheer number of Interrogatories are also improper, unduly burdensome, oppressive, and overbroad at this stage of the litigation. These responses and objections are made without a resolution of issues discussed during the meet-and-confer conference requested by Plaintiffs' December 13 letter. The shorthand "Scope" is used to refer to this objection in response to particular Interrogatories.

5. Plaintiffs object to the Interrogatories to the extent that a complete response by Plaintiffs requires production of information in the possession of Defendants, information that Defendants are in a superior position to know or ascertain, or information that is publicly available. The shorthand "NYPD Record," "Public Record," or "NYPD/Public Record" is used to refer to this objection in response to particular Interrogatories.

6. Plaintiffs object to the Interrogatories to the extent that they are overly broad, unduly burdensome and oppressive, call for speculation, call for narrative answers and/or seek information or documents that are not relevant to the subject matter of this action and are not reasonably calculated to lead to the discovery of admissible evidence. The shorthand “**Undue Burden**” is used to refer to this objection in response to particular Interrogatories.

7. Plaintiffs object to the Interrogatories to the extent that they seek information or documents protected from disclosure by the attorney-client privilege, the joint defense and/or common interest privilege, the work-product doctrine, or any other privilege, doctrine or immunity. The shorthand “**Privilege**” is used to refer to this objection in response to particular Interrogatories.

8. Plaintiffs object to the Interrogatories to the extent that they seek information or documents that violate, implicate, or burden the First Amendment interests of Plaintiffs or Plaintiffs’ members, congregants, worshippers, or donors, or others, including the associational privacy of the members and donors of organizational plaintiffs. The shorthand “**First Amendment**” is used to refer to this objection in response to particular Interrogatories.

9. Plaintiffs object to the Interrogatories to the extent that they seek information or documents that raise significant privacy concerns and/or concerns of perpetuating the very harms that Plaintiffs have sued to prevent. The shorthand “**Privacy**” is used to refer to this objection in response to particular Interrogatories.

10. Plaintiffs object to the Interrogatories to the extent they are posed without a time limitation, vague, ambiguous, and/or susceptible to numerous interpretations, and/or to the extent that they misconstrue language from the Complaint dated June 18, 2013. In such instances, Plaintiffs have adopted a reasonable time limitation and/or interpretation for the Interrogatory,

and answered accordingly. The shorthand “Vagueness” is used to refer to this objection in response to particular Interrogatories.

11. Plaintiffs object to the Interrogatories to the extent that they purport to seek information or documents not within Plaintiffs’ possession, custody or control. The shorthand “Custody” is used to refer to this objection in response to particular Interrogatories.

12. Plaintiffs object to the Interrogatories to the extent that they seek each and every fact supporting specific allegations. Plaintiffs’ response is limited to material facts and is not a detailed or exhaustive listing of all evidence that could be offered at trial.

13. Plaintiffs object to the Interrogatories to the extent that they call for a legal conclusion or questions of pure law separate and apart from the facts of this case.

14. Plaintiffs object to the Interrogatories as overbroad and unduly burdensome in that they are not limited in time and thus exceed the relevant timeframe of the acts giving rise to the claims and defenses alleged in this matter. The Interrogatories call for information that is neither relevant to the prosecution or defense of any claim asserted in this action nor reasonably calculated to lead to the discovery of admissible evidence.

15. Plaintiffs object to the Interrogatories to the extent that they purport to impose upon Plaintiffs obligations inconsistent with or in addition to those set forth in the Federal Rules of Civil Procedure or in the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York. Plaintiffs object to the Defendants’ instructions and definitions to the extent they impose broader definitions or rules of constructions than are set forth in Local Rule 26.3. Plaintiffs further object to the Defendants’ Interrogatories to the extent that the Interrogatories and all discrete subparts exceed the numerical limitation on Interrogatories imposed by Federal Rule of Civil Procedure 33.

16. This response is made without prejudice to Plaintiffs' expressly reserved right to supplement, modify, or amend these responses and objections as appropriate, including upon entry of a protective order and/or resolution of objections raised by Plaintiffs in their letter dated December 13, 2013.

RESPONSES AND OBJECTIONS

To Mohammad Elshinawy Only:

40. Identify all persons who warned Elshinawy that the NYPD had questioned them about Elshinawy or had had asked them to inform on the contents of his religious lessons and sermons, as alleged in ¶ 136 of the complaint.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Vagueness, and Privacy. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

41. Identify the "young man" who told Elshinawy that NYPD officers had offered to pay him to be an informant, as alleged in ¶ 141.

Response: Plaintiff objects on the basis of Scope, Undue Burden and Privacy. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants' interest in obtaining the information at this stage, particularly

in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

Subject to and without waiving or limiting any objections, Plaintiff responds as follows:

Plaintiff Elshinawy will make inquiries to determine the name of the young man who told him that NYPD officers had offered to pay him to be an informant, as alleged in ¶ 141, and will provide that information if available.

42. Identify all “other NYPD agents in Mr. Elshinawy’s immediate circles” as alleged in ¶ 148 of the complaint.

Response: Plaintiff objects on the basis of Undue Burden, Scope, NYPD/Public Record, Custody, and Vagueness. The agents referenced in ¶ 148 of the complaint include those described in ¶¶ 138-39, 140, and 142 of the complaint. In addition, Mr. Elshinawy may not know the identities of all the NYPD agents in his circles. Subject to and without waiving or limiting any objections, Plaintiff responds as follows:

Shamiur Rahman

Last known address: unknown

Last known place of employment: New York City Police Department

Kamil Pasha

Last known address: unknown

Last known place of employment: New York City Police Department

On information and belief, Bilal, Last Name Unknown

Last known address: unknown

Last known place of employment: unknown

43. Identify all persons or entities whose relationship with Elshinawy has purportedly been affected by NYPD surveillance, including but not limited to: persons in Elshinawy’s audiences; “longtime friends” who have stopped attending his sermons; “longtime friends” who have stopped associating with Elshinawy; and any other person who reduced their contact or association with Elshinawy by reason of his being the subject of surveillance or investigation by the NYPD, as alleged in ¶¶ 149-152.

Response: Plaintiff objects on the basis of Scope, Privacy, Vagueness, Undue Burden

and First Amendment. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

44. Identify all Brooklyn Islamic Center ("BIC") leaders who expressed fear or concern of being scrutinized by the NYPD as a result of surveillance or investigation of Elshinawy by the NYPD.

Response: Plaintiff objects on the basis of Privacy, Undue Burden, Vagueness, Custody, and Scope. Plaintiff further objects on the basis of Vagueness to the term "BIC leaders." Plaintiff further objects on the basis of Custody because he may not know the identities of all BIC leaders who "expressed fear or concern of being scrutinized by the NYPD as a result of surveillance or investigation of Elshinawy by the NYPD." Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

45. Identify all founding members of Masjid Al-Ansar who purportedly discouraged Elshinawy from holding a leadership position or serving on the mosque's board due to concerns

that Elshinawy was the subject of surveillance or investigation by the NYPD, as alleged in ¶ 155 of the complaint.

Response: Plaintiff objects on the basis of Privacy, Undue Burden, First Amendment, Vagueness and Scope. Plaintiff further objects on the basis of Vagueness to the term “founding members.” Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

46. Identify all persons who informed Elshinawy that the Brooklyn Islamic Center canceled summer camping trips that Elshinawy wished to organize due to concerns that Elshinawy was the subject of surveillance or investigation by the NYPD, as alleged in ¶¶ 157 and 158 of the complaint.

Response: Plaintiff objects on the basis of Privacy, Undue Burden, First Amendment, Vagueness and Scope. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

47. Identify all Brooklyn Islamic Center event organizers who purportedly wanted to avoid drawing a large attendance to the lecture of a “prominent Islamic scholar” for fear of prompting NYPD surveillance or who relayed that information to Elshinawy, or who forbade Elshinawy from helping to advertise events hosted by the Brooklyn Islamic Center due to concerns that Elshinawy was the subject of surveillance or investigation by the NYPD, as alleged in ¶ 159 of the complaint.

Response: Plaintiff objects on the basis of Privacy, Undue Burden, First Amendment, Vagueness and Scope. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

48. Identify the dates of Elshinawy’s last visit to Masjid At-Taqwa and Masjid Al-Ansar.

Response: Plaintiff objects on the basis of Undue Burden, First Amendment, Vagueness, and Scope. Plaintiff further objects to this Interrogatory because it is multi-part. Subject to and without waiving or limiting any objections, Plaintiff responds as follows:

As of January 3, 2014, Mr. Elshinawy last visited Masjid At-Taqwa on either September 29, 2013, or October 4, 2013.

As of January 3, 2014, Mr. Elshinawy last visited Masjid Al-Ansar on January 2, 2014.

Plaintiff Elshinawy will not continue to update Defendants on his comings and goings from Masjid At-Taqwa and Masjid Al-Ansar.

To All Plaintiffs:

49. Identify all persons who provided plaintiffs with documents or communications concerning surveillance or investigations by the NYPD of plaintiffs or other Muslims, and the nature of the information provided.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, Vagueness, Privacy, Privilege, and NYPD/Public Record. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiffs further object to this Interrogatory to the extent it seeks “the nature of the information provided,” as the request is vague and imposes an obligation on Plaintiff beyond what Local Rule 26.3 allows. Plaintiff further objects on the basis of Privilege to the extent Defendants seek information regarding documents or communications exchanged between Plaintiffs and Plaintiffs’ counsel, including attorneys and support staff from the American Civil Liberties Union (“ACLU”), New York Civil Liberties Union (“NYCLU”), and CLEAR project of CUNY School of Law (“CLEAR”), and to the extent Defendants seek documents or communications prepared by or for Plaintiff or Plaintiff’s counsel in anticipation of litigation or for trial in this case. Plaintiff further objects on the basis of NYPD/Public Record to the extent Defendants seek information regarding documents or communications that have been made publicly available in media reports. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

50. Identify all purported NYPD Informants who communicated with plaintiffs, plaintiffs' congregants, or plaintiffs' members, donors or attendees concerning surveillance or investigations of plaintiffs by the NYPD.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Vagueness, Custody, and NYPD/Public Record. Plaintiff further objects on the basis of NYPD/Public Record and Custody because he is not in a position to know all individuals who were or are NYPD Informants and will not speculate as to who has been acting as NYPD Informants. Plaintiff also objects on the basis of Custody because he is not in the position to know "all" NYPD Informants who communicated with plaintiffs' "congregants," "members," "donors," or "attendees" concerning surveillance or investigations of plaintiffs by the NYPD. Subject to and without waiving or limiting any objections, Plaintiff responds as follows:

On information and belief, Shamiur Rahman communicated with one or more of Plaintiff Elshinawy's congregants about NYPD surveillance.

51. Identify all founding members, leaders, Imams, assistant Imams, clergy, cleriq, heads of security, board members, and directors of plaintiffs Masjid Al-Ansar, Masjid At-Taqwa and Muslims Giving Back.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Custody, and Vagueness. Plaintiff refers Defendants to the objections and responses of the organizational plaintiffs, who are the appropriate parties to respond to this Interrogatory. To the extent that the Interrogatory is directed to Plaintiff, Plaintiff objects on the basis of unreasonable cumulativeness and duplicativeness.

52. Describe the current organizational structure of Muslims Giving Back, Masjid Al-Ansar and Masjid At-Taqwa, and identify the current leadership, head of security, board members, officers, and executives.

Response: Plaintiff objects on the basis of Scope, Undue Burden, First Amendment, Privacy, Vagueness and Custody. Plaintiff refers Defendants to the objections and responses of the organizational plaintiffs, who are the appropriate parties to respond to this Interrogatory. To

the extent that the Interrogatory is directed to Plaintiff, Plaintiff objects on the basis of unreasonable cumulateness and duplicativeness.

53. Identify all fundraising events and activities held or organized by plaintiffs and the amounts collected from each event.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Privacy, First Amendment, Vagueness and Custody. Plaintiff refers Defendants to the objections and responses of the organizational plaintiffs, who are the appropriate parties to respond to this Interrogatory. To the extent that the Interrogatory is directed to Plaintiff, Plaintiff objects on the basis of unreasonable cumulateness and duplicativeness.

54. Identify all persons at Muslims Giving Back, Masjid Al-Ansar and Masjid At-Taqwa whose duties and responsibilities include the management or handling of its finances, including but not limited to, the maintenance of books and records; payment of expenses; or the collection of revenue or donations.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Privacy, First Amendment, Vagueness, and Custody. Plaintiff refers Defendants to the objections and responses of the organizational plaintiffs, who are the appropriate parties to respond to this Interrogatory. To the extent that the Interrogatory is directed to Plaintiff, Plaintiff objects on the basis of unreasonable cumulateness and duplicativeness.

55. Identify any and all employers of plaintiffs Raza, Dandia, and Elshinawy, both past and present, including the name, telephone number and address of each employer and the dates (month and year) of each employment.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Privacy, and Vagueness. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects to this Interrogatory because it is harassing and imposes an obligation on Plaintiff beyond what Local Rule 26.3 allows. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's

Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

56. Identify each occasion, if any, on which plaintiffs Raza, Dandia, and Elshinawy have been arrested, including the (i) date and location of the arrest, (ii) all charges for which the person was arrested, and (iii) the disposition of each charge (including expunged). This request includes all arrests in any jurisdiction.

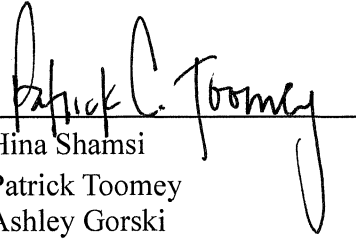
Response: Plaintiff objects on the basis of Scope, Undue Burden, NYPD/Public Record, and Vagueness. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects to this Interrogatory because it is harassing. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

57. Identify any and all additional names, legal names, illegal names, aliases, former/prior names, birth names, business names, doing-business-as names, nicknames, if any, ever used by plaintiffs.

Response: Plaintiff objects on the basis of Scope, Undue Burden, NYPD/Public Record, and Vagueness. Subject to and without waiving or limiting any objections, Plaintiff responds as follows with respect to himself:

"Abu Abbaad"

Dated: January 6, 2014



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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

HAMID HASSAN RAZA; MASJID AL-ANSAR;
ASAD DANDIA; MUSLIMS GIVING BACK;
MASJID AT-TAQWA; MOHAMMAD ELSHINAWY,

Plaintiffs,

v.

CITY OF NEW YORK; MICHAEL R. BLOOMBERG,
in his official capacity as Mayor of the City of New
York; RAYMOND W. KELLY, in his official capacity
as Police Commissioner for the City of New York;
DAVID COHEN, in his official capacity as Deputy
Commissioner of Intelligence for the City of New York,

Defendants.

No. 13-cv-03448-PKC-JMA

Hon. Judge Pamela Chen

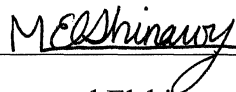
VERIFICATION

I, Mohammad Elshinawy, declare that I am a plaintiff in the above-captioned lawsuit. I have reviewed the attached Plaintiff's Responses and Objections to Defendants' First Set of Interrogatories and Requests for Production of Documents and state that to the best of my knowledge the factual responses provided therein that relate to me are true.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATE: 1/3/2014

New York, New York



Mohammad Elshinawy

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

HAMID HASSAN RAZA; MASJID AL-ANSAR;
ASAD DANDIA; MUSLIMS GIVING BACK;
MASJID AT-TAQWA; MOHAMMAD ELSHINAWY,

Plaintiffs,

v.

CITY OF NEW YORK; MICHAEL R. BLOOMBERG,
in his official capacity as Mayor of the City of New
York; RAYMOND W. KELLY, in his official capacity
as Police Commissioner for the City of New York;
DAVID COHEN, in his official capacity as Deputy
Commissioner of Intelligence for the City of New York,

Defendants.

No. 13-cv-03448-PKC-JMA

Hon. Judge Pamela Chen

**PLAINTIFFS' RESPONSES AND OBJECTIONS TO DEFENDANTS' FIRST SET OF
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS:**

**INTERROGATORY RESPONSES OF
MASJID AT-TAQWA**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Masjid At-Taqwa ("Plaintiff") submits the following responses and objections to the interrogatories set forth in Defendants' First Set of Interrogatories and Requests for Production of Documents, dated December 6, 2013 ("Interrogatories").¹

GENERAL RESPONSES AND OBJECTIONS

1. These general objections apply to each of the Interrogatories. To the extent that certain of these general objections are cited in response to a particular Interrogatory, these

¹ Additional responses and objections to Defendants' First Set of Interrogatories and Requests for Production of Documents by each of the Plaintiffs are being served on Defendants concurrently with this response.

specific citations are provided because they are believed to be particularly applicable to the Interrogatory and are not to be construed as a waiver of any other general objection applicable to information or documents falling within the scope of the Interrogatory.

2. This response is based on Plaintiffs' knowledge of the facts and information presently available. Plaintiffs have not completed their discovery, investigation, and preparation for trial in this matter.

3. This response is necessarily limited because there is no protective order in place between Plaintiffs and the Defendants. Plaintiffs reserve the right to supplement, modify, or amend those responses and objections as appropriate after the entry of any protective order.

4. Plaintiffs object to the Interrogatories to the extent that they exceed the scope of discovery authorized by the Court in its Memorandum and Order dated November 22, 2013, which limited discovery in connection with Plaintiffs' motion for a preliminary injunction. As explained in the letter from Hina Shamsi to Peter Farrell dated December 13, 2013, the scope and the sheer number of Interrogatories are also improper, unduly burdensome, oppressive, and overbroad at this stage of the litigation. These responses and objections are made without a resolution of issues discussed during the meet-and-confer conference requested by Plaintiffs' December 13 letter. The shorthand "**Scope**" is used to refer to this objection in response to particular Interrogatories.

5. Plaintiffs object to the Interrogatories to the extent that a complete response by Plaintiffs requires production of information in the possession of Defendants, information that Defendants are in a superior position to know or ascertain, or information that is publicly available. The shorthand "**NYPD Record**," "**Public Record**," or "**NYPD/Public Record**" is used to refer to this objection in response to particular Interrogatories.

6. Plaintiffs object to the Interrogatories to the extent that they are overly broad, unduly burdensome and oppressive, call for speculation, call for narrative answers and/or seek information or documents that are not relevant to the subject matter of this action and are not reasonably calculated to lead to the discovery of admissible evidence. The shorthand “**Undue Burden**” is used to refer to this objection in response to particular Interrogatories.

7. Plaintiffs object to the Interrogatories to the extent that they seek information or documents protected from disclosure by the attorney-client privilege, the joint defense and/or common interest privilege, the work-product doctrine, or any other privilege, doctrine or immunity. The shorthand “**Privilege**” is used to refer to this objection in response to particular Interrogatories.

8. Plaintiffs object to the Interrogatories to the extent that they seek information or documents that violate, implicate, or burden the First Amendment interests of Plaintiffs or Plaintiffs’ members, congregants, worshippers, or donors, or others, including the associational privacy of the members and donors of organizational plaintiffs. The shorthand “**First Amendment**” is used to refer to this objection in response to particular Interrogatories.

9. Plaintiffs object to the Interrogatories to the extent that they seek information or documents that raise significant privacy concerns and/or concerns of perpetuating the very harms that Plaintiffs have sued to prevent. The shorthand “**Privacy**” is used to refer to this objection in response to particular Interrogatories.

10. Plaintiffs object to the Interrogatories to the extent they are posed without a time limitation, vague, ambiguous, and/or susceptible to numerous interpretations, and/or to the extent that they misconstrue language from the Complaint dated June 18, 2013. In such instances, Plaintiffs have adopted a reasonable time limitation and/or interpretation for the Interrogatory,

and answered accordingly. The shorthand “Vagueness” is used to refer to this objection in response to particular Interrogatories.

11. Plaintiffs object to the Interrogatories to the extent that they purport to seek information or documents not within Plaintiffs’ possession, custody or control. The shorthand “Custody” is used to refer to this objection in response to particular Interrogatories.

12. Plaintiffs object to the Interrogatories to the extent that they seek each and every fact supporting specific allegations. Plaintiffs’ response is limited to material facts and is not a detailed or exhaustive listing of all evidence that could be offered at trial.

13. Plaintiffs object to the Interrogatories to the extent that they call for a legal conclusion or questions of pure law separate and apart from the facts of this case.

14. Plaintiffs object to the Interrogatories as overbroad and unduly burdensome in that they are not limited in time and thus exceed the relevant timeframe of the acts giving rise to the claims and defenses alleged in this matter. The Interrogatories call for information that is neither relevant to the prosecution or defense of any claim asserted in this action nor reasonably calculated to lead to the discovery of admissible evidence.

15. Plaintiffs object to the Interrogatories to the extent that they purport to impose upon Plaintiffs obligations inconsistent with or in addition to those set forth in the Federal Rules of Civil Procedure or in the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York. Plaintiffs object to the Defendants’ instructions and definitions to the extent they impose broader definitions or rules of constructions than are set forth in Local Rule 26.3. Plaintiffs further object to the Defendants’ Interrogatories to the extent that the Interrogatories and all discrete subparts exceed the numerical limitation on Interrogatories imposed by Federal Rule of Civil Procedure 33.

16. This response is made without prejudice to Plaintiffs' expressly reserved right to supplement, modify, or amend these responses and objections as appropriate, including upon entry of a protective order and/or resolution of objections raised by Plaintiffs in their letter dated December 13, 2013.

RESPONSES AND OBJECTIONS

To Masjid At-Taqwa Only:

26. Identify all persons who own, manage, operate or work at the Zam Zam Shop or Taqwa Bookstore.

Response: Plaintiff objects on the basis of Scope, Undue Burden, First Amendment, Vagueness, and Privacy. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects to this Interrogatory because it is burdensome and harassing and seeks information unrelated to this lawsuit.

27. Identify the congregants of Masjid At-Taqwa who were "intimated" [sic] or who suffered anxiety purportedly from the NYPD surveillance camera, as alleged in ¶¶ 116-117 of the complaint.

Response: Plaintiff objects on the basis of Scope, Undue Burden, First Amendment, Vagueness, and Privacy. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion, and because the privacy interest in Plaintiff's congregants' identities outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered. Subject to and without waiving or limiting any

objections, Plaintiff responds as follows with respect to its leadership:

Ali Abdul Karim

Contact through Plaintiffs' counsel

Sheikh Osman A. Adam

Contact through Plaintiffs' counsel

28. Identify all congregants who spoke with mosque leaders concerning feelings of intimidation, anxiety, or concern, or who “started staying away from the mosque” by reason of the NYPD surveillance camera, as alleged in ¶ 117 of the complaint.

Response: Plaintiff objects on the basis of Scope, Undue Burden, First Amendment, Vagueness, and Privacy. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy interest in Plaintiff’s congregants’ identities outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff further objects on the basis of unreasonable cumulativeness or duplicativeness to the extent that this Interrogatory seeks information identical to that sought by Interrogatory No. 27. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

29. Identify all mosque leadership who spoke with congregants about the allegations in ¶ 117 of the complaint.

Response: Plaintiff objects on the basis of Scope, Undue Burden, and Vagueness.

Plaintiff further objects on the basis of Vagueness to the undefined term, “mosque leadership.”

Subject to and without waiving or limiting any objections, Plaintiff responds as follows on information and belief:

Ali Abdul Karim

Imam Siraj Wahhaj
Contact through Plaintiffs' counsel

Sheikh Osman A. Adam

30. Identify all entities and persons who do (or who have) provided security services for Masjid At-Taqwa.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy. Plaintiff further objects on the basis of Vagueness to the undefined term “security services.” Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy interest in the identities of Plaintiffs’ congregants who participated in providing security services outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered. Subject to and without waiving or limiting any objections, Plaintiff responds that the following individual is the Head of Security for Masjid At-Taqwa:

Ali Abdul Karim

31. Identify the security personnel upon whom background checks were conducted.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Vagueness, First Amendment, Custody, and Privacy. Plaintiff further objects on Vagueness to the undefined terms “security personnel” and “background checks.” Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the

Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion, and because the privacy interest in Plaintiff's congregants' identities and their backgrounds outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

32. Identify all persons involved in taking precautionary measures to protect Masjid At-Taqwa, as alleged in ¶ 123 of the complaint.

Response: Plaintiff objects on the basis of Scope, Undue Burden, First Amendment, Privacy, and Vagueness. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion, and because the privacy interest in Plaintiff's congregants' identities outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered. Subject to and without waiving or limiting any objections, Plaintiff responds that the following members of the mosque leadership have participated in precautionary measures taken to protect Masjid At-Taqwa, as alleged in ¶ 123 of the complaint and further specified in ¶¶ 124-26:

Imam Siraj Wahhaj

Sheikh Osman A. Adam

Ali Abdul Karim

Ben Dixon

Contact through Plaintiffs' counsel

33. Identify all third party witnesses to religious counseling conversations, as alleged in ¶ 126 of the complaint.

Response: Plaintiff objects on the basis of Scope, Undue Burden, First Amendment, Privacy, and Vagueness. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion, and because the privacy interest in Plaintiff's congregants' identities outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered. Subject to and without waiving or limiting any objections, Plaintiff responds as follows on information and belief:

Ali Abdul Karim

34. Identify all congregants who expressed discomfort with the presence of third party witnesses to their counseling conversations, or who have been prevented from receiving complete religious guidance, as alleged in ¶ 126 of the complaint.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Privacy, First Amendment, and Vagueness. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion, and because the privacy interest in Plaintiff's congregants' identities outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff

reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

35. Identify all persons who informed Masjid At-Taqwa about the presence of NYPD Informants at mosques prior to the time that such information became public, as alleged in ¶ 127 of the complaint.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Privacy, First Amendment, Vagueness, NYPD/Public Record, and Custody. Plaintiff further objects on the basis of Vagueness because ¶ 127 of the complaint does not allege that any person “informed Masjid At-Taqwa about the presence of NYPD Informants at mosques prior to the time that such information became public.” Plaintiff further objects on the basis of NYPD/Public Record and Custody because it is not in a position to know all individuals who were or are NYPD Informants and will not speculate as to who has been acting as NYPD Informants. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy interest in Plaintiff’s congregants’ identities outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered. Subject to and without waiving or limiting any objections, Plaintiff responds as follows:

Sheikh Osman A. Adam

36. Identify all persons who Imam Adam spoke to concerning the plane crash referenced in ¶¶ 128 and 129 of the complaint.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Privacy, NYPD Record, and Vagueness. This Interrogatory is overly broad, irrelevant, harassing, and burdensome in that it seeks information on identities of individuals that Imam Adam spoke to about an event widely reported in the press, without a time limitation. Subject to and without waiving or limiting any objections, Plaintiff responds as follows:

Imam Adam does not recall the specific names or identities of persons he spoke to concerning the plane crash on the phone calls referenced in ¶¶ 128 and 129 of the complaint.

37. Identify all persons who suspected that Rahman was an informant, including but not limited to the congregant who complained to Imam Adam that Rahman “was questioning people in the mosque about the September 11, 2001 attacks”, and the congregants who were being questioned, as alleged in ¶ 131 of the complaint.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Privacy, First Amendment, Custody, and Vagueness. Plaintiff further objects on the basis of Custody because it may not know the identities of “all persons who suspected that Rahman was an informant.” Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy interest in Plaintiff’s congregants’ identities outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered. Subject to and without waiving or limiting any objections, Plaintiff

responds that the following member of the mosque leadership “suspected that Rahman was an informant”:

Sheikh Osman A. Adam

38. Identify all persons referenced in ¶ 132 of the complaint, including but not limited to, all congregants who purportedly behave like informants; all congregants who complained to Imam Adam about the congregants who “behaved like informants;” and the persons who were told to leave the mosque by Imam Adam.

Response: Plaintiff objects on the basis of Scope, Undue Burden, First Amendment, Privacy, and Vagueness. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy interest in Plaintiff’s congregants’ identities outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered. Subject to and without waiving or limiting any objections, Plaintiff responds, on information and belief, that the following persons referenced in ¶ 132 of the complaint were confirmed to be informants:

Shamiur Rahman

Last known address: Unknown

Last known place of employment: New York City Police Department

Anas Last Name Unknown

Last known address: Unknown

Last known place of employment: Federal Bureau of Investigation

39. Identify all persons at Masjid At-Taqwa who participated in any decision to cease holding mosque social activities or other events, including but not limited to whitewater rafting, camping, and paintball trips, as alleged in ¶ 133 of the complaint, allegedly for “fear that they

will heighten NYPD surveillance of the congregations”.

Response: Plaintiff objects on the basis of Scope, Undue Burden, First Amendment, Privacy, and Vagueness. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy interest in Plaintiff’s congregants’ identities outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered. Subject to and without waiving or limiting any objections, Plaintiff responds, on information and belief, that the following member of the mosque leadership “participated in any decision to cease holding mosque social activities or other events” as alleged in ¶ 133 of the complaint:

Ali Abdul Karim

To All Plaintiffs:

49. Identify all persons who provided plaintiffs with documents or communications concerning surveillance or investigations by the NYPD of plaintiffs or other Muslims, and the nature of the information provided.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, Vagueness, Privacy, Privilege, and NYPD/Public Record. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiffs further object to this Interrogatory to the extent it seeks “the nature of the information provided,” as the request is vague and imposes an obligation on Plaintiff beyond what Local Rule 26.3 allows. Plaintiff further objects on the basis of Privilege to the extent Defendants seek information regarding documents or communications exchanged between Plaintiffs and Plaintiffs’ counsel, including attorneys and support staff from the American Civil Liberties Union (“ACLU”), New York Civil Liberties Union (“NYCLU”), and CLEAR project of CUNY School of Law (“CLEAR”), and to the extent Defendants seek documents or communications prepared by or for Plaintiff or Plaintiff’s counsel in anticipation of litigation or for trial in this case. Plaintiff further objects on the basis of NYPD/Public Record to the extent Defendants seek information regarding documents or communications that have been made publicly available in media reports. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

50. Identify all purported NYPD Informants who communicated with plaintiffs, plaintiffs' congregants, or plaintiffs' members, donors or attendees concerning surveillance or investigations of plaintiffs by the NYPD.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Vagueness, Custody, and NYPD/Public Record. Plaintiff further objects on the basis of NYPD/Public Record and Custody because it is not in a position to know all individuals who were or are NYPD Informants and will not speculate as to who has been acting as NYPD Informants. Plaintiff also objects on the basis of Custody because it is not in the position to know "all" NYPD Informants who communicated with plaintiffs' "congregants," "members," "donors," or "attendees" concerning surveillance or investigations of plaintiffs by the NYPD. Subject to and without waiving or limiting any objections, Plaintiff responds as follows:

Plaintiff Masjid At-Taqwa is not aware of any confirmed NYPD Informants who alerted Plaintiff, Plaintiff's congregants, or Plaintiff's members, donors, or attendees that the NYPD is conducting surveillance or investigations of Plaintiff.

51. Identify all founding members, leaders, Imams, assistant Imams, clergy, cleriq, heads of security, board members, and directors of plaintiffs Masjid Al-Ansar, Masjid At-Taqwa and Muslims Giving Back.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, Custody, and Vagueness. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects on the basis of Vagueness to the undefined term "leaders." Plaintiff construes the word "founding" to modify the subsequent nouns and object to the Interrogatory because Masjid At-Taqwa was founded before the relevant time period for the lawsuit and the discovery requests.

52. Describe the current organizational structure of Muslims Giving Back, Masjid Al-Ansar and Masjid At-Taqwa, and identify the current leadership, head of security, board members, officers, and executives.

Response: Plaintiff objects on the basis of Scope, Undue Burden, First Amendment, Privacy, Custody, and Vagueness. Plaintiff further objects on the basis of Vagueness to the undefined term “leadership” and to the vague request for information about the “current organizational structure.” Subject to and without waiving or limiting any objections, Plaintiff responds that the current leadership of Masjid At-Taqwa consists of the following individuals:

Imam Siraj Wahhaj

Sheikh Osman A. Adam, Assistant Imam

Bilal Hinson, Treasurer

Contact through Plaintiffs’ Counsel

Ben Dixon, Director of Administration

Ali Abdul Karim, Head of Security

53. Identify all fundraising events and activities held or organized by plaintiffs and the amounts collected from each event.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, Privacy, First Amendment, Custody, and Vagueness. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects on the basis of Vagueness to the undefined phrase, “fundraising events and activities.” Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

54. Identify all persons at Muslims Giving Back, Masjid Al-Ansar and Masjid At-Taqwa whose duties and responsibilities include the management or handling of its finances, including but not limited to, the maintenance of books and records; payment of expenses; or the collection of revenue or donations.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Privacy, First Amendment, Custody, and Vagueness. Plaintiff further objects on the basis of First Amendment and Privacy to the extent that the Interrogatory seeks disclosure of the identities of organizational members who participate in the collection of donations. Subject to and without waiving or limiting any objections, Plaintiff responds as follows with respect to the leadership of Masjid At-Taqwa:

Bilal Hinson

Imam Siraj Wahhaj

55. Identify any and all employers of plaintiffs Raza, Dandia, and Elshinawy, both past and present, including the name, telephone number and address of each employer and the dates (month and year) of each employment.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Custody, and Vagueness. Plaintiff refers Defendants to the objections and responses of the individual plaintiffs, who are the appropriate parties to respond to this Interrogatory. To the extent that the Interrogatory is directed to Plaintiff, Plaintiff further objects to the Interrogatory on the basis of unreasonable cumulativeness and duplicativeness, and because it is multi-part.

56. Identify each occasion, if any, on which plaintiffs Raza, Dandia, and Elshinawy have been arrested, including the (i) date and location of the arrest, (ii) all charges for which the person was arrested, and (iii) the disposition of each charge (including expunged). This request includes all arrests in any jurisdiction.

Response: Plaintiff objects on the basis of Scope, Undue Burden, NYPD/Public Record, and Vagueness. Plaintiff refers Defendants to the objections and responses of the individual plaintiffs, who are the appropriate parties to respond to this Interrogatory. To the extent that the

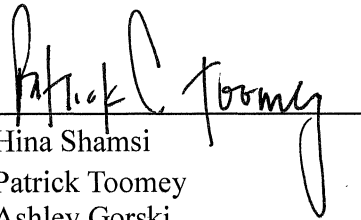
Interrogatory is directed to Plaintiff, Plaintiff further objects to the Interrogatory on the basis of unreasonable cumulateness and duplicativeness, and because it is multi-part.

57. Identify any and all additional names, legal names, illegal names, aliases, former/prior names, birth names, business names, doing-business-as names, nicknames, if any, ever used by plaintiffs.

Response: Plaintiff objects on the basis of Scope, Undue Burden, NYPD/Public Record, and Vagueness. Subject to and without waiving or limiting any objections, Plaintiff responds as follows with respect to Masjid At-Taqwa:

None.

Dated: January 6, 2014



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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

HAMID HASSAN RAZA; MASJID AL-ANSAR;
ASAD DANDIA; MUSLIMS GIVING BACK;
MASJID AT-TAQWA; MOHAMMAD ELSHINAWY,

Plaintiffs,

v.

CITY OF NEW YORK; MICHAEL R. BLOOMBERG,
in his official capacity as Mayor of the City of New
York; RAYMOND W. KELLY, in his official capacity
as Police Commissioner for the City of New York;
DAVID COHEN, in his official capacity as Deputy
Commissioner of Intelligence for the City of New York,

Defendants.

No. 13-cv-03448-PKC-JMA

Hon. Judge Pamela Chen

**PLAINTIFFS' RESPONSES AND OBJECTIONS TO DEFENDANTS' FIRST SET OF
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS:**

**INTERROGATORY RESPONSES OF
HAMID HASSAN RAZA AND MASJID AL-ANSAR**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiffs Hamid Hassan Raza and Masjid Al-Ansar ("Plaintiffs") submit the following responses and objections to the interrogatories set forth in Defendants' First Set of Interrogatories and Requests for Production of Documents, dated December 6, 2013 ("Interrogatories").¹

GENERAL RESPONSES AND OBJECTIONS

1. These general objections apply to each of the Interrogatories. To the extent that certain of these general objections are cited in response to a particular Interrogatory, these

¹ Additional responses and objections to Defendants' First Set of Interrogatories and Requests for Production of Documents by each of the Plaintiffs are being served on Defendants concurrently with this response.

specific citations are provided because they are believed to be particularly applicable to the Interrogatory and are not to be construed as a waiver of any other general objection applicable to information or documents falling within the scope of the Interrogatory.

2. This response is based on Plaintiffs' knowledge of the facts and information presently available. Plaintiffs have not completed their discovery, investigation, and preparation for trial in this matter.

3. This response is necessarily limited because there is no protective order in place between Plaintiffs and the Defendants. Plaintiffs reserve the right to supplement, modify, or amend those responses and objections as appropriate after the entry of any protective order.

4. Plaintiffs object to the Interrogatories to the extent that they exceed the scope of discovery authorized by the Court in its Memorandum and Order dated November 22, 2013, which limited discovery in connection with Plaintiffs' motion for a preliminary injunction. As explained in the letter from Hina Shamsi to Peter Farrell dated December 13, 2013, the scope and the sheer number of Interrogatories are improper, unduly burdensome, oppressive, and overbroad at this stage of the litigation. These responses and objections are made without a resolution of issues discussed during the meet-and-confer conference requested by Plaintiffs' December 13 letter. The shorthand "Scope" is used to refer to this objection in response to particular Interrogatories.

5. Plaintiffs object to the Interrogatories to the extent that a complete response by Plaintiffs requires production of information in the possession of Defendants, information that Defendants are in a superior position to know or ascertain, or information that is publicly available. The shorthand "NYPD Record," "Public Record," or "NYPD/Public Record" is used to refer to this objection in response to particular Interrogatories.

6. Plaintiffs object to the Interrogatories to the extent that they are overly broad, unduly burdensome and oppressive, call for speculation, call for narrative answers and/or seek information or documents that are not relevant to the subject matter of this action and are not reasonably calculated to lead to the discovery of admissible evidence. The shorthand “**Undue Burden**” is used to refer to this objection in response to particular Interrogatories.

7. Plaintiffs object to the Interrogatories to the extent that they seek information or documents protected from disclosure by the attorney-client privilege, the joint defense and/or common interest privilege, the work-product doctrine, or any other privilege, doctrine or immunity. The shorthand “**Privilege**” is used to refer to this objection in response to particular Interrogatories.

8. Plaintiffs object to the Interrogatories to the extent that they seek information or documents that violate, implicate, or burden the First Amendment interests of Plaintiffs or Plaintiffs’ members, congregants, worshippers, or donors, or others, including the associational privacy of the members and donors of organizational plaintiffs. The shorthand “**First Amendment**” is used to refer to this objection in response to particular Interrogatories.

9. Plaintiffs object to the Interrogatories to the extent that they seek information or documents that raise significant privacy concerns and/or concerns of perpetuating the very harms that Plaintiffs have sued to prevent. The shorthand “**Privacy**” is used to refer to this objection in response to particular Interrogatories.

10. Plaintiffs object to the Interrogatories to the extent they are posed without a time limitation, vague, ambiguous, and/or susceptible to numerous interpretations, and/or to the extent that they misconstrue language from the Complaint dated June 18, 2013. In such instances, Plaintiffs have adopted a reasonable time limitation and/or interpretation for the Interrogatory,

and answered accordingly. The shorthand “Vagueness” is used to refer to this objection in response to particular Interrogatories.

11. Plaintiffs object to the Interrogatories to the extent that they purport to seek information or documents not within Plaintiffs’ possession, custody or control. The shorthand “Custody” is used to refer to this objection in response to particular Interrogatories.

12. Plaintiffs object to the Interrogatories to the extent that they seek each and every fact supporting specific allegations. Plaintiffs’ response is limited to material facts and is not a detailed or exhaustive listing of all evidence that could be offered at trial.

13. Plaintiffs object to the Interrogatories to the extent that they call for a legal conclusion or questions of pure law separate and apart from the facts of this case.

14. Plaintiffs object to the Interrogatories as overbroad and unduly burdensome in that they are not limited in time and thus exceed the relevant timeframe of the acts giving rise to the claims and defenses alleged in this matter. The Interrogatories call for information that is neither relevant to the prosecution or defense of any claim asserted in this action nor reasonably calculated to lead to the discovery of admissible evidence.

15. Plaintiffs object to the Interrogatories to the extent that they purport to impose upon Plaintiffs obligations inconsistent with or in addition to those set forth in the Federal Rules of Civil Procedure or in the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York. Plaintiffs object to the Defendants’ instructions and definitions to the extent they impose broader definitions or rules of constructions than are set forth in Local Rule 26.3. Plaintiffs further object to the Defendants’ Interrogatories to the extent that the Interrogatories and all discrete subparts exceed the numerical limitation on Interrogatories imposed by Federal Rule of Civil Procedure 33.

16. This response is made without prejudice to Plaintiffs' expressly reserved right to supplement, modify, or amend these responses and objections as appropriate, including upon entry of a protective order and/or resolution of objections raised by Plaintiffs in their letter dated December 13, 2013.

RESPONSES AND OBJECTIONS

To Masjid Al-Ansar Only:

1. Identify all persons who decided to record sermons at Masjid Al-Ansar, and the persons involved in the purchase or installation of video or audio recording equipment, as referenced in ¶ 51 of the complaint.

Response: Plaintiffs object on the basis of Scope, Undue Burden, First Amendment, and Privacy. Plaintiffs further object to this Interrogatory because it is multi-part. Plaintiffs further object to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiffs' preliminary injunction motion, and because the privacy interest in Plaintiffs' congregants' identities outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiffs reserve the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered. Subject to and without waiving or limiting any objections, Plaintiff Masjid Al-Ansar responds as follows with respect to all persons on the current and former Board of Masjid Al-Ansar "who decided to record sermons at Masjid Al-Ansar, and the persons involved in the purchase or installation of video or audio recording equipment, as referenced in ¶ 51 of the complaint":

Hamid Hassan Raza
Contact through Plaintiffs' counsel

Niaz Brohi

Contact through Plaintiffs' counsel

2. Identify all persons within the mosque leadership who had “heightened concerns” resulting from a 2011 visit from a purported NYPD informant, or who decided to sponsor a civil rights workshop due to these concerns, as alleged in ¶ 55 of the complaint.

Response: Plaintiffs object on the basis of Scope, Undue Burden, and Vagueness. Plaintiffs further object on the basis of Vagueness because Paragraph 55 of the complaint does not discuss a 2011 visit from a purported NYPD informant, but rather discusses a visit from plainclothes NYPD officers, and because of the undefined term “mosque leadership.” Subject to and without waiving or limiting any objections, Plaintiff Masjid Al-Ansar responds as follows:

Hamid Hassan Raza

Ahmed Bhatti

Contact through Plaintiffs' counsel

Mohsin Raza

Contact through Plaintiffs' counsel

3. Identify all persons who informed Masjid Al-Ansar or Imam Raza that the man with the “extremely unusual behavior” was an NYPD Informant, as alleged in ¶ 57 of the complaint.

Response: Plaintiffs object on the basis of Scope, Undue Burden, and Vagueness. Plaintiffs further object because the complaint does not allege that any person informed Masjid Al-Ansar or Imam Raza that the man with the “extremely unusual behavior” was an NYPD informant. Subject to and without waiving or limiting any objections, Plaintiff Masjid Al-Ansar responds as follows:

No one. The allegation in ¶ 57 of the Complaint is based on Imam Raza’s knowledge, experience, and belief.

4. Identify the “young congregants” who showed Imam Raza a Facebook post in which Shamiur Rahman identified himself as an Informant, as alleged in ¶ 58 of the complaint.

Response: Plaintiffs object on the basis of Scope, Undue Burden, Privacy, First

Amendment, and Vagueness. Plaintiffs further object to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiffs' preliminary injunction motion, and because the privacy interest in Plaintiffs' congregants' identities outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiffs reserve the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered. Subject to and without waiving or limiting any objections, Plaintiff Masjid Al-Ansar responds as follows with respect to one of the congregants:

Asad Dandia

Contact through Plaintiffs' counsel

5. Identify the members of Masjid Al-Ansar believed to be surveilled or investigated by the NYPD, as alleged in ¶ 60 of the complaint.

Response: Plaintiffs object on the basis of Scope, Undue Burden, Vagueness, NYPD/Public Record, First Amendment, and Privacy. Plaintiffs further object on the basis of First Amendment and Privacy to the extent the Interrogatory seeks identification of the Masjid's congregants. Subject to and without waiving or limiting any objections, Plaintiff Masjid Al-Ansar responds as follows:

Masjid Al-Ansar believes that its imam, leadership, and congregants were and are under surveillance from the New York City Police Department ("NYPD").

6. Identify the congregants whom Imam Raza discouraged from discussing certain religious topics or concepts, as alleged in ¶¶ 62-64.

Response: Plaintiffs object on the basis of Scope, Undue Burden, First Amendment, and Privacy. Plaintiffs further object to this Interrogatory on the basis of Scope and Undue Burden

because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiffs' preliminary injunction motion, and because the privacy interest in Plaintiffs' congregants' identities outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiffs reserve the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

7. Identify the "friend" who warned Imam Raza about the purported practices and teachings of NYPD surveillance teams, as alleged in ¶¶ 69 and 71 of the complaint.

Response: Plaintiffs object on the basis of Scope and Undue Burden. Subject to and without waiving or limiting any objections, Plaintiff Masjid Al-Ansar responds as follows:

Mohammed Elshinawy
Contact through Plaintiffs' counsel

8. Identify all persons referenced in ¶¶ 73-74 of the complaint, including

- a. Persons who have warned Imam Raza about newcomers or have shared suspicions that newcomers might be police Informants; or
- b. Newcomers who have reacted to this reception with "alarm" or who have told Imam Raza that "the environment at the mosque is hostile to them, that longstanding congregants view newcomers with suspicions, or that newcomers are excluded from many facets of social life at the mosque."

Response: Plaintiffs object on the basis of Scope, Undue Burden, Vagueness, First Amendment, Privacy, and Custody. Plaintiffs further object to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiffs' preliminary injunction motion, and because the privacy interest in Plaintiffs' congregants' identities outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiffs reserve the right to supplement, modify, or amend those

responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

9. Identify all persons who are “constantly worried whether they are safe from police spying” or are “suspicious of their fellow worshippers”, as alleged in ¶ 75 of the complaint.

Response: Plaintiffs object on the basis of Scope, Undue Burden, Vagueness, First Amendment, Privacy, and Custody. Plaintiffs further object to this Interrogatory because it is multi-part. Plaintiffs further object to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiffs’ preliminary injunction motion, and because the privacy interest in Plaintiffs’ congregants’ identities outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiffs reserve the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

10. Identify all persons referenced in ¶ 76 of the complaint, including persons (a) who grew even more suspicious of newcomers after the Associated Press began reporting on the NYPD’s surveillance; (b) whose fears have increased from the confirmation of NYPD surveillance; (c) who have declined to attend afternoon prayers on weekdays; or (d) who have declined to attend prayers at any time on any day; or (e) who declined to attend the mosque due to surveillance by the NYPD.

Response: Plaintiffs object on the basis of Scope, Undue Burden, Vagueness, First Amendment, Privacy, and Custody. Plaintiffs further object to this Interrogatory because it is multi-part. Plaintiffs further object to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiffs’ preliminary injunction motion, and because the privacy interest in Plaintiffs’ congregants’ identities outweighs Defendants’ interest in

obtaining the information at this stage, particularly in the absence of a protective order. Plaintiffs reserve the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

To All Plaintiffs:

49. Identify all persons who provided plaintiffs with documents or communications concerning surveillance or investigations by the NYPD of plaintiffs or other Muslims, and the nature of the information provided.

Response: Plaintiffs object to this Interrogatory on the basis of Scope, Undue Burden, Vagueness, Privacy, Privilege, and NYPD/Public Record. Plaintiffs further object to this Interrogatory because it is multi-part. Plaintiffs further object to this Interrogatory to the extent it seeks “nature of the information provided,” as the request is vague and imposes an obligation on Plaintiffs beyond what Local Rule 26.3 allows. Plaintiffs further object on the basis of Privilege to the extent Defendants seek information regarding documents or communications exchanged between Plaintiffs and Plaintiffs’ counsel, including attorneys and support staff from the American Civil Liberties Union (“ACLU”), New York Civil Liberties Union (“NYCLU”), and CLEAR project of CUNY School of Law (“CLEAR”), and to the extent Defendants seek documents or communications prepared by or for Plaintiffs or Plaintiffs’ counsel in anticipation of litigation or for trial in this case. Plaintiffs further object on the basis of NYPD/Public Record to the extent Defendants seek information regarding documents or communications that have been made publicly available in media reports. Plaintiffs further object to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiffs’ preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiffs reserve the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

50. Identify all purported NYPD Informants who communicated with plaintiffs, plaintiffs' congregants, or plaintiffs' members, donors or attendees concerning surveillance or investigations of plaintiffs by the NYPD.

Response: Plaintiffs object on the basis of Scope, Undue Burden, Vagueness, Custody, and NYPD/Public Record. Plaintiffs further object on the basis of NYPD/Public Record and Custody because they are not in a position to know all individuals who were or are NYPD Informants and will not speculate as to who has been acting as NYPD Informants. Plaintiffs also object on the basis of Custody because they are not in the position to know "all" NYPD Informants who communicated with plaintiffs' "congregants," "members," "donors," or "attendees" concerning surveillance or investigations of plaintiffs by the NYPD. Subject to and without waiving or limiting any objections, Plaintiffs Raza and Masjid Al-Ansar respond as follows, on information and belief:

Shamiur Rahman

Last known address: unknown

Last known employment: New York City Police Department

51. Identify all founding members, leaders, Imams, assistant Imams, clergy, cleriq, heads of security, board members, and directors of plaintiffs Masjid Al-Ansar, Masjid At-Taqwa and Muslims Giving Back.

Response: Plaintiffs object on the basis of Scope, Undue Burden, Vagueness, and Custody. Plaintiffs further object to this Interrogatory because it is multi-part. Plaintiffs further object on the basis of Vagueness to the undefined term "leaders." Subject to and without waiving or limiting any objections, and construing the term "founding" in the Interrogatory to modify subsequent nouns, Plaintiff Masjid Al-Ansar responds as follows with respect to initial directors of the corporation:

Niaz Brohi

Ahmed Bhatti

Noor Rabah

Contact through Plaintiffs' counsel

52. Describe the current organizational structure of Muslims Giving Back, Masjid Al-Ansar and Masjid At-Taqwa, and identify the current leadership, head of security, board members, officers, and executives.

Response: Plaintiffs object on the basis of Scope, Undue Burden, First Amendment, Privacy, Vagueness and Custody. Plaintiffs further object on the basis of Vagueness to the undefined term “leadership” and to the vague request for information about the “current organizational structure.” Subject to and without waiving or limiting any objections, Plaintiff Masjid Al-Ansar responds that the current Board of Masjid Al-Ansar consists of the following individuals:

Hamid Hassan Raza, President

Mohsin Raza, Treasurer

Bader Suleiman, Vice President

Contact through Plaintiffs' counsel

Tasawar Janjuah, Secretary

Contact through Plaintiffs' counsel

53. Identify all fundraising events and activities held or organized by plaintiffs and the amounts collected from each event.

Response: Plaintiffs object on the basis of Scope, Undue Burden, Privacy, First Amendment, Custody, and Vagueness. Plaintiffs further object on the basis of Vagueness to the undefined phrase, “fundraising events and activities.” Plaintiffs further object to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiffs’ preliminary injunction motion, and because the privacy harm from disclosure

outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiffs reserve the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

54. Identify all persons at Muslims Giving Back, Masjid Al-Ansar and Masjid At-Taqwa whose duties and responsibilities include the management or handling of its finances, including but not limited to, the maintenance of books and records; payment of expenses; or the collection of revenue or donations.

Response: Plaintiffs object on the basis of Scope, Undue Burden, Privacy, First Amendment, Custody, and Vagueness. Plaintiffs further object on the basis of First Amendment and Privacy to the extent that the Interrogatory seeks disclosure of the identities of organizational members who participate in the collection of donations. Subject to and without waiving or limiting any objections, Plaintiff Masjid Al-Ansar responds as follows with respect to its board members whose duties and responsibilities include management or handling of finances:

Mohsin Raza

Bader Suleiman

55. Identify any and all employers of plaintiffs Raza, Dandia, and Elshinawy, both past and present, including the name, telephone number and address of each employer and the dates (month and year) of each employment.

Response: Plaintiffs object on the basis of Scope, Undue Burden, Privacy, and Vagueness. Plaintiffs further object to this Interrogatory because it is multi-part. Plaintiffs further object to this Interrogatory because it is harassing and imposes an obligation on Plaintiffs beyond what Local Rule 26.3 allows. Plaintiffs further object to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiffs' preliminary injunction motion. Plaintiffs reserve the right to supplement, modify, or amend those responses

and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

56. Identify each occasion, if any, on which plaintiffs Raza, Dandia, and Elshinawy have been arrested, including the (i) date and location of the arrest, (ii) all charges for which the person was arrested, and (iii) the disposition of each charge (including expunged). This request includes all arrests in any jurisdiction.

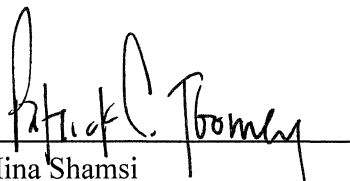
Response: Plaintiffs object on the basis of Scope, Undue Burden, NYPD/Public Record, and Vagueness. Plaintiffs further object to this Interrogatory because it is multi-part. Plaintiffs further object to this Interrogatory because it is harassing. Plaintiffs further object to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiffs' preliminary injunction motion. Plaintiffs reserve the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

57. Identify any and all additional names, legal names, illegal names, aliases, former/prior names, birth names, business names, doing-business-as names, nicknames, if any, ever used by plaintiffs.

Response: Plaintiffs object on the basis of Scope, Undue Burden, NYPD/Public Record, and Vagueness. Subject to and without waiving or limiting any objections, Plaintiffs Raza and Masjid Al-Ansar respond as follows:

None.

Dated: January 6, 2014



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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

HAMID HASSAN RAZA; MASJID AL-ANSAR;
ASAD DANDIA; MUSLIMS GIVING BACK;
MASJID AT-TAQWA; MOHAMMAD ELSHINAWY,

Plaintiffs,

v.

CITY OF NEW YORK; MICHAEL R. BLOOMBERG,
in his official capacity as Mayor of the City of New
York; RAYMOND W. KELLY, in his official capacity
as Police Commissioner for the City of New York;
DAVID COHEN, in his official capacity as Deputy
Commissioner of Intelligence for the City of New York,

Defendants.

No. 13-cv-03448-PKC-JMA

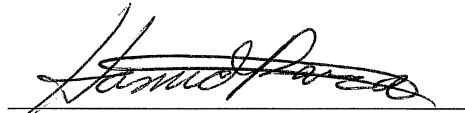
Hon. Judge Pamela Chen

VERIFICATION

I, Hamid Hassan Raza, declare that I am a plaintiff in the above-captioned lawsuit and an officer of the corporate plaintiff Masjid Al-Ansar. I have reviewed the attached Plaintiffs' Responses and Objections to Defendants' First Set of Interrogatories and Requests for Production of Documents and state that to the best of my knowledge the factual responses provided therein that relate to me and Masjid Al-Ansar are true, except to the matters therein stated to be alleged on information and belief and as to those matters, I believe them to be true to the extent that those matters relate to me and Masjid Al-Ansar.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATE: January 6, 2014
New York, New York



HAMID HASSAN RAZA

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

HAMID HASSAN RAZA; MASJID AL-ANSAR;
ASAD DANDIA; MUSLIMS GIVING BACK;
MASJID AT-TAQWA; MOHAMMAD ELSHINAWY,

Plaintiffs,

v.

CITY OF NEW YORK; MICHAEL R. BLOOMBERG,
in his official capacity as Mayor of the City of New
York; RAYMOND W. KELLY, in his official capacity
as Police Commissioner for the City of New York;
DAVID COHEN, in his official capacity as Deputy
Commissioner of Intelligence for the City of New York,

Defendants.

No. 13-cv-03448-PKC-JMA

Hon. Judge Pamela Chen

**PLAINTIFFS' RESPONSES AND OBJECTIONS TO DEFENDANTS' FIRST SET OF
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS:**

**INTERROGATORY RESPONSES OF
MUSLIMS GIVING BACK**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Muslims Giving Back ("Plaintiff") submits the following responses and objections to the interrogatories set forth in Defendants' First Set of Interrogatories and Requests for Production of Documents, dated December 6, 2013 ("Interrogatories").¹

GENERAL RESPONSES AND OBJECTIONS

1. These general objections apply to each of the Interrogatories. To the extent that certain of these general objections are cited in response to a particular Interrogatory, these

¹ Additional responses and objections to Defendants' First Set of Interrogatories and Requests for Production of Documents by each of the Plaintiffs are being served on Defendants concurrently with this response.

specific citations are provided because they are believed to be particularly applicable to the Interrogatory and are not to be construed as a waiver of any other general objection applicable to information or documents falling within the scope of the Interrogatory.

2. This response is based on Plaintiffs' knowledge of the facts and information presently available. Plaintiffs have not completed their discovery, investigation, and preparation for trial in this matter.

3. This response is necessarily limited because there is no protective order in place between Plaintiffs and the Defendants. Plaintiffs reserve the right to supplement, modify, or amend those responses and objections as appropriate after the entry of any protective order.

4. Plaintiffs object to the Interrogatories to the extent that they exceed the scope of discovery authorized by the Court in its Memorandum and Order dated November 22, 2013, which limited discovery in connection with Plaintiffs' motion for a preliminary injunction. As explained in the letter from Hina Shamsi to Peter Farrell dated December 13, 2013, the scope and the sheer number of Interrogatories are also improper, unduly burdensome, oppressive, and overbroad at this stage of the litigation. These responses and objections are made without a resolution of issues discussed during the meet-and-confer conference requested by Plaintiffs' December 13 letter. The shorthand "**Scope**" is used to refer to this objection in response to particular Interrogatories.

5. Plaintiffs object to the Interrogatories to the extent that a complete response by Plaintiffs requires production of information in the possession of Defendants, information that Defendants are in a superior position to know or ascertain, or information that is publicly available. The shorthand "**NYPD Record**," "**Public Record**," or "**NYPD/Public Record**" is used to refer to this objection in response to particular Interrogatories.

6. Plaintiffs object to the Interrogatories to the extent that they are overly broad, unduly burdensome and oppressive, call for speculation, call for narrative answers and/or seek information or documents that are not relevant to the subject matter of this action and are not reasonably calculated to lead to the discovery of admissible evidence. The shorthand “**Undue Burden**” is used to refer to this objection in response to particular Interrogatories.

7. Plaintiffs object to the Interrogatories to the extent that they seek information or documents protected from disclosure by the attorney-client privilege, the joint defense and/or common interest privilege, the work-product doctrine, or any other privilege, doctrine or immunity. The shorthand “**Privilege**” is used to refer to this objection in response to particular Interrogatories.

8. Plaintiffs object to the Interrogatories to the extent that they seek information or documents that violate, implicate, or burden the First Amendment interests of Plaintiffs or Plaintiffs’ members, congregants, worshippers, or donors, or others, including the associational privacy of the members and donors of organizational plaintiffs. The shorthand “**First Amendment**” is used to refer to this objection in response to particular Interrogatories.

9. Plaintiffs object to the Interrogatories to the extent that they seek information or documents that raise significant privacy concerns and/or concerns of perpetuating the very harms that Plaintiffs have sued to prevent. The shorthand “**Privacy**” is used to refer to this objection in response to particular Interrogatories.

10. Plaintiffs object to the Interrogatories to the extent they are posed without a time limitation, vague, ambiguous, and/or susceptible to numerous interpretations, and/or to the extent that they misconstrue language from the Complaint dated June 18, 2013. In such instances, Plaintiffs have adopted a reasonable time limitation and/or interpretation for the Interrogatory,

and answered accordingly. The shorthand “Vagueness” is used to refer to this objection in response to particular Interrogatories.

11. Plaintiffs object to the Interrogatories to the extent that they purport to seek information or documents not within Plaintiffs’ possession, custody or control. The shorthand “Custody” is used to refer to this objection in response to particular Interrogatories.

12. Plaintiffs object to the Interrogatories to the extent that they seek each and every fact supporting specific allegations. Plaintiffs’ response is limited to material facts and is not a detailed or exhaustive listing of all evidence that could be offered at trial.

13. Plaintiffs object to the Interrogatories to the extent that they call for a legal conclusion or questions of pure law separate and apart from the facts of this case.

14. Plaintiffs object to the Interrogatories as overbroad and unduly burdensome in that they are not limited in time and thus exceed the relevant timeframe of the acts giving rise to the claims and defenses alleged in this matter. The Interrogatories call for information that is neither relevant to the prosecution or defense of any claim asserted in this action nor reasonably calculated to lead to the discovery of admissible evidence.

15. Plaintiffs object to the Interrogatories to the extent that they purport to impose upon Plaintiffs obligations inconsistent with or in addition to those set forth in the Federal Rules of Civil Procedure or in the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York. Plaintiffs object to the Defendants’ instructions and definitions to the extent they impose broader definitions or rules of constructions than are set forth in Local Rule 26.3. Plaintiffs further object to the Defendants’ Interrogatories to the extent that the Interrogatories and all discrete subparts exceed the numerical limitation on Interrogatories imposed by Federal Rule of Civil Procedure 33.

16. This response is made without prejudice to Plaintiffs' expressly reserved right to supplement, modify, or amend these responses and objections as appropriate, including upon entry of a protective order and/or resolution of objections raised by Plaintiffs in their letter dated December 13, 2013.

RESPONSES AND OBJECTIONS

Interrogatories 11 – 25:

Plaintiff objects on the basis of unreasonable cumulativeness or duplicativeness to the extent that these Interrogatories are directed to Plaintiff Muslims Giving Back in addition to Plaintiff Asad Dandia. Plaintiff Dandia has personal knowledge of information responsive to Interrogatories 11–25 and will provide responses and objections to those Interrogatories. With respect to Interrogatories 11–25, Plaintiff refers Defendants to the objections and responses that Plaintiff Dandia has provided.

To All Plaintiffs:

49. Identify all persons who provided plaintiffs with documents or communications concerning surveillance or investigations by the NYPD of plaintiffs or other Muslims, and the nature of the information provided.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, Vagueness, Privacy, Privilege, and NYPD/Public Record. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiffs further object to this Interrogatory to the extent it seeks “the nature of the information provided,” as the request is vague and imposes an obligation on Plaintiff beyond what Local Rule 26.3 allows. Plaintiff further objects on the basis of Privilege to the extent Defendants seek information regarding documents or communications exchanged between Plaintiffs and Plaintiffs’ counsel, including attorneys and support staff from the American Civil Liberties Union (“ACLU”), New York Civil Liberties Union (“NYCLU”), and CLEAR project of CUNY School of Law (“CLEAR”), and to the extent Defendants seek documents or communications prepared by or for Plaintiff or Plaintiff’s counsel in anticipation of litigation or for trial in this case. Plaintiff further objects on the basis of NYPD/Public Record to the extent Defendants seek information regarding documents or communications that have been made publicly available in media reports. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

50. Identify all purported NYPD Informants who communicated with plaintiffs, plaintiffs' congregants, or plaintiffs' members, donors or attendees concerning surveillance or investigations of plaintiffs by the NYPD.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Vagueness, Custody, and NYPD/Public Record. Plaintiff further objects on the basis of NYPD/Public Record and Custody because it is not in a position to know all individuals who were or are NYPD Informants and will not speculate as to who has been acting as NYPD Informants. Plaintiff also objects on the basis of Custody because it is not in the position to know "all" NYPD Informants who communicated with plaintiffs' "congregants," "members," "donors," or "attendees" concerning surveillance or investigations of plaintiffs by the NYPD. Subject to and without waiving or limiting any objections, Plaintiff responds as follows:

Shamiur Rahman

Last known address: unknown

Last known place of employment: New York City Police Department

51. Identify all founding members, leaders, Imams, assistant Imams, clergy, cleriq, heads of security, board members, and directors of plaintiffs Masjid Al-Ansar, Masjid At-Taqwa and Muslims Giving Back.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, Custody, and Vagueness. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects on the basis of Vagueness to the undefined term "leaders." Subject to and without waiving or limiting any objections, Plaintiff construes the term "founding" to modify all succeeding nouns in this Interrogatory and responds as follows with respect to the founding board members of Fesabeelillah Services of NYC, Inc.:

Mohammed Butt

Contact through Plaintiffs' Counsel

Asad Dandia

Contact through Plaintiffs' Counsel

Talal Syed

Contact through Plaintiffs' Counsel

52. Describe the current organizational structure of Muslims Giving Back, Masjid Al-Ansar and Masjid At-Taqwa, and identify the current leadership, head of security, board members, officers, and executives.

Response: Plaintiff objects on the basis of Scope, Undue Burden, First Amendment, Privacy, Vagueness and Custody. Plaintiff further objects on the basis of Vagueness to the undefined term “leadership” and to the vague request for information about the “current organizational structure.” Subject to and without waiving or limiting any objections, Plaintiff responds as follows with respect to current board members of Muslims Giving Back:

Mohamed Bahi, President

Contact through Plaintiffs' Counsel

Mohammad Mohammad, Vice President

Contact through Plaintiffs' Counsel

Mohammed Butt, Treasurer

53. Identify all fundraising events and activities held or organized by plaintiffs and the amounts collected from each event.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, Privacy, First Amendment, Custody, and Vagueness. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects on the basis of Vagueness to the undefined phrase, “fundraising events and activities.” Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the

absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

54. Identify all persons at Muslims Giving Back, Masjid Al-Ansar and Masjid At-Taqwa whose duties and responsibilities include the management or handling of its finances, including but not limited to, the maintenance of books and records; payment of expenses; or the collection of revenue or donations.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Privacy, First Amendment, Custody, and Vagueness. Plaintiff objects on the basis of First Amendment and Privacy to the extent that the Interrogatory seeks disclosure of the identities of organizational members who participate in the collection of donations. Subject to and without waiving or limiting any objections, Plaintiff responds as follows with respect to the Muslims Giving Back board member whose duties and responsibilities include management or handling of finances:

Mohammed Butt

55. Identify any and all employers of plaintiffs Raza, Dandia, and Elshinawy, both past and present, including the name, telephone number and address of each employer and the dates (month and year) of each employment.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Custody, and Vagueness. Plaintiff refers Defendants to the objections and responses of the individual plaintiffs, who are the appropriate parties to respond to this Interrogatory. To the extent that the Interrogatory is directed to Plaintiff, Plaintiff objects on the basis of unreasonable cumulativeness and duplicativeness, and because it is multi-part.

56. Identify each occasion, if any, on which plaintiffs Raza, Dandia, and Elshinawy have been arrested, including the (i) date and location of the arrest, (ii) all charges for which the person was arrested, and (iii) the disposition of each charge (including expunged). This request includes all arrests in any jurisdiction.

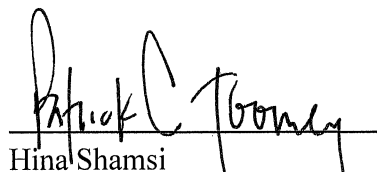
Response: Plaintiff objects on the basis of Scope, Undue Burden, NYPD/Public Record, and Vagueness. Plaintiff refers Defendants to the objections and responses of the individual plaintiffs, who are the appropriate parties to respond to this Interrogatory. To the extent that the Interrogatory is directed to Plaintiff, Plaintiff objects on the basis of unreasonable cumulateness and duplicativeness, and because it is multi-part.

57. Identify any and all additional names, legal names, illegal names, aliases, former/prior names, birth names, business names, doing-business-as names, nicknames, if any, ever used by plaintiffs.

Response: Plaintiff objects on the basis of Scope, Undue Burden, NYPD/Public Record, and Vagueness. Subject to and without waiving or limiting any objections, Plaintiff responds as follows with respect to Muslims Giving Back:

Fesabeelillah Services of NYC, Inc.

Dated: January 6, 2014



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Patrick Toomey
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

HAMID HASSAN RAZA; MASJID AL-ANSAR;
ASAD DANDIA; MUSLIMS GIVING BACK;
MASJID AT-TAQWA; MOHAMMAD ELSHINAWY,

Plaintiffs,

v.

CITY OF NEW YORK; MICHAEL R. BLOOMBERG,
in his official capacity as Mayor of the City of New
York; RAYMOND W. KELLY, in his official capacity
as Police Commissioner for the City of New York;
DAVID COHEN, in his official capacity as Deputy
Commissioner of Intelligence for the City of New York,

Defendants.

No. 13-cv-03448-PKC-JMA

Hon. Judge Pamela Chen

VERIFICATION

I, Mohammed Butt, declare that I am an officer of Muslims Giving Back, a plaintiff in the above-captioned lawsuit. I have reviewed the attached Plaintiffs' Responses and Objections to Defendants' First Set of Interrogatories and Requests for Production of Documents and state that to the best of my knowledge the factual responses provided therein that relate to Muslims Giving Back are true, except to the matters therein stated to be alleged on information and belief, and as to those matters, I believe them to be true to the extent that those matters relate to Muslims Giving Back.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATE: 1/3/2014

New York, New York

FESABEELILLAH SVCS OF NYC INC.
MUSLIMS GIVING BACK
1753 E 12 ST • BROOKLYN, NY 11229
donate@muslimsgivingback.org
www.muslimsgivingback.org
(646) 464-3700 • TAX ID #45-3736091



MOHAMMED BUTT

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

HAMID HASSAN RAZA; MASJID AL-ANSAR;
ASAD DANDIA; MUSLIMS GIVING BACK;
MASJID AT-TAQWA; MOHAMMAD ELSHINAWY,

Plaintiffs,

v.

CITY OF NEW YORK; MICHAEL R. BLOOMBERG,
in his official capacity as Mayor of the City of New
York; RAYMOND W. KELLY, in his official capacity
as Police Commissioner for the City of New York;
DAVID COHEN, in his official capacity as Deputy
Commissioner of Intelligence for the City of New York,

Defendants.

No. 13-cv-03448-PKC-JMA

Hon. Judge Pamela Chen

**PLAINTIFFS' RESPONSES AND OBJECTIONS TO DEFENDANTS' FIRST SET OF
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS:**

**INTERROGATORY RESPONSES OF
ASAD DANDIA**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Asad Dandia ("Plaintiff") submits the following responses and objections to the interrogatories set forth in Defendants' First Set of Interrogatories and Requests for Production of Documents, dated December 6, 2013 ("Interrogatories").¹

GENERAL RESPONSES AND OBJECTIONS

1. These general objections apply to each of the Interrogatories. To the extent that certain of these general objections are cited in response to a particular Interrogatory, these

¹ Additional responses and objections to Defendants' First Set of Interrogatories and Requests for Production of Documents by each of the Plaintiffs are being served on Defendants concurrently with this response.

specific citations are provided because they are believed to be particularly applicable to the Interrogatory and are not to be construed as a waiver of any other general objection applicable to information or documents falling within the scope of the Interrogatory.

2. This response is based on Plaintiffs' knowledge of the facts and information presently available. Plaintiffs have not completed their discovery, investigation, and preparation for trial in this matter.

3. This response is necessarily limited because there is no protective order in place between Plaintiffs and the Defendants. Plaintiffs reserve the right to supplement, modify, or amend those responses and objections as appropriate after the entry of any protective order.

4. Plaintiffs object to the Interrogatories to the extent that they exceed the scope of discovery authorized by the Court in its Memorandum and Order dated November 22, 2013, which limited discovery in connection with Plaintiffs' motion for a preliminary injunction. As explained in the letter from Hina Shamsi to Peter Farrell dated December 13, 2013, the scope and the sheer number of Interrogatories are also improper, unduly burdensome, oppressive, and overbroad at this stage of the litigation. These responses and objections are made without a resolution of issues discussed during the meet-and-confer conference requested by Plaintiffs' December 13 letter. The shorthand "Scope" is used to refer to this objection in response to particular Interrogatories.

5. Plaintiffs object to the Interrogatories to the extent that a complete response by Plaintiffs requires production of information in the possession of Defendants, information that Defendants are in a superior position to know or ascertain, or information that is publicly available. The shorthand "NYPD Record," "Public Record," or "NYPD/Public Record" is used to refer to this objection in response to particular Interrogatories.

6. Plaintiffs object to the Interrogatories to the extent that they are overly broad, unduly burdensome and oppressive, call for speculation, call for narrative answers and/or seek information or documents that are not relevant to the subject matter of this action and are not reasonably calculated to lead to the discovery of admissible evidence. The shorthand “**Undue Burden**” is used to refer to this objection in response to particular Interrogatories.

7. Plaintiffs object to the Interrogatories to the extent that they seek information or documents protected from disclosure by the attorney-client privilege, the joint defense and/or common interest privilege, the work-product doctrine, or any other privilege, doctrine or immunity. The shorthand “**Privilege**” is used to refer to this objection in response to particular Interrogatories.

8. Plaintiffs object to the Interrogatories to the extent that they seek information or documents that violate, implicate, or burden the First Amendment interests of Plaintiffs or Plaintiffs’ members, congregants, worshippers, or donors, or others, including the associational privacy of the members and donors of organizational plaintiffs. The shorthand “**First Amendment**” is used to refer to this objection in response to particular Interrogatories.

9. Plaintiffs object to the Interrogatories to the extent that they seek information or documents that raise significant privacy concerns and/or concerns of perpetuating the very harms that Plaintiffs have sued to prevent. The shorthand “**Privacy**” is used to refer to this objection in response to particular Interrogatories.

10. Plaintiffs object to the Interrogatories to the extent they are posed without a time limitation, vague, ambiguous, and/or susceptible to numerous interpretations, and/or to the extent that they misconstrue language from the Complaint dated June 18, 2013. In such instances, Plaintiffs have adopted a reasonable time limitation and/or interpretation for the Interrogatory,

and answered accordingly. The shorthand “Vagueness” is used to refer to this objection in response to particular Interrogatories.

11. Plaintiffs object to the Interrogatories to the extent that they purport to seek information or documents not within Plaintiffs’ possession, custody or control. The shorthand “Custody” is used to refer to this objection in response to particular Interrogatories.

12. Plaintiffs object to the Interrogatories to the extent that they seek each and every fact supporting specific allegations. Plaintiffs’ response is limited to material facts and is not a detailed or exhaustive listing of all evidence that could be offered at trial.

13. Plaintiffs object to the Interrogatories to the extent that they call for a legal conclusion or questions of pure law separate and apart from the facts of this case.

14. Plaintiffs object to the Interrogatories as overbroad and unduly burdensome in that they are not limited in time and thus exceed the relevant timeframe of the acts giving rise to the claims and defenses alleged in this matter. The Interrogatories call for information that is neither relevant to the prosecution or defense of any claim asserted in this action nor reasonably calculated to lead to the discovery of admissible evidence.

15. Plaintiffs object to the Interrogatories to the extent that they purport to impose upon Plaintiffs obligations inconsistent with or in addition to those set forth in the Federal Rules of Civil Procedure or in the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York. Plaintiffs object to the Defendants’ instructions and definitions to the extent they impose broader definitions or rules of constructions than are set forth in Local Rule 26.3. Plaintiffs further object to the Defendants’ Interrogatories to the extent that the Interrogatories and all discrete subparts exceed the numerical limitation on Interrogatories imposed by Federal Rule of Civil Procedure 33.

16. This response is made without prejudice to Plaintiffs' expressly reserved right to supplement, modify, or amend these responses and objections as appropriate, including upon entry of a protective order and/or resolution of objections raised by Plaintiffs in their letter dated December 13, 2013.

RESPONSES AND OBJECTIONS

To Asad Dandia/Muslims Giving Back Only:

11. Identify all persons who were active members of Fesabeelilah ("FSNYC"), who donated to FSNYC, or who regularly attended FSNYC events, as alleged in ¶ 81 of the complaint.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, First Amendment, Privacy, and Vagueness. The Interrogatory is vague to the extent it uses the undefined term "active members" and refers to those who "regularly attended FSNYC events." Moreover, FSNYC has a First Amendment right to privacy in its membership and donor lists. Subject to and without waiving or limiting any objections, Plaintiff responds that the FSNYC Board consisted of the following individuals:

Asad Dandia
Contact through Plaintiffs' counsel

Mohammed Butt
Contact through Plaintiffs' counsel

Talal Syed
Contact through Plaintiffs' counsel

12. Identify all persons who Dandia introduced to Shamiur Rahman in 2012, as alleged in ¶ 84 of the complaint.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, Privacy, NYPD Record, and Vagueness. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's

Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

13. Identify all persons who were asked by Rahman for their phone numbers, as alleged in ¶ 87 of the complaint.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, First Amendment, Privacy, NYPD Record, and Custody. Plaintiff further objects on the basis of Custody because he may not know the identities of all persons who were asked by Rahman for their phone numbers. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

14. Identify all efforts specifically undertaken by Dandia to publicize FSNYC and MGB, as alleged in ¶ 92 of the complaint.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, Public Record, and Vagueness. Plaintiff further objects on the basis of Vagueness as paragraph 92 of the Complaint states that Mr. Dandia personally stopped publicizing FSNYC activities.

15. Identify all persons referenced in ¶¶ 90-92 of the complaint, including (i) all “friends” who told Dandia that NYPD Informants had infiltrated FSNYC; (ii) the identity of the “credible source in the NYPD Intelligence Division”; and (iii) the identities of the NYPD Informants who purportedly infiltrated FSNYC.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, Privacy, Vagueness, NYPD Record, and Custody. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects on the basis of NYPD Record and Custody because he does not know the identities of all NYPD Informants who infiltrated FSNYC and will not speculate as to their identities. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered. Subject to and without waiving or limiting any objections, Plaintiff responds as follows with respect to part (ii) of the Interrogatory:

Plaintiff Dandia does not know the identity of the person his friend described as a credible source in the NYPD Intelligence Division.

Plaintiff further responds as follows with respect to part (iii) of the Interrogatory:

Shamiur Rahman

Last known address: Unknown

Last known employment: New York City Police Department

16. Identify the “friends” who were told by Dandia of the alleged “infiltration” by the NYPD, and the “FSNYC board member” who decided to be less active with the organization out of concern that the organization was infiltrated, as alleged in ¶ 93 of the complaint.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, Privacy, Vagueness, NYPD Record, and Custody. Plaintiff further objects to this Interrogatory

because it is multi-part. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered. Subject to and without waiving or limiting any objections, Plaintiff responds as follows with respect to the "FSNYC board member" who decided to be less active with the organization out of concern that the organization was infiltrated, as alleged in ¶ 93 of the complaint:

Talal Syed

17. Identify the persons present at the "Napoleon event" referred to in ¶ 95 of the complaint, including but not limited to, all speakers, invitees, and attendees.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, First Amendment, Privacy, Vagueness, and Custody. Plaintiff further objects that it is impossible for him to identify all invitees and attendees at this public event. Plaintiff further objects that the invitees and attendees at the event have a First Amendment right to privacy in the fact of their attendance at the event. Subject to and without waiving or limiting any objections, Plaintiff responds as follows with respect to speakers:

Mutah Beale (a/k/a "Napoleon")

Last known address: unknown

Last known place of employment: unknown

Mohammed Butt

18. Identify all members who told Dandia that they would cease their activities with

FSNYC “largely because they were fearful of being spied upon by an NYPD Informant” as alleged in ¶ 95 of the complaint.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, First Amendment, and Privacy. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

19. Identify the members of Muslims Giving Back who were gathered together outside Masjid Omar in September 2012, and the “friend” who attempted to end the conversation with Rahman, as alleged in ¶¶ 101 and 102.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, First Amendment, Privacy, and Vagueness. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

20. Identify all persons inside Masjid Omar whom Rahman attempted to engage in

discussions concerning political developments in the Middle East in September 2012, including all persons who left, “saying that they were not comfortable having the discussion”, as alleged in ¶ 102 of the complaint.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, First Amendment, Privacy, and Vagueness. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

21. Identify all persons who told Dandia that “Rahman was a ‘spy’” as alleged in ¶ 103 of the complaint.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, and Privacy. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

22. Identify the religious leader at Masjid Omar who asked plaintiff Dandia to stop posting and soliciting donations at Masjid Omar after Friday services as alleged in ¶ 106 of the complaint.

Response: Plaintiff objects to this Interrogatory on the basis of Scope and Undue Burden.

Subject to and without waiving or limiting any objections, Plaintiff responds as follows:

Imam Shariful Islam

Last known address: unknown

Last known place of employment: Islamic Center of Brighton Beach

23. Identify the religious leader at Masjid Omar who asked Dandia to stop holding meetings and bringing new people to Masjid Omar, as alleged in ¶ 108 of the complaint.

Response: Plaintiff objects to this Interrogatory on the basis of Scope and Undue Burden.

Subject to and without waiving or limiting any objections, Plaintiff responds as follows:

Imam Shariful Islam

Last known address: unknown

Last known place of employment: Islamic Center of Brighton Beach

24. Identify the web pages where Muslims Giving Back posted online pictures, as alleged in ¶ 110 of the complaint.

Response: Plaintiff objects to this Interrogatory on the basis of Scope and Undue Burden.

Subject to and without waiving or limiting any objections, Plaintiff responds as follows:

<https://www.facebook.com/muslims.givingback>

<https://www.facebook.com/pages/Muslims-Giving-Back/367920049953056>

25. Identify the members of Muslims Giving Back who were allegedly concerned with drawing attention from law enforcement after promulgation of Rahman's identify [sic], as alleged in ¶ 110 of the complaint.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, First Amendment, and Privacy. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants' interest in obtaining the information at this stage, particularly in the absence of a protective order.

Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered. Subject to and without waiving or limiting any objections, Plaintiff responds as follows with respect to current and former board members of Muslims Giving Back who were concerned with drawing attention from law enforcement after promulgation of Rahman's identity, as alleged in ¶ 110 of the complaint:

Asad Dandia

Mohamed Bahi

Talal Syed

To All Plaintiffs:

49. Identify all persons who provided plaintiffs with documents or communications concerning surveillance or investigations by the NYPD of plaintiffs or other Muslims, and the nature of the information provided.

Response: Plaintiff objects to this Interrogatory on the basis of Scope, Undue Burden, Vagueness, Privacy, Privilege, and NYPD/Public Record. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiffs further object to this Interrogatory to the extent it seeks “the nature of the information provided,” as the request is vague and imposes an obligation on Plaintiff beyond what Local Rule 26.3 allows. Plaintiff further objects on the basis of Privilege to the extent Defendants seek information regarding documents or communications exchanged between Plaintiffs and Plaintiffs’ counsel, including attorneys and support staff from the American Civil Liberties Union (“ACLU”), New York Civil Liberties Union (“NYCLU”), and CLEAR project of CUNY School of Law (“CLEAR”), and to the extent Defendants seek documents or communications prepared by or for Plaintiff or Plaintiff’s counsel in anticipation of litigation or for trial in this case. Plaintiff further objects on the basis of NYPD/Public Record to the extent Defendants seek information regarding documents or communications that have been made publicly available in media reports. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court’s Memorandum and Order of November 22, 2013, in connection with Plaintiff’s preliminary injunction motion, and because the privacy harm from disclosure outweighs Defendants’ interest in obtaining the information at this stage, particularly in the absence of a protective order. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

50. Identify all purported NYPD Informants who communicated with plaintiffs, plaintiffs' congregants, or plaintiffs' members, donors or attendees concerning surveillance or investigations of plaintiffs by the NYPD.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Vagueness, Custody, and NYPD/Public Record. Plaintiff further objects on the basis of NYPD/Public Record and Custody because he is not in a position to know all individuals who were or are NYPD Informants and will not speculate as to who has been acting as NYPD Informants. Plaintiff also objects on the basis of Custody because he is not in the position to know "all" NYPD Informants who communicated with plaintiffs' "congregants," "members," "donors," or "attendees" concerning surveillance or investigations of plaintiffs by the NYPD. Subject to and without waiving or limiting any objections, Plaintiff responds as follows:

Shamiur Rahman

51. Identify all founding members, leaders, Imams, assistant Imams, clergy, cleriq, heads of security, board members, and directors of plaintiffs Masjid Al-Ansar, Masjid At-Taqwa and Muslims Giving Back.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Custody, and Vagueness. Plaintiff refers Defendants to the objections and responses of the organizational plaintiffs, who are the appropriate parties to respond to this Interrogatory. To the extent that the Interrogatory is directed to Plaintiff, Plaintiff objects on the basis of unreasonable cumulativeness and duplicativeness.

52. Describe the current organizational structure of Muslims Giving Back, Masjid Al-Ansar and Masjid At-Taqwa, and identify the current leadership, head of security, board members, officers, and executives.

Response: Plaintiff objects on the basis of Scope, Undue Burden, First Amendment,

Custody, Privacy, and Vagueness. Plaintiff refers Defendants to the objections and responses of the organizational plaintiffs, who are the appropriate parties to respond to this Interrogatory. To the extent that the Interrogatory is directed to Plaintiff, Plaintiff objects on the basis of unreasonable cumulateness and duplicativeness.

53. Identify all fundraising events and activities held or organized by plaintiffs and the amounts collected from each event.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Privacy, First Amendment, Custody, and Vagueness. Plaintiff refers Defendants to the objections and responses of the organizational plaintiffs, who are the appropriate parties to respond to this Interrogatory. To the extent that the Interrogatory is directed to Plaintiff, Plaintiff objects on the basis of unreasonable cumulateness and duplicativeness.

54. Identify all persons at Muslims Giving Back, Masjid Al-Ansar and Masjid At-Taqwa whose duties and responsibilities include the management or handling of its finances, including but not limited to, the maintenance of books and records; payment of expenses; or the collection of revenue or donations.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Privacy, First Amendment, Custody, and Vagueness. Plaintiff refers Defendants to the objections and responses of the organizational plaintiffs, who are the appropriate parties to respond to this Interrogatory. To the extent that the Interrogatory is directed to Plaintiff, Plaintiff objects on the basis of unreasonable cumulateness and duplicativeness.

55. Identify any and all employers of plaintiffs Raza, Dandia, and Elshinawy, both past and present, including the name, telephone number and address of each employer and the dates (month and year) of each employment.

Response: Plaintiff objects on the basis of Scope, Undue Burden, Privacy, and Vagueness. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects to the Interrogatory because it is harassing and imposes an obligation on Plaintiff beyond

what Local Rule 26.3 allows. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

56. Identify each occasion, if any, on which plaintiffs Raza, Dandia, and Elshinawy have been arrested, including the (i) date and location of the arrest, (ii) all charges for which the person was arrested, and (iii) the disposition of each charge (including expunged). This request includes all arrests in any jurisdiction.

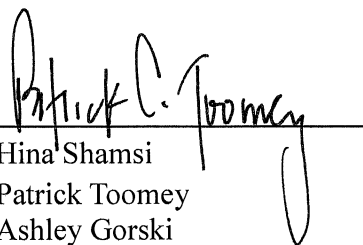
Response: Plaintiff objects on the basis of Scope, Undue Burden, NYPD/Public Record, and Vagueness. Plaintiff further objects to this Interrogatory because it is multi-part. Plaintiff further objects to the Interrogatory because it is harassing. Plaintiff further objects to this Interrogatory on the basis of Scope and Undue Burden because it exceeds the limited discovery authorized by the Court's Memorandum and Order of November 22, 2013, in connection with Plaintiff's preliminary injunction motion. Plaintiff reserves the right to supplement, modify, or amend those responses and objections as appropriate should Defendants re-serve the Interrogatory once discovery proceeds beyond its current limited scope and/or once a protective order is entered.

57. Identify any and all additional names, legal names, illegal names, aliases, former/prior names, birth names, business names, doing-business-as names, nicknames, if any, ever used by plaintiffs.

Response: Plaintiff objects on the basis of Scope, Undue Burden, NYPD/Public Record, and Vagueness. Subject to and without waiving or limiting any objections, Plaintiff responds as follows with respect to himself:

Nicknames: "Ace" or "Ace Khurasaan"

Dated: January 6, 2014



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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

HAMID HASSAN RAZA; MASJID AL-ANSAR;
ASAD DANDIA; MUSLIMS GIVING BACK;
MASJID AT-TAQWA; MOHAMMAD ELSHINAWY,

Plaintiffs,

v.

CITY OF NEW YORK; MICHAEL R. BLOOMBERG,
in his official capacity as Mayor of the City of New
York; RAYMOND W. KELLY, in his official capacity
as Police Commissioner for the City of New York;
DAVID COHEN, in his official capacity as Deputy
Commissioner of Intelligence for the City of New York,

Defendants.

No. 13-cv-03448-PKC-JMA

Hon. Judge Pamela Chen

VERIFICATION

I, Asad Dandia, declare that I am a plaintiff in the above-captioned lawsuit. I have reviewed the attached Plaintiffs' Responses and Objections to Defendants' First Set of Interrogatories and Requests for Production of Documents and state that to the best of my knowledge the factual responses provided therein that relate to me and Muslims Giving Back are true, except to the matters therein stated to be alleged on information and belief and as to those matters, I believe them to be true to the extent that those matters relate to me and Muslims Giving Back.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATE: 1/3/14

New York, New York



ASAD DANDIA

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

HAMID HASSAN RAZA; MASJID AL-ANSAR;
ASAD DANDIA; MUSLIMS GIVING BACK;
MASJID AT-TAQWA; MOHAMMAD ELSHINAWY,

Plaintiffs,

v.

CITY OF NEW YORK; MICHAEL R. BLOOMBERG,
in his official capacity as Mayor of the City of New
York; RAYMOND W. KELLY, in his official capacity
as Police Commissioner for the City of New York;
DAVID COHEN, in his official capacity as Deputy
Commissioner of Intelligence for the City of New York,

Defendants.

No. 13-cv-03448-PKC-JMA

Hon. Judge Pamela Chen

**RESPONSES AND OBJECTIONS OF PLAINTIFFS TO DEFENDANTS' FIRST SET OF
REQUESTS FOR THE PRODUCTION OF DOCUMENTS**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and the applicable Civil Rules of the United States District Court for the Southern District of New York, Plaintiffs hereby submit the following responses and objections to Defendants' First Set of Requests for the Production of Documents ("Document Request"), dated December 6, 2013.

GENERAL RESPONSES AND OBJECTIONS

1. These general objections apply to each of the document requests. To the extent that certain of these general objections are cited in response to a particular request, these specific citations are provided because they are believed to be particularly applicable to the document request and are not to be construed as a waiver of any other general objection applicable to

information or documents falling within the scope of the request.

2. This response is based on Plaintiffs' knowledge of the facts and information presently available. Plaintiffs have not completed their discovery, investigation, and preparation for trial in this matter. This response is made without prejudice to Plaintiffs' right to supplement, modify, or amend these responses and objections as appropriate.

3. This response is necessarily limited because there is no protective order in place between Plaintiffs and the Defendants. Plaintiffs reserve the right to decline to produce documents containing private, sensitive, or confidential information prior to the entry of a protective order.

4. Plaintiffs object to the Document Request to the extent that it exceeds the scope of discovery authorized by the Court in its Memorandum and Order dated November 22, 2013, which provided limited discovery in connection with Plaintiffs' motion for a preliminary injunction. As explained in the letter from Hina Shamsi to Peter Farrell dated December 13, 2013, the scope and the sheer number of document requests are also improper, unduly burdensome, oppressive, and overbroad at this stage of the litigation. These responses and objections are made without a resolution of issues discussed during the meet-and-confer conference requested by Plaintiffs' December 13 letter. The shorthand "**Scope**" is used to refer to this objection in response to particular document requests.

5. Plaintiffs object to the Document Request to the extent that it is overly broad, unduly burdensome and oppressive, call for speculation, call for narrative answers and/or seek information or documents that are not relevant to the subject-matter of this action and are not reasonably calculated to lead to the discovery of admissible evidence. The shorthand "**Undue Burden**" is used to refer to this objection in response to particular document requests.

6. Plaintiffs object to the Document Request to the extent that it seeks the production of documents that are already in Defendants' possession, custody, or control, that Defendants are in a superior position to identify or obtain, or that are publicly available or otherwise readily accessible to Defendants. The shorthand "**NYPD Record**," "**Public Record**," or "**NYPD/Public Record**" is used to refer to this objection in response to particular document requests.

7. Plaintiffs object to the Document Request to the extent that it seeks information or documents not within Plaintiff's possession, custody or control. The shorthand "**Custody**" is used to refer to this objection in response to particular document requests.

8. Plaintiffs object to the Document Request to the extent that it seeks information or documents protected from disclosure by the attorney-client privilege, the work-product doctrine, the joint-defense and/or common-interest privilege, or any other privilege, doctrine or immunity. For each request, Plaintiffs object to the extent the request seeks material protected by attorney-client privilege and work-product doctrine, including but not limited to: communications between any Plaintiff and Plaintiffs' counsel, communications among Plaintiffs' counsel, and memoranda, research, or similar documents collected by or created by any Plaintiff and/or Plaintiffs' counsel. "Plaintiffs' counsel" as used herein includes any regular and temporary employees of Plaintiffs' counsel and any law-student interns or clinical students assisting in the conduct of the lawsuit and the service vendors of its counsel assisting in the conduct of the lawsuit. The attorney-client privilege and work-product doctrine apply to documents and communications created in anticipation of the above-captioned lawsuit and in the course of defending against any criminal investigation or prosecution of any Plaintiff. The shorthand "**Privilege**" is used to refer to this objection in response to particular document requests.

9. In the event that material subject to the attorney-client privilege, the work-product

doctrine, the joint-defense and/or common-interest privilege, or any other applicable privilege, law, rule, protection, or immunity is produced inadvertently, such inadvertent production shall not be deemed to constitute a waiver of such privilege, doctrine, law, rule, protection, or immunity, and such documents shall be returned promptly to Plaintiffs.

10. Plaintiffs object to the Document Request to the extent that it violates, implicates, or burdens the First Amendment interests of Plaintiffs or Plaintiffs' members, congregants, worshippers, donors, or others. The shorthand "**First Amendment**" is used to refer to this objection in response to particular document requests.

11. Plaintiffs object to the Document Request to the extent that they seek information or documents that raise significant privacy concerns and/or concerns of perpetuating the very harms that Plaintiffs have sued to prevent. The shorthand "**Privacy**" is used to refer to this objection in response to particular document requests.

12. Plaintiffs object to the Document Request to the extent they are posed without a time limitation, vague, ambiguous and/or susceptible to numerous interpretations, and/or to the extent that they misconstrue language from the Complaint dated June 18, 2013. In such instances, Plaintiff has adopted a reasonable time limitation and/or interpretation for the request and responded accordingly. The shorthand "**Vagueness**" is used to refer to this objection in response to particular document requests.

13. Plaintiffs object to the Document Request to the extent that it seeks each and every fact supporting specific allegations. Plaintiffs' response is limited to material facts and is not a detailed or exhaustive listing of all evidence that could be offered at trial.

14. Plaintiffs object to the Document Request to the extent that it calls for a legal conclusion or questions of pure law separate and apart from the facts of this case.

15. Plaintiffs object to the Document Request as overbroad and unduly burdensome in that it seeks information from January 1, 2000, to the present and thus exceed the relevant timeframe of the acts allegedly giving rise to the claims and defenses alleged in this matter. The Document Request calls for information that is neither relevant to the prosecution or defense of any claim asserted in this action nor reasonably calculated to lead to the discovery of admissible evidence.

16. Plaintiffs object to the Document Request to the extent that it purports to impose upon Plaintiffs obligations inconsistent with or in addition to those set forth in the Federal Rules of Civil Procedure or in the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York. Plaintiffs object to the Defendants' instructions and definitions to the extent they impose broader definitions or rules of constructions than are set forth in Local Rule 26.3. Plaintiffs further object to the Document Request to the extent that any of its definitions, instructions, or document requests are not directed to the facts and contentions of the litigation or are not reasonably calculated to lead to the discovery of admissible evidence.

17. To the extent that Plaintiffs respond to requests to which they object, such objections are not waived. In addition, a statement in any response that Plaintiffs will produce documents or other materials does not mean that any such documents or materials actually exist.

18. To the extent that Plaintiffs agree to produce documents in response to a particular request, Plaintiffs agree only to produce documents that Plaintiffs are able to retrieve by means of a reasonable search of their own records. A reasonable search shall be deemed to consist of a search of Plaintiffs' files, which by virtue of their title, location, or nature, are likely to contain responsive documents.

19. This response is made without prejudice to Plaintiffs' expressly reserved right to

supplement, modify, or amend these responses and objections as appropriate, including upon entry of a protective order and/or resolution of objections raised by Plaintiffs in their letter dated December 13, 2013.

SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS

Requests Pertaining to All Plaintiffs

Request No. 1.

All documents and communications concerning surveillance or investigations of plaintiffs by the NYPD or any other law enforcement agency.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, NYPD/Public Record, and Privilege. Plaintiffs further object to the request as irrelevant and overbroad because, among other things, it seeks documents concerning surveillance or investigations of Plaintiffs by “any other law enforcement agency.”

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request. Subject to and without waiving or limiting any objections, Plaintiffs refer Defendants to their contemporaneous production. Plaintiffs reserve the right to supplement this production.

Request No. 2.

All documents and communications concerning surveillance or investigations of Muslims generally by the NYPD or any other law enforcement agency.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, NYPD/Public Record, and Privilege. Plaintiffs further object to the request as irrelevant and overbroad because, among other things, it seeks documents concerning surveillance or investigations of Muslims by “any other law enforcement agency.”

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request. Subject to and without

waiving or limiting any objections, Plaintiffs refer Defendants to their contemporaneous production. Plaintiffs reserve the right to supplement this production.

Request No. 3.

All Communications concerning this Action between any Plaintiff and any person.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 4.

All documents and communications from, to, or concerning any of the following persons: (a) the person identified by plaintiffs in the complaint as “Bilal”; (b) Kamil Pasha; (c) Shamiur Rahman; (d) Detective O’Gara; (e) any NYPD Informants or Law Enforcement Personnel; or (f) any federal or other investigators, domestic or foreign.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, NYPD/Public Record, and Privilege. Plaintiffs further object to the request as irrelevant and overbroad because, among other things, it seeks documents and communications from, to, or concerning “any federal or other investigators, domestic or foreign.” Plaintiffs further object to the request to the extent that it requires Plaintiffs to speculate as to the identities of “NYPD Informants and Law Enforcement Personnel.”

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request. Subject to and without waiving or limiting any objections, Plaintiffs refer Defendants to their contemporaneous production. Plaintiffs reserve the right to supplement this production.

Request No. 5.

All documents and communications from, to, or concerning any of the following persons:

- a. Mohammad Babar;
- b. Syed Hashmi;
- c. Abdel Hameed Shehadeh;
- d. Agron Hasbajrami;
- e. Carlos Almonte;
- f. Mohammed Alessa;
- g. Hesham Elashry;
- h. Ali Jawad;
- i. Rany Kased;
- j. Moazzam Begg;
- k. Farooque Ahmed;
- l. Clement Rodney Hampton-El;
- m. Siddig Siddig Ali;
- n. El Sayyid Nosair;
- o. Marcus Dwayne Robertson;
- p. Abdel Naser Zaben;
- q. Wesam Elhanafi;
- r. Sabirhan Hasanoff;
- s. Najibullah Zazi;
- t. Zarein Ahmedzay;
- u. Adis Medunjanin;
- v. Omar Abdel Rahman;
- w. Muhammad Butt;
- x. Justin Kaliebe;
- y. Anwar Al-Awlaki
- z. Tarek Mehanna

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, and Privilege. Plaintiffs further object to the request on grounds that it is intended to harass and annoy Plaintiffs and embarks on a fishing expedition.

Request No. 6.

All documents and communications between any Plaintiff and any person charged, convicted, or sentenced in connection with any terrorist-related offense.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, and Vagueness. Plaintiffs further object to the request because, among other things, the phrase “terrorist-related offense” is vague and ambiguous. Plaintiffs further object to the request on grounds that it is intended to harass and annoy Plaintiffs and embarks on a fishing expedition.

Request No. 7.

Documents and communications concerning the attendance or absence of Bilal, Kamil Pasha, Shamiur Rahman, Detective O’Gara, or any NYPD Informants or Law Enforcement Personnel at lectures, speeches, sermons or charity events hosted, given, or organized by plaintiffs.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, NYPD/Public Record, and Privilege. Plaintiffs further object to the request because, among other things, the phrase “lectures, speeches, sermons or charity events hosted, given, or organized by” is vague and ambiguous. Plaintiffs further object to the request to the extent that it requires Plaintiffs to speculate as to the identities of “NYPD Informants and Law Enforcement Personnel.”

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 8.

Documents and communications concerning Plaintiffs’ alleged fears of attracting unwarranted NYPD scrutiny due to alleged surveillance of plaintiffs by the NYPD.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 9.

Any NYPD document in the possession of any Plaintiff.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, NYPD/Public Record, and Privilege. Plaintiffs further object to the request because, among other things, the phrase “NYPD document” is vague and ambiguous.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request. Plaintiffs refer Defendants to their contemporaneous production. Plaintiffs reserve the right to supplement this production.

Request No. 10.

All documents and communications by Imam Adam concerning the plane crash referenced in ¶ 129 of the complaint.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, Privacy, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 11.

All Documents and Communications concerning, implicitly or explicitly, the use of physical force, violence or unlawful acts as a way to (i) promote religious goals; (ii) harm non-Muslim people or groups; or (iii) effect political change in the United States or abroad.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, and Vagueness. Plaintiffs further object to the request because, among other things, the following phrases are

vague and ambiguous: (a) “concerning, implicitly or explicitly, the use of physical force, violence or unlawful acts”; (b) “promote religious goals”; (c) “harm non-Muslim people or groups”; and (d) “effect political change in the United States or abroad.” Plaintiffs further object to the request on grounds that it is intended to harass and annoy Plaintiffs and embarks on a fishing expedition.

Request No. 12.

All Documents and Communications by plaintiffs concerning: “terrorism”; “jihad”; “jihad training”; the concept of “jihad”; “Salafi jihad”; “Califate”; “revolution”; “mujahedeen”; the war in Afghanistan; current events; “khufar”; or “Inspire”.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, and Vagueness. Plaintiffs further object to the request because, among other things, each of the terms it specifies are vague and ambiguous. Plaintiffs further object to the request on grounds that it is intended to harass and annoy Plaintiffs and embarks on a fishing expedition.

Request No. 13.

All Documents and Communications to, from or concerning any Foreign Terrorist Organization or affiliate thereof.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, and Vagueness. Plaintiffs further object to the request because, among other things, the term “affiliate” is vague and ambiguous. Plaintiffs further object to the request on grounds that it is intended to harass and annoy Plaintiffs and embarks on a fishing expedition.

Request No. 14.

All documents and communications concerning the alleged altering or curtailment of speech by any Plaintiff.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 15.

All documents and communications concerning the alleged acquisition and installation of video and audio recording equipment by plaintiffs Masjid At-Taqwa and Masjid Al-Ansar due to alleged NYPD Investigation or Surveillance.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 16.

All attendance records or documents and communications concerning the number of congregants at Masjid Al-Ansar and Masji At-Taqwa on a daily, weekly, monthly, and annual basis.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, Privacy, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 17.

All documents and communications concerning attendance at sermons, lectures, study groups and other forms of religious ministry led by Elshinawy.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, Privacy, and Privilege. Plaintiffs further object to the request because, among other things, the phrase “sermons, lectures, study groups and other forms of religious ministry led by Elshinawy” is vague and ambiguous.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 18.

All documents and communications concerning congregants who discontinued their attendance at Masjid Al-Ansar and Masjid At-Taqwa.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy. Plaintiffs further object to the request because, among other things, the phrase “discontinued their attendance” is vague and ambiguous.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 19.

All documents and communications concerning congregants who are newcomers to Masjid Al-Ansar and Masjid At-Taqwa.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy. Plaintiffs further object to the request because, among other things, the term “newcomers” is vague and ambiguous.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 20.

All documents concerning the incorporating, establishment, founding, entity status, or registration of Masjid Al-Ansar, Masjid At-Taqwa and Muslims Giving Back.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, and Vagueness.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request. Subject to and without waiving or limiting any objections, Plaintiffs refer Defendants to their contemporaneous production. Plaintiffs reserve the right to supplement this production.

Request No. 21.

All documents and communications from Masjid Al-Ansar, Masjid At-Taqwa or Muslims Giving Back to donors or contributors concerning annual charitable contributions.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy. Plaintiffs further object to the request because, among other things, the term “contributors” is vague and ambiguous.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 22.

All documents concerning plaintiffs’ Federal, State and local tax filings and tax status, for all related and unrelated business, including but not limited to: Tax returns; Pay stubs; Annual returns of income and expenses; Annual electronic notices; Form 990 and 990-T’s; W-2’s and 1099’s; Annual exempt organization returns; applications for recognition of tax exemption (both approved and unapproved); with all supporting documents including annual tax information returns; recognition of tax exemption; other returns and reports filed; annual electronic notices.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy. Plaintiffs further object to the request on the basis of their privacy interest in their tax filings and related financial records. Plaintiffs further object to the request on grounds that it is intended to harass and annoy Plaintiffs and embarks on a fishing expedition.

Request No. 23.

All documents concerning plaintiffs' finances, as follows:

- a. Accounting records, including but not limited to: general ledger; books of original entry; accounts receivable; cash flow statements; expense statements; balance sheets; profit and loss statements; accounts payable statements; annual gross receipts; bank statements for all fund accounts; and corporate books and records;
- b. Income, Revenue or Gross Earnings, including but not limited to: speaking engagements; ministering; membership dues; donations; sales of lectures, speeches or sermons; sales of texts or books, and sales of religious items.
- c. Expenses or Expenditures, including but not limited to: payroll statements; compensation for guest speakers; expenditures on security personnel.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, Privacy, and Privilege. Plaintiffs further object to the request on the basis of their privacy interest in their tax filings and related financial records. Plaintiffs further object to the request on grounds that it is intended to harass and annoy Plaintiffs and embarks on a fishing expedition.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 24.

All documents concerning the sale of goods or services at Masjid At-Taqwa, Masjid Al-Ansar and Muslims Giving Back, including but not limited to lectures, sermons, speeches, religious or ritual items and objects, books, teachings, workshops, classes, camps, or schools.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, and Privilege. Plaintiffs further object to the request because, among other things, the phrase “lectures, sermons, speeches, religious or ritual items and objects, books, teachings, workshops, classes, camps, or schools” is vague and ambiguous. Plaintiffs further object to the request on grounds that it is intended to harass and annoy Plaintiffs and embarks on a fishing expedition.

Request No. 25.

All documents and communications concerning the purchase, sale, lease, rental, use or ownership of real property by Masjid Al-Ansar, Masjid At-Taqwa or Muslims Giving Back.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, and Privilege. Plaintiffs further object to the request on grounds that it is intended to harass and annoy Plaintiffs and embarks on a fishing expedition.

Request No. 26.

The by-laws, mission statements, rules and regulations of Masjid Al-Ansar, Masjid At-Taqwa, and Muslims Giving Back.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, and Vagueness.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request. Subject to and without waiving or limiting any objections, Plaintiffs refer Defendants to their contemporaneous production. Plaintiffs reserve the right to supplement this production.

Request No. 27.

Board minutes and board agenda of Masjid Al-Ansar and Masjid At-Taqwa concerning any of the following: (i) the number of congregants attending the mosque; (ii) any changes in the number of congregants, donors, or attendees; (iii) the acquisition or installation of video

equipment to record sermons; (iv) surveillance or investigations by the NYPD or other agencies; or (v) fears or concerns resulting from any alleged surveillance or investigations.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy. Plaintiffs further object to the request as irrelevant and overbroad because, among other things, it seeks documents concerning surveillance or investigations by “other agencies.” Plaintiffs further object to the request because, among other things, the phrase “fears or concerns” is vague and ambiguous.

Subject to and without waiving or limiting any objections, Plaintiffs state that they have not located any responsive records. Because Plaintiffs’ document search is continuing and ongoing, they reserve the right to produce responsive records.

Request No. 28.

All documents and communications concerning contributions, donations, funds, and grants, made to plaintiffs, including but not limited to: (i) donor lists; (ii) amounts contributed by donors; (ii) dates of donations; (iii) the events or activities at which the contribution was collected; (iv) method of payment, *i.e.*, cash, check, credit card, or PayPal; and (v) method of collection, *i.e.*, via collection plates, donation boxes, fundraising events or activities, online solicitations or requests, or advertisements.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy. Plaintiffs further object to the request because, among other things, the phrase “funds . . . made to plaintiffs” is vague and ambiguous.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 29.

All documents and communications concerning all contributions, donations, and grants, made by plaintiffs, including but not limited to: (i) donee or recipient lists; (ii) amounts contributed; (ii) dates of donations; (iii) method of payment, *i.e.*, cash, check, credit card, PayPal

or wire transfer; (iv) method of distribution, *i.e.*, via collection plates, donation boxes, fundraising events or activities, online solicitations or requests, or advertisements.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy. Plaintiffs further object to the request on grounds that it is intended to harass and annoy Plaintiffs and embarks on a fishing expedition.

Plaintiff-Specific Requests

Mohammad Elshinawy

Request No. 30.

All documents and communications between Mohamed Elshinawy and his father Ali Elshinawy concerning (i) Omar Abdel Rahman (the Blind Sheikh); (ii) the Al Kifah Refugee Center in Brooklyn, New York; or the Islamic Group (aka Gamaa Islamiya).

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy. Plaintiff Elshinawy further objects to the request on grounds that it is intended to harass and annoy Plaintiff and embarks on a fishing expedition.

Request No. 31.

All documents and communications concerning speaking the number of speaking engagements given by Elshinawy.

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, Privacy, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 32.

All documents and communications concerning alleged questioning of any attendees at Elshinawy's lectures or congregants at mosques at which he delivered sermons, as alleged in ¶ 136 of the complaint.

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, Vagueness, NYPD/Public Record, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 33.

All documents and communications concerning offers by NYPD Informants or Law Enforcement Personnel to pay money to persons who reported on the content of Elshinawy's lectures, as referenced in ¶ 141 of the complaint.

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, Vagueness, NYPD/Public Record, and Privilege. Plaintiff Elshinawy further objects to the request to the extent that it requires Plaintiff to speculate as to the identities of "NYPD Informants or Law Enforcement Personnel."

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 34.

All documents and communications concerning Elshinawy's alleged acts of altering the content of his lectures or otherwise fully communicating his religious beliefs, as alleged in ¶¶ 145, 146 of the complaint.

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, Privacy, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 35.

All documents and communications concerning the scheduling or meeting locations of study circles held or organized by Elshinawy, as referenced in ¶ 147 of the complaint.

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, Privacy, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 36.

All documents and communications concerning the effect on Elshinawy's reputation, lectures, audiences, and his relationships with others allegedly resulting from surveillance or investigation by the NYPD as alleged in ¶¶ 149-151 of the complaint.

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, Vagueness, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 37.

All documents and communications concerning the reasons why persons allegedly stopped attending Elshinawy's lectures.

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, Privacy, Custody, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 38.

All documents and communications concerning religious institutions that have distanced themselves from Elshinawy as a result of surveillance by the NYPD as alleged in ¶ 152 of the complaint.

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, Vagueness, and Privilege. Plaintiff Elshinawy further objects to the request because, among other things, the phrase “concerning religious institutions that have distanced themselves from Elshinawy as a result of surveillance by the NYPD” is vague, ambiguous, and overbroad.

Request No. 39.

All documents and communications from the Brooklyn Islamic Center to Elshinawy concerning fears of prompting scrutiny by the NYPD as alleged in ¶¶ 153 and 159 of the complaint.

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, and Vagueness.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 40.

All documents and communications concerning the prominent speakers who Elshinawy proposed to the Brooklyn Islamic Center but who were rejected as alleged in ¶ 153 of the complaint.

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, Vagueness, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 41.

All documents and communications by Masjid Al-Ansar to Elshinawy concerning Elshinawy's leadership position or service on the mosque's board as alleged in ¶ 155 of the complaint.

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, and Vagueness.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 42.

Documents and communications concerning Brooklyn Islamic Organizers who forbade Elshinawy from helping to advertise the a [sic] lecture by a prominent Islamic scholar as alleged in ¶ 159 of the complaint.

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, Vagueness, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 43.

All documents and communications concerning community events or extracurricular activities which Elshinawy organized or was otherwise involved, including but not limited to, whitewater rafting, camping, and paintball.

Response:

Plaintiff Elshinawy objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, Privacy, and Privilege. Plaintiff Elshinawy further objects to the

request because, among other things, the phrase “community events or extracurricular events which Elshinawy organized or was otherwise involved” is vague and ambiguous.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Masjid At-Taqwa

Request No. 44.

All documents concerning the incorporation, registration, or establishment of the Zam Zam Shop or the Taqwa Bookstore.

Response:

Plaintiff Masjid At-Taqwa objects to the request on the basis of Scope, Undue Burden, Vagueness, and Custody. Plaintiff Masjid At-Taqwa further objects to the request on grounds that it is intended to harass and annoy Plaintiff and embarks on a fishing expedition.

Request No. 45.

Documents and communications concerning financial transactions between or among Masjid At-Taqwa, the Zam Zam Shop, and the Taqwa Bookstore.

Response:

Plaintiff Masjid At-Taqwa objects to the request on the basis of Scope, Undue Burden, Vagueness, and Custody. Plaintiff Masjid At-Taqwa further objects to the request because, among other things, the phrase “financial transactions” is vague and ambiguous. Plaintiff Masjid At-Taqwa further objects to the request on grounds that it is intended to harass and annoy Plaintiff and embarks on a fishing expedition.

Request No. 46.

All documents and communications from congregants to Masjid At-Taqwa concerning congregants’ concerns that a camera was recording their “prayer patterns,” resulting in their discontinued attendance at Masjid At-Taqwa, as alleged in ¶ 117 of the complaint.

Response:

Plaintiff Masjid At-Taqwa objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 47.

All documents and communications regarding charitable contributions from Masjid At Taqwa to the Benevolence International Foundation, the al-Haramain Foundation, the Global Relief Foundation (USA), the Holy Land Foundation, the Bank of Taqwa, or Kind Hearts.

Response:

Plaintiff Masjid At-Taqwa objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy. Plaintiff Masjid At-Taqwa further objects to the request on grounds that it is intended to harass and annoy Plaintiff and embarks on a fishing expedition.

Request No. 48.

All documents and communications by or between Masjid At-Taqwa and the NYPD concerning the NYPD camera that was allegedly installed at Masjid At-Taqwa.

Response:

Plaintiff Masjid At-Taqwa objects to the request on the basis of Scope, Undue Burden, Vagueness, and NYPD/Public Record.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 49.

All documents and communications concerning by, between, or among the leadership of Masjid At-Taqwa concerning the NYPD camera.

Response:

Plaintiff Masjid At-Taqwa objects to the request on the basis of Scope, Undue Burden, Vagueness, NYPD/Public Record, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 50.

All documents and communications concerning time taken out Imam Wahhaj's schedule to reassure congregants about surveillance, as alleged in ¶ 118 of the compliant.

Response:

Plaintiff Masjid At-Taqwa objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, Privacy, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 51.

All documents and communications concerning precautions taken to protect the congregation of Masjid At-Taqwa, as alleged in ¶¶ 123 and 125.

Response:

Plaintiff Masjid At-Taqwa objects to the request on the basis of Scope, Undue Burden, Vagueness, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 52.

All documents and communications concerning the sale or use of firearms by Masjid At-Taqwa, the Zam Zam Shop, or At Taqwa Bookstore, including but not limited to security personnel or caretakers.

Response:

Plaintiff Masjid At-Taqwa objects to the request on the basis of Scope, Undue Burden, Vagueness, and Custody. Plaintiff Masjid At-Taqwa further objects to the request because, among other things, the phrase “security personnel or caretakers” is vague and ambiguous. Plaintiff Masjid At-Taqwa further objects to the request on grounds that it is intended to harass and annoy Plaintiff and embarks on a fishing expedition.

Masjid Al-Ansar / Hamid Hassan Raza

Request No. 53.

Documents and communications by or between Imam Raza and persons who advised of the presence of NYPD Informants at Masjid Al-Ansar.

Response:

Plaintiffs Masjid Al-Ansar and Imam Raza object to the request on the basis of Scope, Undue Burden, and Vagueness. Plaintiffs Masjid Al-Ansar and Imam Raza further object to the request because, among other things, the phrase “advised of the presence” is vague, ambiguous, and overbroad.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 54.

All financial records or receipts concerning the cost of the video upgrade at Masjid Al-Ansar, as alleged in ¶ 51 of the complaint, including but not limited to any IRS claims of depreciation or capital improvement.

Response:

Plaintiffs Masjid Al-Ansar and Imam Raza object to the request on the basis of Scope, Undue Burden, Vagueness, and Privacy. Plaintiffs further object to the request on the basis of their privacy interest in their tax filings and related financial records.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Asad Dandia / Muslims Giving Back

Request No. 55.

All documents and communications concerning decisions by donors to discontinue their donations to Muslims Giving Back.

Response:

Plaintiffs Muslims Giving Back and Asad Dandia object to the request on the basis of Scope, Undue Burden, Vagueness, Custody, First Amendment, and Privacy.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 56.

Documents and communications concerning efforts undertaken by Dandia to publicize MGB, as alleged in ¶ 92 of the complaint.

Response:

Plaintiffs Muslims Giving Back and Asad Dandia object to the request on the basis of Scope, Undue Burden, Vagueness, and NYPD/Public Record. Plaintiffs Muslims Giving Back and Asad Dandia further object to the request because, among other things, the phrases “efforts undertaken” and “publicize MGB” are vague and ambiguous. Plaintiffs Muslims Giving Back and Asad Dandia further object to the request as vague because ¶ 92 of the Complaint describes the decision *not* to publicize FSNYC events.

Request No. 57.

Documents and communications between Dandia and Shamiur Rahman, including but not limited to social media, Facebook, emails, friend requests, text messages, and correspondence.

Response:

Plaintiffs Muslims Giving Back and Asad Dandia object to the request on the basis of Scope, Undue Burden, Vagueness, and NYPD/Public Record.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 58.

Documents and communications between Dandia and any other persons concerning Shamiur Rahman, including but not limited to social media, Facebook, emails, text messages, and written correspondence, as alleged in ¶ 82 of the complaint.

Response:

Plaintiffs Muslims Giving Back and Asad Dandia object to the request on the basis of Scope, Undue Burden, Vagueness, NYPD/Public Record, and Privilege.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Muslims Giving Back

Request No. 59.

All documents and communications concerning the April 13, 2012 meeting referenced in ¶ 88 of the complaint, including but not limited to copies of invitations for the meeting.

Response:

Plaintiff Muslims Giving Back objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 60.

All documents and communications concerning the “Napoleon event,” referenced in ¶¶ 95 and 96 of the complaint.

Response:

Plaintiff Muslims Giving Back objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 61.

All documents and communications by Muslims Giving Back concerning the decision to cease fundraising activities, and the process in which the organization scaled back, as alleged in ¶¶ 95 and 96 of the complaint.

Response:

Plaintiff Muslims Giving Back objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy. Plaintiff Muslims Giving Back further objects to the request because, among other things, the phrase “scaled back” is vague and ambiguous.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 62.

All documents and communications concerning any positive or negative reaction towards Muslims Giving Back following Rahman’s Facebook posting as alleged in ¶¶ 104 and 106 of the complaint.

Response:

Plaintiff Muslims Giving Back objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy.

Subject to the foregoing General and Specific Objections, Plaintiffs will confer with Defendants in an effort to limit the scope and burden of this request.

Request No. 63.

All Documents and Communications that Plaintiffs intend to use to support their claims in this Action.

Response:

Plaintiffs object to the request on the basis of Scope, Undue Burden, and Vagueness. Plaintiffs further object to the request as premature. Plaintiffs have not completed their discovery, investigation, and preparation for trial in this matter.

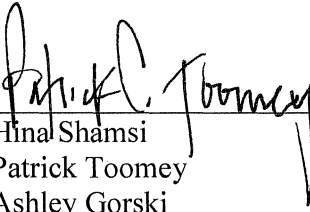
Request No. 64.

Complete and provide the annexed authorizations for release of all tax records requested herein.

Response:

Plaintiffs objects to the request on the basis of Scope, Undue Burden, Vagueness, First Amendment, and Privacy. Plaintiffs further object to the request on the basis of their privacy interest in their tax filings and related financial records. Plaintiffs further object to the request on grounds that it is intended to harass and annoy Plaintiff and embarks on a fishing expedition.

Dated: January 6, 2014
New York, New York



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