

# EXHIBIT A

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

|  |   |                |
|--|---|----------------|
| <hr/>  |   | )              |
| PASCAL ABIDOR, NATIONAL                            | ) | )              |
| ASSOCIATION OF CRIMINAL DEFENSE                    | ) | )              |
| LAWYERS, NATIONAL PRESS                            | ) | )              |
| PHOTOGRAPHERS ASSOCIATION,                         | ) | )              |
|  | ) | )              |
| Plaintiffs,  | ) | )              |
|  | ) | )              |
| v.   | ) | )              |
|  | ) | )              |
|  | ) | )              |
| JANET NAPOLITANO, in her official capacity as      | ) | )              |
| Secretary of the U.S. Department of Homeland       | ) | )              |
| Security; ALAN BERSIN, in his official capacity as | ) | Case No.       |
| Commissioner, U.S. Customs and Border              | ) | 1:10-cv-04059  |
| Protection; JOHN T. MORTON, in his official        | ) |                |
| capacity as Assistant Secretary of Homeland        | ) | (Korman, J.)   |
| Security for U.S. Immigration and Customs          | ) |                |
| Enforcement,                                       | ) | (Azrack, M.J.) |
|  | ) |                |
|  | ) |                |
| Defendants.  | ) |                |
| <hr/>  |   | )              |

**DECLARATION OF PASCAL ABIDOR**

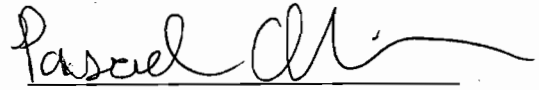
1. My name is Pascal Abidor, and I am a plaintiff in the above-captioned case. I am a graduate student at McGill University in Montreal, Canada, pursuing a Ph.D. in Islamic Studies.
2. On December 22, 2010, my father was driving me home to New York City from school in Montreal. We arrived at the Champlain Port of Entry at approximately 1:00 pm. This was the same Port of Entry where I had been detained when I was crossing into the United States by train on May 1, 2010.
3. My father and I gave our passports to the CBP agent in the toll plaza-style booth, who asked us where we were from, what we did for a living, and our relationship

- to each other. We answered these questions. The agent then handed our passports to another agent and directed us to drive to a secondary search area.
4. At the secondary search area, we were told to turn off our vehicle, give our keys to the agent, and walk into the security center with our hands out of our pockets. We complied with these instructions, entered the center, and sat down.
  5. An agent approached me and asked me some questions about what I was studying and what I did for a living.
  6. I was then sent to sit back down. Subsequently, my father and I were called up to the counter by separate agents and asked to sign customs declarations. My father and I were told to sit down, and were then called up to the counter again and asked questions by separate agents. The agent looked through my passport and asked me questions about my past international travel.
  7. I was then asked to empty my pockets, and to put the contents of my pockets on the counter, which included two cell phones. An agent took the two cell phones out of sight.
  8. Another agent then went through my wallet item by item. I was asked further questions about my travels over the past three years, the reason for my travels, my career plans, why I had traveled with my French passport, whether I had experienced anti-American sentiment abroad, and whether I had ever been to a detention center before.

9. My cell phones were returned to me towards the end of the questioning. They were scratched. Eventually, our car keys were returned to us and we were permitted to leave.

I declare under penalty of perjury that the foregoing is true and correct to the best of my information, knowledge, and belief.

Executed this 8 day of March, 2011.

  
Pascal Abidor  
Montreal, Canada