

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

SUHAIL NAJIM)	
ABDULLAH AL SHIMARI <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 08-cv-0827 GBL-JFA
)	
CACI INTERNATIONAL, INC., <i>et. al.</i> ,)	PUBLIC REDACTED VERSION
)	
Defendants)	
)	
)	
)	

DECLARATION OF BAHER AZMY, ESQ.

I, Baher Azmy, hereby declare as follows:

1. I am the Legal Director of the Center for Constitutional Rights in New York, New York and counsel to the four plaintiffs in the above-captioned action. I have been admitted to appear *pro hac vice* in this action. I submit this Declaration in opposition to Defendant’s Motion for Sanctions against Plaintiffs Suhail Najim Abdullah Al Shimari, Asa’ad Hamza Hanfoosh Al-Zuba’e, and Taha Yaseen Araq Rashid.

2. Plaintiffs Suhail Najim Abdullah Al Shimari, Asa’ad Hamza Hanfoosh Al-Zuba’e, Taha Yaseen Araq Rashid, and Salah Hasan Al-Ejaili are Iraqi citizens who suffered torture and abuse while in U.S. custody in Abu Ghraib prison, and allege that CACI interrogators and supervisors operating in Abu Ghraib bear responsibility for Plaintiffs’ mistreatment.

3. Plaintiffs Al Shimari, Al-Zuba’e, and Rashid all currently reside in Iraq, either in or near Baghdad (collectively, the “Baghdad Plaintiffs”). Plaintiff Al-Ejaili currently resides in Doha, Qatar.

4. As foreign nationals, Plaintiffs are not permitted entry into the United States without a visa issued by the United States Department of State.

5. The Baghdad Plaintiffs submitted visa applications in 2008 at the U.S. Embassy in Ankara, Turkey (apparently, the U.S. Embassy in Baghdad was not then able to process visas) in anticipation for appearing in this litigation. Attached as Exhibit 1 are true and correct copies of the Baghdad Plaintiffs' 2008 visa applications. Discovery in this action was subsequently stayed.

6. Immediately following the status conference before this Court on October 12, 2013, my then co-counsel, Susan Burke, Esq., began to re-engage Plaintiffs in their visa application process in anticipation of the Court's lifting of the stay of discovery. Counsel believed that as litigation visas typically only last one year, it could have been premature to actually obtain visas prior to the entry of a discovery order, without more certainty about the scheduling of discovery and a potential trial.

7. Following the Court's lifting of the stay of discovery on November 6, 2012, counsel for Plaintiffs planned to meet with the Plaintiffs in Istanbul, Turkey during the week of November 26, 2012, to discuss the status of the case and to ascertain further information about the filing and status of Plaintiffs' 2008 visa applications. Plaintiffs' counsel were concerned about applying for visas anew, when applications may have been pending with the U.S. Embassy. Plaintiffs' counsel believed the utmost caution was necessary in processing these visas, lest a mistaken filing cause significant processing delay or lead to outright denial. However, the trip needed to be postponed due to scheduling difficulties.

8. On or about December 3, 2012, Susan Burke, Esq., who had been lead counsel for Plaintiffs throughout this litigation, concluded that she would be withdrawing from the case, and informed Plaintiffs' counsel and Defendants' counsel of this. She ceased working on the case since that date.

9. During the week of December 10, 2012, I and several co-counsel traveled to Istanbul, Turkey to meet with all four Plaintiffs. Counsel discussed with Plaintiffs – and our

Iraqi coordinator, who has assisted with all aspects of this and other Abu Ghraib litigations since 2004 – the process and content of any prior applications for visas to enter the United States in connection with this litigation. During that trip, Plaintiffs’ counsel confirmed that the Baghdad Plaintiffs has previously submitted visa applications in 2008. *See Ex. 1.*

10. After returning from Istanbul, between December 17 and December 26, Plaintiffs’ counsel sought to confirm the status of the Baghdad Plaintiffs’ 2008 visa applications. Ascertaining this information was not an efficient process. For example, during the time period in which we attempted to reach it, the visa office at the U.S. Embassy in Ankara handled such inquiries for only one hour per day, between 4:00-5:00 a.m. Eastern Standard Time. We endeavored to ensure we were following the correct process, lest U.S. Embassy officials suspected us of filing duplicative or fraudulent petitions in separate Embassy locations.

11. Having been unsuccessful in connecting with a consular officer who could verify the status of the 2008 visas during calls on December 20th (when we learned of the limited hour to speak with a consular officer) and December 24th (when the Embassy was closed), on December 26, 2012, in a conversation with a consular official in Ankara, we were informed that Plaintiffs’ prior visa applications submitted in 2008 were, in fact, administratively closed in 2009, and we should file new visa applications for the Plaintiffs. As the Baghdad Plaintiffs could now file visas with the U.S. Embassy in Baghdad and Plaintiff Al-Ejaili could file in Doha, and filing in their respective cities would facilitate Plaintiffs’ timely appearance for visa interviews without the logistical effort – an opportunity for possible delay – of flying Plaintiffs to Ankara, Plaintiffs’ counsel worked with Plaintiffs in submitting visa applications to the U.S. Embassies in Baghdad and Doha without delay.

12. At the same time, on December 17, 2012, William Koegel, Esq., counsel for Defendant, emailed me to request dates for depositions for Plaintiffs in January, 2013 in the Eastern District of Virginia. I responded by email dated December 18, 2012, that Plaintiffs were in the process of applying for visas and that, because the decision of whether and when to grant a visas to Plaintiffs was obviously out of Plaintiffs’ control, I could not predict when they would

be available. I suggested that March was a more realistic time frame to ensure their availability. I also offered to make Plaintiffs available for depositions in Istanbul in January if Defendants wished to go forward with their depositions that month. Plaintiffs' counsel did not believe that suggesting Istanbul as a possible venue for deposition would pose a problem to Defendant's counsel as

13. By email dated December 19, 2012, Mr. Koegel attributed delay in this litigation to Plaintiffs, and asked that counsel inform him "specifically and in detail, exactly what Plaintiffs and their counsel have done for Plaintiffs to be able to appear in this country in this action and when each action was taken." I responded on December 20, 2012, by objecting to attribution of blame for the delay in the litigation to Plaintiffs, resisting Defendant's demand "for an accounting of our efforts" to obtain visas, and to reiterate that "we are in the process of obtaining visas for the plaintiffs (the outcome and timing of which, as you know, are not fully within Plaintiffs control) and we fully intend to make them available in E.D.Va for depositions before the conclusion of the discovery period." I also reaffirmed our commitment to make all of the Plaintiffs available for depositions in Istanbul in the meantime. Attached as Exhibit 2 is a true and correct copy of counsel's email correspondence between December 19 and December 21, 2012.

14. On December 25, 2012, Plaintiff Al-Ejaili's visa application was completed and submitted to the U.S. Embassy in Doha, Qatar. Attached as Exhibit 3 is a true and correct copy of the State Department's confirmation of receipt of Plaintiff Al-Ejaili's visa application submitted in 2012.

15. On December 27, 2012, counsel for Plaintiffs submitted a letter to the U.S. Embassy in Doha, requesting expedited processing of Plaintiff Al-Ejaili's visa application. The letter described the proceedings in this case and the need to travel to this District for deposition and trial, and attached, as exhibits, Plaintiffs' First and Second Amended Complaints and this

Court's November 6 Discovery Order. Attached as Exhibit 4 is a true and correct copy of the letter submitted by Plaintiffs' counsel to the U.S. Embassy in Doha.

16. On December 28, 2012, counsel for Defendant served Notices of Depositions for all four Plaintiffs, scheduling them for consecutive days in the Eastern District of Virginia, between January 28 and February 1, 2013.

17. On December 31, 2012, visa applications for the Baghdad Plaintiffs were completed and submitted to the U.S. Embassy in Baghdad, Iraq. Attached as Exhibit 5 are true and correct copies of the State Department's confirmations of receipt of the Baghdad Plaintiffs' visa applications submitted in 2012.

18. Also on December 31, 2012, Plaintiffs' counsel submitted letters to the U.S. Embassy in Baghdad, requesting expedited processing of the Baghdad Plaintiffs' visas. Those letters were substantively identical to the letter counsel sent in support of Plaintiff Al-Ejaili's visa application, except that they also attached the Notices of Depositions since served on each of the Baghdad Plaintiffs, in order to underscore the exigency of Plaintiffs' visa requests.

19. Thereafter, the U.S. Embassy in Doha scheduled an interview of Plaintiff Al-Ejaili on January 9, 2013. The U.S. Embassy scheduled interviews of the Baghdad Plaintiffs and our Iraqi coordinator on or about January 23, 2013. Attached as Exhibit 6 are true and correct copies of notifications of Plaintiffs' interviews with their respective embassies. All interviews took place on their scheduled dates. Plaintiffs at that point did not know how long it would take the visas to be processed following their interviews.

20. On January 9, 2013, I sent a letter to Mr. Koegel, counsel for Defendant, within the time frame contemplated by Local Rule 26(C), advising him that Plaintiffs objected to the Notice of Depositions insofar as all of the Plaintiffs would likely not have their visas in time to travel to the U.S. for the dates noticed. The letter affirmed Plaintiffs' intention to appear in the Eastern District of Virginia and pledged to advise Defendants when the visas were completed, so Plaintiffs could sit for their depositions. The letter reiterated an offer to make Plaintiffs available

for depositions in Istanbul, Turkey or Erbil, Iraq (in the semi-autonomous Kurdish area).

Attached as Exhibit 7 is a true and correct copy of the January 9 letter I sent to Mr. Koegel.

21. Defendant did not respond to this letter in any way – in writing or by phone. In subsequent conversations, Defendant did not raise the issue of Plaintiffs' depositions or inquire about the status of Plaintiffs' visas or propose to take depositions in the other locations Plaintiffs suggested. In fact, in a series of emails between Plaintiffs' and Defendant's counsel discussing outstanding discovery issues and scheduling a time and agenda for a meet-and-confer, Defendant's counsel did not inquire into Plaintiffs' availability or otherwise indicate any interest in discussing or resolving the timing or location of Plaintiffs' depositions.

22. On January 14, 2013, Plaintiff Al-Ejaili was informed by the U.S. Embassy that his visa application was approved. From January 10 to 13, Plaintiff Al-Ejaili had traveled to Erbil, Iraq to be examined by Plaintiffs' medical expert retained for this litigation, and from January 15 to February 7, 2013, he was sent on assignment in Sierra Leone as a reporter for Al Jazeera Network. Even if Defendant had indicated that it wished to proceed with the depositions of the four plaintiffs separately, Plaintiff Al-Ejaili would likely not have been available to attend a deposition in the United States on February 1, 2013, pursuant to Defendant's notice.

23. Upon Defendant's motion, this Court issued an order on February 14, 2013 compelling Plaintiffs to appear in the Eastern District of Virginia for depositions and medical exams, within 30 days. Following the issuance of this order, Plaintiffs' counsel worked diligently with State Department officials in Washington, D.C., in the Office of the Legal Advisor and the Bureau of Democracy, Human Rights and Labor, to expedite the processing of the Baghdad Plaintiffs' visas. Attached as Exhibit 8 is a true and correct copy of a letter I sent to the Department of State on February 15, 2013, as well as a true and correct copy of the FedEx slip confirming the mailing of this letter.

24. By February 25, 2013, all four Plaintiffs' applications for visas to the United States were granted. Attached as Exhibit 9 are true and correct copies of screenshots taken from

the Department of State's Consular Electronic Application Center "Visa Status Check" system showing that the Baghdad Plaintiffs' 2012 visa applications were granted.

25. Plaintiff Al-Ejaili appeared, without incident, in the United States for a medical examination and deposition during the week of March 4, 2013. He left the United States on March 6, 2013.

26. I worked with Defendant's counsel to schedule the Baghdad Plaintiffs' travel for a week during which both depositions and medical examinations could be held. Counsel for all parties agreed to the Baghdad Plaintiffs appearing for depositions during the week of March 18, 2013.

27. During a hearing on March 8, 2013, counsel moved jointly in asking the Court to modify its February 14, 2013 Order to allow depositions to be held during the week of March 18th. The Court granted that motion.

28. The Baghdad Plaintiffs' depositions and medical examinations were scheduled to take place throughout the week of March 18, 2013.

29. Round-trip airline tickets were purchased for the Baghdad Plaintiffs to travel from Baghdad to the United States on Friday, March 15, 2013, on Turkish Airlines, at a cost of approximately \$2,191.00 per ticket. A ticket was also purchased for our Iraqi legal-team member, who was to escort the Baghdad Plaintiffs to their connection in Istanbul, Turkey and assist them with their connection to the United States. The Iraqi team member is not a plaintiff in the case, and was not scheduled to be deposed. Attached as Exhibit 10 is a true and correct copy of the receipt for the purchase of those tickets.

30. In advance of the Baghdad Plaintiffs' travel, Plaintiffs' counsel coordinated with an official from the Department of Homeland Security Transportation (DHS) Security Administration (TSA) to assist the Baghdad Plaintiffs upon arrival in the United States because none of them speak English and have extremely limited experience with air-travel and international travel. Attached as Exhibit 11 is a true and correct copy of email correspondence between my co-counsel and a TSA official. Plaintiffs' counsel also provided the Baghdad

Plaintiffs with a letter explaining the nature of their travel. Attached as Exhibit 12 are true and correct copies of the letters given to the Baghdad Plaintiffs to carry on their persons while traveling.

31. Plaintiffs arrived at the Baghdad airport, with a travel itinerary that would take them to Chicago, via Istanbul, Turkey. They were scheduled to arrive in Chicago the evening of March 15, 2013, where they would be picked up by Plaintiffs' counsel and an interpreter who reside in Detroit; this group was scheduled to travel together to Washington, D.C. on Sunday, March 17, in advance of the depositions scheduled that week.

32. The Baghdad Plaintiffs received boarding passes for their connecting flight to Istanbul. Attached as Exhibit 13 are true and correct copies of the Baghdad Plaintiffs' boarding passes. After being issued their boarding passes, the Baghdad Plaintiffs proceeded to the gate to board their plane. Before boarding, the Baghdad Plaintiffs were taken for questioning, and subsequently informed that the airport agents had received a call from the United States directing them to not allow the Baghdad Plaintiffs to board the plane and that the Baghdad Plaintiffs would have to resolve the problem in the United States.

33. After being informed that the Baghdad Plaintiffs were not permitted to travel in the early morning of March 15, Plaintiffs' counsel contacted both their contact at the TSA who had arranged for a TSA agent to meet the Baghdad Plaintiffs upon their arrival in the United States and the official at the Department of State (Ms. Kelly Landry, Foreign Affairs Officer in the Bureau of Democracy, Human Rights, and Labor) who had been my primary contact in relation to efforts to expedite the Plaintiffs' visa processing.

34. Since March 15, Plaintiffs' counsel has been working with and through Ms. Landry to resolve what has been explained to me as an inter-agency miscommunication regarding the Baghdad Plaintiffs and their travel to the United States.

35. As advised by the Department of State, despite being in possession of valid U.S. visas, the Baghdad Plaintiffs reapplied for visas to the United States on March 16, 2013, in order to allow for the necessary inter-agency communication and coordination, which had failed to

occur when the visas were granted in February. Attached as Exhibit 14 are true and correct copies of confirmations of the State Department's receipt of the Baghdad Plaintiffs' 2013 visa applications.

36. The Baghdad Plaintiffs were then contacted by U.S. officials at the U.S. Embassy in Baghdad and advised to proceed to the Embassy for interviews on the next business day in Iraq, i.e., on Sunday, March 17. The Baghdad Plaintiffs appeared for their interviews on that date.

37. Over the following week of March 18, Plaintiffs' counsel remained in daily, regular phone and email contact with the State Department, through Ms. Landry. Plaintiffs' counsel provided requested information in response to updates on the Baghdad Plaintiffs' travel, including providing an itinerary for travel to the United States on March 26, 2013, following an update that the Baghdad Plaintiffs' visas would likely be processed and available for pick-up on Sunday, March 26.

38. I was informed by Ms. Landry on Friday, March 22, 2013, that the inter-agency coordination was continuing and that additional time would be needed to resolve the matter. She advised me that another government agency has taken the position that the Court's Order regarding the appearance of Plaintiffs for deposition has expired and that this agency need not therefore even consider the renewed request for Plaintiffs' entry into this country, and that the issuance of a new order by the Court – as soon as possible – is necessary to facilitate the processing of the Baghdad Plaintiffs' application to enter the United States.

39. Later that day, on March 22, 2013, Plaintiffs filed a motion with this Court, seeking an enlargement of time to complete Plaintiffs' depositions, until April 5, 2013. Dkt. 231. Plaintiffs emphasized in their motion papers that, while we believed that setting an April 5, 2013 deadline would be useful in getting the relevant government agencies to act quickly, we had no assurance that the process would in fact be completed by April 5, 2013. As such, Plaintiffs noted that, should the process carry beyond April 5, 2013, Plaintiffs would keep the Court apprised of

developments and requested that granting of an extension should be without prejudice to a subsequent request for additional time.

40. Specifically, Plaintiffs stated in the Memorandum of Law Supporting the Motion: “Plaintiffs understand that while a reasonable deadline – which Plaintiffs suggest would be April 5, 2013 – would put necessary pressure on the U.S. government to act on Plaintiffs’ visa applications, there is a possibility that the applications may not be fully processed in time for Plaintiffs to appear by April 5.” Dkt. 232 at 6. Accordingly, Plaintiffs would respectfully request that an order setting the deadline not preclude a subsequent enlargement of time, should Plaintiffs be able to represent that Plaintiffs’ entry and appearance for depositions could occur after the April 5th deadline. *Id.* at 6. *See also id.* at 7 (“Plaintiffs respectfully request that the Court grant Plaintiffs’ motion, and extend the period of time by which the Baghdad Plaintiffs must make themselves available for deposition to April 5, 2013, without precluding Plaintiffs from seeking a subsequent enlargement if it appears that approval for Plaintiffs’ entry into the United States is delayed beyond April 5, 2013 without fault of Plaintiffs.”).

41. On March 27, 2013 (in the early evening), the Court granted Plaintiffs’ motion, extended the deadline to appear for depositions to April 5, 2013, and ordered Plaintiffs to continue to work with the Department of State to ensure Plaintiffs’ timely arrival.

42. That same day, on March 27, 2013, I emailed a copy of this Court’s Order to Ms. Landry.

43. On March 28, 2013, I communicated with Ms. Landry by telephone. She informed me that, despite the Court’s order, it was unlikely that the Plaintiffs would have approval to travel by April 5. She advised me that we should make reservations with a specific itinerary in order to move forward with resolving issues related to the Baghdad Plaintiffs’ entry to the United States.

44. On March 29, 2013, Plaintiffs’ counsel provided the Department of State with an itinerary for the Baghdad Plaintiffs to travel to the United States. Based on the advice of

Ms. Landry, we scheduled the itinerary so the Plaintiffs would arrive in Washington, D.C. three weeks from that date, i.e., on April 19, 2013, and to leave the United States on April 27, 2013.

45. Since then, Plaintiffs' counsel regularly contacted Ms. Landry, by telephone and email, to inquire about any updates on the status of the Baghdad Plaintiffs' travel to the United States.

46. On April 5, 2013, Plaintiffs served on CACI Premier Technology, Inc. and CACI International, Inc. second amended notices for Rule 30(b)(6) depositions, which added as a topic for the depositions CACI's knowledge, and communications with the DHS, related to Plaintiffs' travel to the United States to appear for depositions in this litigation. Attached as Exhibit 15 is copy of Plaintiffs' Second Amended Rule 30(b)(6) deposition notices to CACI PT and CACI International.

47. On April 15, 2013, Plaintiffs served a subpoena and *Touhy* request on the DHS, seeking information about whether Plaintiffs were on a "no fly list" and if so, why; and also whether CACI had any communications with DHS about Plaintiffs prior to their travel to the United States. Plaintiffs copied counsel for CACI on their transmittal email to the Department of Justice. Attached as Exhibit 16 is a copy of Plaintiffs' subpoena and *Touhy* request to DHS.

48. On April 16, 2013, I sent letters to various high-level State Department seeking expedited treatment of Plaintiffs' visas, plus exhibits accompanying those letters. Specifically, I sent letters to David DeBartolo, Attorney-Advisor in the Office of the Legal Advisor, African and Near Eastern Affairs; Theodore Leinhart, Supervisory Post-Management Officer: Iraq in the Bureau of Near Eastern Affairs; Mary McLeod, Acting Legal Advisor in the Office of the Legal Advisor; Stephan Rapp, Ambassador-at-Large, Office of Global Criminal Justice; and Uzra Zeya, Acting Assistant Secretary of State, Bureau of Democracy, Human Rights, and Labor. Attached as Exhibit 17 are copies of the letters and one set of exhibits enclosed with each of those letters.

49. On April 18, 2013, counsel for Plaintiffs submitted applications through the online DHS Traveler Redress Inquiry Program (TRIP) on behalf of each of the Baghdad

Plaintiffs to ascertain why Plaintiffs' were denied travel on March 15 to the United States, and on April 22, 2013, as required by TRIP, sent DHS copies of the biographical pages of their passports, signed DHS TRIP Authorization Release Information to Another Person forms, and signed copies of the confirmation pages of their online applications. Attached as Exhibit 18 are copies of the Baghdad Plaintiffs' April 22nd submissions to DHS.

50. On April 23, 2013, in response to Defendant's motion to compel documents related to Plaintiffs' efforts to travel to the United States for this litigation, but consistent with Plaintiffs' previously stated position that the document requests were rendered moot by the Court's April 12, 2013 decision denying Defendant's motion for sanctions, Plaintiffs served on Defendant documents related to Plaintiffs' efforts to secure entry into this country that were undertaken since the Court's April 12, 2013 hearing. Specifically, the Plaintiffs produced to Defendant the five April 16th letters I sent to various high-level State Department officials; copies of confirmations of the Baghdad Plaintiffs' TRIP applications; and copies of Plaintiffs' subpoena and *Touhy* request to the DHS. *See* Exhibits 16-18. With this production, Plaintiffs expressly reserved their previously stated objections that the documents requested were not relevant to the claims and defenses in the case and may implicate attorney-client and work product privileges.

51. On May 2, 2013, Plaintiffs filed a motion to compel DHS to provide information and documents in response to their subpoena and *Touhy* request served on April 15, 2013, seeking information about whether Plaintiffs were on a "no fly list" and if so, why; and also whether CACI had any communications with DHS about Plaintiffs prior to their travel to the United States. *See* dkt. 375.

52. As of today, the Department of State's Consular Electronic Application Center "Visa Status Check" system continues to show the Baghdad Plaintiffs' visa applications as in the "Administrative Processing" stage, with the last status update on March 17, 2013. Attached as Exhibit 19 are true and correct copies of screenshots of the U.S. State Department's website showing the status of the Plaintiffs' visas on May 6, 2013.

53. At no time during numerous communications with State Department officials has Plaintiffs' counsel been informed that the Baghdad Plaintiffs are on a watch-list or any database that would cause them to be denied entry into the United States.

54. Despite its queries to State Department officials, Plaintiffs' counsel has never been informed of the name of the government agency with which the inter-agency coordination supposedly had failed to occur. Nor has Plaintiffs' counsel ever learned the identity of the person or entity that called the airport agents in Baghdad and directed them to prevent the Baghdad Plaintiffs from boarding their flight on March 15, 2013.

55. Plaintiffs' counsel is currently waiting for a response from the State Department as to whether the Baghdad Plaintiffs will be permitted to travel to the United States.

56. The Baghdad Plaintiffs continue to be available for video depositions at any time.

57. Attached as Exhibit 20 are true and correct copies of the documents produced by the Department of Defense in this litigation related to Plaintiff Al Shimari: DOD-00136; DOD-00149; DOD-00150; DOD-00200; DOD-00215; DOD-00218; DOD-00262; DOD-308; DOD-00323; DOD-00326.

58. Attached as Exhibit 21 are true and correct copies of the documents produced by the Department of Defense in this litigation related to Plaintiff Rashid: DOD-00004; DOD-00005; DOD-00016; DOD-00041; DOD-00061; DOD-00065.

59. Attached as Exhibit 22 are true and correct copies of the documents produced by the Department of Defense in this litigation related to Plaintiff Al-Zuba'e: DOD-00106; DOD-00107; DOD-00108.

60. There are no documents produced by the Department of Defense in this litigation describing or listing Plaintiff Al-Zuba'e as an "enemy combatant" or "terrorist".

61. Attached as Exhibit 23 is a true and correct copy of a document produced by the Department of Defense in this litigation related to Plaintiff Al-Ejaili: DOD-00130.

62. Attached as Exhibit 24 is a true and correct copy of the expert report of Professor Geoffrey Corn submitted in this litigation on February 1, 2013.

63. Attached as Exhibit 25 is a true and correct copy of an excerpt of the U.S. Department of State Foreign Affairs Manual, Vol. 9- Visas.

64. Attached as Exhibit 26 is a true and correct copy of the U.S. Department of State Form-OF-194.

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

Dated: May 6, 2013
New York, New York

A handwritten signature in black ink, appearing to read "Baher Azmy". The signature is written in a cursive style with a large initial "B" and a long, sweeping tail.

Baher Azmy

CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2013, I caused the Plaintiffs' DECLARATION OF BAHER AZMY, ESQ. to be served via ECF on:

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