

District Judge Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROSHANAK ROSHANDEL; VAFA
GHAZI-MOGHADDDAM; HAWO
AHMED; and LIN HUANG, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

MICHAEL CHERTOFF, Secretary, United
States Department of Homeland Security;
EMILIO GONZALEZ, Director, United
States Citizenship and Immigration Services;
ANN CORSANO, Director, District 20,
United States Citizenship and Immigration
Services; JULIA HARRISON, Director,
Seattle Field Office, United States Citizenship
and Immigration Services; MICHAEL B.
MUKASEY,¹ Attorney General, United
States Department of Justice; ROBERT S.
MUELLER, III, Director, Federal Bureau of
Investigation; and the UNITED STATES OF
AMERICA,

Defendants.

Case No. C07-1739-MJP

DECLARATION OF NANCY
SAFAVI

¹Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Attorney General Michael B. Mukasey has been substituted as a defendant in this action in place of his predecessor.

1 I, Nancy N. Safavi, declare as follows:

2 1. I am a Trial Attorney in the Office of Immigration Litigation, Civil
3 Division, United States Department of Justice, and am the lead attorney for the
4 Defendants in this action.

5 2. I make this declaration based upon my personal knowledge and in support
6 of the Defendants' Motion to Remand and/or Dismiss.

7 3. A true and correct copy of the letter sent by messenger to Plaintiffs'
8 counsel on February 19, 2008, is attached hereto as Exhibit A. This letter explained to
9 Plaintiffs' counsel that the USCIS A-files provided with Defendants' Initial Disclosures
10 were incomplete due to the fact that they had been provided to Defendants' counsel
11 prior to the completion of the FBI name checks, and were therefore out of date.
12 Updated copies of the A-files were provided to Plaintiffs' counsel with the letter, along
13 with a copy of the FBI's administrative record for this case. Defendants also responded
14 to Plaintiffs' First Discovery Requests on February 19, 2008.

15 4. The documents provided to Plaintiffs' counsel on February 19, 2008
16 included documents related to the FBI name checks for the individual plaintiffs.
17 However, the results of the name checks were redacted pursuant to the law enforcement
18 privilege.

19 I declare under penalty of perjury that the foregoing is correct to the best of my
20 knowledge and belief.

21 Executed this 22nd day of February, 2008.

22
23
24 /s/ Nancy N. Safavi
Nancy N. Safavi

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

Aaron H. Caplan
E-mail: caplan@aclu-wa.org

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Sarah A Dunne
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I further certify that I have mailed by USPS, postage pre-paid, the foregoing document to the following non-CM/ECF participant, addressed as follows:

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DATED this 22nd day of February, 2008.

/s/ Jing Y. Xu
JING Y. XU
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