

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, a project of the
Urban Justice Center, Inc., on behalf of
itself and its clients; HIAS, Inc., on behalf
of itself and its clients; ALLAN HAKKY;
SAMANEH TAKALOO; JOHN DOES #
1-4; and JANE DOE #1,

Plaintiffs,

v.

DONALD TRUMP, President of the
United States; DEPARTMENT OF
HOMELAND SECURITY;
DEPARTMENT OF STATE; OFFICE OF
THE DIRECTOR OF NATIONAL
INTELLIGENCE; JOHN KELLY,
Secretary of Homeland Security; REX
TILLERSON, Secretary of State; and
MICHAEL DEMPSEY, Acting Director
National Intelligence,

Defendants.

Civil Action No.: 8:17-cv-00361-TDC

**DOE PLAINTIFFS' MOTION FOR
LEAVE TO PROCEED UNDER
PSEUDONYMS & MEMORANDUM OF
LAW IN SUPPORT THEREOF**

I. INTRODUCTION AND STATEMENT OF FACTS AND ISSUES

Plaintiffs Jane Doe #1, John Doe #1, John Doe #2, John Doe #3, and John Doe #4 (collectively, the “Doe Plaintiffs”) respectfully request leave to proceed under pseudonyms. In this action, the Doe Plaintiffs, along with several other named organizational and individual plaintiffs, challenge the Executive Order signed by President Trump on January 27, 2017 entitled, “Protecting the Nation from Terrorist Entry into the United States” (hereinafter, the “Executive Order”). The Doe Plaintiffs’ motion is supported by several independent grounds.

First, public disclosure of the Doe Plaintiffs’ true identities and participation in this action could seriously jeopardize their ability participate in this lawsuit and vindicate their constitutional rights. The Doe Plaintiffs reasonably fear that if their identities were to become public, they and/or their family members would be subjected to retaliation by federal government officials, particularly in the form of adverse immigration consequences, such as adverse decisions on pending or future petitions; unwarranted scrutiny, interrogation, or detention; and/or the initiation of removal proceedings.

Second, the Doe Plaintiffs reasonably fear that, in light of the current heated debate over immigration generally and the Executive Order in particular, revealing their true identities and personal stories would subject them to harassment and even physical harm from members of the public at large. In addition, some fear for the safety of their family members, both here and abroad, if sensitive details about their religious faith and immigration status become public.

Third, the public’s interest in open judicial proceedings will only be minimally affected if the Doe Plaintiffs are permitted to proceed anonymously. This a case against the government, not a private party, and it turns on legal questions, not on the identities of any particular individuals, which are not material to the resolution of any issues presented by the case.

Fourth, Defendants will not be prejudiced if the Doe Plaintiffs are permitted to proceed anonymously. Plaintiffs' standing cannot reasonably be disputed; they seek only equitable relief, and not damages; and the case turns solely on the legality of the Executive Order. Under these circumstances, there is simply no need for Defendants to know the Doe Plaintiffs' true identities.

II. THE COURT SHOULD GRANT THE DOE PLAINTIFFS' MOTION TO PROCEED UNDER PSEUDONYMS

When a party seeks to litigate under a pseudonym, the court must "ensure that extraordinary circumstances support such a request by balancing the party's stated interest in anonymity against the public's interest in openness and any prejudice that anonymity would pose to the opposing party." *Doe v. Public Citizen*, 749 F.3d 246, 274 (4th Cir. 2014). When performing such a balancing test, courts consider the following nonexclusive factors:

whether the justification asserted by the requesting party is merely to avoid the annoyance and criticism that may attend any litigation or is to preserve privacy in a matter of sensitive and highly personal nature; whether identification poses a risk of retaliatory physical or mental harm to the requesting party or even more critically, to innocent non-parties; the ages of the persons whose privacy interests are sought to be protected; whether the action is against a governmental or private party; and, relatedly, the risk of unfairness to the opposing party from allowing an action against it to proceed anonymously.

James v. Jacobson, 6 F.3d 233, 238 (4th Cir. 1993) (citations omitted). The court must "carefully review all the circumstances of a given case and then decide whether the customary practice of disclosing the plaintiff's identity should yield to the plaintiff's privacy concerns." *Doe v. Pittsylvania County*, 844 F. Supp. 2d 724, 729 (W.D. Va. 2012) (internal punctuation and citation omitted).

In this case, all these factors are relevant except for the one pertaining to the ages of the Doe Plaintiffs, who are all adults over the age of eighteen. As discussed below, the remaining factors weigh heavily in favor of each of the Doe Plaintiffs.

A. THE DOE PLAINTIFFS SEEK TO PRESERVE PRIVACY IN A MATTER OF SENSITIVE AND HIGHLY PERSONAL NATURE

Each of the Doe Plaintiffs has been directly affected by the Executive Order insofar as each Doe Plaintiff has a relative or relatives whom the Executive Order bars from entering the United States because of those relatives' nationality, alienage, and/or actual or perceived religious affiliation. The immigration status of not only these relatives but also the Doe Plaintiffs themselves is highly sensitive information that is routinely protected from public disclosure in cases, like this one, where requiring plaintiffs to disclose it could dissuade a reasonable person in their position from seeking to vindicate their legal rights at all. *See, e.g., Keller v. City of Fremont*, No. 8:10-cv-0270-LSC-FG3, 2011 WL 41902, at *2 (D. Neb. Jan. 5, 2011) (“[F]ederal courts have recognized that inquiries into immigration status can have an *in terrorem* effect, limiting the willingness of plaintiffs to pursue their rights out of fears of the consequences of an exposure of their position”); *see also Does I thru XXIII v. Advanced Textile Corp.*, 214 F.3d 1058, 1169 (9th Cir. 2000) (crediting plaintiffs' “highly vulnerable [immigration] status” as one of several factors weighing in favor of allowing plaintiffs to proceed anonymously); *Lozano v. Hazleton*, 496 F. Supp. 2d 477, 508-09 (M.D. Pa. 2007), *aff'd in relevant part*, 620 F.3d 170, 194-96 (3d Cir. 2010). As discussed in further detail below, the immigration status of the Doe Plaintiffs and their relatives exposes them to retaliation by federal immigration officials, as well as to harassment and even violence by anti-immigrant, anti-refugee, and/or anti-Muslim segments of the general public, and therefore represents a “specific sensitive and personal privacy interest” far beyond the normal “annoyance and criticism that comes with litigation.” *Doe v. Alger*, 317 F.R.D. 37, 40 (W.D. Va. 2016). This factor therefore weighs in favor of anonymity.

B. IDENTIFICATION POSES A RISK OF RETALIATION, HARASSMENT, AND EVEN VIOLENCE TO THE DOE PLAINTIFFS AND TO THEIR FAMILIES

The recent upsurge in anti-immigrant and anti-Muslim attacks strongly counsels in favor of allowing each of the Doe Plaintiffs to proceed anonymously, as do the threats to the Doe Plaintiffs' families in their home countries. *See Lozano*, 620 F.3d at 195 (anonymity warranted where "ethnic tensions had escalated" and plaintiffs "would face an 'exponentially greater' risk of harassment, and even physical danger, if their identities were revealed") (citation omitted); *Roe v. Aware Woman Ctr. for Choice*, 253 F.3d 678, 687 (11th Cir. 2001) (anonymity warranted in abortion case, where the abortion issue had elsewhere "led to death, injury, harassment, [and] fear . . ."); *Doe v. Stegall*, 653 F.2d 180, 186 (5th Cir. 1981) (anonymity warranted where plaintiffs faced "extensive harassment and perhaps even violent reprisals if their identities are disclosed to a . . . community hostile to the viewpoint reflected in plaintiffs' complaint"); *see also* Order Granting Mot. to Proceed Under Pseudonyms at 4-5, *Hispanic Interest Coal. of Ala. v. Bentley*, No. 11-cv-2484 (N.D. Ala. filed Aug. 12, 2011) ("*HICA* Order") (finding "sufficient evidence of genuine threat of harassment and violence to the Doe plaintiffs and/or their families should their identities be revealed publically" to outweigh presumption of openness in judicial proceedings), attached as Ex. A to Decl. of Nicholas Espíritu ("*Espíritu Decl.*"); Order Granting Motion to Proceed Anonymously, *Friendly House v. Whiting*, No. 10-cv-1061 (D. Ariz. filed June 21, 2010) ("*Friendly House* Order") (allowing individual with lawful presence to proceed anonymously due to concerns of revealing immigration status information), *Espíritu Decl. Ex. B.*

1. John Doe #1

John Doe #1 is a legal permanent resident of Iranian origin. Decl. of John Doe #1 ¶ 1. John Doe #1 came to the United States on a J-1 visa and obtained lawful permanent resident status through the National Interest Waiver program for people whose work concerns an area of substantial intrinsic merit, is national in scope, and benefits the interests of the United States. *Id.* ¶

1 2. John Doe #1 married an Iranian national and has submitted a spousal immigration visa petition
2 on her behalf. *Id.* ¶ 3. The application was approved, the processing fees have been paid, and they
3 await the embassy interview. *Id.*

4 John Doe #1 worries that if his name is made public as part of this lawsuit, his spouse's
5 visa petition could be subject to heightened scrutiny and denied on pretextual grounds. *Id.* ¶ 7.
6 Additionally, John Doe #1 has family in Iran and he reasonably fears that his public association
7 with this case could put his family members there in jeopardy. *Id.* ¶¶ 10, 14. Moreover, numerous
8 events since issuance of the Executive Order—including attacks on mosques in Texas and Quebec,
9 and the harassment of prominent Muslim activists through social media and other outlets—make
10 John Doe #1 fear that he and his family could also be targeted by members of the general public
11 for harassment or even violence if their true identities and association with this case were revealed.
12 See *id.* ¶¶ 8, 12-14. These privacy concerns are substantial and strongly support permitting John
13 Doe #1 to proceed anonymously. See *Lozano*, 496 F. Supp. 2d 477, 508-09; *Keller*, 2011 WL
14 41902 at *2; *Friendly House Order* at 2.

17 2. John Doe #2

18 John Doe #2 is a United States citizen of Iraqi origin. Decl. of John Doe #2 ¶ 1. John Doe
19 #2 came to the United States with his wife and two daughters as refugees after his uncle and cousin
20 were killed in Iraq, he subsequently received death threats, and he and his family fled to Syria,
21 where they lived for three years. *Id.* ¶ 2, 4. They are all now United States citizens, as is John Doe
22 #2's third daughter, who was born in the United States. *Id.* John Doe #2 has filed a family-based
23 I-130 immigration visa petition for his parents, who remain in Iraq. *Id.* ¶ 6. John Doe #2's parents
24 had an immigration interview at the United States Embassy in Baghdad in 2016 and their visas
25 were subsequently approved. *Id.* As of December 2016, their cases were still pending
26 administrative processing. *Id.* In anticipation of their emigration to the United States, John Doe
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1 #2's parents have sold their furniture and prepared to move. *Id.* ¶ 7. Now, the Executive Order
2 prevents them from joining John Doe #2 in the United States. *Id.*

3 John Doe #2 is understandably quite worried about his parents' safety. *Id.* ¶ 8. They live in
4 a dangerous part of Iraq, and have received letters threatening to harm them because they are John
5 Doe #3's parents. *Id.* They are currently moving between the houses of various friends and
6 relatives to ensure that they are not targeted, and John Doe #2 cannot visit them because he fears
7 for his own life and is afraid of endangering his family. *Id.*

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9 While John Doe #2 believes that participating in this lawsuit is important because it could
10 ultimately aid his parents' efforts to escape the dangerous conditions in which they live, he
11 nonetheless fears that his public participation could lead to him and his family, both here and in
12 Iraq, being targeted for harassment or even violence. *See id.* ¶ 10. Like John Doe #1, John Doe #2
13 is aware of recent attacks on mosques. *See id.* Moreover, John Doe #2 lives in an area of Maryland
14 where support for President Trump and his policies is strong, and he is concerned about the reaction
15 of his neighbors if they find out that he is participating in this lawsuit. *Id.* He is particularly
16 concerned about how his children and family could be affected. *Id.* John Doe #2 does not want his
17 children to be harassed in school by students or school personnel because of his participation in
18 this lawsuit. *Id.*

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20 The balancing in this case weighs strongly in favor of allowing John Doe #2 to proceed
21 under a pseudonym. Public disclosure of John Doe #2's identity creates a risk that he, his parents
22 in Iraq, and his children will be subject to retaliatory treatment. The balance of interests in
23 permitting a party to proceed anonymously tips sharply in favor of anonymity particularly in cases
24 where the identification poses a risk of harassment to innocent non-parties, such as John Doe #2's
25 parents, who have been threatened in Iraq because they are his parents, and his children, who risk
26 harassment if their father's participation in this lawsuit becomes public knowledge. *See James*, 6
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1 F.3d at 238 (placing special weight on the risk of retaliatory physical or mental harm to “innocent
2 non-parties”). In addition, in similar cases where plaintiffs risked backlash and harassment if their
3 names were disclosed, the courts routinely grant leave to proceed anonymously. *See, e.g., Lozano*,
4 620 F.3d at 194-96 (unlawful status plus risk of harassment); *Stegall*, 653 F.2d at 186 (risk of
5 harassment and potential violence); *Doe v. Barrow County*, 219 F.R.D. 189, 193 (N.D. Ga. 2003)
6 (exposure of religious affiliation plus risk of harassment); *HICA* Order at 5 (threat of harassment
7 and violence).

9 **3. John Doe #3**

10 John Doe #3 is a legal permanent resident of Iranian origin. Decl. of John Doe #3 ¶ 1. John
11 Doe #3 came to the United States through the greencard lottery. *Id.* ¶ 2. His wife, who is also an
12 Iranian national, lives in Iran. *Id.* John Doe has applied for a visa on his wife’s behalf. *Id.* ¶ 3. She
13 has had her consular interview for the visa and has been in administrative processing since then.
14 *Id.*

15 John Doe #3 worries that his involvement in this lawsuit could jeopardize his wife’s visa
16 application, as well as his own plans to naturalize and become a United States citizen. *Id.* ¶ 4. John
17 Doe #3 and hopes that, in light of the temporary restraining order currently in effect, the National
18 Visa Center will resume processing applications from Iranian nationals; he fears, however, that his
19 participation in this lawsuit could adversely affect her application. *Id.* John Doe #3 also fears that
20 his participation in this case could result in the harassment of his wife and himself by the Iranian
21 government when he visits her in Iran. *Id.* ¶ 5. As a result, he has canceled his plans to visit his
22 wife in February and he is also afraid to travel outside the United States because he fears that he
23 will not be readmitted. *Id.*

24 John Doe #3 also fears he and his family could be targeted, both in public and on the Internet,
25 by anti-immigrant segments of the general public. *Id.* ¶¶ 8, 12-14. Like John Does #1 and #2, he
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1 has read reports that a mosque was set on fire by arsonists in Texas the day after President Trump
2 signed the Executive Order. *Id.* ¶ 7. He is also aware that the New York judge who issued an order
3 prohibiting the deportation of foreign nationals otherwise subject to the Executive Order has had
4 her home phone number and husband's name published on an "alt right" website, along with other
5 derogatory comments about the judge. *Id.* ¶ 9. Reports of incidents like these make John Doe #3
6 fearful for the personal security of himself and his family and have led him to seek leave to proceed
7 under a pseudonym. *Id.* ¶¶ 6, 10.

9 John Doe #3 should be permitted to proceed under a pseudonym. The public disclosure of
10 his name would expose intimate information about his immigration status and that of his family
11 and create a risk that he and his wife will be subject to retaliatory treatment. *See Lozano*, 496 F.
12 Supp. 2d at 508-09; *Keller*, 2011 WL 41902 at *2; *Friendly House Order* at 2; *see also Advanced*
13 *Textile*, 214 F.3d at 1070-71. Under these circumstances, the sensitive nature of the information
14 surrounding John Doe #3 and his wife's immigration statuses, the risk of retaliation and
15 harassment, and the overall privacy concerns strongly support anonymity for John Doe #3.

17 **4. John Doe #4**

18 John Doe #4 is a United States citizen of Iraqi origin. Decl. of John Doe #4 ¶ 1. John Doe
19 #4 immigrated to the United States at the age of three and grew up here. *Id.* ¶ 2. His wife, Jane
20 Doe #1, who is also an Iraqi national, came to the United States as a refugee and is now a United
21 States citizen. *Id.*

22 John Doe #4 and Jane Doe #1 are expecting their first child; Jane Doe #1 is scheduled for a
23 Caesarian section this month. *Id.* Jane Doe's parents currently live in Iraq and have valid
24 immigration visas, but are unable to come to the United States to witness the birth of their
25 grandchild if the Executive Order is in effect. *Id.*

1 John Doe #4 and his wife are afraid to reveal their names in this lawsuit. *Id.* ¶ 4. They fear
2 that Jane Doe #1's parents might be targeted if, because of this lawsuit, people in Iraq learn of their
3 connection to the United States. *Id.*; see also Decl. of Jane Doe #1 ¶¶ 5-6. John Doe #4 is also
4 aware that Muslims in the United States are at risk of harassment for their religious and political
5 beliefs, and he is afraid that if he reveals his name in this lawsuit, he could also become a target of
6 the current-anti-Muslim sentiment in the United States. Decl. of John Doe #4. ¶ 5.

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8 As with the other plaintiffs in this lawsuit, John Doe #4 fears that if his name is made public
9 in the context of this lawsuit, he and his family could be targets of backlash and retaliation, both
10 here and in the United States. In similar cases where plaintiffs risked backlash and harassment if
11 their names were disclosed, the courts have granted leave to proceed anonymously. See, e.g.,
12 *Lozano*, 620 F.3d at 194-96 (unlawful status plus risk of harassment); *Stegall*, 653 F.2d at 186 (risk
13 of harassment and potential violence); *Barrow County*, 219 F.R.D. at 193 (exposure of religious
14 affiliation and harassment); *HICA* Order at 5 (threat of harassment and violence).

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16 **5. Jane Doe #1**

17 Jane Doe #1 is a United States citizen of Iraqi origin. Decl. of Jane Doe ¶ 1. Jane Doe #1
18 came to the United States as a refugee in 2009 after fleeing from Iraq to Jordan in 2005. *Id.* ¶ 2.
19 She became a United States citizen in 2015. *Id.* ¶ 2. Her husband, John Doe #4, who is also from
20 Iraq, immigrated to the United States at the age of three and is also a naturalized U.S. citizen. *Id.*
21 ¶ 3.

22 Jane Doe #1 is pregnant and scheduled for a Caesarian section in a matter of days. *Id.* ¶ 4.
23 In 2016, she filed a family-based IR-5 visa petition for her parents, who live in Baghdad, so they
24 could come to the United States and live safely. *Id.* The visa petition was approved and is valid
25 until May 2017. *Id.* Should the Executive Order go back into effect, however, it would prevent
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Jane Doe #1's parents from traveling to the United States to witness the birth and first few days of their grandchild's life. *Id.*

Jane Doe #1 and her husband are also unable to return Iraq to visit her parents because they fear for their safety. *Id.* ¶ 5. For example, Jane Doe #1's parents have received threats when people in their neighborhood learned that Jane Doe #1's youngest brother emigrated to the United States. *Id.* In addition, Jane Doe #1, her husband, and her father are Sunni Muslims, but Jane Doe #1's parents live in a predominantly Shiite neighborhood, and therefore Jane Doe #1 and John Doe #4 do not feel safe in her parents' neighborhood. *Id.* For similar reasons, Jane Doe #1 and her husband are afraid to reveal their names in this lawsuit. *Id.* ¶ 6. They fear that Jane Doe #1's parents, who are still in Iraq, might be targeted if people in Iraq are able to identify them and learn not only of their relationship to the United States, but also the religion of Jane Doe #1's father. *Id.* Jane Doe #1 is also aware that Muslims in the United States are at risk of harassment for their religious and political beliefs, and she is afraid that if she reveals her name in this lawsuit, she could also become a target of the current-anti-Muslim sentiment in the United States. *Id.* ¶ 7.

Like her husband, Jane Doe #1 fears that if her name is made public as a plaintiff in this lawsuit, she and her family, including her parents in Iraq, could be subject to significant harassment, retaliation, and even physical violence. Anonymity is warranted under such circumstances. *See, e.g., Lozano*, 620 F.3d at 194-96; *Stegall*, 653 F.2d at 186; *Barrow County*, 219 F.R.D. at 193; *HICA* Order at 5.

C. THE DOE PLAINTIFFS RISK SOCIAL STIGMA, HARASSMENT, AND EVEN VIOLENCE IF THEIR IDENTITIES ARE MADE PUBLIC

Recent events have illustrated a significant escalation in the targeting of Muslim and Arab-Americans in the United States for harassment and even criminal behavior, demonstrating the objective reasonableness of the Doe Plaintiffs' fears regarding the consequences of proceeding under their real identities. *See Lozano*, 620 F.3d at 195.

1 As was widely reported, for example, the most recent FBI report documents that hate
2 crimes against American Muslims have soared to their highest levels since the aftermath of the
3 September 11, 2001 attacks.¹ Over the course of 2015—the most recent year for which such data
4 is available—hate crimes against American Muslims were up 67 percent from the previous year.²
5 The months leading up to the November 2016 presidential election, moreover, saw a series of
6 police and media reports of attacks against individuals wearing traditional Muslim garb or who
7 were perceived as Middle Eastern.³ Brian Levin, the director of the Center for the Study of Hate
8 and Extremism at the San Bernardino campus of the University of California, argued that the
9 “stereotypes and derogative statements [that] bec[a]me part of the political discourse,” including
10 then-candidate Trump’s call for a Muslim ban and a Muslim registry,⁴ drove the violent backlash
11 against American Muslims.⁵

13 Additionally, since the election, there have been numerous reported instances of hate crimes
14 against Muslims, particularly Muslim immigrants. The day after the election, for example,
15 attackers in San José grabbed a woman’s hijab and pulled her to the ground.⁶ In the following
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18 ¹ See Pew Research Center, *Anti-Muslim Assaults Reach 9/11-era Levels, FBI Data Show*,
19 Nov. 21, 2016, available at <http://pewrsr.ch/2liw5pY>, Espíritu Decl. Ex. C.

20 ² Espíritu Decl. Ex. C.

21 ³ Espíritu Decl. Ex. C; see also Eric Lichtblau, *Hate Crimes Against American Muslims Most*
22 *Since Post-9/11 Era*, NY Times, Sept. 17, 2016, <http://nyti.ms/2jQWWbj>, Espíritu Decl. Ex. D.

23 ⁴ See Patrick Healy & Michael Barbaro, *Donald Trump Calls for Barring Muslims From*
24 *Entering U.S.*, NY Times, Dec. 7, 2015, <http://nyti.ms/2kYQIUC>, Espíritu Decl. Ex. E (reporting
25 then-candidate Trump’s call for a Muslim ban and a Muslim registry)

26 ⁵ See Ex. D to Espíritu Decl.; see also Isaac Chotiner, *Donald Trump & the Spike in Anti-*
27 *Muslim Hate Crimes in the U.S.*, Slate Magazine, May 9, 2016, <http://slate.me/1OkFMrG>, Espíritu
28 Decl. Ex. F (reporting on study documenting linkages between the hate crimes perpetrated against
Muslims and Arab-Americans and the perpetrators’ avowed support for President Trump).

⁶ See Jason Green, *Hijab-wearing Woman Describes San Jose State Attack*, San Jose
Mercury News, Nov. 11, 2016, <http://bayareane.ws/2fFIajz>, Espíritu Decl. Ex. G.

1 days, a Muslim-owned business in El Cajon, California received a note that said, in all-caps, “Be
 2 prepared to go back to go back to your country with ISIS. . . Donald Trump will kick all of your
 3 ass back where you came from,”⁷ and a Muslim high school teacher in Georgia received an
 4 anonymous note that said her “headscarf isn’t allowed anymore” and that she should “hang
 5 yourself with it.”⁸ Similarly, Somali-born Minnesota State Representative Ilhan Omar was
 6 subjected to harassment on a trip to Washington D.C. for a White House training, with, her taxicab
 7 driver referring to her as “ISIS” and threatening to forcibly remove her hijab.⁹ In total, the
 8 Southern Poverty Law Center reported over 30 incidents against Muslims in the five days
 9 following the election.¹⁰

11 This pattern of harassment, threats of violence, and assaults directed at Muslims and Arab-
 12 Americans have continued in the subsequent two months. In December, a NYC transit worker
 13 wearing a hijab was shoved down a flight of stairs in Grand Central, with the attacker yelling,
 14 “You’re a terrorist, go back to your own country. You shouldn’t work here.”¹¹ That same month,
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16 ⁷ See Kate Morrissey, *Post-election note to El Cajon business: ‘BE PREPARED TO GO*
 17 *BACK TO YOUR COUNTRY WITH ISIS’*, San Diego Tribune, Nov. 30, 2016,
 18 [http://www.sandiegouniontribune.com/news/immigration/sd-me-hate-incidents-20161130-](http://www.sandiegouniontribune.com/news/immigration/sd-me-hate-incidents-20161130-story.html)
 story.html, Espíritu Decl. Ex. H;

19 ⁸ See Kristine Guerra, *A Muslim Teacher Receives an Anonymous Note About Her*
 20 *Headscarf: ‘Hang Yourself With It’*, Wash. Post, Nov. 12, 2016, <http://wapo.st/2lip1JU>, Espíritu
 Decl. Ex. I.

21 ⁹ See Samantha Schmidt, *She Became the Nation’s First Somali American Lawmaker. A*
 22 *Month Later, She Was Harassed in a D.C. Cab for Being Muslim*, Wash. Post, Dec. 8,
 2016, <http://wapo.st/2k0H5D6>, Espíritu Decl. Ex. J.

23 ¹⁰ See Southern Poverty Law Center, *Update: More Than 400 Incidents of Hateful*
 24 *Harassment and Intimidation Since the Election*, available at
 25 [https://www.splcenter.org/hatewatch/2016/11/15/update-more-400-incidents-hateful-harassment-](https://www.splcenter.org/hatewatch/2016/11/15/update-more-400-incidents-hateful-harassment-and-intimidation-election)
 and-intimidation-election, Espíritu Decl. Ex. K.

26 ¹¹ See Samantha Schmidt, *Man Shoves Muslim New York City Transit Worker on Stairs,*
 27 *Shouting ‘You’re a Terrorist,’* Wash. Post, Dec. 6, 2016, <http://wapo.st/2kLoJuq> Espíritu Decl.
 28 Ex. L; Andrew M. Cuomo, *Statement from Governor Andrew M. Cuomo on New York City Hate*
 Crimes, Governor of New York Website, Dec. 5,

1 an off-duty Muslim NYPD officer was threatened by a man who called her “ISIS” and threatened
 2 to slit her throat.¹² Likewise, in December, a man stabbed a worshipper outside a mosque in Simi
 3 Valley, California.¹³ Additionally, that month, a dead pig was dumped at an Islamic center in
 4 Oklahoma.¹⁴ Likewise, In January, a mosque outside Seattle was burned in an act of arson.¹⁵

5 Since the inauguration, the attacks on Muslim-Americans have continued. For example,
 6 Linda Sarsour, a Muslim-American activist, has faced continuous anti-Muslim harassment and
 7 threats online.¹⁶ These harassers have publicly accused her of being allied with ISIS and being a
 8 “supporter of terrorism.”¹⁷ Indeed, the day after the signing of the Executive Order, a mosque in
 9 Victoria, Texas, burned to the ground. Several weeks earlier, another mosque burned down in
 10 Austin, Texas. Police are still investigating the causes.¹⁸

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 15 2016, <https://www.governor.ny.gov/news/statement-governor-andrew-m-cuomo-new-york-city-hate-crimes>, Espíritu Decl. Ex. M.

16 ¹² See Sarah Larimer, *We Can’t Allow This’: Man Accused of Threatening to Slit Throat of*
 17 *Muslim NYPD Officer*, Wash. Post, Dec. 5, 2016, <http://wapo.st/2liDFRk>, Espíritu Decl. Ex. N.

18 ¹³ See Matt Stevens and Matt Hamilton, *Man Stabs Worshiper Near Simi Valley Mosque in*
 19 *Hate Crime, Police Allege*, LA Times, Dec. 12, 2016, <http://lat.ms/2koRfSO>, Espíritu Decl. Ex. O.

20 ¹⁴ See Rhiannon Poolaw, *Lawton Islamic Center falls Victim to Potential Hate Crime*,
 KSWO ABC 7 News, Dec. 8, 2016, <http://bit.ly/2k0LfLb>, Espíritu Decl. Ex. P.

21 ¹⁵ See Tony Marco, *Police: Mosque Outside Seattle Torched*, CNN, Jan. 15,
 22 2017, <http://cnn.it/2kLmdVa>, Espíritu Decl. Ex. Q.

23 ¹⁶ See Nidhi Prakash, *A Muslim Organizer of the Women’s March Is Under Attack from*
 24 *Islamophobic Trolls*, Fusion, Jan. 23, 2017, <http://fus.in/2loFnNU>, Espíritu Decl. Ex. R; see also
 Assoc. Press, *Attacks Target Muslim-American Activist After DC march*, FOX News, Jan. 26,
 2017, <http://fxn.ws/2kb4qq5>, Espíritu Decl. Ex. S.

25 ¹⁷ Espíritu Decl. Exs. R, S.

26 ¹⁸ Sanya Mansoor, *Two Texas Mosques Burned to the Ground this Month*, Texas Trib., Jan.
 27 30, 2017, <http://bit.ly/2loIjdj>, Espíritu Decl. Ex. T.

Even members of the judiciary have been targeted merely for doing their jobs. The Honorable Ann Donnelly, the federal judge in the Eastern District of New York who, the day after the Executive Order was signed, issued an order prohibiting the deportation of individuals detained at airports nationwide, has drawn the ire of anti-immigrant nationalists on the Internet, who published her phone number, her husband's name, and the description of her as, "Traitorous idiot scum 'judge' Ann Marie Donnelly, appointed by the fake nigger president from Kenya, on the recommendation of kike 'senator' Chuck Schumer."¹⁹ Even more publicly, President Trump himself has referred to the Honorable James Robart, who issued a temporary restraining order of parts of the Executive Order, as a "so-called judge," and has suggested that if there is a terrorist attack in the coming days or weeks, Judge Robart will be to blame.²⁰

Given these numerous examples of harassment and violence directed at Muslim- and Arab-Americans and even federal judges simply fulfilling their constitutional obligations, Plaintiffs reasonably fear that if their identities were made public, they too would be subjected to harassment and violence.

D. THIS ACTION IS AGAINST THE GOVERNMENT AND THEREFORE FAVORS ANONYMITY

An additional factor weighing in favor of permitting the Doe Plaintiffs to proceed anonymously is that this action is against the federal government, rather than a private party. See *John Does 1-5 v. McCrory*, No. 1:13CV711, 2014 WL 29352, at *2 (M.D. N.C. Jan. 3, 2014) ("Plaintiffs bring this action against a governmental party, which weighs in favor of anonymity.").

¹⁹ Ryan Lenz, *Daily Stormer Targets Federal Judges Ruling Against Trump's Muslim Ban*, Southern Poverty Law Center, Feb. 1, 2017, <https://www.splcenter.org/hatewatch/2017/02/01/daily-stormer-targets-federal-judges-ruling-against-trumps-muslim-ban>, Espíritu Decl. Ex. U.

²⁰ See Dean Obeidallah, *Donald Trump's Most Bone-chilling Tweet*, CNN, Feb. 6, 2017, <http://cnn.it/2kFMESG>, Espíritu Decl. Ex. V.

As courts have recognized, “[a]ctions against the government do no harm to its reputation, whereas suits filed against private parties may damage their good names and result in economic harm.” *Pittsylvania County*, 844 F. Supp. 2d at 730 (citation omitted); *see also Candidate No. 452207 v. CFA Institute*, 42 F. Supp. 3d 804, 810 (E.D. Va. 2012); *McCrory*, 2014 WL 29352, at *2.

E. THERE IS NO RISK OF UNFAIR PREJUDICE TO THE GOVERNMENT IF THE
DOE PLAINTIFFS ARE ALLOWED TO PROCEED ANONYMOUSLY

Similarly, there is no risk of unfair prejudice to the Defendants if the Court permits the Doe Plaintiffs to proceed anonymously, as this case involves strictly legal issues and does not turn on questions of the individual Doe Plaintiffs’ background or credibility. *See Pittsylvania County*, 844 F. Supp. 2d at 731 (“Case law indicates that any risk of unfairness to a defendant as a consequence of allowing a plaintiff to proceed anonymously is minimized when the issues raised are purely legal and do not depend on identifying the specific parties.” (internal punctuation and citation omitted)); *HICA Order* at 5 (finding that “unfair prejudice to defendants is not sufficient reason to deny plaintiffs the right to proceed anonymously in light of other circumstances”). Because the issues presented in this case are purely legal, the Doe Plaintiffs’ particularized facts and circumstances play “a relatively minor role in this litigation,” and therefore “the risk of unfairness to defendants by allowing plaintiff[s] to proceed anonymously is relatively low.” *Pittsylvania County*, 844 F. Supp. 2d at 731.

Moreover, as already noted above, such a suit involving purely legal claims against the government does no harm to the government’s reputation. *See Pittsylvania County*, 844 F. Supp.2d at 730; *S. Methodist Univ. Ass’n of Women Law Students v. Wynne & Jaffe*, 599 F.2d 707, 713 (5th Cir. 1979) (noting that, unlike anonymous lawsuits against private parties, such suits “challenging the constitutional, statutory, or regulatory validity of government activity . . . involve no injury to the Government’s reputation (internal punctuation omitted)).

1 In short, the federal government faces no unfair prejudice if the Doe Plaintiffs are allowed
2 to proceed under pseudonyms, particularly at this early stage of the litigation. And if the
3 government can later articulate and substantiate a need for particularized information about the
4 Doe Plaintiffs, the Court can consider at that stage whether a different balance should be struck
5 regarding the Doe Plaintiffs' privacy.

6 F. PERMITTING THE DOE PLAINTIFFS TO PROCEED ANONYMOUSLY WILL
7 NOT HARM THE PUBLIC INTEREST IN OPEN PROCEEDINGS

8 Finally, in the circumstances of this case, anonymity does not compromise in any way the
9 public interest in open judicial proceedings. This particular case turns on legal questions, not the
10 identities of individuals. If the Doe Plaintiffs are granted leave to proceed under pseudonym, "the
11 public is not denied its right to attend the proceedings or inspect the orders or opinions of the court
12 on the underlying constitutional issue." *Pittsylvania County*, 844 F. Supp. 2d at 728 (citing *Barrow*
13 *County*, 219 F.R.D. at 193).

14
15 **III. CONCLUSION**

16 The Doe Plaintiffs would be at risk of great harm if their identities were revealed.
17 Permitting them to proceed anonymously would neither materially harm the public interest in open
18 court proceedings nor risk unfair prejudice to the government. The Doe Plaintiffs therefore
19 respectfully request that this Court permit them to proceed under pseudonyms in this action.
20

21
22 Respectfully submitted,

Dated: February 7, 2017

23
24 /s/ Justin B. Cox

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CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of February, 2017, I caused a PDF version of the foregoing document to be electronically transmitted to the Clerk of the Court, using the CM/ECF System for filing and for transmittal of a Notice of Electronic Filing to all CM/ECF registrants.

By: /s/ Justin B. Cox

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, a project of the
Urban Justice Center, Inc., on behalf of itself
and its clients; HIAS, Inc., on behalf of itself
and its clients; ALLAN HAKKY;
SAMANEH TAKALOO; JOHN DOES # 1-
4; and JANE DOE #1,

Declaration of John Doe #1

Plaintiffs,

v.

DONALD TRUMP, President of the United
States; DEPARTMENT OF HOMELAND
SECURITY; DEPARTMENT OF STATE;
OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE;
JOHN KELLY, Secretary of Homeland
Security; REX TILLERSON, Secretary of
State; and MICHAEL DEMPSEY, Acting
Director National Intelligence.

Defendants.

DECLARATION OF JOHN DOE #1

I, [REDACTED], upon my personal knowledge, hereby submit this
declaration pursuant to 28 U.S.C. § 1746 and declare as follows:

1. I am a Lawful Permanent Resident of Iranian origin, and I live in
Montgomery County, Maryland.
2. I came to the United States in 2014 on a J1 visa. I am a scientist who
studies atmospheric and natural hazards. In 2016, I obtained my lawful permanent resident
(LPR) status through the National Interest Waiver program for people whose work concerns an

area of substantial intrinsic merit, is national in scope, and benefits the interests of the United States.

3. In August 2016, while my application to become a lawful permanent resident was pending, I married an Iranian national. My wife and I have applied for a spousal immigration visa for her to join me, submitted to the National Visa Center on January 9, 2017. The application was approved, the processing fees paid, and we were waiting for the embassy interview to be scheduled at the time the Executive Order went into effect.

4. Because of the Executive Order, we are worried that her interview will not be scheduled and she will not get her visa and be permitted to join me in the United States.

5. Even as a LPR, I am fearful of leaving the United States because I fear the Executive Order may prevent my ability to return to my home in Silver Spring, Maryland. I would like to visit my wife in Iran, but I will not make any travel plans because I do not want to risk not being able to return to the United States. Sometimes my work requires me to travel internationally for example to attend conferences, but I feel I cannot do that at this time because I may not be permitted to re-enter the United States.

6. My wife and I are non-practising Muslims but under Iranian law, a child born to a Muslim father is automatically considered to be Muslim. Conversion from Islam is deemed apostasy and is punishable by death.

7. I am very worried that our participation in this lawsuit against federal government officials could jeopardize my wife's visa application and my own plans to naturalize and become a U.S. citizen. We are hopeful that the National Visa Center (NVC) will resume processing applications from Iranian nationals and do not want our participation in this lawsuit to adversely impact her application.

8. I fear that whether or not my wife's visa is denied, my participation in this case could result in harassment of my wife and myself by the Iranian government when I visit her.

9. Because my wife and I are non-practising Muslims, I am fearful that we and our families could be subject to harassment or retaliation in Iran.

10. While participating in this lawsuit is important, I am also fearful that my participation may lead to me and my family being targeted for harassment if my identity were made public.

11. I am aware of the reports indicating that harassment and violence targeting Muslims has been on the rise recently.

12. Moreover, friends/family of mine have told me about the Texas mosque fire and also the Quebec Mosque attack right after the Execution Order was signed.

13. I am also aware of the reports that prominent Muslim activists who have been vocal about speaking up about issues related to anti-Muslim actions have been specifically targeted in social media and other media outlets.

14. For this reason, I feel that my personal security and that of my family necessitates that I be allowed to proceed under a pseudonym.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at [REDACTED], Maryland, on February 6, 2017.

[REDACTED]

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, a project of the
Urban Justice Center, Inc., on behalf of itself
and its clients; HIAS, Inc., on behalf of itself
and its clients; ALLAN HAKKY;
SAMANEH TAKALOO; JOHN DOES # 1-
4; and JANE DOE #1,

Declaration of John Doe #2

Plaintiffs,

v.

DONALD TRUMP, President of the United
States; DEPARTMENT OF HOMELAND
SECURITY; DEPARTMENT OF STATE;
OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE;
JOHN KELLY, Secretary of Homeland
Security; REX TILLERSON, Secretary of
State; and MICHAEL DEMPSEY, Acting
Director National Intelligence.

Defendants.

DECLARATION OF JOHN DOE #2

I, [REDACTED], upon my personal knowledge, hereby submit this
declaration pursuant to 28 U.S.C. § 1746 and declare as follows:

1. I am a U.S. citizen of Iraqi origin, and I live in Baltimore County,
Maryland.

2. I came to the United States in 2009 as a refugee along with my wife and two daughters. All of us are now U.S. citizens, as is my third daughter, who was born in the United States.

3. I am a Shiite Muslim, as is my father. My mother is a Sunni Muslim.

4. In 2006, my uncle and cousin were killed in Iraq, after which I also received threats.

5. Three days after my uncle and cousin were killed, I fled to Syria, where I lived for three years. My wife and two daughters joined me in Syria a month later. Because I continued to feel threatened in Syria, I applied for refugee status through the United Nations High Commissioner for Refugees in 2007. My refugee application was approved in 2009, and I arrived in the United States in August 2009.

6. In March 2015, I filed for a family-based I-130 immigration visa for my parents, who were still in Iraq, so they could join me and my family in the United States. My parents had an immigration interview at the U.S. Embassy in Baghdad in September 2016 and their visas were subsequently approved. As of December 2016, their cases were still pending administrative processing.

7. I expected that my parents would be able to join me in the United States early this year, and so they sold their furniture and prepared for their move. However, when I learned about the Executive Order from the news, I realized that this travel ban would prevent my parents from joining me in the United States.

8. I am very worried about my parents' safety. They are in [REDACTED] which is a dangerous part of Iraq. In the past, they have received letters threatening to harm them because they are my parents. My father and mother are currently moving between the houses of various

friends and relatives to ensure they are not targeted. Because of the threats to me and my fear of endangering my family, I am not able to visit them in [REDACTED].

9. I fear that my parents may be harmed in Iraq if the Executive Order continues to block their ability to come to the United States.

10. While participating in this lawsuit is important, especially because it will ensure that my parents are protected, I am also fearful that my participation may lead to me and my family, both in Iraq and in the United States, being targeted for harassment or even violence if my identity were made public.

11. I am aware of the reports of rising harassment of and violence targeting Muslims has been on the rise recently. I have heard on the news about the mosque burnings in Texas, for example. I live in an area of Maryland where there is a lot of support for President Trump, and I am concerned about the reaction of my neighbors if they find out I am participating in this lawsuit. I am particularly concerned about how that could impact my children and my family. I do not want my children to be harassed in school by teachers or students because of my participation in this lawsuit.

12. For this reason, I feel that my personal security and that of my family necessitates that I be allowed to proceed under a pseudonym.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at [REDACTED], Maryland, on February 6, 2017.

[REDACTED]

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, a project of the
Urban Justice Center, Inc., on behalf of itself
and its clients; HIAS, Inc., on behalf of itself
and its clients; ALLAN HAKKY;
SAMANEH TAKALOO; JOHN DOES # 1-
4; and JANE DOE #1,

Declaration of John Doe #3

Plaintiffs,

v.

DONALD TRUMP, President of the United
States; DEPARTMENT OF HOMELAND
SECURITY; DEPARTMENT OF STATE;
OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE;
JOHN KELLY, Secretary of Homeland
Security; REX TILLERSON, Secretary of
State; and MICHAEL DEMPSEY, Acting
Director National Intelligence.

Defendants.

DECLARATION OF JOHN DOE #3

I, [REDACTED], upon my personal knowledge, hereby submit this
declaration pursuant to 28 U.S.C. § 1746 and declare as follows:

1. I am a Lawful Permanent Resident of Iranian origin, and I live in Anne Arundel County, Maryland.
2. I came to the United States in 2011 through the greencard lottery. My wife, who is also an Iranian national, lives in Iran.

3. In October 2014, I applied for a visa on her behalf. Nineteen months later, in May 2016, my wife had her interview for the visa. She has been in administrative processing with the federal immigration agency since then.

4. I am very worried that our participation in this lawsuit could jeopardize my wife's visa application and my own plans to naturalize and become a U.S. citizen. We are hopeful that the National Visa Center (NVC) will resume processing applications from Iranian nationals and do not want our participation in this lawsuit against federal officials to adversely impact her application in any fashion.

5. I fear that whether or not my wife's visa is denied, my participation in this case could result in harassment of my wife and myself by the Iranian government when I visit her in Iran. Because of our current situation, I canceled plans to visit my wife in February 2017. I am also afraid to travel outside the United States because I fear that I will not be readmitted.

6. While participating in this lawsuit is important, I am also fearful that my participation may lead to me and my family being targeted for harassment if my identity were made public here in the United States.

7. I am aware of the reports indicating a recent rise in harassment and violence targeting Muslims in this country. I know, for example, that a mosque was set on fire by arsonists in Texas the day after President Trump signed his Executive Order.

8. I am also aware of reports that prominent Muslim activists who have been vocal about issues related to anti-Muslim actions have been specifically targeted in social media and other media outlets.

9. In addition, I have since learned that the New York judge who issued an order prohibiting the deportation of foreign nationals otherwise subject to the Executive Order

has had her home phone number and husband's name published on an "alt right" website, along with other derogatory comments about the judge.

10. For these reasons, I feel that my personal security and that of my family necessitates that I be allowed to proceed under a pseudonym.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at [REDACTED], Maryland, on February 6, 2017.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, a project of the
Urban Justice Center, Inc., on behalf of itself
and its clients; HIAS, Inc., on behalf of itself
and its clients; ALLAN HAKKY;
SAMANEH TAKALOO; JOHN DOES # 1-
4; and JANE DOE #1,

Declaration of John Doe #4

Plaintiffs,

v.

DONALD TRUMP, President of the United
States; DEPARTMENT OF HOMELAND
SECURITY; DEPARTMENT OF STATE;
OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE;
JOHN KELLY, Secretary of Homeland
Security; REX TILLERSON, Secretary of
State; and MICHAEL DEMPSEY, Acting
Director National Intelligence.

Defendants.

DECLARATION OF JOHN DOE #4

I, [REDACTED], upon my personal knowledge, hereby submit this
declaration pursuant to 28 U.S.C. § 1746 and declare as follows:

1. I am a U.S. citizen of Iraqi origin, and I live in Alabama.
2. I immigrated to the United States at the age of 3, and grew up in

[REDACTED] Pennsylvania. My wife, [REDACTED] came to the United States as a refugee,
and is now a U.S. citizen. She is expecting our first child and is scheduled for a C-section on
February [REDACTED] 2017. Her parents, who currently live in Iraq and have valid immigration visas,

will be unable to come to the United States to witness the birth of their grandchild (my child) if the Executive Order remains in effect.

3. I am a Sunni Muslim, as is my wife.

4. My wife and I are afraid to reveal our names in this lawsuit. For the reasons described in her declaration, we fear that her parents might be targeted if, because of this lawsuit, people in Iraq learn of their connection to the United States.

5. I am also aware that Muslims in the United States are at risk of harassment for their religious and political beliefs, and I am afraid that if I reveal my name in this lawsuit, I could also become a target of the current anti-Muslim sentiment in the United States.

6. I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at [REDACTED], Alabama on February 6, 2017.

[REDACTED]

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, a project of the
Urban Justice Center, Inc., on behalf of itself
and its clients; HIAS, Inc., on behalf of itself
and its clients; ALLAN HAKKY;
SAMANEH TAKALOO; JOHN DOES # 1-
4; and JANE DOE #1,

Declaration of Jane Doe #1

Plaintiffs,

v.

DONALD TRUMP, President of the United
States; DEPARTMENT OF HOMELAND
SECURITY; DEPARTMENT OF STATE;
OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE;
JOHN KELLY, Secretary of Homeland
Security; REX TILLERSON, Secretary of
State; and MICHAEL DEMPSEY, Acting
Director National Intelligence.

Defendants.

DECLARATION OF JANE DOE #1

I, [REDACTED], upon my personal knowledge, hereby submit this
declaration pursuant to 28 U.S.C. § 1746 and declare as follows:

1. I am a U.S. citizen of Iraqi origin, and I live in Alabama.
2. I came to the United States in 2009 as a refugee. I fled from Iraq to Jordan in 2005. Life was very dangerous for me and my family in Iraq, which is why I made the difficult decision to flee: several bombs had exploded in my neighborhood, including one near my elementary school that blew out the glass of my classroom windows, and my brother and

father were exposed to gunfire from armed men who were randomly shooting in their direction. I became a U.S. citizen in 2015.

3. I am a Sunni Muslim, as are my father and my husband. My mother is a Shiite Muslim. My husband was born in Mosul, Iraq. He immigrated to the United States at the age of 3, and grew up in [REDACTED] He is also a U.S. citizen.

4. I am pregnant, and I am scheduled for a C-section on February [REDACTED] 2017. I filed a family-based IR-5 visa petition for my two parents, who live in Baghdad, in 2016 so that they can come to the United States and be safe. That visa petition was approved, and the visa is valid until May 2017. My parents plan to travel to the United States before the date of the C-section for my baby. If the executive order banning entry from Iraq remains in effect, my parents will not be able to travel to the United States and meet their grandchild.

5. My husband and I are unable to return to Iraq to visit my parents because we are afraid for our safety. When my youngest brother came to America, and people in my parents neighborhood learned of that, someone approached my father and said, "You better hope your son doesn't come back." We understood this to be a threat on his life if he returned to Iraq. In addition, my parents live in a predominantly Shiite neighborhood, and as Sunni Muslims, we would not feel safe there.

6. For these reasons, my husband and I are afraid to reveal our names in this lawsuit. We fear that my parents, who are still in Iraq, might be targeted if people in Iraq are able to identify them and learn, because of this lawsuit, of their relationship to the United States as well as of my father's religion.

7. I have also heard of many instances where Muslims in the United States have been harassed for their religious and political beliefs, and I am afraid that my revealing my name in this lawsuit could make me a target of that kind of anti-Muslim sentiment.

8. I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at [REDACTED] Alabama on February 6, 2017.

[REDACTED]

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, a project of the
Urban Justice Center, Inc., on behalf of
itself and its clients; HIAS, Inc., on behalf
of itself and its clients; ALLAN HAKKY;
SAMANEH TAKALOO; JOHN DOES #
1-4; and JANE DOE #1,

Plaintiffs,

v.

DONALD TRUMP, President of the
United States; DEPARTMENT OF
HOMELAND SECURITY;
DEPARTMENT OF STATE; OFFICE OF
THE DIRECTOR OF NATIONAL
INTELLIGENCE; JOHN KELLY,
Secretary of Homeland Security; REX
TILLERSON, Secretary of State; and
MICHAEL DEMPSEY, Acting Director
National Intelligence.

Defendants.

Civil Action No.: 8:17-cv-00361-TDC

**DECLARATION OF NICHOLAS
ESPÍRITU IN SUPPORT OF DOE
PLAINTIFFS' MOTION FOR LEAVE TO
PROCEED UNDER PSEUDONYMS**

DECLARATION OF NICHOLAS ESPÍRITU

I, Nicholas Espíritu, upon my personal knowledge, hereby submit this declaration pursuant to 28 U.S.C. § 1746 and declare as follows:

1. I am an attorney with the National Immigration Law Center (NILC), and counsel of record for Plaintiffs in this action. I am licensed in the State of California and have a forthcoming *pro hac vice* application to practice before this Court. I make this declaration based on my personal knowledge (except where expressly noted herein) and, if called upon as a witness, I could and would testify competently as to the matters set forth below.

2. Attached as Exhibit A is a true and correct copy of the Order Granting Motion to Proceed Under Pseudonyms issued in *Hispanic Interest Coalition of Alabama v. Bentley*, No. 11-2484 (N.D. Ala. filed Aug. 12, 2011).

3. Attached as Exhibit B is a true and correct copy of the Order Granting Motion to Proceed Anonymously issued in *Friendly House v. Whiting*, No. 10-1061 (D. Ariz. filed June 21, 2010).

4. On February 5, 2017, I visited the website of the Pew Research Center and downloaded a copy of the report, “Anti-Muslim assaults reach 9/11-era levels, FBI data show,” available at <http://www.pewresearch.org/fact-tank/2016/11/21/anti-muslim-assaults-reach-911-era-levels-fbi-data-show>. A true and correct copy of this report is attached as Exhibit C.

5. On February 5, 2017, I visited the New York Times website and downloaded a copy of an article, written by Eric Lichtblau and titled, “Hate Crimes Against American Muslims Most Since Post-9/11 Era,” available at https://www.nytimes.com/2016/09/18/us/politics/hate-crimes-american-muslims-rise.html?_r=0. The article was published on the New York Times website on September 17, 2016. A true and correct copy of this article is attached to this declaration as Exhibit D.

6. On February 5, 2017, I visited the New York Times website and downloaded a copy of an article, written by Patrick Healy and Michael Barbaro titled, “Donald Trump Calls for Barring Muslims From Entering U.S.,” available at <https://www.nytimes.com/politics/first-draft/2015/12/07/donald-trump-calls-for-banning-muslims-from-entering-u-s/>. The article was published on the New York Times website on December 7, 2015. A true and correct copy of this article is attached to this declaration as Exhibit E.

7. On February 5, 2017, I visited the Slate Magazine website and downloaded a copy of an article, written by Isaac Chotiner and titled, “Donald Trump and the Spike in Anti-Muslim Hate Crimes in the U.S.,” *available at* http://www.slate.com/blogs/the_slatest/2016/05/09/donald_trump_and_the_rise_of_anti_muslim_hate_crimes.html. The article was published on the Slate Magazine website on May 9, 2016. A true and correct copy of this article is attached to this declaration as Exhibit F.

8. On February 5, 2017, I visited the San Jose Mercury News website and downloaded a copy of an article, written by Jason Green and titled, “Hijab-wearing woman describes San Jose State attack,” *available at* <http://www.mercurynews.com/2016/11/09/woman-wearing-hijab-attacked-at-san-jose-state/>. The article was published on the San Jose Mercury News website on November 11, 2016. A true and correct copy of this article is attached to this declaration as Exhibit G.

9. On February 5, 2017, I visited the San Diego Tribune website and downloaded a copy of an article, written by Kate Morrissey and titled, “Post-election note to El Cajon business: ‘BE PREPARED TO GO BACK TO YOUR COUNTRY WITH ISIS,’” *available at* <http://www.sandiegouniontribune.com/news/immigration/sd-me-hate-incidents-20161130-story.html>. The article was published on the San Diego Tribune website on November 30, 2016. A true and correct copy of this article is attached to this declaration as Exhibit H.

10. On February 5, 2017, I visited the Washington Post website and downloaded a copy of an article, written by Kristine Guerra and titled, “A Muslim teacher receives an anonymous note about her headscarf: ‘Hang yourself with it,’” *available at* <https://www.washingtonpost.com/news/post-nation/wp/2016/11/12/a-muslim-teacher-receives-an-anonymous-note-about-her-headscarf-hang-yourself-with->

[it/?postshare=2351478980457522&tid=ss_tw&utm_term=.c64ede6913ad](https://www.washingtonpost.com/news/morning-mix/wp/2016/12/08/she-became-the-nations-first-somali-american-lawmaker-a-month-later-she-was-harassed-in-a-d-c-cab-for-being-muslim/?postshare=2351478980457522&tid=ss_tw&utm_term=.c64ede6913ad). The article was published on the Washington Post website on November 12, 2016. A true and correct copy of this article is attached to this declaration as Exhibit I.

11. On February 5, 2017, I visited the Washington Post website and downloaded a copy of an article, written by Samantha Schmidt and titled, “She became the nation’s first Somali American lawmaker. A month later, she was harassed in a D.C. cab for being Muslim,” *available at* https://www.washingtonpost.com/news/morning-mix/wp/2016/12/08/she-became-the-nations-first-somali-american-lawmaker-a-month-later-she-was-harassed-in-a-d-c-cab-for-being-muslim/?utm_term=.1e364c7bb134. The article was published on the Washington Post website on December 8, 2016. A true and correct copy of this article is attached to this declaration as Exhibit J.

12. On February 5, 2017, I visited the website of the Southern Poverty Law Center and downloaded a copy of the report, “Update: More Than 400 Incidents of Hateful Harassment and Intimidation Since the Election,” *available at* <https://www.splcenter.org/hatewatch/2016/11/15/update-more-400-incidents-hateful-harassment-and-intimidation-election>. A true and correct copy of this report is attached as Exhibit K.

13. On February 5, 2017, I visited the Washington Post website and downloaded a copy of an article, written by Samantha Schmidt and titled, “Man shoves Muslim New York City transit worker on stairs, shouting ‘You’re a terrorist,’” *available at* https://www.washingtonpost.com/news/morning-mix/wp/2016/12/06/man-shoves-muslim-new-york-city-transit-worker-down-stairs-shouting-youre-a-terrorist/?tid=a_inl&utm_term=.f64a4719ca5c. The article was published on the Washington Post

website on December 6, 2016. A true and correct copy of this article is attached to this declaration as Exhibit L.

14. On February 5, 2017, I visited the official website of the Governor of New York and downloaded a copy of the statement of December 5, 2016, identified on the website as “Statement from Governor Andrew M. Cuomo on New York City Hate Crimes,” *available at* <https://www.governor.ny.gov/news/statement-governor-andrew-m-cuomo-new-york-city-hate-crimes>. A true and correct copy of this recommendation is attached as Exhibit M.

15. On February 5, 2017, I visited the Washington Post website and downloaded a copy of an article, written by Sarah Larimer and titled, “‘We can’t allow this’: Man accused of threatening to slit throat of Muslim NYPD officer,” *available at* https://www.washingtonpost.com/news/post-nation/wp/2016/12/05/we-cant-allow-this-man-accused-of-threatening-to-slit-throat-of-muslim-nypd-officer/?hpid=hp_no-name_hp-in-the-news%3Apage%2Fin-the-news&tid=a_inl&utm_term=.442723af6730. The article was published on the Washington Post website on December 5, 2016. A true and correct copy of this article is attached to this declaration as Exhibit N.

16. On February 5, 2017, I visited the Los Angeles Times website and downloaded a copy of an article, written by Matt Stevens and Matt Hamilton and titled, “Man stabs worshiper near Simi Valley mosque in hate crime, police allege,” *available at* <http://www.latimes.com/local/lanow/la-me-ln-simi-valley-mosque-stabbing-20161211-story.html>. The article was published on the Los Angeles Times website on December 12, 2016. A true and correct copy of this article is attached to this declaration as Exhibit O.

17. On February 5, 2017, I visited the KSWO website and downloaded a copy of an article, written by Rhiannon Poolaw and titled, “Lawton Islamic Center falls victim to

potential hate crime,” *available at* <http://www.kswo.com/story/34010579/lawton-islamic-center-falls-victim-to-potential-hate-crime>. The article was published on the KSWO website on December 8, 2016. A true and correct copy of this article is attached to this declaration as Exhibit P.

18. On February 5, 2017, I visited the CNN website and downloaded a copy of an article, written by Tony Marco and titled, “Police: Mosque outside Seattle torched,” *available at* <http://www.cnn.com/2017/01/15/us/washington-mosque-arson/>. The article was published on the CNN website on January 15, 2017. A true and correct copy of this article is attached to this declaration as Exhibit Q.

19. On February 5, 2017, I visited the Fusion website and downloaded a copy of an article, written by Nidhi Prakash and titled, “A Muslim organizer of the Women’s March is under attack from Islamophobic trolls,” *available at* <http://fusion.net/story/382460/linda-sarsour-womens-march-islamophobic-attacks/>. The article was published on the Fusion website on January 23, 2017. A true and correct copy of this article is attached to this declaration as Exhibit R.

20. On February 5, 2017, I visited the Fox News website and downloaded a copy of an article titled, “Attacks target Muslim-American activist after DC march,” *available at* <http://www.foxnews.com/us/2017/01/26/attacks-target-muslim-american-activist-after-dc-march.html>. The article was published on the Fox News website on January 26, 2017. A true and correct copy of this article is attached to this declaration as Exhibit S.

21. On February 5, 2017, I visited the Texas Tribune website and downloaded a copy of an article, written by Sanya Mansoor and titled, “Two Texas mosques burned to the ground this month,” *available at* <https://www.texastribune.org/2017/01/30/two-texas-mosques->

[burned-ground-january](#). The article was published on the Texas Tribune website on January 30, 2017. A true and correct copy of this article is attached to this declaration as Exhibit T.

22. On February 5, 2017, I visited the website of the Southern Poverty Law Center and downloaded the report by Ryan Lenz titled, “Daily Stormer Targets Federal Judges Ruling Against Trump's Muslim Ban,” *available at* <https://www.splcenter.org/hatewatch/2017/02/01/daily-stormer-targets-federal-judges-ruling-against-trumps-muslim-ban>. The article was published on the Southern Poverty Law Center website on February 1, 2017. A true and correct copy of this article is attached to this declaration as Exhibit U.

23. On February 7, 2017, , I visited the CNN website and downloaded a copy of the editorial, written by Dean Obeidallah titled, “Donald Trump's most bone-chilling tweet,” *available at* <http://www.cnn.com/2017/02/04/opinions/donald-trumps-most-bone-chilling-tweet-obeidallah-opinion/>. The editorial was published on the CNN website on February 6, 2017. A true and correct copy of this article is attached to this declaration as Exhibit V.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at Los Angeles, California on February 6, 2017.

Nicholas Espiritu

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- Ex. B Order Granting Motion to Proceed Anonymously, *Friendly House v. Whiting*, No. 10-1061 (D. Ariz. filed June 21, 2010).
- Ex. C Pew Research Center, Anti-Muslim assaults reach 9/11-era levels, FBI data show.
- Ex. D Eric Lichtblau, Hate Crimes Against American Muslims Most Since Post-9/11 Era, New York Times, September 17, 2016.
- Ex. E Patrick Healy and Michael Barbaro, Donald Trump Calls for Barring Muslims From Entering U.S., New York Times, December 7, 2015.
- Ex. F Isaac Chotiner, Donald Trump and the Spike in Anti-Muslim Hate Crimes in the U.S., Slate Magazine, May 9, 2016.
- Ex. G Jason Green, Hijab-wearing woman describes San Jose State attack, San Jose Mercury News, November 11, 2016.
- Ex. H Kate Morrissey, Post-election note to El Cajon business: 'BE PREPARED TO GO BACK TO YOUR COUNTRY WITH ISIS', San Diego Tribune, November 30, 2016.
- Ex. I Kristine Guerra, A Muslim teacher receives an anonymous note about her headscarf: 'Hang yourself with it', Washington Post, November 12, 2016.
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- Ex. K Samantha Schmidt, She became the nation's first Somali American lawmaker. A month later, she was harassed in a D.C. cab for being Muslim, Washington Post, December 8, 2016.
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- Ex. N Sarah Larimer, 'We can't allow this': Man accused of threatening to slit throat of Muslim NYPD officer, Washington Post, December 5, 2016.

- Ex. O Matt Stevens and Matt Hamilton, Man stabs worshiper near Simi Valley mosque in hate crime, police allege, Los Angeles Times, December 12, 2016.
- Ex. P Rhiannon Poolaw, Lawton Islamic Center falls victim to potential hate crime, KSWO, December 8, 2016.
- Ex. Q Tony Marco, Police: Mosque outside Seattle torched, CNN, January 15, 2017.
- Ex. R Nidhi Prakash, A Muslim organizer of the Women's March is under attack from Islamophobic trolls, Fusion, January 23, 2017.
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- Ex. T Sanya Mansoor, Two Texas mosques burned to the ground this month, Texas Tribune, January 30, 2017.
- Ex. U Ryan Lenz, Daily Stormer Targets Federal Judges Ruling Against Trump's Muslim Ban, Southern Poverty Law Center, February 1, 2017.
- Ex. V Dean Obeidallah, Donald Trump's most bone-chilling tweet, CNN, February 6, 2017.

EXHIBIT A

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

**HISPANIC INTEREST COALITION OF)
ALABAMA; *et al.*,)**

Plaintiffs,)

vs.)

Case Number: 5:11-CV-2484-SLB

**ROBERT BENTLEY, in his official)
capacity as Governor of the State of)
Alabama; *et al.*,)**

Defendants.)

**RT. REV. HENRY N. PARSLEY, JR., in)
his official capacity as Bishop of the)
Episcopal Church in the Diocese of)
Alabama, et al.,)**

Plaintiffs,)

vs.)

Case Number: 5:11-CV-2736-CLS

**ROBERT BENTLEY, in his official)
capacity as Governor of the State of)
Alabama,)**

Defendants.)

UNITED STATES OF AMERICA,)

Plaintiff)

vs.)

Case Number: 2:11-CV-2746-LSC

**STATE OF ALABAMA; GOVERNOR)
ROBERT J. BENTLEY,)**

Defendants.)

ORDER

This case is presently pending before the court on the Doe plaintiffs’ Motion for Leave to Proceed under Pseudonyms. (Doc. 2.)¹ Plaintiffs contend, “All twelve Doe Plaintiffs should be permitted to pursue this litigation under pseudonyms. . . . [I]f the Doe Plaintiffs’ identities and participation in this lawsuit were to become public, there would be an increased risk that they or their family members would be subjected to unconstitutional detention by the police, the initiation of removal proceedings or other adverse immigration consequences, and public hostility, harassment, and even violence.” (*Id.* at 1-2.) Defendants oppose this Motion. (Doc. 46.)

The court notes the following standard governs its determination:

In this Circuit, Federal Rule of Civil Procedure 10(a) requires that “every pleading” in federal court “must name all the parties.” Fed. R. Civ. P. 10(a) (2010). “This rule serves more than administrative convenience. It protects the public’s legitimate interest in knowing all of the facts involved, including the identities of the parties.” [*Doe v. Frank*, 951 F.2d [320,] 322 [(11th Cir. 1992)] (citing *Doe v. Rostker*, 89 F.R.D. 158, 160 (N.D. Cal. 1981) and *Doe v. Deschamps*, 64 F.R.D. 652, 653 (D. Mont. 1974))]. This creates a strong presumption in favor of parties’ proceeding in their own names. Defendants have the right to know who their accusers are, as they may be subject to embarrassment or fundamental unfairness if they do not. *See Doe v. Smith*, 429 F.3d 706, 710 (7th Cir. 2005)(“[The plaintiff] has denied [the defendant] the shelter of anonymity yet it is [the defendant], and not the plaintiff, who faces disgrace if the complaint's allegations can be substantiated. And if the complaint's allegations are false, then anonymity provides a shield behind which defamatory charges may be launched without shame or liability.”).

¹Reference to a document number, [“Doc. ____”], refers to the number assigned to each document as it is filed in the court’s record in the first-filed case, *Hispanic Interest Coalition of Alabama v. Bentley*, 5:11-CV-2484-SLB.

Nonetheless, the rule is not absolute. A party may proceed anonymously in a civil suit in federal court by showing that he “has a substantial privacy right which outweighs the ‘customary and constitutionally-embedded presumption of openness in judicial proceedings.’” *Frank*, 951 F.2d at 323 (quoting [*Doe v.*] *Stegall*, 653 F.2d [180,] 186 [(5th Cir. Unit A Aug. 1981)]). In evaluating whether a plaintiff has shown that he has such a right, the court “should carefully review all the circumstances of a given case and then decide whether the customary practice of disclosing the plaintiff’s identity should yield to the plaintiff’s privacy concerns.” *Id.* (citing *S. Methodist Univ. Ass’n of Women Law Students v. Wynne & Jaffe*, 599 F.2d 707, 713 (5th Cir. 1979) [hereinafter, *SMU*]).

The first step in analyzing a plaintiff’s claim of a substantial privacy right is to look at the three factors analyzed in *SMU*. See *Stegall*, 653 F.2d at 185 (restating the test). First, are the plaintiffs seeking anonymity challenging governmental activity? Second, will they be required to disclose information of the utmost intimacy? Third, will the plaintiffs be compelled to admit their intention to engage in illegal conduct and thus risk criminal prosecution?

...

After the *Stegall* court clarified that the three-part *SMU* test was only the first step for evaluating whether to let a plaintiff proceed to trial anonymously, courts have considered other contexts in analyzing all the circumstances of a given case. Courts have looked at factors such as whether the plaintiffs were minors, *Stegall*, 653 F.2d at 186, whether they were threatened with violence or physical harm by proceeding in their own names, *id.*, and whether their anonymity posed a unique threat of fundamental unfairness to the defendant. See *SMU*, 599 F.2d at 713.

Plaintiff B v. Francis, 631 F.3d 1310, 1315-16 (11th Cir. 2011). “Lawsuits are public events. A plaintiff should be permitted to proceed anonymously only in those exceptional cases involving matters of a highly sensitive and personal nature, real danger of physical harm, or where the injury litigated against would be incurred as a result of the disclosure of the plaintiff’s identity.” *Frank*, 951 F.2d 324.

Plaintiffs raise three grounds for allowing the Doe plaintiffs to proceed anonymously:

First, public disclosure of the Doe Plaintiffs' identities and participation in this action would seriously jeopardize the very constitutional protections that they and the other plaintiffs seek to vindicate in this lawsuit. The Doe Plaintiffs reasonably fear that, if their identities were to become public, there would be an increased risk that they or their family members would be subjected to unconstitutional detention by state or local law enforcement officials acting under the auspices of HB 56. They also fear that they or their family members could suffer adverse immigration consequences, including immigration detention, the initiation of removal proceedings, and removal from the United States.

Second, the issue of immigration in general and HB 56 in particular have been the subject of intense and heated debate in Alabama. In this highly charged atmosphere, the Doe Plaintiffs fear harassment, retaliation, and even physical harm if their identities and personal stories are disclosed publicly.

Third, this case turns on legal questions, not on the identities of any particular individuals. Thus, the public's interest in open judicial proceedings will not be affected if the Doe Plaintiffs are permitted to proceed anonymously.

Finally, Defendants will not suffer any prejudice if the Doe Plaintiffs are permitted to proceed anonymously, because this case turns solely on the constitutionality of HB 56.

(Doc. 2-1 at 1-2.)

The court notes that the Doe plaintiffs and/or their family members are aliens; some are unlawfully in the country. They are challenging governmental activity, specifically HB 56. Some allege threats and harassment based on their ethnicity and national origin. Defendants concede "there is . . . a sufficient amount of material to indicate a hostility to illegal immigrants." (Doc. 46 at 16.) The court finds sufficient evidence of a genuine threat of harassment and violence to the Doe plaintiffs and/or their families should their identities

be revealed publicly. The court finds that these facts outweigh the customary and constitutionally-embedded presumption of openness in judicial proceedings.

Defendants contend that they must “know the identities of the Doe Plaintiffs so that [they] may test matters such as standing, conduct any appropriate discovery, [and] cross-examine [plaintiffs’] evidence.” (Doc. 46 at 2.) The court finds that any prejudice to defendants may be remedied by limited disclosure and protective orders. Therefore, the court finds that unfair prejudice to defendants is not a sufficient reason to deny plaintiffs the right to proceed anonymously in light of other circumstances.

Upon consideration of the record, the submissions of the parties, and the relevant law, the Doe plaintiffs’ Motion for Leave to Proceed under Pseudonyms, (doc. 2), is **GRANTED**.

EXHIBIT B

**MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Friendly House, et al. v. Whiting, et al.

THE HONORABLE JOHN W. SEDWICK

2:10-cv-1061 JWS

PROCEEDINGS:

ORDER FROM CHAMBERS

June 21, 2010

At docket 3, plaintiffs John Doe #1, Jane Doe #1 and Jane Doe #2 ask to proceed under pseudonyms. No response has been filed, but not all defendants have been served, and there are motions to intervene not yet decided. Nevertheless, given the number of parties, the number of motions already filed, the potential for a torrent of motions in the future, the nature of the motion, and the context of this litigation, the court deems it desirable to address the motion now.

John Doe #1 received political asylum as a result of persecution for opposing the policies of the Chinese government. This is disclosed in the complaint. He works in a Chinese restaurant and associates closely with others of Chinese ancestry. He fears that if his identity is disclosed, his opposition to the policies would become known resulting in loss of his job and exposure to harassment by other members of his community who support the policies of the Chinese government. Jane Doe #1 is from South Asia and is currently seeking asylum on grounds of religious persecution, facts set out in the complaint. She was subjected to degrading treatment in South Asia and fears disclosure of her identity would result in disclosure of her experiences in South Asia to her detriment including abuse from her husband who has abused her in the past. Jane Doe #2 is a family abuse victim living in transitional housing who fears, among other things, that disclosure of her identity in this lawsuit would result in physical abuse by persons who have abused her in the past.

According to the Ninth Circuit a trial court evaluating whether a party may proceed anonymously should consider five factors: (1) severity of threatened harm; (2) reasonableness of fearing harm; (3) vulnerability to retaliation; (4) prejudice to opposing parties; and (5) the public interest. *Doe v. Kamehameha Schools/Bernice Pauahi Bishop Estate*, 596 F.3d 1036, 1042 (9th Cir. 2010). Here the threatened harm

includes loss of employment and physical abuse; both are serious. The circumstances disclosed in the supporting declarations show it is reasonable to fear the harm threatened. Each of the Doe plaintiffs is in a vulnerable position. In a case involving a score of named plaintiffs as well as three unnamed plaintiffs which does not seek damages for specific plaintiffs but only common declaratory and injunctive relief, the prejudice to defendants of allowing three individuals to proceed anonymously appears insignificant, at least until such point as it might be determined that none of the named parties has standing. Finally, while the public interest always weighs in favor of public disclosure of litigant identities, it weighs less heavily here than in many cases because of the large number of named plaintiffs and the fact that the nature of the unnamed plaintiffs' interest in the litigation is discernible without knowing their identities.

The Ninth Circuit has said that striking an appropriate balance between a party's need to proceed anonymously and the strong interest in completely open judicial proceedings may change during the course of litigation. *Does I Thru XXIII v. Advanced Textile Corp.*, 214 F.3d 1058, 1069 (9th Cir. 2000). At this very early stage, the court finds the balance of relevant factors favors allowing the Doe plaintiffs to proceed anonymously. If circumstances change any party may seek disclosure of the identities, at which time the court might require the Doe plaintiffs to choose between continued participation in the lawsuit and disclosure of their identities.

The motion at docket 3 is GRANTED as follows: Pending any further order which might require choosing between proceeding as an identified party and being dismissed, John Doe #1, Jane Doe #1, and Jane Doe #2 may proceed anonymously.

EXHIBIT C

PewResearchCenter

NOVEMBER 21, 2016

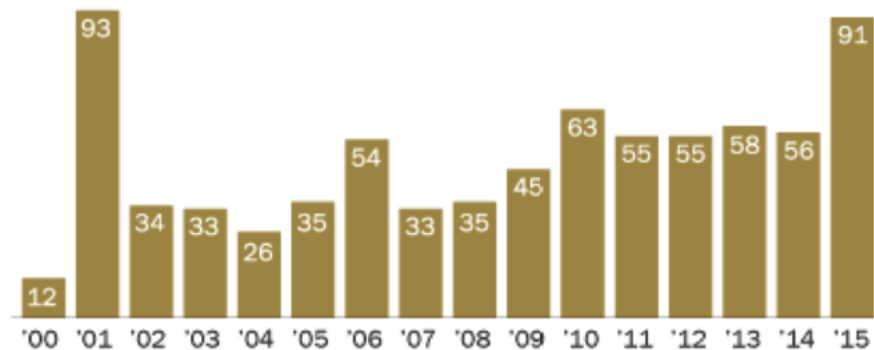
Anti-Muslim assaults reach 9/11-era levels, FBI data show

BY KATAYOUN KISHI ([HTTP://WWW.PEWRESEARCH.ORG/AUTHOR/KKISHI/](http://www.pewresearch.org/author/kkishi/))

The number of physical assaults against Muslims in the United States reached 9/11-era levels last year, according to a Pew Research Center analysis of new hate crimes statistics (<https://ucr.fbi.gov/hate-crime/2015>) from the FBI. There were 91 reported aggravated or simple assaults motivated by anti-Muslim bias in 2015, just two shy of the 93 reported in 2001 (<https://ucr.fbi.gov/hate-crime/2001>) .

Anti-Muslim assaults at highest level since 2001

Anti-Muslim assaults reported to the FBI



Note: Includes simple and aggravated assaults.

Source: Federal Bureau of Investigation

PEW RESEARCH CENTER

(http://www.pewresearch.org/fact-tank/2016/11/21/anti-muslim-assaults-reach-911-era-levels-fbi-data-show/ft_16-11-21_muslimhatecrimes/) Separately, the number of anti-Muslim intimidation crimes — defined as threatening bodily harm — also rose in 2015, with 120 reported to the FBI. Again, this was the most anti-Muslim intimidation crimes reported in any year since 2001, when there were 296.

Overall, the FBI reported 257 incidents of anti-Muslim hate crimes in 2015, a 67% increase from the previous year. These incidents included 301 individual crimes, 71% of which were crimes against people, as opposed to property. (Incidents can encompass more than one crime.) By contrast, crimes perpetrated against other religious groups more often involved property offenses, such as vandalism or theft. For example, 64% of anti-Jewish and 51% of anti-Catholic offenses in 2015 involved vandalism, compared with just 23% of anti-Muslim offenses.

Most Americans say there is “a lot” of discrimination against Muslims in the United States today – roughly six-in-ten U.S. adults (59%) said this in a January 2016 Pew Research Center survey (<http://www.pewforum.org/2016/02/03/republicans-prefer-blunt-talk-about-islamic-extremism-democrats-favor-caution/#views-of-discrimination-against-muslims-in-the-u-s>) . About three-quarters of Americans (76%) also said discrimination against Muslims in the U.S. was increasing.

The same survey found that almost half of American adults (49%) think at least “some” Muslims in the U.S. are anti-American, including 11% who think “most” or “almost all” are anti-American. Another survey from about the same time (<http://www.people-press.org/2015/12/15/views-of-governments-handling-of-terrorism-fall-to-post-911-low/#perceptions-of-islam-and-violence>) (December 2015) found that 46% of Americans thought Islam was more likely than other religions to encourage violence.

FBI data for 2016 will not be released until next year, but there have been anecdotal reports of a continued rise in anti-Muslim hate crimes this year. While not all incidents can be confirmed (<http://www.nbcnews.com/news/us-news/hundreds-hate-crimes-reported-election-splc-n683761>) , the Southern Poverty Law Center (<https://www.splcenter.org/hatewatch/2016/11/15/update-more-400-incidents-hateful-harassment-and-intimidation-election>) , a civil rights advocacy group that tracks hate crimes, reported more than 30 cases (<https://www.splcenter.org/hatewatch/2016/11/15/update-more-400-incidents-hateful-harassment-and-intimidation-election>) of anti-Muslim incidents in the five days following the presidential election alone.

The FBI collects hate crime data from about 15,000 law enforcement agencies that voluntarily participate, which means the annual statistics likely undercount the number of hate crimes in a given year. Still, the report is a useful tool for comparing hate crimes over time and tracking the minimum number of these crimes that occurred in a given year.

EXHIBIT D

Hate Crimes Against American Muslims Most Since Post-9/11 Era

By ERIC LICHTBLAU SEPT. 17, 2016

WASHINGTON — Hate crimes against American Muslims have soared to their highest levels since the aftermath of the Sept. 11, 2001 attacks, according to data compiled by researchers, an increase apparently fueled by terrorist attacks in the United States and abroad and by divisive language on the campaign trail.

The trend has alarmed hate crime scholars and law-enforcement officials, who have documented hundreds of attacks — including arsons at mosques, assaults, shootings and threats of violence — since the beginning of 2015.

While the most current hate crime statistics from the F.B.I. are not expected until November, new data from researchers at California State University, San Bernardino, found that hate crimes against American Muslims were up 78 percent over the course of 2015. Attacks on those perceived as Arab rose even more sharply.

Police and news media reports in recent months have indicated a continued flow of attacks, often against victims wearing traditional Muslim garb or seen as Middle Eastern.

Some scholars believe that the violent backlash against American Muslims is

driven not only by the string of terrorist attacks in Europe and the United States that began early last year, but also by the political vitriol from candidates like Donald J. Trump, who has called for a ban on immigration by Muslims and a national registry of Muslims in the United States.

“We’re seeing these stereotypes and derogative statements become part of the political discourse,” said Brian Levin, the director of the Center for the Study of Hate and Extremism at the San Bernardino campus. “The bottom line is we’re talking about a significant increase in these types of hate crimes.”

He said that the frequency of anti-Muslim violence appeared to have increased immediately after some of Mr. Trump’s most incendiary comments.

The latest major episode of anti-Muslim violence came last weekend, when an arsonist on a motorcycle started a fire that engulfed the Islamic Center of Fort Pierce, Fla., where Omar Mateen — the gunman in the June massacre at the Pulse nightclub in Orlando — had sometimes prayed.

The police, who called the attack “a terrible tragedy” for the community, arrested a local man who had criticized Islam in social media postings.

The arson, along with an earlier assault on a congregant outside the mosque and other episodes there, has left worshipers scared, said Mohammed Malik, 43, a businessman who has attended the mosque for nearly a decade.

“There is a lot of negative rhetoric,” he said. “The negative rhetoric is causing the hate, and in turn the hate is causing the violent acts.”

The new study from Mr. Levin’s nonpartisan group, based on official police reports in 20 states, estimated that there were about 260 hate crimes against Muslims nationwide in 2015.

That was the most since the record 481 documented hate crimes against Muslims in 2001, when the Sept. 11 attacks set off waves of crimes targeting Muslims and Middle Easterners, Mr. Levin said. The huge increase last year was

also the biggest annual rise since 2001, he said.

The rise came even as hate crimes against almost all other groups — including blacks, Hispanics, Jews, gays and whites — either declined or increased only slightly, his study found. One exception was hate crimes against transgender people, which rose about 40 percent.

An advance copy of the study was provided to The New York Times.

The statistics almost certainly understate the extent of the problem, researchers say, because victims are often reluctant to report attacks for fear of inflaming community tensions, and because it is sometimes difficult for investigators to establish that religious, ethnic or racial hatred was a cause.

In the killing last year of three Muslim students in Chapel Hill, N.C., for instance, the authorities did not bring hate crime charges against a neighbor who is charged with murdering them, despite calls from Muslims who said there were religious overtones to the violence. The police said that a parking dispute, not bigotry, may have led to the killings.

Sometimes, the evidence is more clear-cut.

“I hate ISLAM!” a former Marine named Ted Hakey Jr. wrote to a friend on Facebook after last November’s terrorist attacks in Paris. Hours later, in a drunken rampage, he fired a high-powered rifle four times into the mosque next door to his Connecticut home.

Last month, an apologetic Mr. Hakey began a six-month prison sentence after pleading guilty to a hate crime charge.

In Brooklyn, two women out walking their children in strollers were attacked this month, the police said, by a woman who screamed anti-Muslim obscenities and tried to rip off their traditional veils. And in Queens, a man was beaten in April by three strangers who shouted “ISIS, ISIS.”

In Minneapolis, a man shouting obscenities about Islam shot two Muslim men

in traditional religious garb in June, the authorities said.

In St. Louis, a man was arrested in February after the police said he pointed a gun at a Muslim family shopping on his block and told them they “all should die.”

Last month, an imam in Queens and his assistant were shot and killed execution-style on the sidewalk. The authorities have charged a 35-year-old man in the attack but have not determined a motive or whether it should be treated as a hate crime.

The increase in reports of apparent hate crimes has worried Justice Department officials.

“We saw it after 9/11, and we continue to see an uptick in allegations of hate-related incidents today following the tragic events over the past year,” said Vanita Gupta, who leads the Justice Department’s civil rights division.

“We see criminal threats against mosques; harassment in schools; and reports of violence targeting Muslim-Americans, Sikhs, people of Arab or South-Asian descent and people perceived to be members of these groups,” Ms. Gupta said.

The Justice Department has moved to draw public attention to the problem and marshal resources to combat it as part of a broader effort against religious discrimination.

A number of experts in hate crimes said they were concerned that Mr. Trump’s vitriol may have legitimized threatening or even violent conduct by a small fringe of his supporters.

In a few cases, people accused of hate crimes against Muslims and others have even cited Mr. Trump.

The police here in Washington released a videotape in May of a woman who reportedly poured liquid on a Muslim woman after berating Islam and declaring that she was going to vote for Mr. Trump so that he could “send you all back where you came from.”

On Thursday, Hillary Clinton charged that Mr. Trump had “incited violence” in a campaign marked by “bigotry” and “hatred.”

Mr. Trump’s supporters say that he has never endorsed violence against any minorities, and some conservatives have challenged data showing an increase in violence against American Muslims as a creation of liberal-leaning researchers.

Mr. Trump has said he is not responsible for any violence by his supporters.

“They’re not angry about something I’m saying,” he said on “Meet the Press” in March. “I’m just a messenger. The people are angry about the fact that, for 12 years, the workers in this country haven’t had a pay increase.”

James Nolan, a former F.B.I. crime analyst who teaches about hate crimes at West Virginia University, said that the data seemed to show “a real spike” in hate crimes against American Muslims, caused in part by candidates’ “raising the specter that radical Islam is at our doorstep.”

Mark Potok, a senior fellow at the Southern Poverty Law Center, which monitors hate groups and extremism, went further.

“I don’t have the slightest doubt that Trump’s campaign rhetoric has played a big part” in the rising attacks, he said.

Adam Goldman contributed reporting.

Follow The New York Times’s politics and Washington coverage on Facebook and Twitter, and sign up for the First Draft politics newsletter.

A version of this article appears in print on September 18, 2016, on Page A13 of the New York edition with the headline: Level of Hate Crimes Against U.S. Muslims Highest Since After 9/11.

EXHIBIT E

The New York Times

Donald Trump Calls for Barring Muslims From Entering U.S.

4:36 pm ET

Patrick Healy and Michael Barbaro

Updated, 10:42 p.m. | Donald J. Trump called on Monday for the United States to bar all Muslims from entering the country until the nation's leaders can "figure out what is going on" after the terrorist attacks in San Bernardino, Calif., an extraordinary escalation of rhetoric aimed at voters' fears about members of the

Islamic faith.

A prohibition of Muslims – an unprecedented proposal by a leading American presidential candidate, and an idea more typically associated with hate groups – reflects a progression of mistrust that is rooted in ideology as much as politics.

Mr. Trump, who in September declared “I love the Muslims,” turned sharply against them after the Paris terrorist attacks, calling for a database to track Muslims in America and repeating discredited rumors that thousands of Muslims celebrated in New Jersey on 9/11. His poll numbers rose largely as a result, until a setback in Iowa on Monday morning. Hours later Mr. Trump called for the ban, fitting his pattern of making stunning comments when his lead in the Republican presidential field appears in jeopardy.

Saying that “hatred” among many Muslims for Americans is “beyond comprehension,” Mr. Trump said in a statement that the United States needed to confront “where this hatred comes from and why.”

“Until we are able to determine and understand this problem and the dangerous threat it poses, our country cannot be the victims of horrendous attacks by people that believe only in jihad, and have no sense of reason or respect for human life,” Mr. Trump said.

Asked what prompted his statement, Mr. Trump said, “death,” according to a spokeswoman.

Repudiation of Mr. Trump’s remarks was swift and severe among religious groups and politicians from both parties. Mr. Trump is “unhinged,” said one Republican rival, former Gov. Jeb Bush of Florida, while another, Senator Marco Rubio of Florida, called the ban “offensive and outlandish.” Hillary Clinton said the idea was “reprehensible, prejudiced and divisive.” Organizations representing Jews, Christians and those of other faiths quickly joined Muslims in denouncing Mr. Trump’s proposal.

“Rooting our nation’s immigration policy in religious bigotry and

discrimination will not make America great again,” said Rabbi Jack Moline, executive director of Interfaith Alliance, putting a twist on Mr. Trump’s campaign slogan.

Mr. Trump made his remarks a day after President Obama delivered a national address from the Oval Office urging Americans not to turn against Muslims in the wake of the terrorist attacks.

Experts on immigration law and policy expressed shock at the proposal Monday afternoon.

“This is just so antithetical to the history of the United States,” said Nancy Morawetz, a professor of clinical law at New York University School of Law, who specializes in immigration. “It’s unbelievable to have a religious test for admission into the country.”

She added: “I cannot recall any historical precedent for denying immigration based on religion.”

Putting the policy into practice would require an unlikely act of Congress, said Stephen Yale-Loehr, a professor of law at Cornell and a prominent authority on immigration.

Should Congress enact such a law, he predicted, the Supreme Court would invalidate it as an overly restrictive immigration policy under the equal protection clause of the 14th Amendment.

“It would certainly be challenged as unconstitutional,” he said. “And I predict the Supreme Court would strike it down.”

Mr. Trump has a track record of making surprising and even extreme comments whenever he is overtaken in opinion polls by other Republican candidates – as happened on Monday just hours before he issued his statement about Muslims. A new Monmouth University survey of likely Iowa Republican caucus-goers found that Mr. Trump had slipped from his recent top spot in the

state, which holds the first presidential nomination contest on Feb. 1. According to the poll, Senator Ted Cruz of Texas earned 24 percent of support, while Mr. Trump had 19 percent and Senator Marco Rubio of Florida had 17 percent. But another Iowa poll released on Monday, by CNN/OCR, showed Mr. Trump with a comfortable lead but Mr. Cruz gaining ground on him.

Mr. Trump, who boasts about his strong poll numbers at the beginning of virtually every campaign speech, launched an unusually stinging attack against Ben Carson, another Republican candidate, when Mr. Carson took a lead in Iowa polls this fall; Mr. Trump, citing Mr. Carson's memoir about his sometimes-violent youth, called him "pathological" and compared his state of mind to a child molester's.

Several Republican strategists and politicians said they believe that Mr. Trump's maneuver against Muslims was partly a challenge to Mr. Cruz and other Republicans to stake out positions on terrorism that were as audacious as his own. But they also said that the ban reflected anxiety and anger among many voters that the federal government was not acting aggressively enough to protect them at home.

"I think Trump's idea may be too strong, but I think something jarring is very helpful in leading to a national debate in how big this problem is, and how dangerous it is," said Newt Gingrich, a former Republican speaker of the House who ran for president in 2012. "Nine percent of Pakistanis agree with ISIS, according to one poll. That's a huge number. We need to put all the burden of proof on people coming from those countries to show that they are not a danger to us."

Tens of thousands of Muslims enter and stay in the United States each year as tourists or through the immigration system, experts say, with an estimated 100,000 Muslims becoming United States permanent residents in 2012, according to the Pew Research Center. The United States issued 680,000 green cards to migrants from Muslim-majority countries in the five-year period from fiscal year 2009 through fiscal year 2013, according to the Senate Judiciary Committee's Subcommittee on Immigration and the National Interest, which cited data from

the Department of Homeland Security.

At a rally at the U.S.S. Yorktown in South Carolina on Monday night, Mr. Trump drew sustained cheers from the audience as he outlined his idea for the ban.

“We have no choice,” Mr. Trump said. “Our country cannot be the victim of tremendous attacks by people who believe only in jihad.”

While several Republican presidential candidates have called for increased intelligence gathering and more aggressive investigations of suspected terrorists, as well as a halt to Muslim refugees entering the United States from Syria, Mr. Trump’s pointed suspicions about Muslims have been in a category by themselves.

At his campaign rallies, he has drawn strong applause from thousands of voters for his calls on the government to monitor mosques, and he has refused to rule out his earlier proposal to enter names of Muslims in America into a database. He has also made a series of ominous comments about President Obama’s leadership in fighting terrorism, suggesting that there was “something going on” with Mr. Obama that Americans were not aware of.

In his statement, Mr. Trump quoted a poll by the Center for Security Policy, whose president and founder, Frank Gaffney, has claimed that President Obama is aligned with the Muslim Brotherhood, an extremist political movement born in Egypt, and that agents of the Muslim Brotherhood have infiltrated the U.S. government, the Republican Party and conservative political organizations.

Barring non-citizen Muslims from the United States has drawn support from organizations like the Society of Americans for National Existence and the Daily Stormer, which the Southern Poverty Law Center has described as hate groups.

The proposal drew immediate condemnation from Muslim-Americans. Eboo Patel, the president of Interfaith Youth Core, based in Chicago, said, “I’m standing in a building right now where I am looking up at the Sears Tower, which was designed by Fazlur Rahman Khan,” a structural engineer originally from Bangladesh who was behind what is now known as the Willis Tower.

“What if we had barred Russians from America because of the Cold War? Who would have invented Google?” Mr. Patel asked, referring to Google’s co-founder, Sergey Brin.

While many critics of Mr. Trump reassured themselves that neither he nor his idea would ultimately go anywhere, they were aghast that a mainstream presidential candidate would ever utter it.

“It would be particularly bizarre,” said Ms. Morawetz, “to have an immigration test based on religion given that the country was founded by people who were fleeing religious persecution.”

Donald Trump’s Republican Rivals Condemn His Call to Bar Muslims From Entering U.S.

By ALAN RAPPEPORT

Donald J. Trump’s call to bar Muslims from entering the United States has drawn swift condemnation from his Republican rivals for the nomination, raising the question of whether the billionaire businessman has finally gone too far.

95,000 Words, Many of Them Ominous, From Donald Trump’s Tongue

By PATRICK HEALY and MAGGIE HABERMAN

An analysis of 95,000 words Mr. Trump said in public in the past week reveals powerful patterns in his speech which, historians say, echo the appeals of demagogues of the past century.

Laurie Goodstein and Thomas Kaplan contributed reporting.

Find out what you need to know about the 2016 presidential race today, and get politics news updates via Facebook, Twitter and the First Draft newsletter.

A version of this article appears in print on 12/08/2015, on page A1 of the New York edition with the headline: Trump Wants to Block Entry of All Muslims.

Fri. Dec. 04 22 Posts Tue. Dec. 08 19 Posts

EXHIBIT F

Donald Trump and the Spike in Anti-Muslim Hate Crimes in the U.S.

By Isaac Chotiner



A protest against presidential candidate Donald Trump on March 19 in New York.

Eduardo Munoz Alvarez/Getty Images

Several weeks ago, in Washington, D.C., a Muslim woman was called “a worthless piece of Muslim trash” and a “terrorist” by a fellow Starbucks customer and, presumably, American citizen. After pouring something on the Muslim woman, the assaulter told her victim that she was planning on voting for Donald Trump, who would send Muslims “back to where you come from.” As horrific as this incident was, it was not unique. According to a new study from the Center for Muslim-Christian Understanding at Georgetown University, anti-Muslim hate crimes increased in 2015, coinciding with attacks in Paris and San Bernardino, California, and the rise of Donald Trump, the presumptive GOP nominee for president who has called for a ban on Muslims entering the United States.

The larger context for anti-Muslim hate crimes remains the atmosphere after the 9/11 attacks. Prior to 9/11, there were somewhere between 20 and 30 annual hate crimes committed against Muslims. Since that time, the number has increased to more than 100 annually. But 2015 was especially bad. Trump entered the race for the presidency in June. In November, Paris was attacked. In early December, San Bernardino was attacked. And several days later, Trump announced his Muslim ban proposal.

It was during December that the study saw a huge spike, recording 53 separate attacks on Muslims during this month, nearly one-third of the total in the entire year. To discuss these findings, I spoke by phone with Engy Abdelkader, the author of the report and a lawyer. “There are increasing threats of anti-Muslim violence,” she told me. “We saw this in 2015, which was perhaps the worst year in this regard since Sept. 11.” Abdelkader was careful to say that her study—based on news reports—may not be completely comprehensive, in part because some acts do not get reported. But by her count, there were 174 reported incidents in 2015, including 12 murders.

Abdelkader realizes how hard it is to pin specific acts on Trump or any other particular person or event (and the San Bernardino attacks and Trump’s rhetoric in response are especially difficult to separate), but the study does note that at least three of the chronicled incidents—in addition to the one in Washington, D.C.—were committed by avowed Trump supporters. Muslim leaders and victims of crime time and again, Abdelkader told me, relayed a strong perception that they were facing increased threats because of the heightened political atmosphere

brought about by many of the Republican candidates, but “with specific references to Mr. Trump.” Whether Trump’s rhetoric is specifically causing a high number of the crimes, he is at the very least causing unease and fear in a large number of American citizens—citizens who have become even more vulnerable in the post-9/11 era.

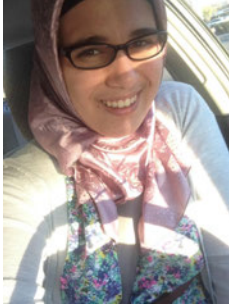
EXHIBIT G

Hijab-wearing woman describes San Jose State attack

By **JASON GREEN** | jason.green@bayareanewsgroup.com and **MARK GOMEZ** | mgomez@bayareanewsgroup.com |
PUBLISHED: November 9, 2016 at 11:29 pm | UPDATED: November 11, 2016 at 3:21 am

SAN JOSE — Esra Altun was walking back to her car at San Jose State University on Wednesday afternoon when someone grabbed her hijab from behind and yanked it backward.

The 19-year-old sophomore psychology student struggled to breathe as the man pulled hard at her head scarf inside the third floor of the West Garage at Fourth and San Salvador streets.



Esra Altun

“I was trying to gasp for air,” Altun said. “I couldn’t say or do anything. I was paralyzed.”

The attack lasted just a few seconds. Altun fought back by leaning forward, and when her attacker let go she fell hard to her knees. The man did not say a word, she said.

The attack came a day after the election of Republican Donald Trump, who at one point proposed a temporary ban on the immigration of Muslims to the United States.

University police told Altun they could not treat it as a hate crime, but she believes it was racially motivated.

“It happened a day after Trump was announced as president-elect,” Altun said. “If it was for another reason, it’s such a weird coincidence.”

University President Mary Papazian said she also found the attack troubling.

“I think our students have the perception that they were targeted because of their faith,” Papazian said. “Whether or not it rises to the literal level of what a hate crime would be, it certainly is something that we have to pay attention to. And we need to make sure that we have the conversations on campus about how our students of various backgrounds, orientations and affinities are feeling in a time when our nation is having a very dynamic conversation around these issues.”

There were no cameras in the part of the garage where the attack took place, and Papazian said the college planned to study adding them.

Similar attacks have been reported elsewhere, including at San Diego State University, where a Muslim student was assaulted and robbed in a campus parking lot. Authorities say the woman, who was wearing a hijab, was targeted because of her faith and that the suspects made comments about Trump’s election, according to the Associated Press. The assault and robbery is being investigated as a hate crime.

San Jose State University police issued a campus alert Wednesday about the attack on Altun, which happened around 1:15 p.m. She was walking with a group of friends from the Student Union to the garage. She opened her trunk to get something when her hijab was yanked backward.

Doaa Abdelrahman, president of the college's Muslim Student Association, also believes the attack was related to the election and Trump's campaign. She said racism has always existed, but now "it's fueled by Trump."

"I've experienced racism for my religion since age 9," Abdelrahman said. "I think Trump is the cause of a lot of segregation and division between people. I think racism always occurs around the world, This is a topic that needs to be addressed. I'm glad it's out in the surface."

University spokeswoman Pat Harris said the case remains under investigation and encouraged anyone with information to step forward.

"We are of course very concerned that this has occurred on our campus. No one should experience this kind of behavior at San Jose State," said Harris, adding that the college "encourages faculty, staff, and students to report all incidents so that we can track trends and respond appropriately in addition to conducting investigations of all cases."

In the first 24 hours after the attack, Altun said she has received tremendous support from the campus community, including people offering to walk her to her car.

"On Twitter, people were posting about it and they were outraged," she said. "They don't even know who I am. That's an amazing thing to see. And I hope that support goes out to every group that needs it."

Anyone with information about the case can contact the San Jose State University Police Department at 408-924-2222. Those wishing to remain anonymous can call or text 408-337-2919 or email sjsu@tipnow.org.

EXHIBIT H

Post-election note to El Cajon business: 'BE PREPARED TO GO BACK TO YOUR COUNTRY WITH ISIS'

During a news conference at the Islamic Center of Southern California in Los Angeles on Monday, Muslim Public Affairs Council President Salam Al-Marayati called for the person behind threatening letters sent to mosques in California and Georgia to come forward and talk with Muslims face to face. (Brian van der Brug / Los Angeles)



By **Kate Morrissey**

NOVEMBER 30, 2016, 5:00 PM

In the ten days following the election of Donald Trump as president, the U.S. saw a “national outbreak of hate” — 867 reported incidents, according to a report released Tuesday by the Southern Poverty Law Center.

Ninety-nine of those incidents happened in California and nine in the San Diego area, according to data from the Southern Poverty Law Center. The share of reported incidents for both California and San Diego are roughly equivalent to the areas’ shares of the U.S. population, according to U.S. Census data.

Of the San Diego incidents, three were anti-immigrant, according to data from the Southern Poverty Law Center. Three were anti-black. One incident was anti-Muslim, one was anti-LGBT, and one was pro-white nationalist.

The report provides details for only one of the local incidents. According to the report, a business in El Cajon received a note that said, “BE PREPARED TO GO BACK TO YOUR COUNTRY WITH ISIS...DONALD TRUMP WILL KICK ALL OF YOUR ASS BACK WHERE YOU CAME FROM.”

Nationwide, close to 30 percent of the incidents were considered anti-immigrant by the report.

In one such incident, a 10-year-old boy in Hermosa Beach, California, was told by a middle-aged white man whom he did not know to “get the f--- out” of the country. The man also called the boy a “beaner.”

“At this point, it is not enough for Trump to look in the camera and say ‘Stop it!’ to the harassers, as he did on ‘60 Minutes.’ Nor is it enough for him to simply ‘disavow’ the white supremacists who see him as their champion, as he did at The (New York) Times,” the report says. “If he is to make good on the first promise he made as the president-elect — his pledge to ‘bind the wounds of division’ in our country — he must repair the damage that his campaign has caused. Rather than feign ignorance, he must acknowledge that his own words have opened ‘wounds of division’ in our country.”

Twenty-three of the hate incidents reflected animosity toward Trump or his supporters. His campaign headquarters in Denver was vandalized with the word “No” the day after the election, as one example given in the report.

The Southern Poverty Law Center also recently surveyed teachers about the effect of the election in their classrooms.

More than 10,000 teachers responded to the survey, according to the report. Nine out of 10 said that the election had negatively affected their classrooms, and eight in 10 reported heightened anxiety

among immigrant, Muslim, African-American and students who are LGBT or lesbian, gay, bisexual or transgender.

Four out of 10 said that they'd heard derogatory language directed at those student groups.

EXHIBIT I

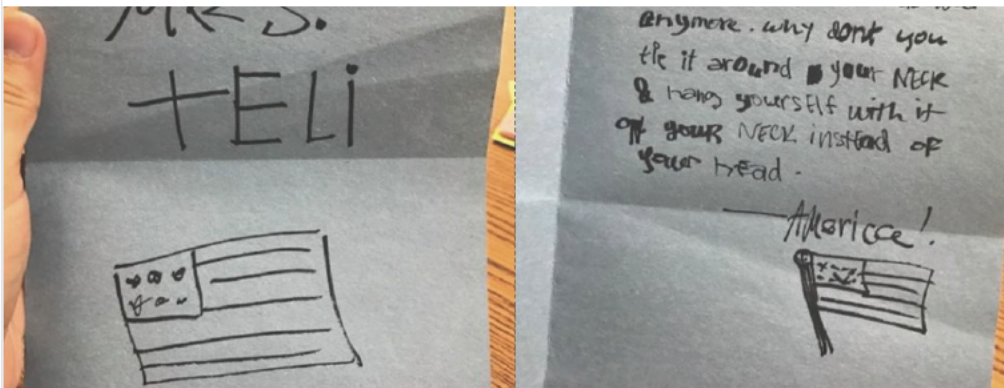
The Washington Post

A Muslim teacher receives an anonymous note about her headscarf: 'Hang yourself with it'

By Kristine Guerra November 12, 2016



Mairah Teli
about 3 months ago



A Muslim teacher in a Georgia high school said someone left her an anonymous note in her classroom on Friday, telling her that her “headscarf isn’t allowed anymore.”

The note, scribbled in black ink, also told her to “tie” her headscarf around her neck and “hang yourself with it.”

The note ended with the word “America” along with a drawing of the American flag.

Mairah Teli, a teacher at Dacula High School in Gwinnett County, located outside Atlanta, posted a picture of the note to her Facebook page Friday.

“As a Muslim, I wear a headscarf as a practice of my faith. I want to share this to raise awareness about the reality and climate of our community. Spreading hate isn’t going to ‘make America great again,’” she wrote.

Sloan Roach, a spokeswoman for the Gwinnett County Schools, said in a statement that school officials are working to find out who wrote the note.

“We take a threat against a staff member a serious matter,” Roach said.

It’s unclear at this time whether the person who wrote it was inspired by Donald Trump’s election to the presidency, but Teli’s post on Facebook assumed as much.

“I feel children feel safe making comments that are racist or sexist because of him,” she told the Atlanta Journal-Constitution.

The incident comes as similar incidents involving harassment and hateful messages against people from certain backgrounds were reported in other parts of the country following Trump’s victory. On the campaign trail, the president-elect had promised to keep Muslims from entering the United States. He later backed off from a complete ban, saying his proposal would keep immigrants from countries that have been “compromised by terrorism.”

In his victory speech, Trump kept a unifying tone and promised to be “president of all Americans” — a departure from his campaign rhetoric.

“He said, ‘We’re going to calm the waters. We’re going to bring people together,’” Republican National Committee Chairman Reince Priebus told Fox News on Wednesday morning.

But the aftermath of the election is anything but calm, as waves of anti-Trump protests — some more violent than others — spread across the country. Protests continue Saturday, four days after the election.

Trump echoed his victory speech in a tweet:

But division and vitriol seem to have intensified in the past few days.

According to the Southern Poverty Law Center, there have been more than 200 incidents of harassment and intimidation since Trump was elected. Many were directed toward African Americans, immigrants, Muslims and the LGBT community.

The nonprofit group tallied individual incidents reported on the news and on social media, as well as those reported directly to the organization’s website. The center, however, cautioned that not all incidents involved direct references to Trump, and not every incident could be independently verified. Many of the incidents were vandalisms, while others involved direct attacks.

In Ohio, a Muslim woman, her children and elderly parents were threatened by a man while they were stopped at a traffic light, according to the Ohio chapter of the Council on American-Islamic Relations. The man allegedly approached the family’s car, banged on the window, and told the woman that she “doesn’t belong in this country” — while yelling obscenities and taking pictures of her children.

In Pennsylvania, students were seen on video holding a Trump sign and

parading through the hallways of their York County school. One student shouted “white power,” police said. Minority students at the York County School of Technology said the harassment has been an issue for a month but has gotten worse since Trump was elected.

Victorria Markle, who is part black, told the York Dispatch that other students have called her the n-word and have threatened to kill her. Eibreha Drayden, who is part Mexican, said students have called her “Papi” and whistled at her like a dog.

In Michigan, students at Royal Oak Middle School chanted “build the wall” during lunch period in their school’s cafeteria. A [Facebook video](#) that appears to show the incident had been viewed 10 million times as of Saturday.

In Georgia’s DeKalb County, located next to the county where Teli teaches, a teacher was removed from class after allegedly going on a racist tirade against undocumented immigrants, the Atlanta Journal-Constitution reported.

The Washington Post was unable to immediately contact Teli on Saturday.

Teli, according to the Atlanta Journal-Constitution, is a California native who grew up in Gwinnett County and teaches language arts at Dacula High School.

She told the Atlanta Journal-Constitution that after receiving the note, she told her students that she would be happy to speak with them about why she wears a headscarf.

“We are living in a time with a lot of disagreement, a lot of conflict,” Teli said, adding that it’s important to teach students to disagree peacefully and respectfully.

Lindsey Bever and Sarah Larimer contributed to this article.

EXHIBIT J

The Washington Post

She became the nation's first Somali American lawmaker. A month later, she was harassed in a D.C. cab for being Muslim.

By **Samantha Schmidt** December 8, 2016

After Ilhan Omar moved to the United States in the mid-1990s — fleeing war in her native Somalia and a childhood spent in a refugee camp — she went to high school in Minneapolis, and was occasionally bullied for wearing a hijab, her father wrote.

Through decades of community activism and civic leadership, Omar fought back against such forms of intolerance. And on Election Day, proudly wearing her headscarf, she made history— winning a Minnesota statehouse race to become the nation's first Somali American lawmaker.

But less than one month later, as she visited the nation's capital for policy training at the White House, her historic role didn't stop a cab driver from targeting her for her religion. Riding in a taxi en route to her hotel Tuesday, after having spent the afternoon at the White House, she "became subjected to the most hateful, derogatory, islamophobic, sexist taunts and threats" she had ever experienced, she wrote in a post on social media.

"The cab driver called me ISIS and threatened to remove my hijab," she wrote. "I wasn't really sure how this encounter would end as I attempted to rush out of his cab and retrieve my belongs."

In a response to a question on her Facebook post, she said she had not yet reported the encounter, since the cab driver knew the hotel where she was staying and she didn't "feel safe enough to say anything at the moment." She said she planned to report it to the authorities once she returned home safely to Minneapolis.

She wrote that she is still shaken by the incident and couldn't wrap her head around how "bold" people were becoming in targeting Muslims.

"I pray for his humanity and for all those who harbor hate in their hearts,"

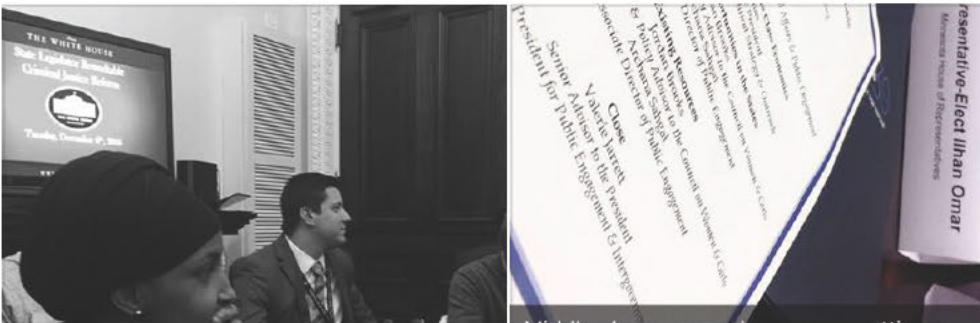
Omar wrote.



Ilhan Omar

about 2 months ago

I spent yesterday afternoon at the White House, learning about policy ideas states could implement in the areas I am passionate about. On my way to our hotel, I got in a cab and became subjected to the most hateful, derogatory, islamophobic, sexist taunts and threats I have ever experienced. The cab driver called me ISIS and threatened to remove my hijab, I wasn't really sure how this encounter would end as I attempted to rush out of his cab and retrieve my belongs. I am still shaken by this incident and can't wrap my head around how bold being are becoming in displaying their hate towards Muslims. I pray for his humanity and for all those who harbor hate in their hearts.



The incident was the latest in a series of altercations and suspected hate crimes targeting Muslims, Jews, immigrants and other minority groups across the country since the election. The Council on American-Islamic Relations has tracked more than 100 suspected anti-Muslim incidents nationwide, and the Southern Poverty Law Center has documented almost 1,000 incidents targeting different minority groups, according to CAIR.

In particular, women who wear hijabs have been reporting assaults nationwide in the month since the election. A Muslim student at San Jose State University reportedly struggled to breathe as a man yanked her headscarf from behind. Earlier this week, a New York City Transit worker reported being shoved on the stairs and called a terrorist in a train station. Some women have even turned to self-defense classes in light of the spike in

such incidents.

The Twin Cities, home to the nation's largest community of Somali immigrants, gained national attention through the FBI's pursuit there of 10 young men from the Somali American community, whom they accused of conspiring to join the Islamic State. Nine were recently sentenced on terror charges.

Just before the election, Donald J. Trump made reference to the issue, facing criticism from some for singling out Somalis while speaking to crowds in Minnesota about halting the flow of immigration.

"Here in Minnesota, you've seen firsthand the problems caused with faulty refugee vetting, with large numbers of Somali refugees coming into your state without your knowledge, without your support or approval, and with some of them then joining ISIS and spreading their extremist views all over our country and all over the world," Trump said.

But within the same Somali community, women in hijabs have been making national headlines for other reasons. Last month, Halima Aden became the first to compete in the Miss Minnesota USA pageant while fully clothed. She made the semifinals while wearing a hijab, as well as a full-body suit called a burkini during the swimsuit competition.

As she celebrated her win on the night of the election, Omar was on the verge of tears, hugging and kissing other women in hijabs, a video by the Star Tribune shows.

"Injustices that are rooted in our society are the root of all of our problems," she said during her acceptance speech. "I will never give up fighting for you and I hope you never give up fighting for me."

As her father wrote in a letter on her campaign website, Omar has been fighting since a young age, when she would walk miles to get water or wood

for her family in the Kenyan refugee camp where they lived. She was 8 years old when the family fled Somalia's civil war. After moving to Minnesota, she developed an interest in politics at the age of 14, when she served as her grandfather's interpreter so he could participate in the local Democratic-Farmer-Labor caucus.

Most recently, Omar served as the director of policy initiatives at Women Organizing Women, where she worked with East African women and encouraged them to take on civic leadership roles, according to her website.

At Omar's victory rally on election night, one supporter, Hodan Hassan, a member of a Somali American task force, said Omar's story has shaped the Somali community.

"It just shows you that people like Donald Trump cannot bully us. We're here to stay," she said. "I hope we can have a hundred Ilhans in the coming years."

EXHIBIT K



HATEWATCH

Update: More Than 400 Incidents of Hateful Harassment and Intimidation Since the Election

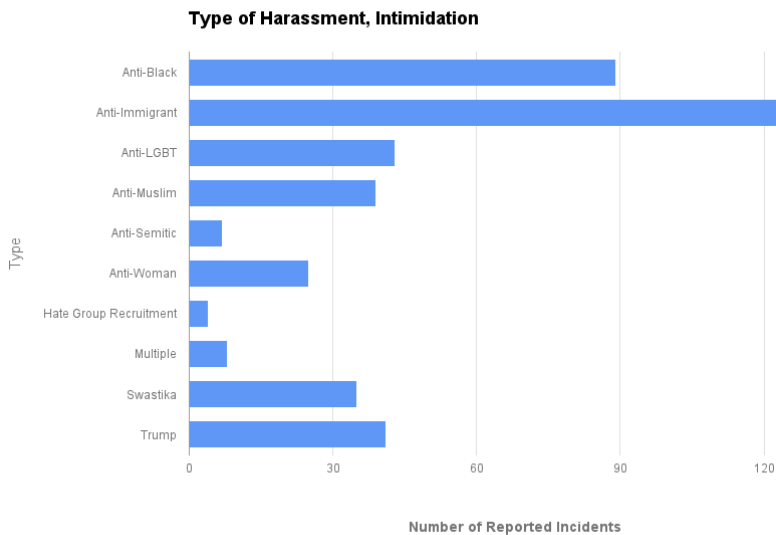
November 15, 2016

by Hatewatch Staff

Between Wednesday, November 9, the day after the presidential election, and the morning of Monday, November 14, the Southern Poverty Law Center collected 437 reports of hateful intimidation and harassment.

The following reports were collected through news reports, social media, and direct submissions via SPLC's [#ReportHate](#) page. These incidents, aside from news reports, are largely anecdotal. The SPLC did follow up with a majority of user submissions in an effort to confirm reports. As we [reported earlier](#), many incidents involved direct references to the Trump campaign and its slogans.

Here's the overview:



Most of the reports involved anti-immigrant incidents (136), followed by anti-black (89) and anti-LGBT (43). Some reports (8) included multiple categories like anti-Muslim and anti-immigrant. The "Trump" category (41) refers to incidents where there was no clear defined target, like the pro-Trump vandalism of a "unity" sign in Connecticut. We also collected 20 reports of anti-Trump intimidation and harassment.

Here are some examples from around the country:

In Oregon:

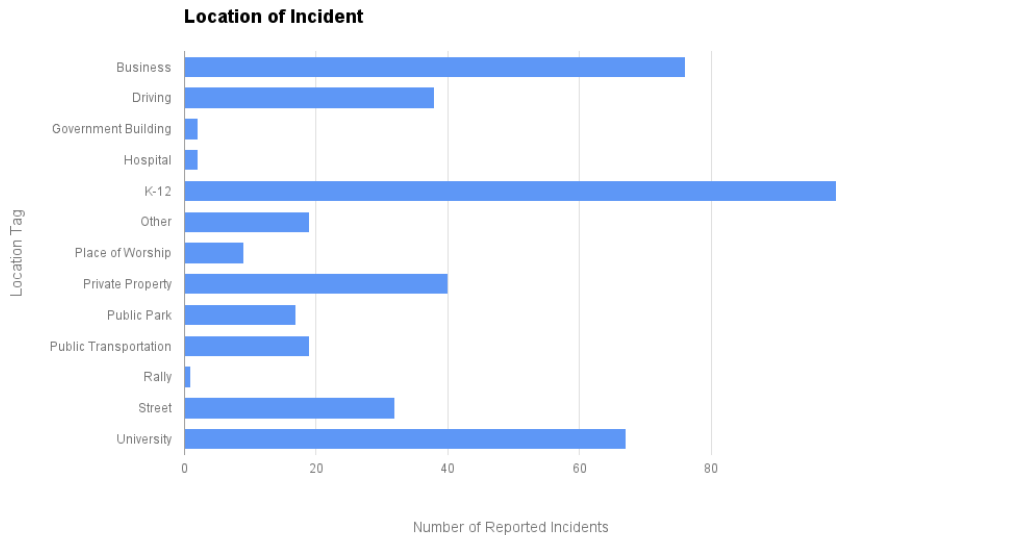
A Muslim woman was riding the Max to Beaverton in the early afternoon and a group of teenagers went to the corner of the car where she was sitting and got up in her face yelling at her that she was a terrorist, that our new president was going to deport her, that she can't wear her hijab anymore. They got increasingly menacing, and my friend went over and made them get off the train. When they were leaving through the door they tried to spit on her.

A gay man in North Carolina:

My boyfriend and I were walking down the sidewalk in Raleigh, North Carolina. It was 9:30 PM, and we were holding hands and walking to a restaurant for dinner. A white car passed us and a white male in the back passenger side seat leaned out the window and yelled, "Fucking faggots!" at us.

A Latina woman in Texas reported:

I was walking my baby at my neighborhood park and a truck drove by with a male driving and a female passenger. The female yelled "white power" at us as they drove by and then sped away.



Venues of harassment included K-12 schools (99), businesses (76), and universities (67). Common also was vandalism and leafleting on private property (40) and epithets and slurs hurled from moving vehicles (38).

At an elementary school in Texas:

My 13 yo half Filipino daughter was approached by a child she didn't know as she waited to board her bus after school. The young man stated "You're Asian, right? When they see your eyes you are going to be deported" and he walked away. I reported this to my district Superintendent.

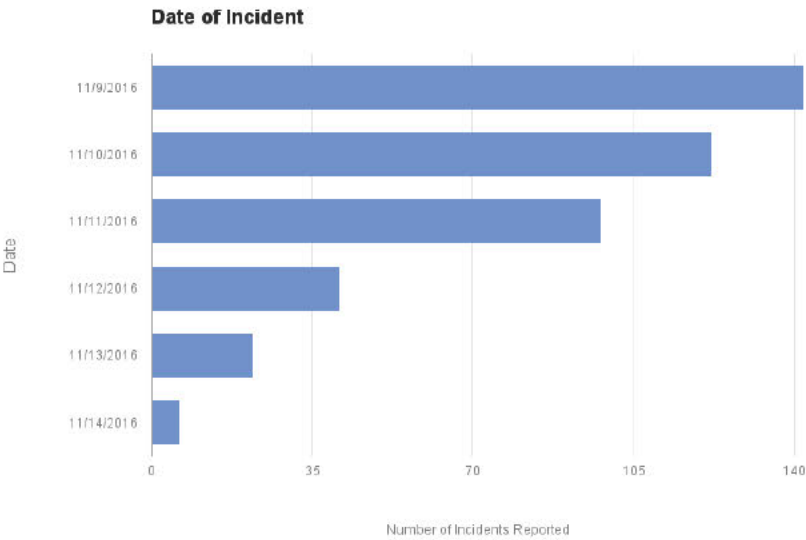
From a [news report](#) in Georgia:

A Gwinnett County high school teacher said she was left a note in class Friday telling her that her Muslim headscarf "isn't allowed anymore." "Why don't you tie it around your neck & hang yourself with it...," the note said, signed "America!"

Vandalism involving swastikas (35) was also frequently reported. In California:

A swastika was spray painted on a billboard for the movie "Almost Christmas," which shows an African American cast.

It appears that incidents are subsiding, although earlier incidents are still being reported:



See the below interactive for state totals:

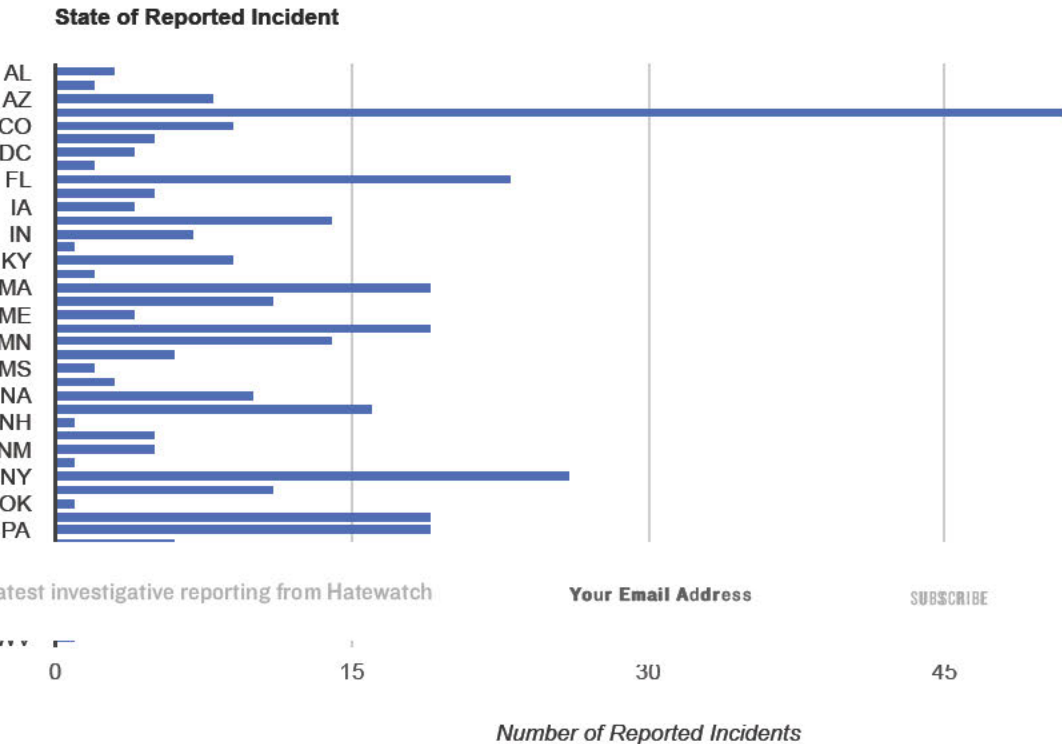


EXHIBIT L

The Washington Post

Man shoves Muslim New York City transit worker on stairs, shouting ‘You’re a terrorist’

By **Samantha Schmidt** December 6, 2016

The New York City Transit employee was on her way to work Monday, wearing her uniform and hijab, when a man pushed her on the stairs, injuring her ankle and knee, police said.

The man had followed her off the 7 train into Grand Central Terminal in New York City at about 6:20 a.m. and yelled, “You’re a terrorist, go back to your own country!”

The assault was the latest in a series of hate crimes targeting Muslims in New York City, including an altercation on Saturday evening in which a man threatened to slit an off-duty officer's throat, allegedly calling her "ISIS." She was also wearing a hijab.

It also happened on the same day that police officials announced a 35 percent spike in hate crimes from last year, which Mayor Bill de Blasio called "dangerous" and "obviously connected to the election."

"We could lose lives because of this," de Blasio said in a news conference Monday. "The temperature has to be brought down."

Since Election Day, hate crimes have increased by 115 percent, with 43 hate crimes reported, compared to 20 during the same period last year, New York Police Department Chief of Detectives Robert Boyce said in a news conference Monday. Twenty-four of those incidents were found to be anti-Semitic, and four were anti-Muslim.

"We're seeing, across the board, an increase right now," Boyce said. Arrests in these cases have also increased by 45 percent, Boyce added, so authorities are making arrests "nearly immediately" in some cases.

The mayor attributed the spike in part to rhetoric used by President-elect Donald Trump during his campaign.

“We now need to work with him,” de Blasio said. “He has a chance to make it better by amending his comments and being a force of reconciliation. I think he has to do more of that.”

Salama, the transit employee, is a 45-year-old mother of four who works as a Metropolitan Transportation Authority station agent, WABC reported. In 20 years of living in New York City, “it is my first time I face something like that,” she told the station.

“I wasn’t able to say anything,” she told CBS New York. “I was afraid he was going to throw me down the tracks or do more bad to me than he already did. He was, like, pushing me down.”

A passerby stopped to help Salama, who was transported to a hospital for treatment, according to a statement from Gov. Andrew M. Cuomo.

The governor said in the statement he wished the woman a “speedy recovery” and said the state’s Hate Crimes Task Force will “continue to crack down on this type of criminal behavior.”

“We do not allow intolerance or fear to divide us because we know diversity is our strength and we are at our best when we stand united,” Cuomo said in the statement.

Afaf Nasher, executive director of the New York chapter of the Council on American-Islamic Relations, said in a statement that New York’s subways and buses are emblematic of the city’s diversity and must not be permitted to be become “a venue for hatred and violence.”

“President-elect Trump has a duty to forcefully denounce this wave of violence against the Muslim community,” Nasher said. “Mr. Trump’s

rhetoric normalized hate, racism and xenophobia, and these attacks are the unavoidable byproduct.”

A separate incident involving anti-Muslim bias on a subway train took place Thursday night, police said, when three men reportedly taunted a Muslim woman wearing hijab on a subway train, calling her a terrorist and yelling “Donald Trump.”

Police said the men told the 18-year-old woman, “You don’t belong here,” and called her hijab a “rag,” according to the Associated Press. As the train pulled into Grand Central Terminal, one of the men tried unsuccessfully to pull off her hijab.

Adding to a series of suspected anti-Semitic incidents affecting the Metropolitan Transportation Authority, the inside of a New York City 1 train was found Saturday to have been vandalized with multiple swastikas. Last week, KKK fliers and business cards were distributed at the Patchogue and Hampton Bay Stations on the Long Island Rail Road, according to Cuomo’s statement.

Similar hate crimes targeting Muslims, Jews, immigrants and other minority groups have been reported across the country since the election. CAIR has tracked more than 100 suspected anti-Muslim incidents nationwide, and the Southern Poverty Law Center has documented almost 1,000 incidents targeting different minority groups, according to a statement from CAIR.

Salama was nursing a twisted knee and a swollen ankle late Monday, CBS New York reported.

In light of the altercation, she told WABC that she plans to be a bit more cautious, but will continue to wear her headscarf.

“I would never think about not wearing my hijab,” Salama said. “I will still wear it. It’s never going to affect me.”

EXHIBIT M



DECEMBER 5, 2016 Albany

Statement from Governor Andrew M. Cuomo on New York City Hate Crimes

At approximately 6:20 a.m. this morning, a uniformed off-duty Muslim New York City Transit employee on her way to work was assaulted by a male passenger at Grand Central Terminal. After exiting the 7 Train in the station, the suspect allegedly called the station agent a 'terrorist' and pushed her down the stairs, injuring both her ankle and knee. The employee was swiftly transported to NYU Langone for the treatment of her injuries.

The incident follows a wave of bias events targeting the MTA since the Presidential election. On Saturday, a No. 1 Train was found to have been vandalized, with multiple swastikas graffitied on its interior. Last week, KKK fliers and business cards were distributed at the Patchogue and Hampton Bay Stations on the Long Island Rail Road.

"This is the great state of New York – we welcome people of all cultures, customs and creeds with open arms. We do not allow intolerance or fear to divide us because we know diversity is our strength and we are at our best when we stand united. I have directed the MTA, State Police and Division of Human Rights to work with local law enforcement to investigate these matters. These acts of hate will be

pursued and prosecuted to the fullest extent of the law, and those responsible will be held accountable.

“New York will continue to set the example for the nation – safeguarding our diversity and our differences, and rooting out bigotry and hatred wherever it exists. The work of the Hate Crimes Task Force has never been more urgent and we will continue to crack down on this type of criminal behavior. I wish a speedy recovery for the victim, and want to let her know we are seeking justice for her and for all New Yorkers.”

Contact the Governor's Press Office



Contact us by phone:

Albany: (518) 474 - 8418

New York City: (212) 681 - 4640



Contact us by email:

Press.Office@exec.ny.gov

EXHIBIT N

The Washington Post

‘We can’t allow this’: Man accused of threatening to slit throat of Muslim NYPD officer

By **Sarah Larimer** December 5, 2016

In 2014, Aml Elsokary was praised for her heroism, after she reportedly rushed into a burning building to help save an elderly woman and a little girl.

This month, Elsokary — a Muslim woman and New York City police officer — was targeted by a man who allegedly called her “ISIS” and threatened to slit her throat, New York media outlets reported.

Christopher Nelson, 36, was taken into custody on Sunday in connection with the alleged altercation, which occurred over the weekend, authorities say. Nelson has been arrested on charges of aggravated harassment and menacing as a hate crime.

The charges stem from an encounter on Saturday evening, according to

police, who said officers responded to a call about an assault in progress. When they arrived at the scene, police were told that a man threatened to slit an off-duty officer's throat during a dispute involving her son.

Mayor Bill de Blasio on Monday addressed the alleged incident at a news conference on crime statistics, saying he was "sick to my stomach" when he heard that a police officer had faced threats because of her religion.

"Now, it makes no difference to me whether she was off duty or on duty at the time. She serves this city," de Blasio said. "She is an example of everything we would want from our fellow citizens — a commitment to others, a commitment to service, a willingness to do something greater than herself. And what does she get for it? Threats to her life and bigotry. Taunts. We can't allow this. It's unacceptable in this city, it's unacceptable in this nation."

Elsokary appeared at the news conference alongside de Blasio, who said that he wanted to ensure that those who read about the incident or saw it on televised broadcasts could put a real face to the story.

"Think of what we value in this city and this nation," he said. "We value people who put on a uniform and protect us. We value people who have a faith and live it out. And she has done all those things, and it's absolutely unacceptable that she or anyone would be treated with hatred or bigotry."

De Blasio also noted that the assailant allegedly yelled "go back to your country" at Elsokary and her son during the attack.

"Well, this is Officer Elsokary's country," he said. "She is an American, she is a New Yorker. She's already at home. And we cannot allow this kind of hatred and bias to spread. We have to stop it every single time."

De Blasio also cited a 2014 incident in which Elsokary assisted during a blaze. That fire and Elsokary's heroics are detailed in [a New York Daily News](#)

report, which states that she was on patrol with a sergeant when they heard a police call about a fire.

While the pair were working at the scene, Elsokary heard a baby cry, so she rushed up. She discovered a woman and a 1-year-old, whom she escorted out of the two-story building, the newspaper reported.

“I became a police officer to show the positive side of a New Yorker, a Muslim woman that can do the job, that is non-biased, that I help everybody no matter what’s your religion, what’s your faith, what do you in New York,” Elsokary said at the news conference. “I’m born and raised here. And I’m here to protect you, and I know that my department and my city is here to protect me.”

Nelson was arraigned Monday morning, according to the Brooklyn district attorney’s office. A message left with his attorney was not immediately returned Monday afternoon.

“This defendant allegedly subjected the victim and her son to deplorable and ugly acts of hate, including threats of violence, simply because they are Muslim,” acting Brooklyn District Attorney Eric Gonzalez said in a statement. “Biased-motivated crimes will not be tolerated anywhere in Brooklyn. And those who commit hate crimes will be held accountable for their reprehensible and offensive actions.”

The New York chapter of the Council on American-Islamic Relations on Sunday condemned the alleged attack in a Facebook post, in which CAIR-NY Executive Director Afaf Nasher called on President-elect Donald Trump to “forcefully and repeatedly address the ugly hatred growing rampant through-out our nation.”

Since Trump’s victory, a number of charged incidents have been reported across the country, including some that involve Muslims.

Last month, a Muslim teacher in Georgia said a note was left in her classroom telling her that her “headscarf isn’t allowed anymore.”

The anonymous note instructed her to “tie” the scarf around her neck and “hang yourself with it.”

And at the University of Michigan, a female student was approached by a man who threatened to set her on fire if she didn’t take off her hijab, or head covering. The student complied, police said.

In a “60 Minutes” interview that aired last month, Trump said he was “so saddened to hear” that people were harassing others in his name. “And I say, ‘Stop it,’” the president-elect said. “If it — if it helps, I will say this, and I will say it right to the cameras: ‘Stop it.’”

This post has been updated.

EXHIBIT O

Man stabs worshiper near Simi Valley mosque in hate crime, police allege

A man was arrested Saturday after a stabbing in Simi Valley.

By **Matt Stevens and Matt Hamilton**

DECEMBER 12, 2016, 2:50 PM

A

29-year-old Simi Valley man has been arrested and booked on suspicion of committing a hate crime after an apparent worshiper was stabbed near a mosque, authorities say.

About 11:15 p.m. Saturday, Simi Valley police received reports of people fighting in a shopping center parking lot in the 1800 block of Erringer Road, said Sgt. Adam Darough. The shopping center is “adjacent” to a mosque, Darough said.

After officers arrived and separated those involved in the fight, police discovered that a man had been stabbed, Darough said.

“During their investigation, [officers] discovered a suspect had confronted a worshiper from the mosque, and after a verbal altercation, they began to fight,” Darough said. “During the fight, [someone] stabbed the victim.”

Police arrested John Matteson nearby, Darough said. Matteson was taken into custody and booked into Ventura County jail on suspicion of a hate crime, Darough said.

Authorities initially said Matteson was suspected of carrying out the attack. On Monday, however, police said that Matteson was involved in the fight but that another unidentified man committed the stabbing.

Jail records show that Matteson’s bail was set at \$25,000. He was booked on suspicion of making felony criminal threats, performing a felony violation of civil rights and disturbing the peace by fighting, the records show.

Matteson is scheduled to appear in court Tuesday, according to jail records. It’s unclear if he was being represented by an attorney.

The Simi Valley Police Department has investigated a man with the same name and birth date as Matteson in connection with several incidents in recent years, according to Ventura County Superior Court records.

He pleaded no contest in October to disturbing the peace by loud noise, an infraction. In July, Matteson pleaded guilty to a misdemeanor count of public intoxication from a June 30 incident, according to court records. He also pleaded guilty to a misdemeanor count of disturbing the peace stemming from a Nov. 9, 2015, incident.

Last year, he also pleaded guilty to a misdemeanor count of making terrorist threats.

Authorities did not provide additional details about the victim. They said he was taken to a local hospital with non-life-threatening injuries and is in stable condition.

“We’re investigating whether or not this was instigated by [the victim’s] appearance and the association with the mosque,” Darough said. “We’re quite concerned that this occurred. We want to keep people of all faiths safe in the city.”

Hussam Ayloush, executive director of the Greater Los Angeles chapter of the Council on American-Islamic Relations, said Sunday that he had spoken with several Muslims in Simi Valley and that they were “heartbroken.”

Members of the community told Ayloush that the stabbing had occurred near a “prayer area” where locals had gathered — but he said he did not know the exact address or type of building where the gathering took place.

Since election day, CAIR has received almost 200 reports of hate incidents directed at Muslims in America, Ayloush said.

“It’s hard to believe that in this day and age we still have to deal with such hate and violence in our country, and especially in a place as diverse as Southern California,” Ayloush said.

The stabbing comes amid a national surge in anti-Muslim crimes, which jumped 67% in 2015, according to FBI statistics.

Researchers at Cal State San Bernardino have said the rise in anti-Muslim crimes accelerated after the San Bernardino terror attack in December 2015 and was fanned by Donald Trump’s call to bar Muslims from entering the United States during his successful campaign for the presidency.

In recent weeks, mosques across California have received letters threatening genocide and referring to Muslims as “vile and filthy people.”

Officials note the difference between a hate crime and cruel comments, the latter of which are often protected by the First Amendment. The law prohibits physically harming someone based on his or her race, religion, national origin, gender or sexual orientation, among other characteristics.

UPDATES:

Dec. 12, 2:50 p.m.: This article was updated with information from the police that another unidentified man is suspected of the actual stabbing, not John Matteson.

Dec. 11, 6:10 p.m.: This article was updated with additional reaction and information about previous hate crimes.

This article was originally published Dec. 11 at 1:35 p.m.

EXHIBIT P



Lawton Islamic Center falls victim to potential hate crime

Published: Thursday, December 8th 2016, 6:08 pm EST

Updated: Thursday, December 8th 2016, 6:08 pm EST

By Rhiannon Poolaw, Digital Content Manager

LAWTON, OK (KSWO)- Lawton Police are investigating a possible hate crime after they say a dead pig was dumped off at the Islamic Center on Southwest "F" Avenue.

The incident happened sometime Tuesday night. Surveillance video from The Islamic Center shows a pick-up truck pulling into the parking lot and turning around. Moments later the truck backs up and the carcass falls off the tailgate. The truck then takes off.

A Lawton Police officer who was driving in the area noticed the carcass and called the Islamic Center's Director, Dr. Hassan Ahmed.

Doctor Ahmed told 7News he is not sad or angry but shocked. He says it's highly offensive to Islamic people to drop a pig carcass in from of any Islamic center.

According to the Quran, members of the Islamic faith are forbidden to eat pork and an act such as dumping a dead pig can be considered highly offensive, much like a swastika would be offensive to members of Judaism.

He doesn't know who did it but says he forgives them.

"What shocked me is a person has to take a lot of preparation and time and travel and come there and drop off a wild hog in front of the mosque that is not thinking about good things for the community and for the nation. It just shocked me," said Dr. Hassan Ahmed.

Since the presidential election, some cities have seen an increase in what they believe are hates crimes.

"Well, I don't want to call it a hate crime because I didn't know exactly the intentions of the person, the perpetrator. I don't know their intentions and what they did it is it something that they don't know anything. I don't know but if their intentions was nagging the Islamic center or the prime business of the Muslims here in the US. I would call it hate crime," said Dr. Ahmed.

Dr. Ahmed adds that regardless of what religion or ethnicity you are, dumping a dead animal at a mosque is just wrong. And, according to Lawton Animal Control, it is illegal to dump any carcass in front of a business, home, or street in the city of Lawton.

Dr, Ahmed says education is key, not just regarding Islam but all religions.

"Education is power. No doubt, education is power. If a person is educated, actually in practice of education. The only reason a person does this kind of thing is because of fear of others. Not knowing the others is what makes it a problem," said Dr. Ahmed.

Dr. Ahmed says he is moving forward. He says they will continue to worship in Lawton because they are a part of the community.

While the dumping of a carcass is illegal here in Lawton, Animal Welfare says you can drop off carcasses at the city Landfill on Southwest 11th Street.

The investigation is ongoing; police say they have no suspects.

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EXHIBIT Q



By **Tony Marco** and Joe Sterling, CNN

🕒 Updated 1:01 AM ET, Sun January 15, 2017

Story highlights

Man arrested, investigated for arson

The mosque is located in Bellevue, Washington

(CNN) — A mosque was badly burned outside Seattle early Saturday, and police believe the fire was intentionally set.

The incident occurred in Bellevue, Washington. No one was in the Islamic Center of Eastside at the time and no injuries were reported.

CNN affiliate KCPQ said firefighters spotted 40-foot flames on the back side of the building. "Crews were able to save half of the building," the station reported..

"We have confirmed it was arson, but do not know a motive," Bellevue Police Chief Steve Mylett said.





DeborahHorne

@DeborahKIRO7

Follow

'We are heartbroken. But as a community we stand together. I request everybody to pray for us. We pray for peace.' - Imam Faizel

5:51 PM - 14 Jan 2017 · Bellevue, WA

20

43

Isaac Wayne Wilson was charged with felony malicious mischief and is being investigated for arson, Mylett said. CNN affiliate KCPQ said the man is age 37.

Police found the suspect lying on the ground near the back of the building, KCPQ said..

Wilson was being held at the King County Correctional Facility in Seattle, and bail has been denied. Investigators were not currently considering the act a hate crime, Mylett said.

The FBI, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and Bellevue fire and police officials were investigating.

CNN affiliate KOMO reported deputy prosecutor Mike Hogan as saying "the suspect had prior contacts with the mosque."

"Police said the suspect had previously been arrested for making a disturbance at the mosque," the station said.



Gabe Cohen

@GabeCohenKOMO

Follow

Highland Community Center will host prayer thru Monday after arson fire at Bellevue mosque. [#komonews](#)

7:41 PM - 14 Jan 2017

3

5

The Council on American-Islamic Relations in Washington state, in a Facebook post, urged people "not to jump to conclusions about the motive" and said "please give authorities time to investigate."

The group said authorities "have the situation under control" and asked people who have any knowledge about the incident or the suspect to contact 911.

[The facility](#), also known as the Bellevue Masjid, is closed until further notice "due to the fire," its website said. A local community center was being used for prayers, the mosque said.

The [mosque](#) is asking for donations to rebuild. A funding appeal website said that over the last half-year, "this center and a neighboring Islamic center have seen numerous acts of vandalism."

EXHIBIT R

#IMARCHWITHLINDA

A Muslim organizer of the Women's March is under attack from Islamophobic trolls

By Nidhi Prakash (<http://fusion.net/author/nidhiprakash/>)

A community of Muslim Americans learns how to protect itself amid rising Islamophobia
(<http://fusion.net/video/252626/muslim-americans-protect-themselves-amid-rising-islamophobia/>)

By Nidhi Prakash (<http://fusion.net/author/nidhiprakash/>)

FOLLOW (HTTPS://TWITTER.COM/INTENT/FOLLOW?SCREEN_NAME=NIDHIPRAKASH)

FEED (<HTTP://FUSION.NET/AUTHOR/NIDHIPRAKASH/FEED/>)

By Nidhi Prakash (<http://fusion.net/author/nidhiprakash/>)

In the days after the historic Women's March on Washington ([http://fusion.net/story/380533/womens march on washington radical feminist platform/](http://fusion.net/story/380533/womens-march-on-washington-radical-feminist-platform/)) one of the leaders of the protest is being subjected to a torrent of Islamophobic abuse online

Linda Sarsour is one of the four co chairs who organized the march along with Carmen Perez Tamika Mallory and Bob Bland Sarsour is Palestinian American from Brooklyn and a Muslim woman who has stepped forward (<http://fusion.net/video/285935/linda-sarsour-dear-next-president/>) to demonstrate public leadership in a climate of escalating Islamophobic rhetoric (<http://fusion.net/story/243621/muslim-american-faces-hashtag-benjamin-wittes/>) She's a civil rights activist and the executive director of the Arab American Association of New York She has a track record (<https://www.nytimes.com/2015/08/09/nyregion/linda-sarsour-is-a-brooklyn-homegirl-in-a-hijab.html>) as a well respected community organizer

But to Islamophobic trolls on Twitter she's an easy target She's been labeled a "Sharia promoter" and a "supporter of terrorism" On Monday as the scale of the marches across the country became clear Sarsour bore some brunt of the backlash from angry abuse rolled out online

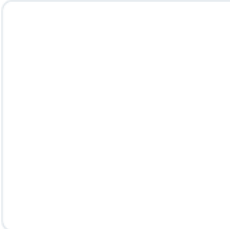


Larry Elder
 @larryelder

Follow

A [#WomensMarch](#) organized by a pro-Sharia woman is like a Million Chickens March led by Colonel Sanders.thegatewaypundit.com/2017/01/figrue...

12:04 PM - 22 Jan 2017



Organizer For DC Women's March, Linda Sa...
 Approximately 200,000 people participated in a 'Women's March' in D.C. on Saturday. One of the organizers of the march, Linda ...
thegatewaypundit.com

2,879
 3,567



But Monday saw the hashtag [#IMarchWithLinda](https://twitter.com/hashtag/IMarchWithLinda?src=hash) emerge on Twitter with women from across the country and across faiths sending messages of solidarity with Sarsour recognizing her as a feminist leader and defending her right to be heard



Phillipe Copeland

@MorpheusSpeaks

Follow

[#IMarchWithLinda](#) because she is intersectional activism personified.

10:46 AM - 23 Jan 2017

168 427



eli ingraham

@eliingraham

Follow

I stand unapologetically with [@Isarsour](#) because she is what Democracy looks like, and she is what Makes America Great.

[#IMarchWithLinda](#)

10:47 AM - 23 Jan 2017 · Newton, MA

327 1,122



JFREJ

@JFREJNYC

Follow

[#IMarchWithLinda](#) because she fights for our Jewish community, all women & all people with fierce love. You come for her you come for us all.

10:47 AM - 23 Jan 2017

344 862



Lila Ralston

@epidemiologist

Follow

. [@Isarsour](#) is an inspiration and a champion of freedom and justice. If you come for her, you come for us all.

[#IMarchWithLinda](#)

10:47 AM - 23 Jan 2017

50 157



Delhi Ekambo
@premed1

Follow

[#IMarchwithLinda](#) because sisters never abandon each other,
esp. in the pursuit of justice [@lsarsour](#)

10:33 AM - 23 Jan 2017

36

142



Susanna Williams
@SusannaDW

Follow

[#IMarchWithLinda](#) b/c she is part of my interfaith community in
NYC & she has preached at my church.

10:39 AM - 23 Jan 2017

34

200



Tabitha St. Bernard

@tabithastb

Follow

My family and I stand with @Isarsour #lindasarsour
#whentheygolowwegohigh #IMarchWithLinda

10:25 AM - 23 Jan 2017

94

565



M. Dove Kent
@dove_kent

Follow

[#IMarchWithLinda](#) because [@Isarsour](#) fights for my Jewish community & all people with fierce love. You come for her you come for us all.

9:56 AM - 23 Jan 2017

763 2,080

Sarsour does not seem rattled by the intimidation



Linda Sarsour
@Isarsour

Follow

When the opposition including islamophobes are flooding your timeline with hate - you know you did something right.

[#womensmarch](#)

7:42 AM - 22 Jan 2017

347 1,729

"When the opposition including islamophobes are flooding your timeline with hate—you know you did something right #womensmarch" she wrote on Twitter on Sunday

I've reached out to Sarsour for further comment and will update this post if I hear back

EXHIBIT S

RELIGION

Attacks target Muslim-American activist after DC march

Published January 26, 2017

Associated Press

FILE - In this Jan. 9, 2017 file photo Linda Sarsour, right, and Carmen Perez, co-chairs of the Women's March on Washington, speak during an interview in New York. In the days since Sarsour helped organize the massive march on Washington the day after Donald Trump's inauguration, the Brooklyn-born, hijab-wearing activist has been targeted on the Internet by false reports that she supports Islamic State militants and favors replacing the U.S. legal system with Islamic religious law. (AP Photo/Mark Lennihan, File) (The Associated Press)

NEW YORK – Linda Sarsour is used to slings and arrows, but not like this.

In the days since she helped organize the massive Women's March on Washington, the Brooklyn-born, hijab-wearing activist has been targeted on the internet by false reports that she supports Islamic State militants and favors replacing the U.S. legal system with Islamic religious law.

On social media, critics have circulated a photo of her holding up one finger, like a sports fan celebrating a championship, and claimed she's giving "the ISIS one-fingered salute." In fact, she is on record as calling the Islamic State a global cancer.

Other posts have falsely claimed that she supports the imposition of Islamic law on the U.S., citing, as evidence, a sarcastic tweet she made in 2015 that was actually intended to ridicule conspiracy theories about secret Muslim plots to take over the American legal system.

Bloggers and conservative websites also circulated a picture of her at a convention of Muslim civic leaders, standing with a group of people that included a Milwaukee activist whose brother was arrested in Israel in 1998 and convicted of giving \$40,000 to a Hamas leader. The photo, they said, was proof of "ties" to Hamas.

"Ludicrous," said Sarsour, who was out rallying again Wednesday night in her hometown of New York City, protesting executive orders on immigration and border security signed by President Donald Trump.

The online attacks, Sarsour said, were the work of "fake news purveyors" and "right-wing media outlets recirculating false information."

"I'm not going to be intimidated or silenced," the-36-year-old married mother of three said.

Sarsour, the executive director of the Arab American Association of New York, cut her teeth as an activist defending the civil rights of U.S. Muslims after the Sept. 11 attacks and came to wider prominence in recent years protesting against police surveillance of Muslims. She's become a regular at Black Lives Matter protests, too, and a frequent TV commentator on feminism.

The White House, during the Obama administration, honored Sarsour as a "champion of change."

Her profile got a lot higher, though, after last weekend's Women's March, where she was one of four national co-chairs of an event that brought out well over a million people in Washington, D.C., and around the country.

Supporters responded to the online criticism with the Twitter hashtag #IMarchWithLinda.

Some people who know her work in New York said the idea that she is a foot-soldier for the oppressive view of Islam promoted by Islamic State militants is laughable.

Steven Choi, executive director of the New York Immigration Coalition, called the attacks "part of a right-wing agenda to undermine a Muslim-American woman who has dedicated her life to public service."

Detractors often focus in on Sarsour's frequent criticism of Israel's policies in the occupied territories. The child of Palestinian immigrants, she has acknowledged publicly that members of her extended family have been arrested on accusations of supporting Hamas.

The White House webpage that included information about the recognition she got during the Obama administration was taken down after Trump took office.

Sarsour said the anti-Trump march was high point in her career as an activist.

"I've proved I could do things people didn't think I could do," she said. But it has also made her feel "much more unsafe."

She said she doesn't go out alone. Her three children aren't allowed to be home alone. She's taken additional steps lately, like using car services to get around, rather than public transportation.

"It puts myself in danger. It puts my family in danger," she said of the online vitriol. The accusations of supporting a terrorist group have been particularly upsetting for her children, she said.

EXHIBIT T

Two Texas mosques burned to the ground this month

The Islamic Center of Victoria was destroyed by a massive fire Saturday, less than three weeks after the partly constructed Islamic Center of Lake Travis suffered the same fate.



BY **SANYA MANSOOR** JAN. 30, 2017 5:13 PM



The FBI, ATF and other agencies sift through the burned remains of the Victoria Islamic Center a mosque in Victoria on Jan. 29 2017. 📷 Bob Daemmrich for The Texas Tribune

The Islamic Center of Victoria was destroyed by a massive fire Saturday, less than three weeks after the partly constructed Islamic Center of Lake Travis suffered the same fate.

The two fires come amid a time of increased unease within Muslim communities across the country.

Shakeel Rashed, executive board member of the Islamic Center of Lake Travis, said the January 7 blaze that destroyed the progress made in building the facility immediately worried Muslims in the area.

“The initial reaction from the community was ‘Hey, this is definitely a hate crime.’ Some kids actually put that on Facebook and Twitter,” Rashed said. “But I told them we can’t say that yet, until we determine the cause.”

The Victoria fire occurred hours after President Donald Trump [signed an executive order](#) that in part restricted migration from seven Muslim-majority countries, sparking chaos and distress at airports across the country.

That timing drew national attention to the incident. In two days, the Victoria center, which serves about 40 families, has raised nearly \$900,000 toward rebuilding, according to

a [crowdfunding page](#).

“The community has responded wonderfully with support,” said Dr. Shahid Hashmi, president of the Victoria Islamic Center. “Every trait, religion, race – everybody showed up and has been very supportive. That’s been uplifting.”

Both the Victoria and Lake Travis fires are currently under investigation and neither cause has been made public. On Monday, the [Austin American-Statesman](#) reported that federal officials have determined the cause of the fire that destroyed the Lake Travis facility, but authorities were delaying the release of information because of the investigation into the fire in Victoria.

This was news to Shakeel Rashed, executive board member of the Islamic Center of Lake Travis, who said Monday afternoon that they had expected to hear from the fire marshal within the next week or two.

While he doesn't yet know the cause of the Lake Travis Center fire remains unknown, Rashed is certain that the mosque will be rebuilt. The center has raised more than \$50,000 of it's [\\$400,000 goal](#) toward rebuilding.

“There are a lot more people who are in support

of us building this back again than people who oppose us but it takes one crazy guy to do something,” Rashed said.

That’s why he is intent on the center improving security as it rebuilds.

“Everybody believes we need to be more vigilant,” Rashed said. “When we start reconstruction we definitely want to plan the security of the place better, have more cameras.”

Rehman Siddiqi, president of the Islamic Center of Lake Travis, said he wondered if there was any connection between the two Texas mosque fires but couldn’t say for sure.

“It could very well be an accident but whatever it is, it was a mosque and it is still a loss. They should rebuild it,” Siddiqi said, referring to the Victoria Muslim community. “They should not be scared of these elements. By not building it, you’re encouraging them to keep doing it.”

Additional reporting from Jim Malewitz

EXHIBIT U



HATEWATCH

Daily Stormer Targets Federal Judges Ruling Against Trump's Muslim Ban

February 01, 2017

by Ryan Lenz

The racist right is erupting with rage against federal judges who have blocked President Trump's executive order temporarily banning Muslims from seven countries and barring Syrian refugees.

[Andrew Anglin](#), publisher of the neo-Nazi website The Daily Stormer, a prominent clearinghouse of racist "Alt-Right" editorials and memes, called for the military to arrest "treasonous" U.S. District Judge Ann Donnelly in Manhattan for "trying to flood America with terrorists" and has called for martial law if other judges follow suit.

"We have a problem," Anglin wrote over the weekend. "Trump needs to arrest this woman immediately and have her charged with treason. If other judges protest, he needs to declare martial law and have them all rounded up and interned. We are at war here. This isn't a game."

Anglin stopped short of threatening Donnelly directly, but in an update, he called for Trump to deploy the "National Guard to the protest sites" at airports across the country and "shut them down completely."

Such posturing isn't new for Anglin, or for that matter, unexpected.

Just last month, he planned but later abandoned an armed protest in Whitefish, Montana, after the mother of Alt-Right leader Richard Spencer of the National Policy Institute came under community pressure for failing to condemn her son's views. Anglin published the personal information of members of Love Lives Here, a non-profit in Montana's Flathead Valley

Anglin didn't publish Donnelly's personal information. But one reader, posting under the name "forbesmag," provided the federal judge's home phone number, her husband's name and a message: "Traitorous idiot scum 'judge' Ann Marie Donnelly, appointed by the fake nigger president from Kenya, on the recommendation of kike 'senator' Chuck Schumer." As of Wednesday, Daily Stormer administrators had not removed the comment.

Far-right extremists often use doxxing to intimidate their perceived enemies, including judges.

Craig Cobb, the white supremacist who in 2013 attempted to establish an enclave of racists in North Dakota, took issue more than a decade ago with U.S. District Judge Joan Humphrey Lefkow after she ruled against the World Church of the Creator in a trademark infringement suit in 2000. Group leader Matthew Hale was arrested for soliciting Lefkow's murder. He was convicted and sentenced to 40 years in prison, where he remains.

In retaliation, Cobb, a follower of the Creativity Movement, published Lefkow's home address and a map to its location on the Internet. He also posted pictures of Lefkow's husband and children on Stormfront, until recently the world's largest white supremacist website.

Two years after that, in 2005, Lefkow's husband and mother were murdered inside her Chicago house. The killer was not involved in white supremacy but was angry over Lefkow's ruling in another case.

Another white supremacist, Hal Turner, a one-time racist radio host who also served as an FBI informant, was charged in June 2009 with threatening to assault and murder three federal judges. He listed their work addresses and photos on his blog, writing, "These Judges deserve to be killed." After two mistrials stemming from juror confusion about his FBI role, Turner was found guilty in August 2010 of threatening to assault and murder the judges. He was sentenced to 25 months and was released from prison in 2012. Trump's executive order indefinitely bars Syrian refugees from entering the United States and suspends the entry of all refugees for 120 days. It also blocks citizens and refugees of seven Muslim-majority countries -- Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen -- from entering the United States for 90 days.

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In reporting on international travel problems, *The New York Times* wrote, “The global confusion that since erupted is the story of a White House that rushed to enact, with little regard for basic governing, a core campaign promise that Mr. Trump made to his most fervent supporters.”

Those supporters go far beyond the rank-and-file of the mainstream American conservative movement. They include extremists like Anglin, who gave Trump the moniker “Our Glorious Leader” during the campaign and, for a time, branded his website the most trusted “Republican” site on the web.

It’s no surprise why. Building a wall on the U.S. border with Mexico and barring refugees from war-torn, predominantly Muslim countries are ideas that energized the white nationalist movement during the campaign.

Rebranding itself as the Alt-Right to escape the political baggage the ideology had acquired through the years, the movement heard in Trump’s promise a solution to what it saw as a threat to America -- immigration.

Now, in what the racist right calls “Trumpmerica,” fringe figures like Anglin have gained a new prominence, though remain far outside the mainstream.

Anglin has warned, time and time again, that there is no room under Trump for dissent, not even if it comes from the judiciary.

“Trump swore to protect this nation from enemies foreign and domestic, and in this case, you have a domestic enemy protecting a foreign one,” Anglin wrote. “We have to shut it down. For great justice.”

* * *

EXHIBIT V

By **Dean Obeidallah**

🕒 Updated 4:12 PM ET, Mon February 6, 2017



Trump rips federal judge who halted travel ban 01:33

Story highlights

Trump's attempt to delegitimize the federal judiciary is terrifying, says Dean Obeidallah

Trump seems intent on bypassing our system of checks and balances, he writes

provocative or without giving it a great deal of thought. Our democracy is far more fragile than some might grasp and Trump is engaging in a concerted effort to undermine the workings of it.

Here is Trump's truly jaw-dropping [tweet](#) from Saturday morning: "The opinion of this so-called judge, which essentially takes law-enforcement away from our country, is ridiculous and will be overturned!"

Why is this so concerning? It's OK to argue about whether the judge should or shouldn't have issued this order. But Trump is apparently attempting to delegitimize our federal judiciary by calling [Judge James Robart](#), a George W. Bush-appointed judge, a "so-called" judge while arguing that his decision is "ridiculous."

Editor's Note: Dean Obeidallah, a former attorney, is the host of SiriusXM radio's daily program "The Dean Obeidallah Show" and a columnist for The Daily Beast. Follow him [@deanofcomedy](#). The opinions expressed in this commentary are his.

(CNN) — On Saturday morning, President Donald Trump may have unleashed his most bone-chilling tweet -- at least to those who believe the United States should not become a Trump-led dictatorship. And I don't make that comment simply to be

illegally grabbing power. And Trump has to understand that, hence his attempt to undermine it.

The President truly appears to be leading a master class in transforming the United States into a dictatorship. Trump -- and it's fair to assume it is by design -- has sought to undermine anyone or anything that tries to counter him.

First, Trump has made the media -- which is a watchdog of our presidents -- a focus of his attacks, calling them "dishonest," claiming they peddle "fake news" and even recently labeling them "[the opposition party](#)." The practical result is that when the media calls out Trump's lies and presents objective facts to counter him, his followers will likely dismiss the media reports and instead side with Trump.

Then Trump went after our intelligence agencies because he didn't agree with their views on Russia's involvement in our recent election. Trump [lashed out](#), calling these agencies, charged with gathering information for our national security, "disgraceful" and accusing them of leaking information, comparing it to "something that Nazi Germany would have done."

Trump has clearly begun the process of destroying their credibility so if they come forward in the future to oppose his views or offer facts to undermine his position, he will tell his followers they also aren't to be believed.

And now Trump, who attacked a judge during his campaign, citing his Mexican heritage, has turned on our judiciary again. But this time it's far more disturbing given Trump is not a candidate, but president of the United States. The rationale must be assumed to be the same, namely that Trump wants to delegitimize the judiciary so that court decisions Trump disagrees with will be viewed by his followers as at the least horribly partisan, or at worst invalid.

It's frightening to think where this could lead. For example, when the United States Supreme Court ruled in the historic case of *Brown v. Board of Education* that racial segregation in our public schools was unconstitutional, it took then-President Dwight Eisenhower to [implement that decision](#).

Arkansas Gov. Orval Faubus had refused to follow the Court's decision and instead surrounded an all-white high school in his state with National Guard troops to prevent its integration. Eisenhower responded by federalizing the Arkansas National Guard to enforce the Supreme Court's seminal decision and allow black students to attend the school.

Would Trump do the same if he had passionately disagreed with the Court's decision or would he simply ignore it while attacking the legitimacy of our judiciary, sparking a constitutional crisis? And would certain Trump-supporting

trusted?

There's no doubt Trump supporters are very loyal to him personally. Keep in mind that Trump infamously bragged that he could even [shoot a person](#) on Fifth Avenue in New York and his supporters would still be on his side. And according to a [CNN/ORC poll](#), while Trump has only a 44% approval rating overall, 90% of Republicans think he's doing a good job.

The Founding Fathers enshrined a separation of powers in our Constitution so that there would be inherent checks and balances to avoid a situation where a president could become a king. After all, the Founders had just risked life and limb rebelling against the King of England.

Trump's concerted attacks to delegitimize our media, our intelligence community and now our federal judiciary would have no doubt alarmed them. And it should be terrifying to every American who truly believes in our Constitution and in the promise of America.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

CIVIL ACTION NO.: 8:17-CV-00361-TDC

**[PROPOSED] ORDER GRANTING DOE PLAINTIFFS' MOTION FOR
LEAVE TO PROCEED UNDER PSEUDONYMS**

For good cause shown, and for the reasons set forth in their Motion for Leave to Proceed under Pseudonyms, it is hereby ordered that Plaintiffs John Doe #1, John Doe #2, John Doe #3, John Doe #4, and Jane Doe #1 are granted leave to proceed under those pseudonyms.

Dated this ____ day of _____, 2017

United States District Court Judge