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1 UNITED STATES DISTRICT COURT
 2 NORTHERN DISTRICT OF ILLINOIS
 3
 4 STANLEY BOIM, et al.,)
 5 Plaintiffs,)
 6 vs.) No. 00 C 2905
 7 QUARANIC LITERACY INSTITUTE,)
 8 et al.,)
 9 Defendants.)
 10 _____)
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 12
 13
 14
 15
 16 DEPOSITION OF MOHAMMAD A. EL-MEZAIN
 17 San Diego, California
 18 Wednesday, September 10, 2003
 19
 20
 21
 22 Reported by:
 23 RENEE KELCH
 24 CSR No. 5063
 25 Job No. 121463

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 13
 14
 15 Deposition of MOHAMMAD A. EL-MEZAIN,
 16 taken on behalf of Plaintiffs, at 402
 17 West Broadway, Suite 700, San Diego,
 18 California, beginning at 9:12 a.m. and
 19 ending at 3:20 p.m. on Wednesday,
 20 September 10, 2003, before RENEE KELCH,
 21 Certified Shorthand Reporter No. 5063.
 22
 23
 24
 25

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 2
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1 we're all on the same page.
 2 I'm going to ask you a series of questions, and
 3 I'll ask that you give back audible answers. In other
 4 words, not nodding your head or gestures, because Renee
 5 here, our court reporter, is going to be taking down
 6 everything that is said, and the record may not pick up
 7 a gesture.
 8 It's helpful to Renee if we can avoid talking
 9 over each other. So I will do my best to avoid cutting
 10 you off while you're still answering, and by the same
 11 token, if you can wait until I finish the question
 12 before you start your answer, it's going to make for a
 13 clear record.
 14 A Yes.
 15 Q We have, as you can see, water, coffee, soft
 16 drinks. So if you need something, certainly feel free
 17 to help yourself. If you need to take a break at any
 18 point, let me know and we'll be happy to accommodate you
 19 as long as there's not a question still pending. If
 20 there is, I'll ask you to answer the question, and then
 21 we'll take a break.
 22 If at any time during the deposition I ask a
 23 question that is unclear or you don't understand, and
 24 that happens sometimes, it's not intentional, but even
 25 the best of us come out with poorly-worded questions,

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1 San Diego, California, Wednesday, September 10, 2003
 2 9:12 a.m. - 3:20 p.m.
 3
 4 MOHAMMAD A. EL-MEZAIN,
 5 having been first duly sworn, was examined and testified
 6 as follows:
 7
 8 EXAMINATION
 9 BY MR. HOFFMAN:
 10 Q Could you please state your full name for the
 11 record?
 12 A Mohammad El-Mezain. M-o-h-a-m-m-a-d.
 13 El-Mezain. E-l, hyphen, M-e-z-a-i-n.
 14 Q M-e-z --
 15 A A-i-n.
 16 Q A-i-n. I have to tell you, I've seen it
 17 spelled a number of different ways, and I'm never sure
 18 which one to use.
 19 A No. El-Mezain, E-l-M-e-z-a-i-n.
 20 Q Mr. El-Mezain, have you ever had your
 21 deposition taken before?
 22 A No.
 23 Q Mr. Landon or Mr. Boyd may have discussed some
 24 of this with you, but I just want to spend a couple of
 25 minutes talking to you about how this process works so

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1 let me know and I'll be happy to rephrase the question
 2 and make it clearer to you. By the same token, if you
 3 answer the question, I'm going to assume that you
 4 understood it. Is that fair enough?
 5 A Yes, it is.
 6 Q Mr. El-Mezain, have you ever gone by or been
 7 known by other people by any other names, such as Abu
 8 Ibrahim?
 9 A Abu Ibrahim is my nickname. It's a familiar
 10 name with our culture.
 11 Q Okay.
 12 A Because I have a son, his name is Ibrahim,
 13 people call me Abu Ibrahim.
 14 Q And Abu Ibrahim would be the father of Ibrahim?
 15 A You are right.
 16 Q Are there any other names that people have
 17 known you by during your time here in the United
 18 States?
 19 A Either Mohammad, for the closest, or Abu
 20 Ibrahim, or Mr. El-Mezain.
 21 Q And where do you currently reside?
 22 A San Diego.
 23 Q And what's the address?
 24 A 11454 Cypress Canyon Park Drive, San Diego,
 25 92131.

2

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1 Q Am I correct, sir, that since 1989 you haven't
 2 always lived in San Diego; is that right?
 3 A Since 1999.
 4 Q 1999?
 5 A Yeah.
 6 Q And prior to 1999 where did you live?
 7 A I lived in Patterson, New Jersey and in
 8 Colorado.
 9 Q Can you tell me the time frame, just in years,
 10 when you lived in Patterson, New Jersey?
 11 A Yes. From '83 until beginning of '89 in
 12 Colorado. '90 -- from '89 to '99 in Patterson.
 13 Q Where in Colorado did you live?
 14 A Fort Collins.
 15 Q You certainly managed to migrate to better
 16 weather, anyway.
 17 I'll show you document I'll ask the court
 18 reporter to mark as Exhibit 1.
 19 (Deposition Exhibit 1 was marked for
 20 identification by the court reporter.)
 21 BY MR. HOFFMAN:
 22 Q Mr. El-Mezain, I've handed you what's been
 23 marked as Exhibit 1, which is a subpoena. Attached to
 24 it is a document entitled, "Attachment to El-Mezain
 25 subpoena, documents to be produced." Have you seen this

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1 document before?
 2 A I read it when you send it to me.
 3 Q My question to you, sir, is do you have any
 4 documents of the type that are described on the second
 5 page, "Documents to be produced"?
 6 A No, I don't have anything.
 7 Q And did you need to go back and look through
 8 your personal effects to see whether you had that, or
 9 just looking at it you knew that you didn't have?
 10 A I read it and I check whatever I have from the
 11 documents that was in the Holy Land Foundation office,
 12 and everything is gone from the foundation.
 13 (Discussion off the record.)
 14 THE WITNESS: Holy Land Foundation office in
 15 San Diego, some of the documents with Holy Land, which I
 16 was working, of course, the Holy Land office.
 17 MR. LANDON: For the record, I did pass on the
 18 subpoena as requested. We did go over it, and as you
 19 probably are aware, the office here in San Diego was
 20 seized, all of its contents were seized. All of
 21 Mr. El-Mezain's documents were in the office, so they've
 22 been seized, in addition to property, personal property,
 23 books, children's toys and other things that obviously
 24 had nothing to do with the Holy Land Foundation. But
 25 we've been through it, and he believes that everything

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1 that would have been covered by the document list, if
 2 they existed, would have been in the office and are now
 3 in possession of the government.
 4 MR. HOFFMAN: Okay. Thank you.
 5 Q You mentioned the Holy Land Foundation office
 6 in San Diego. Has that office been opened during the
 7 entire time you've lived here in San Diego?
 8 A Just June or -- maybe July, 2001 to December,
 9 2001, just four months.
 10 Q Okay. Was there anybody other than yourself
 11 who worked in the Holy Land office in San Diego?
 12 A No.
 13 Q Mr. El-Mezain, where were you born?
 14 A I'm born in Palestine.
 15 Q Where in Palestine where born?
 16 A In Khan Younis City, Gaza Strip.
 17 Q Did you then first come to the United States
 18 when you moved to Patterson, New Jersey in 1983?
 19 A In 1983 when I moved to Fort Collins Colorado.
 20 Q I thought you said Fort Collins was 1989;
 21 right?
 22 A Excuse me. I said from '83 to '89 in Fort
 23 Collins.
 24 Q Oh.
 25 A From '89 to '99 in Patterson.

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1 Q Okay.
 2 MR. BOYD: That was backwards.
 3 MR. HOFFMAN: Yeah, I had it the other way,
 4 too. So I'm glad we cleared that up.
 5 THE WITNESS: No.
 6 BY MR. HOFFMAN:
 7 Q Okay. So '89 to '99 was Patterson, New Jersey.
 8 '83 to '89 was Fort Collins, Colorado?
 9 A Right.
 10 Q And so then 1983, though, was when you first
 11 came to the United States?
 12 A Yes.
 13 Q Could you just tell me generally what your
 14 citizenship status is? Are you a citizen? Are you --
 15 A I have my green card. I'm not citizen yet.
 16 Q Could you describe for me, sir, your
 17 educational background?
 18 A I have my bachelor degree from Alazhkr
 19 University in Cairo.
 20 Q Could you spell the name of the university for
 21 the court reporter?
 22 A Alazhkr, A-l-a-z-h-k-r, University.
 23 Q And that's in Cairo?
 24 A In Cairo.
 25 Q When did you graduate from Alazhkr University?

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1 A 1977.
 2 Q What was your degree in?
 3 A It's a bachelor degree in business, accounting.
 4 Q Have you had any other postgraduate work beyond
 5 Alazhkr University?
 6 A Yes. I took my master's in economics in Fort
 7 Collins.
 8 Q And what school was that in Fort Collins?
 9 A Colorado State University.
 10 Q When did you receive your master's?
 11 A '85.
 12 Q Okay. And other than your master's, have you
 13 had any other postgraduate?
 14 A I was studying my Ph.D. in economics, but I did
 15 not complete it.
 16 Q Where were you taking your Ph.D. studies?
 17 A Same university.
 18 Q Could you describe for me generally your
 19 employment history since -- let's say since 1989.
 20 A 1989? I work as imam until 1990.
 21 Q So from 1989 to 1990 while you were in
 22 patterson you were an imam?
 23 A I was imam.
 24 Q And was there a particular mosque or facility
 25 that you were an imam?

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1 A Islamic Center of Passaic County.
 2 First I work with Islamic Center of Jersey City
 3 and with Passaic County at the beginning.
 4 Q Was there any particular education or training
 5 that is required for somebody to become an imam?
 6 A Well, he's supposed to know the Islamic law to
 7 some degree. He's required to know the reciting and the
 8 reading and the Holy Koran, and the capability of
 9 managing his job, concerning leading the prayer, doing
 10 the social affairs for the community, taking care of the
 11 diseases, and advise the community, making divorce,
 12 weddings, something like that.
 13 Q Is there some sort of certification, for lack
 14 of a better term, that's required that somebody who
 15 says, "We hereby designate you as an imam to perform
 16 these sorts of ceremonies and services"?
 17 A Actually imam can be anyone. But he has to
 18 know more about Islamic laws. The main thing is the
 19 Holy Koran, actually, and Shuriah, or Islamic law.
 20 (Discussion off the record.)
 21 THE WITNESS: But there is universities issue
 22 you certificate in Islamic law all over the Islamic
 23 continent.
 24 BY MR. HOFFMAN:
 25 Q But am I correct, then, that that sort of

Page 15

1 certification isn't necessary to be an imam?
 2 A Not necessary. If is available, that will
 3 enhance or empower his position.
 4 Q All right. Then from 1999 to the present what
 5 other -- what was your employment history?
 6 A I was working with the Holy Land Foundation
 7 from 1990 until they close the office in 2001, December,
 8 2001.
 9 Q Am I correct that you were associated with the
 10 Holy Land before 1999; correct?
 11 A Yes.
 12 Q And at any point in time has your position with
 13 the Holy Land Foundation been a paid position as opposed
 14 to volunteer?
 15 A Paid position from 1999 until they close the
 16 office.
 17 Q What was your title at Holy Land Foundation
 18 from 1999 until the time of closing?
 19 A Director of endowment and vice chairman.
 20 Q And then, what, have you been employed since
 21 the time the Holy Land Foundation offices were closed
 22 down?
 23 A 19 -- near 2002 I just establish my own
 24 business.
 25 Q What sort of a business is that?

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1 A Consulting for nonprofit organization and
 2 fund-raising.
 3 Q And that's a business that you still run
 4 today --
 5 A Yes.
 6 Q -- out here in San Diego?
 7 A Yes.
 8 Q Does that business have a name or --
 9 A Yes.
 10 Q -- is it incorporated?
 11 A Same name. (Indicating.)
 12 Q On business card, "North American Professional
 13 Services, Inc."?
 14 A Yes.
 15 Q Setting aside the Holy Land Foundation for a
 16 moment, because I'm going to ask you more questions
 17 about that, obviously, later, are there any other
 18 organizations which you have served in as a director or
 19 an officer? Not just as a member of some entity, but
 20 something where you've actually been -- had a position
 21 of leadership?
 22 A Maybe the mid nineties I was working Islamic
 23 Education Foundation. This is schools in Patterson.
 24 Q Any other organization that you've served in as
 25 a director or officer?

4

Page 17

1 A That's it.
 2 Q What was your position with the Islamic
 3 Education Foundation?
 4 A I was working as the director of financial
 5 source development for them.
 6 Q Was that a volunteer or a paid position?
 7 A It was partially paid. It's not full time.
 8 It's partial.
 9 Q From the title of the position, it sounds as
 10 though you were involved in fund-raising issues or
 11 funding the schools?
 12 A Yes.
 13 Q Were there other types of responsibilities
 14 beyond fund-raising in your work with the Islamic
 15 Education Foundation?
 16 A No.
 17 Q All right.
 18 A I was board member one year or two years,
 19 something like that.
 20 Q Are you aware that there is this lawsuit in
 21 which we're involved and which this deposition is
 22 connected with that's currently pending in which the
 23 Holy Land Foundation is a party? Are you familiar with
 24 the lawsuit?
 25 A I hear about, yes.

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1 Q I want to spend a few minutes just asking you
 2 about some of the other defendants in the lawsuit just
 3 to see some basic stuff about them.
 4 One of the defendants is the Quaranic Literacy
 5 Institute. Are you familiar with that entity?
 6 A I hear about the name, but I have no relation
 7 with them.
 8 Q So I take it that you've never served in any
 9 position with QLI?
 10 A No.
 11 Q Have you ever made any contributions to QLI?
 12 A No.
 13 Q By the way, just for shorthand, if I were to
 14 say QLI, will you understand I'm referring to the
 15 Quaranic Literacy Institute?
 16 A Okay. I understand now.
 17 Q Have you ever attended any events sponsored by
 18 QLI?
 19 A No.
 20 Q Have you ever attended any events regardless of
 21 who sponsored in which QLI representatives were there as
 22 speakers or presenters?
 23 A I don't recall anything.
 24 Q Do you know a gentleman by the name of Ibrahim
 25 Abusharif?

Page 19

1 A No.
 2 Q How about Amer Haleem?
 3 A No.
 4 Q Do you know Ahmad Zaki Hammad?
 5 A Ahmad Zaki, yes, I know. I remember this name.
 6 Q Is he somebody that you've met in the past, or
 7 just a name you're familiar with?
 8 A I'm familiar with the name, because he was the
 9 president of ISNA. I don't know what year was.
 10 Q And ISNA, that's the Islamic Society of North
 11 America?
 12 A You're right.
 13 Q So your familiarity with Mr. Hammad would have
 14 been in his capacity with ISNA and not with QLI?
 15 A (Nods head.)
 16 Q Have you ever spoken with Mr. Hammad?
 17 A I don't recollect.
 18 Q Are you familiar with a man by the name of
 19 Dr. Tamer Al-Rafai?
 20 A No.
 21 Q Let me back up just for a moment. Mr. Hammad,
 22 have you ever seen him speak at any public events?
 23 A Maybe in ISNA, the convention.
 24 Q On the occasion that you might have seen him,
 25 you think you might have seen Mr. Hammad speak, do you

Page 20

1 recall him ever making mention of Hamas?
 2 A No. This is early eighties.
 3 Q Are you familiar with an entity known as the
 4 American Muslim Society?
 5 A I am not familiar with the name. Because right
 6 now there are a lot of American Muslims. I don't know
 7 what you mean.
 8 Q Well, this is a corporation based in the
 9 Chicago area. And its president is Rafeeq Jaber. Does
 10 that ring any bells?
 11 A I know Rafeeq, but I don't know the American
 12 Muslim Society.
 13 Q Okay. I take it, then, you have never made any
 14 contributions to this American Muslim Society?
 15 A Absolutely.
 16 Q You mentioned that you know Rafeeq Jaber. How
 17 is it that you know him?
 18 A He's the president of IAP.
 19 Q And by IAP, you're referring to the Islamic
 20 Association for Palestine?
 21 A You're right.
 22 Q I just want to make sure we have the same
 23 initials and we mean the same thing.
 24 A That's okay.
 25 Q Have you actually met Mr. Jaber personally?

Page 21

1 A I met him in Chicago in the conferences or in
 2 the mosque.
 3 Q Or in the mosque, you said?
 4 A Yeah.
 5 Q When you say you may have met in the
 6 conferences, are you talking about conferences sponsored
 7 by IAP?
 8 A IAP or MAYA or ISNA. In Chicago. Many
 9 conferences held in Chicago. Being in Chicago, being in
 10 the conferences.
 11 Q Do you recall in particular what conferences
 12 you may have attended that you met Mr. Jaber at?
 13 A No, in particular, I don't recollect.
 14 (Discussion off the record.)
 15 BY MR. HOFFMAN:
 16 Q Other than, perhaps, meeting Mr. Jaber at
 17 conferences in Chicago or at the mosque, have you had
 18 any other personal dealings with him?
 19 A No.
 20 Q Have you ever been a speaker at any of the
 21 conferences that you were referencing which you may have
 22 met Mr. Jaber?
 23 A It is possible. But I don't know. I don't
 24 remember when.
 25 Q I take it that you have spoken at conferences

Page 23

1 to with respect to Mr. Jaber?
 2 A Yes.
 3 Q Are you familiar with a man by the name of
 4 Osama Abu Irshaid?
 5 A I remember this name.
 6 Q Is he somebody you met personally, or just
 7 you're familiar with the name?
 8 A I am familiar with the name, and I met him
 9 personally also. Maybe once a time.
 10 Q Where is it that you met Mr. Irshaid?
 11 A In Chicago.
 12 Q Would this be at a conference?
 13 A This is in the conference, yeah.
 14 Q Same conference you were referring to earlier
 15 with respect to Jaber?
 16 A I believe he used to live in Chicago.
 17 Q Other than having met Mr. Irshaid in Chicago at
 18 a conference, have you had any other personal dealings
 19 with him?
 20 A No.
 21 Q Are you familiar with an individual by the name
 22 of Abdelbasset Hamayel?
 23 A Abdelbasset what?
 24 Q I may be pronouncing it wrong. But Hamayel?
 25 A I'm not recalling Abdelbasset's name.

Page 22

1 in Chicago?
 2 A A couple of times maybe, yeah, something like
 3 that. One time.
 4 Q As you sit here today, do you recall who
 5 sponsored the conferences at which you were a speaker in
 6 Chicago?
 7 A Maybe one in the Holy Land Foundation
 8 fund-raising, something like that.
 9 Q Are you familiar with a gentleman by the name
 10 Sabri Samira?
 11 A Yes, I remember.
 12 Q Is Mr. Samira somebody that you've met or
 13 somebody whose name -- you're familiar with his name?
 14 A I met Sabri Samira.
 15 Q Where is it that you met Sabri Samira?
 16 A In Chicago. The same area.
 17 Q This would have been at conferences or --
 18 A Conferences or the mosque.
 19 Q Aside from meeting Mr. Samira at conferences or
 20 at the mosque, have you ever talked to him directly in
 21 any other situation?
 22 A I don't recollect.
 23 Q When you refer to having met Mr. Samira at
 24 conferences or mosques, do I understand you to say it
 25 would have been the same conferences you were referring

Page 24

1 Q How about a man by the name of Shawn Smith? He
 2 also goes under the name Yahya Addul Rahman.
 3 A No.
 4 Q Have you ever heard Mr. Jaber, Mr. Samira or
 5 Mr. Irshaid make any references to Hamas?
 6 A No.
 7 Q Are you familiar with an entity known as the
 8 American Middle Eastern League for Palestine?
 9 A American Middle Eastern League? No.
 10 Q This would have been an entity that was based
 11 in Dallas.
 12 A No, not familiar with it.
 13 Q Do you know a man by the name of Omar Ahmad?
 14 A Yes.
 15 Q How is it that you know Mr. Ahmad?
 16 A Met him in conference.
 17 Q Do you recall which conference or conferences?
 18 A I don't recall. But it was in MAYA.
 19 Q At a MAYA conference?
 20 A Yeah.
 21 Q Was it one or more conferences?
 22 A More than one.
 23 Q And just so we're on the same page, for the
 24 record, when we say MAYA you're referring to the Muslim
 25 American Youth Association?

u

Page 25

1 A You're right.
 2 Q The MAYA conferences that you're referring to,
 3 do you recall where those were held?
 4 A I don't recall exactly what one of them.
 5 Q Do you recall whether any of them were in
 6 Kansas City?
 7 A I don't recall.
 8 Q The MAYA conferences where you met Mr. Ahmad,
 9 was either one of you a speaker at the conference?
 10 A No.
 11 Q No? Have you had any personal dealings with
 12 Mr. Ahmad outside of the MAYA conferences --
 13 A No.
 14 Q -- you testified about?
 15 Do you know a man by the name of Zaher Salman
 16 who also goes by Osama Ahmed or Osama Mohammad?
 17 A I know Osama. I don't know if it's --
 18 Q You know an Osama?
 19 A I know the first name Osama.
 20 Q I assume that there a lot of Osamas in the
 21 Muslim American community?
 22 A That's correct.
 23 Q Is there a particular Osama that you were
 24 thinking of when I mentioned --
 25 A No, no particular.

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1 A No.
 2 Q Do you recall whether Mr. Elbarasse was a
 3 speaker at the MAYA conference or conferences where you
 4 met him?
 5 A No.
 6 Q Are you familiar with a man by the name of
 7 Ghassan Dahduli?
 8 A Yes.
 9 Q How is it you know Mr. Dahduli?
 10 A One of the conferences also.
 11 Q A MAYA conference?
 12 A A MAYA conference.
 13 Q Would that have been in the 1980s also?
 14 A Yes.
 15 Q And I assume, as with the others, you couldn't
 16 tell me where that particular conference or conferences
 17 were?
 18 A I don't recall exactly. Yearly they have a
 19 conference. I don't know which one it was.
 20 Q Do you recall whether Mr. Dahduli was a speaker
 21 at the conference or conferences you met him at?
 22 A No, no.
 23 Q Other than the MAYA conference or conferences
 24 in the 1980s, have you had any other personal dealings
 25 with Ghassan Dahduli?

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1 Q So your testimony is you know a number of
 2 people named Osama; you don't know if it's the Osama I'm
 3 referring to?
 4 A Yes.
 5 Q Do you know a man by the name of Ismail
 6 Elbarasse?
 7 A Yes.
 8 Q How is it you know Mr. Elbarasse?
 9 A One of MAYA conferences also.
 10 Q Do you recall where that MAYA conference was
 11 held?
 12 A I don't know. MAYA conferences years, too
 13 long.
 14 Q Do you recall roughly what the time frame was
 15 you met Mr. Elbarasse at a MAYA conference?
 16 A Is in eighties.
 17 Q How about Mr. Omar Ahmad, can you tell me the
 18 time frame?
 19 A It is in the eighties.
 20 Q So you met both of these gentlemen at MAYA
 21 conferences in the eighties?
 22 A Yeah.
 23 Q Other than the MAYA conference or conferences
 24 where you met Mr. Elbarasse, have you had any other
 25 personal dealings with him at all?

Page 28

1 A No.
 2 Q Do you know an individual by the name of Hassan
 3 Sabri?
 4 A Yes, I know.
 5 Q How is it that you know Mr. Sabri?
 6 A The same thing. MAYA conferences, and see him
 7 in Dallas.
 8 Q In Dallas?
 9 A Yes.
 10 Q The MAYA conferences with Mr. Sabri, would
 11 those be the same ones in the 1980s as you described
 12 with the other?
 13 A Late eighties. I don't know exactly one.
 14 Q And you don't recall what city that may have
 15 been in?
 16 A I don't recall exactly.
 17 Q You mentioned a short time ago that MAYA holds
 18 annual conferences; is that right?
 19 A Yes.
 20 Q And these annual conferences, I take it they
 21 took place through the 1980s?
 22 A Excuse me?
 23 Q I take it from your testimony that MAYA held
 24 these annual conferences throughout the 1980s?
 25 A Yes.

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1 Q Did they also hold them in the 1990s?
 2 A I believe so. Some. Up to what, I don't know
 3 what.
 4 Q And was it your regular practice to try and
 5 attend the MAYA conferences?
 6 A Not regular. Sometimes maybe two, three years
 7 sometimes I go. And sometimes I take care of the kids
 8 and my wife. I have three boys born -- three of my kids
 9 born during the conferences. I could not leave my wife
 10 and go.
 11 Q That's understandable.
 12 These MAYA conferences that were held that you
 13 testified about, were they always in the same city or
 14 did they move around from city to city?
 15 A They moved. Sometimes they repeat in some
 16 cities. But after two years, they get back. Depends on
 17 contracts between the city.
 18 Q Now, you testified with respect to Mr. Sabri
 19 that you also saw him in Dallas?
 20 A Yes.
 21 Q And in what capacity was that?
 22 A The Islamic Center of Richardson.
 23 Q Richardson, Texas; correct?
 24 A Yes.
 25 Q Was Mr. Sabri affiliated with the Islamic

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1 Center of Richardson?
 2 A I don't know if he was affiliated.
 3 Q You saw him there?
 4 A I saw him.
 5 Q With respect to these people that I just talked
 6 about, I want to ask you the question whether you've
 7 ever heard any of them express support for or mention
 8 Hamas. Have you ever heard --
 9 A No.
 10 Q -- Mr. Ahmad do that?
 11 A No.
 12 Q What about Mr. Elbarasse?
 13 A No.
 14 Q Have you ever heard Ghassan Dahduli mention
 15 Hamas?
 16 A No.
 17 Q How about Hassan Sabri?
 18 A No.
 19 Q Now, you'd already mentioned earlier IAP, the
 20 Islamic Association for Palestine; correct?
 21 A Correct.
 22 Q And that is an organization you're familiar
 23 with?
 24 A Yes.
 25 Q How is it that you are familiar with the IAP?

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1 A They have Al-Zaitonah newspaper. They have
 2 some conferences or gathering, some business.
 3 Q When is it that you first became aware of the
 4 IAP?
 5 A In late eighties.
 6 Q How did you first become -- I know you
 7 mentioned that they had Al-Zaitonah and they had
 8 conferences. How did you first become aware of IAP?
 9 A They have some activities in one of the
 10 conferences, I believe. They mention IAP over there.
 11 Q So this was a conference that was put on by
 12 somebody else and IAP put on some sort of presentation
 13 or was present?
 14 A Something like this.
 15 Q Do you recall where this conference was or
 16 when?
 17 A I don't recall exactly.
 18 Q Do you recall who it was with IAP that put on
 19 this presentation?
 20 A Ghassan.
 21 Q I'm sorry?
 22 A Ghassan.
 23 Q Mr. Dahduli?
 24 A I believe. I saw him. What he was working,
 25 what his capacity, I don't know.

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1 Q So you understood Mr. Dahduli was working with
 2 or affiliated with the IAP at that time?
 3 A Yeah.
 4 Q I'd like to go back and just ask you about some
 5 of the people that we've talked about as to whether
 6 you're aware of any relationship that they had with the
 7 IAP.
 8 We talked about Mr. Jaber being the president
 9 of IAP?
 10 A Yeah.
 11 Q Are you familiar with Sabri Samira having any
 12 relationship to IAP?
 13 A Maybe. I don't know what his capacity or his
 14 position.
 15 Q How about Mr. Irshaid? Do you know if he had
 16 any relationship or connection to IAP?
 17 A I think writing Al-Zaitonah newspaper.
 18 MR. BOYD: Can I interrupt now and just ask the
 19 witness, don't speculate. If you know the answer to
 20 this, if you know somebody is affiliated with IAP, say
 21 so, but don't guess as to whether they are or not.
 22 THE WITNESS: Okay.
 23 BY MR. HOFFMAN:
 24 Q But it's your recollection that you saw
 25 Mr. Irshaid's writings in Al-Zaitonah?

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1 A Yes.
 2 Q How about Omar Ahmad, do you know of any
 3 relationship he had with IAP?
 4 A I believe in one some year he was working with
 5 IAP.
 6 Q How about Mr. Elbarasse, do you know if he had
 7 any relationship with IAP?
 8 A No.
 9 Q No, you don't know?
 10 A No, I don't know.
 11 Q Now, what about Hassan Sabri, do you know
 12 whether he was involved in IAP?
 13 A Maybe.
 14 MR. BOYD: What was the answer?
 15 MR. HOFFMAN: Maybe.
 16 Q Do you have an understanding as to what kind of
 17 an organization IAP is, what they do?
 18 A I believe they are information office. They
 19 issue press releases, Al-Zaitonah paper. They sell some
 20 stuff. They have some conferences.
 21 MR. BOYD: Some?
 22 THE WITNESS: Conferences.
 23 BY MR. HOFFMAN:
 24 Q Do you know where the IAP's headquarters or
 25 base is?

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1 A From my memory, I believe it was in Dallas. I
 2 don't know if it's in Dallas or not.
 3 Q Are you familiar with IAP having -- aside from
 4 its headquarters that you just testified about, having
 5 local branches in other parts of the country?
 6 A Maybe they have some other branches.
 7 Q Have you ever personally been affiliated with
 8 any local branch of the IAP?
 9 A No.
 10 Q Do you know whether there was a branch of the
 11 IAP in New Jersey?
 12 A Yes, there were, was branch for them in New
 13 Jersey.
 14 Q Do you know where in New Jersey that branch
 15 was? Is that Patterson also?
 16 A Patterson, yes.
 17 Q Do you know who was involved in the IAP branch
 18 in Patterson, the people who were running it?
 19 A I believe Mr. Hammad Ryad, R-y-a-d.
 20 Q Aside from this New Jersey branch, are you
 21 aware of any other branches of IAP around the country
 22 where they have been located?
 23 A No, I don't.
 24 Q So, for example, do you know whether they had a
 25 branch in California?

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1 A I don't know if they have.
 2 Q Do you have any understanding as to what role
 3 or function these various IAP branches played in that
 4 organization?
 5 A Sometimes they distribute Al-Zaitonah
 6 newspaper. They have some press releases sometimes.
 7 And they have some parties or conferences, small
 8 conferences in the eighties. They get some guest
 9 speakers.
 10 Q Do you have an understanding of what the
 11 organizational structure of IAP is either today or at
 12 any point in time, how it's organized?
 13 A I'm not familiar totally.
 14 Q And I think I may have already asked you that,
 15 but have you ever served as an officer or director in
 16 any fashion with IAP?
 17 A No.
 18 Q Have you ever made any contributions to IAP?
 19 A Maybe once in my life, or something like that.
 20 Q The contribution that you --
 21 A It was \$100.
 22 Q Okay. I think you have testified that you have
 23 attended events, conferences and such put on by IAP?
 24 A Yes.
 25 Q The IAP conferences that you've attended, do

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1 you know where those took place; do you recall?
 2 A I don't recollect exactly.
 3 Q Do you recall what years the conferences you
 4 attended occurred?
 5 A I don't recall.
 6 Q Were you ever a speaker at any of the IAP
 7 conferences?
 8 A Excuse me. I believe one in 19 -- either 1999
 9 or 1989, something like that. This is the one I
 10 remember for the IAP what year.
 11 Q '89 or '99?
 12 A I don't know exactly what year. '89 or -- was
 13 in Chicago this one.
 14 Q Have you ever served as a speaker at any --
 15 A No.
 16 Q -- of the IAP conferences?
 17 A No.
 18 Q Other than these conferences that you've
 19 attended have you ever participated or attended any
 20 other events that IAP sponsored?
 21 A Sometimes when they have gathering in the
 22 mosques and I'm available in the mosques I have to be
 23 here because my job as imam should be there for
 24 community.
 25 Q These would have been gathering in the mosques

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1 in Patterson?
 2 A In Patterson. Or in the city sometimes when
 3 they meet.
 4 Q In which city?
 5 A Either gathering in the mosque or rent a hall
 6 or something like that.
 7 Q These gatherings or events, can you give me an
 8 idea what sort of gathering this would be, what it would
 9 involve?
 10 A They have some guest speakers, and they get
 11 some bands, and they have some kids singing, or
 12 something like that.
 13 Q Okay. And the type of event you just
 14 described, is that something that might have occurred at
 15 the mosque as well?
 16 A No. In the mosque, guest speaker. Sometimes
 17 guest speaker. Because in the mosque, there is not
 18 singing in the mosque.
 19 Q The events that you're describing that IAP had
 20 at the mosques or at the halls, would they also solicit
 21 for fund-raising at those events?
 22 A Sometimes. Sometimes.
 23 Q And when the IAP was sponsoring -- or
 24 soliciting for donation at these events, were they doing
 25 it for donations to IAP or to other organizations?

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1 A No. To IAP.
 2 Q The events that took place at the mosque in
 3 Patterson, were those -- did the mosque or anybody
 4 besides IAP co-sponsor those events? In other words,
 5 was it a scenario where you just said, "We have a
 6 mosque, you're welcome to come in and have your speaker,
 7 but you're putting it on"? Or was something that the
 8 mosque said, "We'll sponsor with you"?
 9 A No. Sometimes they ask permission from the
 10 administration of the mosque, "We have a guest speaker,
 11 we'd like to bring him, activities for the IAP," and
 12 they allow him to.
 13 Q We talked a little bit about IAP-sponsored
 14 events that you've attended. Have you attended any
 15 events that were sponsored by some other group or entity
 16 at which IAP members or leaders were speakers?
 17 A I don't recollect.
 18 Q Do you recall ever attending any conferences or
 19 other events that were co-sponsored by IAP and MAYA?
 20 A Yes.
 21 Q What events do you recall attending --
 22 A Actually, IAP they took a session in MAYA
 23 conference. What you phrase it, how you phrase it, I
 24 don't know.
 25 Q So this would be a MAYA conference?

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1 A A MAYA conference, and IAP took a session from
 2 MAYA.
 3 Q At a MAYA conference there would be a session
 4 that IAP would run?
 5 A Yes, this is what I remember.
 6 Q And are you remembering particular conference
 7 or conferences, or just a general recollection?
 8 A This is what they used to do. What conference,
 9 I don't remember which.
 10 Q So if I were to ask you a time frame or a city,
 11 would you be able to recall either of those?
 12 A Time frame? I don't know if this in late
 13 eighties or beginning or the mid nineties. I don't know
 14 exactly.
 15 Q Do you recall what city these MAYA conferences
 16 took place in?
 17 A I don't recall.
 18 Q Now, you had testified about Al-Zaitonah, which
 19 is a publication put out by IAP; correct?
 20 A Yes.
 21 Q And that's one that you're familiar with and
 22 you've read from time to time?
 23 A Sometimes when I have time I could read the
 24 headline.
 25 Q Are you familiar with a publication known as

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1 Ila-Filistin?
 2 A I just read it when I read the deposition of
 3 Shukri Abu Baker.
 4 Q So prior to reading the transcript of Mr. Abu
 5 Baker's deposition you were not familiar with
 6 Ila-Filistin?
 7 A I don't recall Ila-Filistin.
 8 Q How about the publication Muslim World Monitor,
 9 are you familiar with that?
 10 A Muslim World Monitor?
 11 Q Yes.
 12 MR. BOYD: Muslim World what?
 13 MR. HOFFMAN: Monitor.
 14 THE WITNESS: I don't recall.
 15 BY MR. HOFFMAN:
 16 Q Have you had occasion over the years to read
 17 press releases or action alerts put out by the IAP?
 18 A Sometimes.
 19 Q How is it that you would come to see or receive
 20 a press release or an action alert from the IAP?
 21 A These guys, most of the big organization, they
 22 have the mailing address or the faxes sometimes. They
 23 sometimes send it. Or sometimes they publish it in
 24 Al-Zaitonah, the newspaper.
 25 Q Aside from the situations where it's published

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1 in Al-Zaitonah, I want to go back to other situations
 2 where they have an address or a fax number.
 3 A A fax number.
 4 Q So have you received directly to either your
 5 mailing address or fax number --
 6 A Sometimes I receive.
 7 Q Let me just finish the question so the record
 8 is clear.
 9 A I'm sorry. I think you finish. Therefore, I
 10 interrupt.
 11 Q That's okay. It was a long question. I
 12 stopped for a breath.
 13 Have you received directly at your mailing
 14 address or fax machine press releases or action alerts
 15 published by IAP?
 16 A Yes.
 17 Q Are there any other IAP publications that
 18 you're familiar with other than the types we've just
 19 talked about?
 20 A I don't remember.
 21 MR. BOYD: Can we take a quick break?
 22 MR. HOFFMAN: Sure.
 23 (Recess.)
 24 MR. HOFFMAN: All right. Let's go back on the
 25 record.

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1 Q Mr. El-Mezain, we were talking before we took
 2 our break about IAP publications.
 3 A Yes.
 4 Q Have you ever provided any material to IAP to
 5 include in its publications?
 6 A No.
 7 Q Do you recall ever having seen anything in any
 8 IAP publications that referred to or related to Hamas?
 9 A Again the question, what do you mean?
 10 Q In any of the IAP publications you've seen over
 11 the years, do you recall there ever being any references
 12 to Hamas?
 13 A Sometimes I see them in Hamas newspaper. They
 14 wrote some news from Palestine, and they mention.
 15 Q In any of the references that you recall having
 16 seen in IAP publications about Hamas, were any of those
 17 supportive of Hamas? Did anything indicate that Hamas
 18 should be supported or that IAP supported Hamas?
 19 A I don't see anything to the best of my
 20 knowledge.
 21 Q I'd like to ask you about a few more people
 22 relating to IAP. And I think we're -- you know, we're
 23 running low on the names anyway.
 24 Do you know Basman Al-Ashi?
 25 A Yes.

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1 Q How is it that you know Mr. Al-Ashi?
 2 A He is the brother of Ghassan.
 3 Q Ghassan.
 4 A G-h-a-s-s-a-n.
 5 Q And Ghassan Al-Ashi was, with you, one of the
 6 principals in the Holy Land Foundation?
 7 A You're correct.
 8 Q And have you had dealings with Basman Al-Ashi?
 9 A No.
 10 Q You just knew him through Ghassan?
 11 A Yes.
 12 Q Do you know whether Basman Al-Ashi had any
 13 position or involvement with IAP?
 14 A Possible.
 15 Q You're not sure, though?
 16 A I'm not sure.
 17 Q Do you know a man by the name of Nihad Awad?
 18 A Yes.
 19 Q How is it that you know Mr. Awad?
 20 A Mr. Awad, I know him from CAIR and before CAIR
 21 in one of the conferences also.
 22 Q And CAIR is the Council on -- see if I'll get
 23 it right, American Islamic Relations?
 24 A You're right.
 25 Q Are you personally involved with CAIR?

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1 A No.
 2 Q You had mentioned that you knew Mr. Awad as
 3 being the executive director of CAIR and through CAIR,
 4 and I was just wondering --
 5 A I see him many times in the T.V., CNN and
 6 Al-Jazeera. He became popular.
 7 Q So you knew him through his public speaking on
 8 behalf of CAIR?
 9 A You're right.
 10 Q Have you met him personally?
 11 A Yes.
 12 Q Where did you meet Mr. Awad?
 13 A In the conferences.
 14 Q What conferences are those?
 15 A I met him last -- in the end of August in ISNA
 16 conference, he was there. This is in Chicago.
 17 Q Any other conferences that you've met Mr. Awad
 18 at?
 19 A I remember I met him a couple of times, three
 20 times, all of them conferences.
 21 Q Aside from these conferences, did you have any
 22 other personal dealings with Mr. Awad?
 23 A No.
 24 Q Do you know a man by the name of Yasser
 25 Bushnaq?

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1 A Yes.
 2 Q And how is it you know Mr. Bushnaq?
 3 A I know Mr. Bushnaq in Dallas.
 4 Q I'm sorry?
 5 A In Dallas.
 6 Q Okay. What in Dallas -- what events or
 7 circumstances are --
 8 A In the mosque. I saw him in the mosque.
 9 Q Other than seeing Mr. Bushnaq at the mosque in
 10 Dallas, have you had any other personal dealings with
 11 Mr. Bushnaq?
 12 A Personal dealing, no.
 13 Q Are you familiar with him in any other sense
 14 other than through the mosque?
 15 A He has human right organization. I don't know
 16 its name exactly.
 17 Q So you're familiar with him in that context?
 18 A Yes.
 19 Q Do you know of any relationship which
 20 Mr. Bushnaq had with IAP?
 21 A I believe he has some relation. He used to
 22 have some relation with IAP.
 23 Q Do you know if he used to be the president of
 24 IAP?
 25 A Possible.

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1 Q Let's go back for a minute. Do you know
 2 whether Mr. Awad had any relationship with IAP?
 3 A Mr. who?
 4 Q Awad, Nihad Awad?
 5 A I don't recall.
 6 Q Do you know a gentleman by the name of Mohammad
 7 Al-Hanooti?
 8 A Yes.
 9 Q Am I correct that he worked with you at
 10 Passaic, New Jersey --
 11 A You're correct.
 12 Q -- or Patterson?
 13 A You're correct.
 14 Q And it's my understanding he was the second
 15 imam at the mosque; is that correct?
 16 A Mr. Al-Hanooti is the scholar of the United
 17 States, let me say that.
 18 MR. BOYD: He's what?
 19 THE WITNESS: The mostly scholar of the United
 20 States. The most knowledgeable man --
 21 BY MR. HOFFMAN:
 22 Q Okay.
 23 A -- in the United States.
 24 Q What was his position at the mosque in
 25 Patterson?

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1 A Imam. People say first imam because I'm before
 2 him, not because I'm more knowledgeable than him. He's
 3 more knowledgeable than me.
 4 Q So both of you served as imam at the same time?
 5 A Maybe a couple of years together we worked,
 6 yes.
 7 Q I take it you know Mr. Al-Hanooti quite well,
 8 then?
 9 A Yes.
 10 Q Do you know of any relationship which he had
 11 with the IAP?
 12 A Mohammad?
 13 Q Yes. Was he involved with IAP?
 14 A Sometimes he give speech on there occasions.
 15 Q You had testified earlier that events that IAP
 16 sometimes had at the mosque in Patterson. Was
 17 Mr. Al-Hanooti involved in coordinating those or setting
 18 those up with IAP?
 19 A Mr. Al-Hanooti is not coordinator or director.
 20 He's a speaker. He's imam. He's well respected
 21 scholar. Sometimes they invite him to speak and he give
 22 a speech.
 23 Q Can you tell me roughly the time frame when you
 24 and Mr. Al-Hanooti overlapped as imams at the mosque in
 25 Patterson?

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1 A Maybe '94, '95. Something like that.
 2 Q Do you know a man by the name of Emad Sarsour?
 3 A Yes.
 4 Q How is it that you know Mr. Sarsour?
 5 A One of the conferences.
 6 Q Do you recall whose conference? This was an
 7 IAP conference?
 8 A Maybe IAP, maybe MAYA.
 9 Q Can you tell me the time frame of the
 10 conference or conferences that you met Mr. Sarsour at?
 11 A Nineties.
 12 Q Was he a speaker at the conference?
 13 A No.
 14 Q You've testified about meeting a number of
 15 people at conferences. And just to get an idea, can you
 16 give me a sense as to the circumstances where you might
 17 have met some of these people? Would it be just in
 18 passing in a hallway? Introduced in a conversation?
 19 Were they at a booth? How would it go about? How would
 20 it come about that you would meet some of these people
 21 at conferences?
 22 MR. BOYD: Object to the form.
 23 Go ahead and answer.
 24 THE WITNESS: Some of them I meet in the
 25 hallways. Some of them in the bazaar. Some of them in

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1 the rest room -- restaurants, I'm sorry. The
 2 restaurant.
 3 BY MR. HOFFMAN:
 4 Q Other than having met Mr. Sarsour at one or
 5 more conferences, have you ever had any other personal
 6 involvement or dealings with Mr. Sarsour?
 7 A No.
 8 Q Do you know whether he was involved in IAP?
 9 A Possibly.
 10 Q Do you know a man by the name of Nasser
 11 Al-Khatib?
 12 A I recall this name.
 13 Q Other than just generally recalling the name,
 14 do you have any other --
 15 A No.
 16 Q -- knowledge?
 17 A No.
 18 Q Do you know a man by the name of Mohammad
 19 El-Hassan?
 20 A No.
 21 Q I want to go back over just some of these names
 22 we just talked about and ask you whether you ever heard
 23 any of these people make reference to Hamas at any point
 24 in time. Have you ever heard Basam Al-Ashi?
 25 A No.

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1 A He's a researcher.
 2 Q A researcher for them?
 3 A Researcher, I believe.
 4 Q Do you recall what conference you met Mr. or
 5 Dr. Yousef at?
 6 A I don't remember. Either MAYA conferences or
 7 IAP conferences. I don't know what one.
 8 Q Do you recall what time frame those conferences
 9 took place?
 10 A Maybe eighties. Maybe nineties.
 11 Q And I take it you don't recall what cities?
 12 A No.
 13 Q Other than having -- oh, and let me take a step
 14 back. These conferences you recall having met
 15 Dr. Yousef at, was he a speaker at any of those
 16 conferences?
 17 A I don't listen to him. I met him in the bazaar
 18 area, in the halls. I don't listen to him. I don't
 19 know if he's speaker or not.
 20 Q So he may or may not have been a speaker, but
 21 that's how you met him?
 22 A Yes.
 23 Q Other than having met Dr. Yousef, do you have
 24 any other -- have you ever had any other dealings with
 25 or knowledge of UASR, United Association of Study

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1 Q What about Nihad Awad?
 2 A No.
 3 Q Yasser Bushnaq?
 4 A No.
 5 Q Mohammad Al-Hanooti?
 6 A No.
 7 Q Emad Sarsour?
 8 A No.
 9 Q Are you personally aware of any relationship
 10 between IAP and Hamas?
 11 A I have no idea.
 12 Q Are you familiar with an entity known as the
 13 United Association for Study and Research?
 14 A Again?
 15 Q The United Association for Study and Research?
 16 It would be based in Washington, Washington, D.C area?
 17 A Yes.
 18 Q And how is it that you're familiar with that
 19 entity?
 20 A We met Dr. Ahmed Yousef at one of the
 21 conferences.
 22 Q And Dr. Yousef is one of the principals of
 23 UASR?
 24 A I don't know if he's a principal.
 25 Q He's involved with UASR?

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1 Research?
 2 A No. I just know as research.
 3 Q I take it that you've never served as an
 4 officer or director?
 5 A No.
 6 Q Have you ever contributed to UASR?
 7 A No.
 8 Q Have you ever attended any events sponsored by
 9 UASR?
 10 A No.
 11 Q Have you ever attended any events sponsored by
 12 anybody at which UASR members or principals were
 13 speakers?
 14 A I said I see him -- as speaker, I don't see him
 15 as speaker. He was attending.
 16 Q And that gets back to Dr. Yousef?
 17 A Yes.
 18 Q Do you know an individual by the name of
 19 Abdelheem Al-Ashqar?
 20 A Yes, I know him.
 21 Q How is it that you know Mr. Al-Ashqar?
 22 A I know him in one of MAYA conferences also.
 23 Q Can you tell me what time frame that conference
 24 was?
 25 A Maybe nineties.

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1 Q Was he a speaker at that conference?
 2 A No.
 3 Q Other than meeting Mr. Al-Ashqar at a MAYA
 4 conference in the 1990s, do you have any -- have you had
 5 any other personal dealings with him?
 6 A No.
 7 Q What about with Dr. Yousef, other than the MAYA
 8 or IAP conferences, any other dealings?
 9 A No.
 10 Q Are you familiar with a woman by the name of
 11 Anisa Abdel Fattah, or also known as Caroline Keeble?
 12 A I don't recall this name.
 13 Q Do you ever hear either Dr. Yousef or
 14 Mr. Al-Ashqar refer in any way to Hamas?
 15 A No.
 16 Q Do you know whether there's any relationship
 17 between UASR and Hamas?
 18 A No.
 19 Q Do you know a man by the name of Mohammad
 20 Salah?
 21 A Yes, I know.
 22 Q How is it that you know Mr. Salah?
 23 A I know him Chicago in the mosque and the
 24 conferences also.
 25 Q Do you recall what conferences you know

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1 Mr. Salah through?
 2 A MAYA conference.
 3 Q Can you give me a time frame for the MAYA
 4 conference or conferences that you know Mr. Salah from?
 5 A Maybe early eighties or in early nineties. Or
 6 late eighties. I don't know exactly what time.
 7 Q Do you recall where that conference or those
 8 conferences took place?
 9 A I don't recall what city.
 10 Q Okay. So have we covered all of the places
 11 where you know Mr. Salah, the mosque in Chicago and also
 12 MAYA conferences?
 13 A Yes.
 14 Q Do you recall the circumstances at the MAYA
 15 conference that you met Mr. Salah?
 16 A Maybe in the halls or the bazaar. He was
 17 living in Chicago.
 18 Q At the time that you met Mr. Salah at the MAYA
 19 conference or conferences in the late eighties or early
 20 nineties was he affiliated with any organization?
 21 A I don't know.
 22 Q He just happens to be a man that you met while
 23 you were at these conferences? Was he a speaker at any
 24 of these conferences?
 25 A No, I never heard him speak.

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1 Q Have you had any other personal dealings with
 2 Mr. Salah other than having met him at MAYA conferences
 3 and meeting him in the mosque?
 4 A I don't know.
 5 Q When you say that you met Mr. Salah at the
 6 mosque in Chicago, how many occasions have you been to
 7 that mosque where you've met Mr. Salah?
 8 A Maybe a couple of times, or something like
 9 that.
 10 Q Do you recall --
 11 A Sometimes. Because when I go over there, they
 12 let me lead the prayer. The people, they came to --
 13 when I finish reading the prayer, the people always --
 14 they handed the guest, or something like that.
 15 Q Do you recall the time frame when you would
 16 have met Mr. Salah at the mosque in Chicago?
 17 A In eighties.
 18 Q Prior to meeting him at the MAYA conferences?
 19 A I don't recall this.
 20 Q Is he like a -- do you consider him a personal
 21 friend or --
 22 A No.
 23 Q -- just an acquaintance?
 24 A Like another imam, he met me.
 25 Q Are you aware that Mr. Salah was arrested in

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1 Israel in the early 1990s?
 2 A We read that in New York Times.
 3 Q Did you ever discuss his arrest or conviction
 4 in Israel with Mr. Salah?
 5 A No.
 6 Q Were you ever involved in any efforts to try
 7 and get him released or returned to this country?
 8 A No.
 9 Q Do you know what relationship, if any,
 10 Mr. Salah has with Hamas?
 11 A No.
 12 Q Have you ever discussed Hamas with Mr. Salah?
 13 A What?
 14 Q Have you ever discussed Hamas with Mr. Salah?
 15 A Oh, no.
 16 Q Have you ever heard, or anyone tell you, or
 17 read anywhere about any relationship which Mr. Salah has
 18 with Hamas?
 19 A No.
 20 Q Have you ever given money directly or
 21 indirectly to Mr. Salah?
 22 A No.
 23 Q Are you familiar with a man by the name of
 24 Mousa Abu Marzook?
 25 A Yes.

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1 Q How is it that you know Mr. Marzook?
 2 A There is some kind of relationship between his
 3 family and our family in Palestine.
 4 Q When you say relationship, you mean --
 5 A They get married.
 6 Q -- as a cousin?
 7 A The families get married to each other. We
 8 became familiar with Marzook, his father, his brother.
 9 Far relationship anyhow.
 10 MR. BOYD: You mean -- in our term would be
 11 distant relationship, is that what you mean?
 12 THE WITNESS: Yes.
 13 MR. BOYD: Okay, that's what you meant.
 14 BY MR. HOFFMAN:
 15 Q Now, have you actually met Abu Marzook?
 16 A Yes.
 17 Q On how many occasions? Many occasions? One or
 18 two?
 19 A He was living in Fort Collins, Colorado.
 20 Q When you were there?
 21 A Yeah.
 22 Q Did you socialize with Abu Marzook when you
 23 were in Fort Collins?
 24 A Sometimes we sit in the mosque together, with
 25 the people of the mosque, basically.

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1 Q Other than your dealings with Mr. Abu Marzook
 2 in the mosque in Fort Collins, did you have any other
 3 personal dealings with him?
 4 A No. You cannot say personal dealings.
 5 Sometimes -- sometimes he call, congratulate our
 6 festival, or something like that. We go eat after or,
 7 something like that.
 8 Q Sometimes he called -- when you say "our
 9 festival," are you talking about and HLF festival?
 10 A No. We as mosque have two festivals, like the
 11 Christmas.
 12 Q Right. Like Ramadan?
 13 A After Ramadan.
 14 Q Okay.
 15 A This is before he left the country.
 16 Q Okay.
 17 A After that, nothing more.
 18 Q When you say "he called us," I guess I was
 19 confused. Who is "us"?
 20 A He called me.
 21 Q He called you?
 22 A Maybe once a year, or something like that. Or
 23 sometimes two, three years. It depends upon his call
 24 sometimes. But we don't have any relation, direct
 25 relation.

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1 Q Okay. And these phone calls were around the
 2 time of the festivals, the holiday?
 3 A Yes.
 4 Q Other than what you've described in terms of
 5 these phone calls Mr. Abu Marzook would make around the
 6 time of the festivals, your having sat with him in the
 7 mosque in Fort Collins and the distant family
 8 relationship, do you have any other relationship with
 9 Mr. Abu Marzook over the course of the years?
 10 A No. Sometimes I saw him in the conferences.
 11 Q What conferences do you recall seeing him at?
 12 A MAYA conferences.
 13 Q Can you give me a time frame?
 14 A Maybe nineties. Early nineties. Something
 15 like this.
 16 Q Was he a speaker at those conferences?
 17 A No. I don't see him speak.
 18 Q Did you know Mr. Abu Marzook to be affiliated
 19 with any organizations?
 20 A What you mean?
 21 Q Well, we have talked quite a bit about some of
 22 these various people, whether they were involved with
 23 IAP or people that were involved with UASR. I was
 24 wondering if you know of any organizations he was
 25 affiliated with?

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1 A No, I don't know.
 2 Q Did you consider Mr. Abu Marzook a friend?
 3 A Far friend. Not close friend.
 4 Q Now, am I correct that Mr. Abu Marzook made a
 5 contribution of \$210,000 to the Holy Land Foundation in
 6 the early nineties?
 7 A Yes.
 8 Q Can you tell me how it is that contribution
 9 came about?
 10 MR. BOYD: This question calls for if you know.
 11 THE WITNESS: I don't know how it comes, and
 12 when he send the money.
 13 BY MR. HOFFMAN:
 14 Q Do you know who at the Holy Land Foundation was
 15 involved in dealing with Mr. Abu Marzook in connection
 16 with that particular contribution?
 17 A I hear from one of the meetings of the Holy
 18 Land Foundation board members that we received money
 19 from Abu Marzook. Shukri updated us.
 20 Q Shukri is the one who advised you of this?
 21 A He updated us that he received this money.
 22 Q Do you know whether the Holy Land Foundation
 23 solicited Mr. Abu Marzook for this donation? In other
 24 words, did HLF contact him and say, "Can you make a
 25 contribution?" Or is it Mr. Abu Marzook --

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1 A I don't know if they solicited directly from
 2 him. But always we send our mailing when we are in the
 3 conferences. And if we have fund-raising, then we ask
 4 the people in general.
 5 Q Have you ever been aware of any relationship
 6 with Mr. Abu Marzook has had with Hamas?
 7 A When he was arrested.
 8 Q He was arrested when he came into New York?
 9 A Yes.
 10 Q And that was the first time you had become
 11 aware of a relationship which he had with Hamas?
 12 A This is what I remember.
 13 Q And what was your understanding of the nature
 14 of the relationship with Hamas?
 15 A According to the news media, he's one of the
 16 political leaders.
 17 Q Do you have any knowledge or belief as to
 18 whether or not that's true and accurate?
 19 A I believe he confess that he is a political
 20 leader.
 21 Q Of Hamas?
 22 A Yeah.
 23 Q And prior to the time that the press was
 24 covering his arrest in New York, you weren't aware of
 25 any relationship which he had with Hamas?

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1 A No, I don't have any. I'm not aware about
 2 that.
 3 Q Have you ever discussed with Mr. Abu Marzook
 4 his relationship with Hamas?
 5 A No.
 6 Q When you learned of Mr. Abu Marzook's
 7 relationship with Hamas, did that cause you any concern
 8 with respect to the contribution that he had made to the
 9 Holy Land Foundation?
 10 A Not really.
 11 Q Did you ever discuss with Mr. Abu Marzook his
 12 arrest and the extradition proceedings that followed
 13 that?
 14 A No.
 15 Q Were you involved in supporting Mr. Abu
 16 Marzook's defense in those extradition proceedings?
 17 A What do you mean?
 18 Q Did you make any contributions or organize any
 19 activities to try and support his right --
 20 A No. He has a legal defense committee and they
 21 came during my presence over there in Patterson, and
 22 they collecting money from the people as a legal
 23 defense.
 24 Q Did you contribute?
 25 A No.

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1 MR. BOYD: I'm sorry, what was your answer?
 2 THE WITNESS: No.
 3 BY MR. HOFFMAN:
 4 Q Have you ever given money to Mr. Abu Marzook
 5 directly, either for him personally or for him to
 6 deliver to anyone else?
 7 A No.
 8 Q Do you know an individual by the name of Sharif
 9 Alwan?
 10 A No.
 11 Q How about Nasser Hidmi?
 12 A No.
 13 Q Do you know an individual by the name of Rizzaq
 14 Salah?
 15 A No.
 16 Q Okay. I'd like to focus now for a while on the
 17 Holy Land Foundation.
 18 A Yes.
 19 MR. BOYD: Give me 10 seconds.
 20 MR. HOFFMAN: Do you want to go off the record?
 21 MR. BOYD: Yes. I'll be right back.
 22 (Recess.)
 23 MR. HOFFMAN: Okay. Let's go back on the
 24 record.
 25 Q Mr. El-Mezain, am I correct that you were one

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1 of the founders of the Holy Land Foundation?
 2 A Yes.
 3 Q And just so that we're clear, if I refer to
 4 HLF, you'll understand I'm referring to the Holy Land
 5 Foundation?
 6 A Yes.
 7 Q What was your role in the creation of the Holy
 8 Land Foundation?
 9 A Just one of the board members. We like to have
 10 some charity, a charity organization.
 11 Q Whose idea was it to create the Holy Land
 12 Foundation?
 13 A Actually, it is Shukri's idea.
 14 Q The other founders were Mr. Shukri Abu Baker
 15 and Ghassan Al-Ashi; is that correct?
 16 A Yes.
 17 Q And at the time the Holy Land Foundation was
 18 founded, was that when you were in Patterson?
 19 A Yes, in 1980. Before I left Colorado. It
 20 incorporated in 1989.
 21 Q So some of the activity was taking place in
 22 Colorado and then it incorporated when you were in
 23 Patterson?
 24 A Incorporated when I was in Fort Collins,
 25 because I moved in early eighties, 1989 to Patterson.

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1 Q And at that time, where was Mr. Abu Baker
 2 located?
 3 A I believe in Indiana.
 4 Q And Mr. Al-Ashi, where was he at that time?
 5 A In California. Los Angeles.
 6 Q How is it that you knew Mr. Abu Baker and
 7 Mr. Al-Ashi, these people who were crossing the country,
 8 if you would, that you knew each other to form this
 9 organization?
 10 A That's good question. We are friend and we
 11 know each other in MAYA conferences.
 12 Q So I take it at some point in time then Mr. Abu
 13 Baker approached you with this idea about setting up
 14 this charity fund?
 15 A Excuse me?
 16 Q Am I correct then that Mr. Abu Baker approached
 17 you at some point about starting up this charity
 18 organization?
 19 A Yes.
 20 Q Do you recall when that was?
 21 A '88, something like that.
 22 Q Was that at a MAYA conference, or did he --
 23 A No, no, before that.
 24 Q What did he tell you about this idea he had?
 25 A He like to see if it is good to have some

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1 charity organization can help relieving the suffering of
 2 the people in Palestine over there in refugee camps.
 3 And Shukri, he is too smart to run the organization.
 4 Q He is?
 5 A Too smart.
 6 Q I take it that you thought this was a good
 7 idea, and you told him you'd be interested?
 8 A He asked me that I meet with -- we sit together
 9 and discuss at any one of the conferences, and we talk
 10 on the phones to establish this organization. And it
 11 became a reality.
 12 Q You mentioned that you were initially a board
 13 member. Did you have any other title at the time?
 14 A I was the chairman of the board because I'm the
 15 imam. I'm the oldest one.
 16 Q When you say that you were the chairman because
 17 you were the imam, was the idea --
 18 A As respect for my old age, and I take
 19 responsibility.
 20 Q You testified that the Holy Land Foundation was
 21 incorporated in 1989. Where was it first incorporated?
 22 A Culver City.
 23 Q Culver City, California?
 24 A Yeah.
 25 Q And at the time, as I understand it, the name

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1 was actually at that time the Occupied Land Fund?
 2 A You are right.
 3 Q Was Mr. Ghassan Al-Ashi the person who actually
 4 took care of the incorporation?
 5 A This is yes.
 6 Q Was there any particular reason why the
 7 decision was made to incorporate in California as
 8 opposed New Jersey or Indiana?
 9 A No. Ghassan was working over there in his own
 10 company and he's familiar with the incorporation of the
 11 companies. There was no particular things.
 12 Q At the time you started the Occupied Land Fund
 13 was it just the three of you, then, you, Mr. Abu Baker
 14 and Mr. Al-Ashi?
 15 A Amhad Agha joined us.
 16 Q Can you spell his first name?
 17 A Dr. Ahmad, A-h-m-a-d. A-h -- I'm sorry,
 18 A-g-h-a, if I'm not mistaken.
 19 MR. BOYD: Agha.
 20 BY MR. HOFFMAN:
 21 Q Oh, Mr. Agha joined?
 22 A Joined the board.
 23 Q Do you recall when that was?
 24 A Either 1989 or '90. I don't recall exactly.
 25 Shukri has better memory than me.

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1 Q And who is Mr. Agha? Where did he live?
 2 A Dr. Agha is M.D., doctor. He lives in
 3 Oklahoma.
 4 Q How is it he came to be involved with the
 5 Occupied Land Fund?
 6 A He is interested in the medical reliefs. As
 7 he's a doctor, we are looking to see someone who can
 8 help the organization, administering the medical relief,
 9 and establishing clinics, and stuff like that. He give
 10 us service.
 11 Q And did you and Mr. Abu Baker and Mr. Al-Ashi
 12 know Mr. Agha from these conferences?
 13 A Yes, we know him from the conferences.
 14 Q Who approached Mr. Agha about becoming a
 15 director? Or was it the other way around? Did he?
 16 A I don't recall exactly. One of us. I don't
 17 recall.
 18 Q And the rationale behind approaching Mr. Agha
 19 was you wanted to have a medical doctor on the board?
 20 A To enlarge the board member. To get some
 21 experts in the fields. And to work professionally.
 22 Q In this early time frame right around the time
 23 of incorporation, 1989, let's say, did each of the four
 24 of you then have different responsibilities with respect
 25 to the Holy Land Foundation?

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1 MR. BOYD: Object to form. I think he
 2 mentioned five.
 3 MR. LONDON: Five.
 4 MR. HOFFMAN: Okay. I'm sorry.
 5 MR. BOYD: Mesa Abdalla. You're leaving Mesa
 6 Abdalla out.
 7 BY MR. HOFFMAN:
 8 Q And who is Mesa Abdalla?
 9 A He's an attorney and accountant in California.
 10 Q And how is it he came to be involved in HLF?
 11 A Ghassan knows him, and we want somebody to work
 12 for accounts and public records, and something like
 13 that.
 14 Q There's five of you then in this time frame who
 15 are involved in the Holy Land Foundation. Did each of
 16 you have specific responsibilities that were unique to
 17 you?
 18 A I believe we always have responsibility and we
 19 work as a team at the beginning until we get the
 20 employees. At the beginning, anything you need,
 21 sometimes for advertisements. Sometime you need good
 22 public relation with the people attend the conferences,
 23 try to explain to the people about the idea. And we
 24 need somebody to work and -- to work the administration,
 25 work for the organization. And this is Shukri.

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1 Q So Mr. Abu Baker, was he the person who was
 2 most involved in publicizing and public relations for
 3 the HLF?
 4 A He and me. For me, I'm -- as imam, I was
 5 supposed to give speech about Holy Land Foundation. He
 6 as administration and speaker also, and help in
 7 administrative legally, and Mr. Abdalla.
 8 Q So would it be fair to say that Mr. Al-Ashi was
 9 more involved in administration of starting up and
 10 running this organization?
 11 A Yes. That's correct.
 12 Q And you and Mr. Abu Baker were more involved in
 13 building up the name of the organization in the public
 14 and raising money?
 15 A Yes. And I give the credit for Shukri.
 16 Q Were there any activities that the group of you
 17 undertook for the Occupied Land Fund before it was
 18 actually incorporated? Did you start raising money
 19 before incorporation?
 20 A I don't recall that.
 21 Q At the time of the formation of the Occupied
 22 Land Fund where did it have offices?
 23 A Excuse me?
 24 Q Where were the Holy Land Foundation offices
 25 when it first was established?

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1 A They incorporated the HLF in California. Seems
 2 to me this office was -- the mailing address was in
 3 Indiana, close to Shukri.
 4 Q So the initial mailing address was in Indiana?
 5 A Yes. This is what I remember.
 6 Q And was that Plainfield, Indiana?
 7 A Yes, I believe so.
 8 Q This mailing address, was it a P.O. Box, or was
 9 it actually an office?
 10 A I don't recall what it was.
 11 Q Now, at various points in time, am I correct
 12 that you've held the position of president of the Holy
 13 Land Foundation; is that correct?
 14 A I am not the president. I was for the Holy
 15 Land Foundation the chairman. The president is Shukri.
 16 (Deposition Exhibit 2 was marked for
 17 identification by the court reporter.)
 18 BY MR. HOFFMAN:
 19 Q Mr. El-Mezain, you've been handed a document
 20 that has been marked as Exhibit 2 for this deposition.
 21 You'll also see it was previously marked at a prior
 22 deposition. I believe that was at Mr. Abu Baker's
 23 corporate representative deposition.
 24 Are you familiar with this document?
 25 A Yes, I'm familiar with this. And here is the

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1 president. They call me as chairman. I'm sorry. They
 2 call me as a chairman. For us chairman and president,
 3 for the corporation is the same thing; therefore, I did
 4 not distinguish between here or there.
 5 Q Okay. So --
 6 A But this is for the board.
 7 Q Right. You're referring now to the third page
 8 of this exhibit?
 9 A Yes.
 10 Q Let me just take a step back and just so we're
 11 clear about what this is. Am I correct that at some
 12 point in time the decision was made to move the offices
 13 of the Holy Hand Foundation to Texas and to set it up as
 14 a Texas corporation?
 15 A We have a decision to move Holy Land to Texas
 16 when Shukri moved over there.
 17 Q And at that point in time also the name was
 18 changed to Holy Hand Foundation from the Occupied Land
 19 Fund?
 20 A You're right.
 21 Q And this document appears to be an application
 22 for certificate of authority by a non-profit
 23 corporation, dated November 18, 1992 on the second page.
 24 On the third page it's got Mr. Al-Ashi's name
 25 on behalf of the company towards the bottom. Is he the

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1 person that prepared this?
 2 A The one who prepared this?
 3 Q Yes. This form.
 4 A I don't recall who did.
 5 Q This actually identifies the date of
 6 incorporation as being January 11th, 1989 in the State
 7 of California on the second page?
 8 A Yes.
 9 Q That's consistent with your recollection?
 10 A Yes.
 11 Q The address that's given on line 6 as being the
 12 address of the principal office, 5855 Green Valley
 13 Circle, that was the California, Culver City office for
 14 the Holy Land Foundation?
 15 A I don't recall exactly what was the address.
 16 But it seems to me -- I am familiar with Green Valley.
 17 Q And then going back to the page you had turned
 18 to originally, which was the third page. You're listed
 19 there as being the president; Mr. Abu Baker as the
 20 secretary; and Mr. Al-Ashi as the treasurer?
 21 A Yes, that's right.
 22 Q And that's consistent with your recollection?
 23 A Yes.
 24 Q And for how long did you continue to serve in
 25 the position as president or chairman of the Holy Land

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1 Foundation?
 2 A Until the beginning of 1999.
 3 Q Did somebody then step in as the new president
 4 or chairman?
 5 A Yes. Ghassan became president.
 6 Q Why is it that you stopped serving as the
 7 president and Mr. Al-Ashi stepped in in that role?
 8 A It was in that time I was planning -- I moved
 9 from New Jersey to San Diego -- I was planning to move
 10 from New Jersey to San Diego to open my own business.
 11 And I have to take care of my family in that time.
 12 Q You had also testified earlier that you've
 13 served as the director of endowments for Holy Land
 14 Foundation?
 15 A I've been hired from the Holy Land Foundation
 16 in October, 1999 to work with them as full-time
 17 employee, and as a director of endowment.
 18 Q And that was from October, '99 until when?
 19 A December, 2001.
 20 Q Now, the position that you held as president or
 21 chairman of the Holy Land Foundation, was that a paying
 22 position?
 23 A No, no, it wasn't a paying position.
 24 Q And your position as director of endowments,
 25 that was a paying position?

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1 A You're right.
 2 Q What were your responsibilities as director of
 3 endowments?
 4 A My responsibility in that time to create a
 5 department for the Holy Land Foundation for the
 6 endowment, to solicit money to get some endowment for
 7 the Holy Land Foundation. And these endowment to have
 8 some continuous basis of money for the Holy Land
 9 Foundation. It's an Islamic name, big Islamic name.
 10 It's available here in the United States also.
 11 Q When you talk about endowments, are you talking
 12 about -- does that cover all of Holy Land Foundation's
 13 fund-raising? Or is that a particular portion of the
 14 fund-raising?
 15 A It is a part of the fund-raising. Not all the
 16 Holy Land Foundation fund-raising. Because the
 17 fund-raising sometimes will have it for specific
 18 projects. And sometimes we supposed to have it for the
 19 endowment.
 20 Q The endowments, were those designed to be or
 21 intended to be something that would be regular payments
 22 by a person or group? In other words, like they would
 23 pay something each year? Or was it a one-time
 24 contribution?
 25 A The idea is that we need some kind of

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1 investment as endowment for the Holy Land Foundation to
 2 have, for example, a real estate buildings, to have some
 3 businesses. That if any of this endowment, it go
 4 towards the expense of the Holy Land Foundation to lower
 5 the expense of the Holy Land Foundation.
 6 Q And did you actually, in fact, create
 7 endowments?
 8 A Actually, I was involved in preparing that in
 9 that time. But we get involved in fund-raising.
 10 Sometimes or many times use my capacity in doing the
 11 fund-raising for the Holy Land Foundation.
 12 Q All right. So in addition to trying to
 13 establish endowments, you've had some involvement with
 14 trying to help the general fund-raising?
 15 A Yes.
 16 Q Were you involved -- as the director of
 17 endowments, did you have any involvement in identifying
 18 or determining who would actually receive funds from the
 19 Holy Land Foundation?
 20 A Again, excuse me, sometimes I need to
 21 understand.
 22 Q Okay. In your position as a director of
 23 endowments were you also involved in deciding who would
 24 be the recipients of Holy Land Foundation funds?
 25 A As a director of endowment, if I understand

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1 correctly your question, that the decision who will
 2 receive the grants of the Holy Land Foundation is a
 3 board decision, seem to be. And they give the authority
 4 to Shukri to execute it. But I never have as a director
 5 of endowment who take this or not take that.
 6 Q As the director of endowments did you have any
 7 involvement in trying to publicize or get the name of
 8 the Holy Land Foundation out to the public?
 9 A I always do this.
 10 Q In your capacity as the president of the Holy
 11 Land Foundation from --
 12 A You mean chairman?
 13 Q Chairman.
 14 A Because Shukri, he defined as president.
 15 Q In the position we've identified as on
 16 Exhibit 2, as you described it, chairman/president --
 17 A Yes.
 18 Q -- in that position were you involved in
 19 fund-raising for the Holy Land Foundation?
 20 A What was the question, I'm sorry?
 21 Q In your position as chairman/president of Holy
 22 Land Foundation, did part of your responsibilities
 23 involve fund-raising?
 24 A I always been -- whenever they ask me to go to
 25 make a fund-raising, I made a fund-raising for the Holy

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1 Land Foundation --
 2 Q Okay.
 3 A -- as a representative of the Holy Land
 4 Foundation.
 5 Q So during that period of time, you would on
 6 occasion be asked to go out and make a public --
 7 A That's --
 8 Q -- fund-raising effort? Or speech?
 9 A That's right. Sometimes I made that.
 10 Q You had testified earlier about the fact that
 11 the decision of who would receive grants from the Holy
 12 Land Foundation was a board decision. And that the
 13 board authorized Shukri Abu Baker?
 14 A To be more precise, to understand you fully as
 15 you want to understand me fully, we in the board decide,
 16 for example, we have three major or five major sectors
 17 that we'd like disburse in for. For the health, for the
 18 emergency, for the education, for the social. We decide
 19 the budget, and we leave the execution of the budget
 20 to -- we leave it to Shukri as executive director. And
 21 he has the team with him, work with him.
 22 Q And during what time frame -- this scenario you
 23 just described and how that works, during what time
 24 frame was that? Was that throughout the history of Holy
 25 Land Foundation?

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1 A When we start, we adding a new one, we get
 2 experienced. When we become more and more efficient we
 3 authorized.
 4 Q So at what time frame was it that Shukri Abu
 5 Baker first was given the discretion by the board to
 6 decide who -- in administering the disbursal of monies?
 7 A In the mid 1990s, I believe, is when he take
 8 care of that.
 9 Q And prior to that time, how would it be handled
 10 in terms of deciding the actual disbursement of monies
 11 and who would get grants?
 12 A That's a good question. We received
 13 applications. The process of the applications, some of
 14 it happened in the occupied territories. And when they
 15 came in, Shukri give it to us as a board, and we decide
 16 according to what we have in front of us to what
 17 charity, what priority we put the priorities over there.
 18 And after we did our -- you can see our search was the
 19 priorities and who need more than the other what area,
 20 we did the decision.
 21 Q You testified about some of the work being done
 22 over in the territories.
 23 A Yes.
 24 Q I understand at various times Holy Land
 25 Foundation has had offices in the territories or in

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1 Jerusalem that it's worked with?
 2 A Yes, they have an office in Jerusalem.
 3 Q Do you recall when that was established?
 4 A I don't recall exactly. But it is in the mid
 5 nineties or before that.
 6 Q Actually, I may have something that will help.
 7 A This is --
 8 MR. BOYD: For the record, Rick, would you
 9 identify what you mean by the territories?
 10 THE WITNESS: Territories, West Bank and Gaza
 11 Strip.
 12 MR. BOYD: Okay.
 13 MR. HOFFMAN: I guess what he means is more
 14 important than what I mean.
 15 MR. BOYD: Right.
 16 (Deposition Exhibit 3 was marked for
 17 identification by the court reporter.)
 18 BY MR. HOFFMAN:
 19 Q Mr. El-Mezain, you've been handed what's just
 20 been marked for this deposition as Exhibit Number 3, a
 21 one-page document. An agreement signed on the third day
 22 of June, 1994 by Mr. -- appears to be Mr. Abu Baker, and
 23 by a gentleman by the name of Mohamed Anati. Are you
 24 familiar with this document?
 25 A No, I don't familiar with.

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1 Q Okay. Well, the document purports to be an
 2 agreement between the Holy Land Foundation for Relief
 3 and Development and Holy Land Foundation Jerusalem. The
 4 date towards the bottom, right above the signatures, it
 5 says, "Signed this third day of June, 1994." Is that
 6 date consistent with your recollection --
 7 A Yes.
 8 Q -- of roughly when the Jerusalem office was
 9 opened?
 10 A I believe so.
 11 Q And were there also other offices, HLF offices
 12 in the occupied territories?
 13 A Is there any other offices?
 14 Q Have there been?
 15 A They're to my -- to my information or
 16 recollection, I believe there was one in Gaza, another
 17 one in West Bank. I don't know exactly. Actually, I'm
 18 not involved in daily business, day-to-day business of
 19 these offices; therefore, my information is limited.
 20 Q Who was it that was involved in the dealings
 21 with these offices and establishing them and working
 22 with them?
 23 A This is the business of the office. Shukri, he
 24 knows all of these.
 25 Q You testified earlier about the Holy Land

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1 Foundation's initial mailing address being in
 2 Plainfield, Indiana.
 3 Did there come a time when those offices, or
 4 that mailing address changed?
 5 A Absolutely. When they moved to Culver City, of
 6 course they allowed the mailing address to be with them.
 7 They changed that mailing address.
 8 Q So at some point in time the mailing address,
 9 the office of the Holy Land Foundation was in Culver
 10 City, California?
 11 A To my understanding, that when Shukri moved
 12 from Plainfield to California, the mailing address of
 13 the Holy Land Foundation, it became in California.
 14 Q And then ultimately, as we saw from Exhibit 2,
 15 it moved to Dallas?
 16 A You're right.
 17 Q You testified about the five people who were
 18 involved in the very early days with the Holy Land
 19 Foundation. When was the next time that someone else
 20 besides those five people was brought in?
 21 A Excuse me?
 22 Q I'm trying to determine when was the first time
 23 somebody besides the five people you've already
 24 identified was brought in to work as part of the Holy
 25 Land Foundation?

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1 A I don't recall exactly. But it was in 1990s.
 2 Some of the board members, they came in, and some of
 3 them they get out, according to their situation. After
 4 they moved to Dallas, I remember.
 5 (Deposition Exhibit 4 was marked for
 6 identification by the court reporter.)
 7 BY MR. HOFFMAN:
 8 Q Mr. El-Mezain, you've been handed what's been
 9 marked as Exhibit 4. And I believe this is a document
 10 you may have mentioned earlier as having been something
 11 you saw in connection with Mr. Abu Baker's deposition.
 12 Do you recognize this?
 13 A Yes, I recognize it.
 14 Q So when you spoke earlier about having seen an
 15 issue of Ila-Filistin in connection with reading the
 16 transcript from Mr. Abu Baker's deposition, that would
 17 be this document?
 18 A I believe so, this document, yes.
 19 Q Okay. Am I correct that the date on the front
 20 of this document corresponds to December, 1988, January
 21 1989?
 22 A Yes. This is December, January 1989.
 23 Q I think we've already established that was the
 24 time frame when the Occupied Land Fund was first
 25 incorporated?

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1 A Yes. In 1989. January, 1989.
 2 Q All right. Are you fluent in reading Arabic, I
 3 assume?
 4 A Yes.
 5 Q You have an advantage over me.
 6 A No. You know English better than me.
 7 Q I have some advantages. But if you could,
 8 there are two lines of text on the first page, bolder
 9 text right underneath the date.
 10 A Here (indicating)?
 11 Q Yes.
 12 A These two lines.
 13 Q Yes, sir. In the middle of the page above the
 14 picture. Could you tell me what -- translate those two
 15 lines of text for me?
 16 A Approximately, "They said in the Palestinian
 17 state," the first line.
 18 MR. BOYD: What?
 19 THE WITNESS: "They said in the Palestinian
 20 state." What they said about the Palestinian state.
 21 This is the title. And here, social visit to the
 22 families of the martyrs.
 23 BY MR. HOFFMAN:
 24 Q Now, I'm not going to ask you to go through and
 25 translate all of this for me. I'll spare you that. But

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1 I did have a question on a couple of items.
 2 If you'll turn to the fourth page, which you'll
 3 see in the lower right-hand corner there's a number
 4 1509?
 5 A 1509, yes.
 6 Q Okay. On the lower left-hand corner of that
 7 page there's some Arabic text in a little bolder type?
 8 A Yes.
 9 Q Okay. Am I correct that that is a translation
 10 for the Islamic Resistance Movement, or Hamas?
 11 A You're right.
 12 Q And if you go to the last page.
 13 MR. BOYD: Which one, so that I'm clear on
 14 this.
 15 MR. LANDON: This one (indicating).
 16 MR. BOYD: Well, wait.
 17 BY MR. HOFFMAN:
 18 Q On the last page of the document, there's again
 19 above the line, about the middle of the page there's
 20 again a little bit bolder text in Arabic. And is that
 21 again --
 22 A This here, you mean?
 23 Q Yes. Am I correct that that again is also the
 24 Islamic Resistance Movement, or Hamas?
 25 A You're correct.

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1 Q Then below that there is what appears to be a
 2 request for donations to the Occupied Land Fund. There
 3 is a short bit of Arabic text above the English. Can
 4 you translate that for me?
 5 A This is one of the verses of the second chapter
 6 of the Holy Koran. This chapter called "Alabakara."
 7 And verse is number 273. And it says, "Whatever you
 8 spend from the goodness, the God knows it."
 9 Q Okay.
 10 A Approximate translation.
 11 Q Okay. Do you know how it is that this request
 12 for tax deductible donations to the Occupied Land Fund
 13 came to be in this issue of Ila-Filistin?
 14 A This is a good question. I was thinking about
 15 it. This is not Holy Land Foundation ad. Maybe from
 16 the ones who issue Ila-Filistin, they know this is a
 17 good organization, and they recommend the people to
 18 donate to the Holy Land Foundation. This is my best
 19 guessing.
 20 Q You don't have any personal knowledge how this
 21 came to be?
 22 A No. Seems to me this is cut and paste from
 23 this paper. Just cut and paste. It's not originally.
 24 Q It's your belief that this advertisement was
 25 not originally included in the Ila-Filistin issue? When

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1 you say cut and paste, I want to make sure I understand.
 2 A I mean the ad for the Holy Land Foundation,
 3 maybe they took it from one of the ad of the Holy Land
 4 Foundation, and just cut it and copy and put it here for
 5 the people to --
 6 Q Am I correct that that's essentially your best
 7 guess or your speculation?
 8 A This is my best guess.
 9 Q Okay. Now, again we see the P.O. Box in
 10 Plainfield, Indiana. At the time of this, in the
 11 formation of the Occupied Land Fund that was the mailing
 12 the address?
 13 A The mailing address. At that time Shukri was
 14 in Indiana.
 15 Q Do you know of any relationship or dealings
 16 that any of you principals of Holy Land Foundation had
 17 with the Islamic Association for Palestine in January of
 18 1989 that would have caused IAP to know about the
 19 Occupied Land Fund and what it was doing?
 20 A No. Actually we -- you asked me before about
 21 the people of IAP. And I said to you, we know these
 22 people, but we don't have any relation with them. And
 23 they know that we have established Occupied Land Fund in
 24 that time. Not only the IAP actually. It became like
 25 -- let me see, a custom with the Muslim organizations to

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1 recommend a good organization for the good cause.
 2 Q I was curious because certainly in the mid
 3 nineties people would know of the Holy Land Foundation,
 4 it was a prominently in the Muslim community; correct?
 5 A The Holy Land Foundation is known, yes.
 6 Q But this time we're talking about December,
 7 1988 to 1989, that was when you were first incorporated;
 8 I'm wondering if you have any idea how the people who
 9 were publishing Ila-Filistin would know about you?
 10 A As I said to you before, it's the first time I
 11 have seen; therefore, I don't know.
 12 (Deposition Exhibit 5 was marked for
 13 identification by the court reporter.)
 14 BY MR. HOFFMAN:
 15 Q Mr. El-Mezain, you've been handed what's been
 16 marked as Exhibit 5. It's a lengthy document.
 17 Predominantly in Arabic. Feel free to look at it as
 18 much as you want. I'm going to ask you about particular
 19 points. If you want to let me know when you're ready,
 20 we can start.
 21 A Yes.
 22 Q Are you familiar with this document?
 23 A Yes.
 24 Q And you've seen this before?
 25 A Yes, I've seen. Not in this shape. I remember

20

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1 the newspaper. Many Arabic newspaper, they wrote it.
2 Q I'm sorry, which newspaper?
3 A Arabic newspaper in that time they wrote this
4 article. And here.
5 Q Am I correct, sir, that this is the Hamas
6 charter?
7 A Yes.
8 Q There is on the first page, if I'm not
9 mistaken, in Arabic at the bottom a date; is that
10 correct?
11 A August 18, '88.
12 Q The picture that we see on the first page and
13 the second page and the text, is that a logo or design
14 that you have seen in connection with references to
15 Hamas?
16 A I don't know. I don't know the logo Hamas.
17 Q Could you tell us what is said in the large
18 text in Arabic on the front page?
19 A Here (indicating)?
20 Q Yes.
21 A Yes, I know. This is the constitution of the
22 Hamas, Islamic Resistant Movement.
23 Q If you would turn to the third page from the
24 back.
25 A Third page from the back?

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1 Q There we go. It actually has some English on
2 it. There are a series of addresses here, including
3 several for the IAP. And there's also addresses for --
4 an address for the Occupied Land Fund, the P.O. Bx that
5 we saw in the last document; correct?
6 A Yes.
7 Q And above that there's also a reference to a
8 Palestine Relief Fund. Do you know what that's in
9 reference to?
10 A I don't recall.
11 Q Next to the Palestine Relief Fund is some
12 Arabic text. Do you see that?
13 MR. BOYD: You mean to the right of it?
14 MR. HOFFMAN: To the right of it, yes.
15 (Discussion off the record.)
16 THE WITNESS: To support the Islamic
17 Association of Palestine.
18 This is in Arabic. "Supporting financially for
19 IAP."
20 Excuse my translation. Sometimes I'm not
21 perfect in the translation. Don't quote me.
22 MR. HOFFMAN: Well, we have to quote you.
23 That's part of the deposition process. I understand.
24 THE WITNESS: Try my best to do it.
25 BY MR. HOFFMAN:

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1 Q It's better than my translation.
2 Do you have any understanding as to how these
3 references, these Occupied Land Fund and donations came
4 in here?
5 A I don't know.
6 Q You had testified about seeing the substance of
7 this document in Arabic newspapers; correct?
8 A Arabic newspapers, yes. And I see, I study
9 this also at the deposition.
10 Q In connection with Mr. Abu Baker's deposition?
11 A Yeah.
12 Q Prior to yesterday had you ever seen this Hamas
13 charter published with the reference to the Occupied
14 Land Fund?
15 A No. I get shocked when I see this
16 constitution.
17 Q I was curious. Several of the references to
18 the IAP on here show a P.O. Box in Culver City,
19 California. Were you aware of an IAP office in Culver
20 City?
21 A No.
22 (Deposition Exhibit 6 was marked for
23 identification by the court reporter.)
24 BY MR. HOFFMAN:
25 Q Mr. El-Mezain, you've been handed a document

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1 almost exclusively in Arabic. It's been marked as
2 Exhibit 6. Is this a document that you're familiar
3 with?
4 A I'm not familiar with. But I see it here.
5 Q In the lower left-hand corner there is again a
6 date in Arabic. Can you tell me what that is?
7 A Yes. First of December, 1989.
8 Q And in the bottom third of the page there's a
9 short English reference to the Occupied Land Fund. Do
10 you see that?
11 A I see it.
12 Q Are you able to tell from the Arabic text
13 surrounding that whether this is a request for
14 contributions to the Occupied Land Fund?
15 A Again what's the question?
16 Q Are you able to tell whether this is a request
17 for donations or contributions to be made to the
18 Occupied Land Fund?
19 A They put that here, they said you can send your
20 donation to support -- according to what they said here,
21 to support your people in Palestine, the intifadah.
22 Q Is there also a reference in there in the text
23 right before the land fund a call to jihad?
24 A What line?
25 Q I couldn't point out the exact words to you.

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1 But do you see -- let's say in the two lines before
 2 Occupied Land Fund.
 3 A Let me exactly figure out.
 4 This is a call, and they said, "Here we call
 5 you to make jihad by your money for the sake of the good
 6 by donating your maximum capacity to support your people
 7 in Palestine. And you can send your money to Occupied
 8 Land Fund."
 9 Q Okay. Do you have an understanding as to what
 10 is meant by the phrase "jihad"? I think you said jihad
 11 by money?
 12 A Yes. Jihad by money.
 13 Q Do you understand what that term means in the
 14 general parlance of the Arab -- the Muslim American
 15 community?
 16 A This is a good company. They consider that
 17 donate some money for a good cause as a jihad and this
 18 is what -- this is familiar with the Muslim community.
 19 Q Would that be a contribution to any good cause
 20 or to a particular good cause?
 21 A Any good cause. Any good cause.
 22 Q So if you gave money to the American Red Cross,
 23 that could be considered a jihad for money?
 24 A Yes. For example, if there a disaster, God
 25 forbid, anywhere in the American coast, American Red

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1 Cross or any well-known organization come and save the
 2 lives of people. This is a good cause. And it's
 3 mandatory for us to save the lives.
 4 Q Do you know how it is that this request for
 5 donations to the Occupied Land Fund came to be in this
 6 document?
 7 A Again, this is not an ad from the Occupied Land
 8 Fund. But the people, they said to, "Support the
 9 Palestinian people who are sometimes needing or
 10 suffering. This is the Occupied Land Fund working over
 11 there; you can send your money."
 12 Q At the time frame of this document, which I
 13 think we established was somewhere between August, '88
 14 somewhere to the end of 1989, do you know what
 15 relationship, if any, IAP had with Hamas?
 16 A I don't have. I don't know.
 17 Q Have you ever seen any similar instances where
 18 the Occupied Land Fund or the Holy Land Foundation was
 19 included by IAP in publications where they were asking
 20 people to donate?
 21 A We put some ad in Al-Zaitonah. That I am
 22 familiar with.
 23 Q And I think you had testified that it was your
 24 belief that the last three exhibits that we saw were not
 25 ads by the Holy Land Foundation, but rather were put in

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1 by IAP on its initiative?
 2 A Yes, this is what I mean.
 3 Q And have you seen other situations where that
 4 occurred?
 5 A I don't recall any.
 6 (Deposition Exhibit 7 was marked for
 7 identification by the court reporter.)
 8 BY MR. HOFFMAN:
 9 Q Mr. El-Mezain, you've been handed what's been
 10 marked as Exhibit 7. This is a document, an action
 11 alert by IAP. And the date towards the top appears to
 12 be September 25th of 1996.
 13 Have you ever seen this document before?
 14 A Let me look through it.
 15 I don't recall it.
 16 Q Almost at the very bottom there's a box that
 17 says in all capital letters, "Raise funds at your center
 18 or individually to help the victims of this recent
 19 Israeli violence against the people of the Aqsa mosque."
 20 Then it says, "Send to: The Holy Land Foundation."
 21 Can you tell me, do you know how it is that
 22 this request for donations to the Holy Land Foundation
 23 came to be in this action alert?
 24 A Again, I don't recall. I don't recall.
 25 Q With some of the earlier time frame documents

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1 as you said it was your belief that it was put in there
 2 at IAP's initiative. Do you know whether this is --
 3 A Maybe this is the same thing. Maybe this is
 4 the same thing. But I don't recall exactly.
 5 Q Okay. Was there ever a time that you're aware
 6 of when the Holy Land Foundation has an agreement with
 7 IAP to include these types of solicitations in IAP
 8 publications?
 9 A I don't recall this. This is executive works.
 10 Q Would Mr. Abu Baker be the best person to talk
 11 about that?
 12 A He's always the best person in the
 13 organization.
 14 Q Where has the Holy Land Foundation held offices
 15 besides the places we have talked about? We mentioned
 16 Culver City. We mentioned Plainfield and Dallas. Have
 17 there been any other offices?
 18 A Yes. In New Jersey there was an office.
 19 Q I take it, was that New Jersey office in
 20 existence during the time frame when you were in New
 21 Jersey?
 22 A Yes.
 23 Q Was there anybody in the New Jersey Holy Land
 24 Foundation office other than yourself?
 25 A I was not in the office.

24

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1 Q Okay.

2 A I am -- I had my job. They hired one man. His

3 name -- if we write it down, spell it correctly.

4 Q Okay.

5 A His name is Abdul Rahman Odeh. A-b-d-u-l.

6 Capital R-a-h-m-a-n. And last name O-d-e-h.

7 Q Now, what was Mr. Odeh's role with the Holy

8 Land Foundation?

9 A He is the branch manager for New Jersey. Holy

10 Land branch, New Jersey.

11 Q What would his responsibilities have been as

12 the branch manager?

13 A I believe he was taking care of the

14 correspondence between the Holy Land headquarters and

15 New Jersey. And he distribute the flyers and he collect

16 some donations for the Holy Land Foundation on

17 occasions. And maybe he has some assignment, document

18 assignment or something. He took the order from Shukri.

19 I do not know exactly. But this is what I know.

20 Q Can you tell me the time frame that this

21 New Jersey office was in existence?

22 A Yes. I believe in 1994, if I'm not mistaken.

23 Q And when did it close?

24 A When they close the Holy Land.

25 Q Okay. So it was open up until 2001?

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1 A I seen him when he came to visit United States.

2 Q And did you understand that he was the Holy

3 Land Foundation's representative, if you will, in

4 Jerusalem?

5 A Yes.

6 Q If you take a look at this agreement. Starting

7 with the fourth line of the text, it says, "As an

8 agency, the Holy Land Foundation, Jerusalem is

9 authorized to conducted business on behalf of HLF RD in

10 the following areas." And then it lists a series of

11 areas in which it was authorized to act.

12 Could you just look at those and tell me

13 whether that's consistent with your understanding of the

14 role that the Jerusalem office had?

15 A Yes. Give me a minute, please.

16 Yes, this is what I believe.

17 Q Was there anybody other than Mr. Anati who was

18 working in the Holy Land Foundation, Jerusalem office?

19 A I don't recall that.

20 Q You testified that the description here in this

21 Exhibit 3 is what Holy Land Foundation, Jerusalem was

22 supposed to do. Do you know whether, in fact, they did

23 the things that are identified here in the middle of the

24 page, "Oversee fund disbursement for programs in the

25 area, report work progress and evaluate results," etc.?

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1 A You are right. December.

2 Q Now, in December, 2001, when the Holy Land

3 Foundation's offices were closed, there was the main

4 office down in Texas; correct?

5 A You are right.

6 Q There was the New Jersey office?

7 A New Jersey office.

8 Q And there was a San Diego office?

9 A San Diego office.

10 Q Were there any others?

11 A Yes. Chicago.

12 Q Chicago?

13 A I believe.

14 Q That's right. And who was it that was manning

15 the Chicago office?

16 A His name Kifah Mustafa. K-i-f-a-h. Mustafa,

17 M-u-s-t-a-f-a.

18 Q If you look back at Exhibit Number 3 for just a

19 moment. That's the one-page agreement that we saw

20 earlier.

21 A This one?

22 Q Yes.

23 A The agreement is signed on behalf of Mohammad

24 Anati of behalf of Holy Land Foundation, Jerusalem.

25 Q Do you know Mr. Anati?

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1 Did they actually do these things?

2 A I see this for the first time.

3 Mr. Anati report to Shukri. And Shukri is

4 better than -- I not speculate what he add or did not

5 add to this.

6 Q Let me clarify. My question isn't very clear.

7 Do you know whether or not Mr. Anati and Holy Land

8 Foundation, Jerusalem actually did oversee fund

9 disbursements for programs on behalf of HLF?

10 A Again, I don't recall this relationship exactly

11 between that office and the headquarter. It is managed

12 by Shukri.

13 Q Okay.

14 A And Shukri has the better answer for that.

15 Q So you don't -- as you sit here today, you

16 don't know whether or not he reported work progress and

17 evaluated results?

18 A I believe every office in the Holy Land send

19 monthly report. The report come to headquarter. What

20 was in the report and to whom, I have no idea.

21 Q Do you have an understanding as to whether

22 Mr. Anati actually managed sponsorship programs,

23 including the Orphan Sponsorship Program for the Holy

24 Land Foundation?

25 A If this is his job, he has to do it. I don't

25

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1 know exactly what he was over there.
 2 Q Are you aware of Mr. Anati making a statement
 3 or statements to the Israeli authorities?
 4 A No, I'm not aware about.
 5 MR. BOYD: If you're moving on to a new
 6 exhibit, do you want to break for lunch?
 7 MR. HOFFMAN: That's fine.
 8 (Lunch recess taken from 11:54 a.m. to
 9 1:22 p.m.)
 10 MR. HOFFMAN: Back on the record.
 11 Q Mr. El-Mezain, were you aware of Mr. Anati
 12 being arrested by the Israeli authorities?
 13 A Yes.
 14 Q What is your understanding of the circumstances
 15 surrounding that arrest?
 16 A I don't know. I just know he been arrested.
 17 Q Do you know whether his arrest had anything to
 18 do with his work on behalf of the Holy Land Foundation?
 19 A Simply because of his work on Holy Land. But
 20 the circumstances itself, I don't recall it.
 21 Q Were you at all involved in any efforts to try
 22 and assist Mr. Anati in connection with that arrest?
 23 A No.
 24 Q Do you know whether anyone else at the Holy
 25 Land Foundation was involved in assisting him after he

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1 was arrested?
 2 A I don't recall.
 3 Q If I were to tell you that Mr. Anati made
 4 statements indicating that the Holy Land Foundation gave
 5 larger grants to family of Hamas activists than to other
 6 people, is that something that is familiar -- sounds
 7 familiar to you? Something you've heard before?
 8 A No.
 9 MR. BOYD: I'd like to make an objection for
 10 the record now. The record in the District of Columbia
 11 litigation shows, the so-called translations of the
 12 Anati statements by persons unknown, which were used in
 13 the administrative record against the Holy Land
 14 Foundation, turn out to have been shocking distortions
 15 and falsifications in virtually every material respect.
 16 And so for that reason, I'm going to object to any
 17 questions which characterize Mr. Anati's statements
 18 according to these bogus, anonymous translations in the
 19 administrative record.
 20 MR. HOFFMAN: I'm sorry, what was your answer?
 21 THE WITNESS: What was the question again?
 22 MR. HOFFMAN: Could you read the question back,
 23 please?
 24 (Record read.)
 25 THE WITNESS: No.

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1 MR. BOYD: Same objection.
 2 BY MR. HOFFMAN:
 3 Q Are you aware of any situation in which the
 4 Holy Land Foundation gave larger grants to families of
 5 Hamas activists than to other people?
 6 A No.
 7 MR. LANDON: You know, on that I'll pose an
 8 objection as assuming facts not in evidence as far as
 9 that they ever gave grants to Hamas.
 10 MR. BOYD: I think it was Hamas activists.
 11 MR. LANDON: Hamas activists, right.
 12 BY MR. HOFFMAN:
 13 Q Are you aware of the Holy Land Foundation ever
 14 soliciting contributions to be made to support the
 15 children of martyrs or shaheed?
 16 A Yes.
 17 Q Let me first take a step back and ask you. Am
 18 I correct that the term "shaheed" in Arabic is generally
 19 translated roughly to "martyr" in English. Is that an
 20 accurate translation?
 21 A I believe so.
 22 Q Okay. What is your understanding of the
 23 meaning of that term in its parlance in Holy Land
 24 Foundation's work?
 25 A We have our definition in the Holy Land

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1 Foundation. Anyone getting killed, and the tragic or
 2 innocent, he is shaheed.
 3 Q Would you agree with me, sir, that there are
 4 others in the Arabic-speaking world who have used, or do
 5 use, the term "shaheed" in a more -- in a different
 6 fashion than what you've just described?
 7 A Maybe. Possibly.
 8 Q Have you seen instances where the term "martyr"
 9 is used in connection with, for example, suicide
 10 bombers?
 11 A Maybe said that. But we did not say that. In
 12 the Holy Land we do not consider.
 13 Q Just so I'm clear in your answer. You have
 14 heard others use that in that fashion?
 15 A Yes. Some others, they said what you said.
 16 Q Okay. They would describe a suicide bomber as
 17 a martyr?
 18 A Some others.
 19 Q Have you ever -- let me restate that.
 20 Do you consider a suicide bomber to be a
 21 martyr?
 22 A No.
 23 Q And I think your testimony a moment ago was
 24 that when the Holy Land Foundation used the word, it
 25 didn't use it in that sense?

26

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1 A No, we did not use it.
 2 Q We had talked about -- got into this when I
 3 asked you about Holy Land soliciting contributions for
 4 the children of martyrs. How is it that that would
 5 happen?
 6 A It is normal process for the community, they
 7 are asking about the children of the ones who been
 8 killed innocently. For example, what was happening in
 9 1994 that Palestine shooting the innocent people in the
 10 mosques, and they left tens of the family without
 11 custodians. The people, they get emotionally, want to
 12 support these kids. The one whom you can see being
 13 killed by F-16 or by what in his home. And he became an
 14 orphan. And his father, they call him shaheed. It is
 15 well-known name in the community over there, the
 16 Palestinian community over there. This is, for the Holy
 17 Land Foundation, as we sponsor the orphan we did not
 18 distinguish between orphan, either father killed as
 19 shaheed or he killed by accident or he killed normally,
 20 or he died normally. The orphan for us as charitable
 21 organization is an orphan, homeless his father. No
 22 matter his father is.
 23 Q What criteria would Holy Land Foundation use in
 24 trying to decide how much particular recipients of
 25 grants would get? In other words, if you were to decide

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1 why would this particular orphan get \$500 and this one
 2 maybe \$400, what criteria would you use in deciding
 3 that?
 4 MR. BOYD: Object to the form of the question.
 5 I think it assumes facts not in evidence
 6 BY MR. HOFFMAN:
 7 Q You can answer the question.
 8 A Yes. There is no criteria -- I believe there
 9 is no criteria that this supposed to -- all the orphans
 10 are -- what I know, all the orphans take average between
 11 50 to \$60 monthly, if they are eligible to take the
 12 grants of the Holy Land Foundation. And I believe that
 13 we deal equally with every orphan. Unless the sponsor
 14 of the orphan, he like to send an extra hundred dollars
 15 after Ramadan or after the festival to this children, to
 16 the child. Something to give this orphan, like I give
 17 my son extra hundred dollars, something like that. But
 18 for us there is no differentiation. This is what I
 19 know.
 20 Q Are you familiar with, or aware of donors ever
 21 indicating any preference for making donations to the
 22 children of martyrs?
 23 MR. BOYD: Other than what he's already
 24 testified, as he testified to that two minutes ago.
 25 THE WITNESS: Again ask me the question.

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1 BY MR. HOFFMAN:
 2 Q Are you aware of donors specifying their
 3 preference to make donations to --
 4 A Yes.
 5 Q -- to these children of martyrs?
 6 A Yes.
 7 Q And in those instances would the Holy Land
 8 Foundation try to accommodate those preferences?
 9 A We try always to take care of the orphans,
 10 actually. And meanwhile, as there is no legal thing
 11 wrong with satisfying the customers, our clients, or
 12 customers, whichever you like.
 13 (Deposition Exhibit 8 was marked for
 14 identification by the court reporter.)
 15 BY MR. HOFFMAN:
 16 Q Mr. El-Mezain, you've been handed what's been
 17 marked as Exhibit 8. It's a multi-page document, almost
 18 entirely in Arabic.
 19 And my question to you, first of all, is are
 20 you familiar with this document, what it is?
 21 A Could you give me a minute to look through it?
 22 Q Certainly. As long as you need. There was
 23 actually a two-part question too.
 24 MR. BOYD: You asked him was he familiar with
 25 the document and then --

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1 BY MR. HOFFMAN:
 2 Q Let's start with, are you familiar with it?
 3 MR. BOYD: -- you asked him about the document,
 4 so.
 5 MR. HOFFMAN: All right.
 6 THE WITNESS: I'm not familiar with the
 7 documents because all the reports to be sent to the
 8 headquarter. Not coming to me.
 9 MR. BOYD: Is this a Holy Land document?
 10 THE WITNESS: It is not a Holy Land document.
 11 It is Muslim Society, Hebron.
 12 And it seemed to me this is a report after the
 13 month of Ramadan, how they distribute the food packages
 14 for the poor and needy family.
 15 BY MR. HOFFMAN:
 16 Q Is it your understanding, though, that they're
 17 reporting about distribution of food packages that
 18 were --
 19 A Yes.
 20 Q -- paid for or purchased by the Holy Land
 21 Foundation?
 22 A Yes. Ramadan. We have one of our people, we
 23 distribute food package for the needy families, for the
 24 orphans. After Ramdan we receive the reports to whom
 25 those were distributed. How many benefited. This is

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1 it.

2 Q And Muslim Youth Society of Hebron, I assume,

3 is one of the foundations that the Holy Land worked with

4 distributing aid in the occupied territories?

5 A Apparently, according to their report here.

6 Q If you look in the last three pages, there

7 appears to be some sort of -- it looks like a chart

8 format. Would you agree with that?

9 A Yeah, this is looks like chart, even though

10 they did it in hand.

11 Q It's a handwritten chart. Now, the second

12 column from the left has only numbers in it?

13 A Here?

14 Q Yes.

15 A Yes.

16 Q And what is that column?

17 A This is the amount, which they said at the

18 beginning of this line, this is the portions of the

19 family of the martyrs, which they received from the Holy

20 Land Foundation. This is shekels, the currency of

21 shekels, 70 shekels.

22 Q One of the things I wanted to ask -- that's 70

23 or 5 --

24 A 570. I thought this was the sign of the

25 shekels. 570, yes.

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1 Q And Mr. Boyd had raised an objection earlier

2 about whether there's evidence of different amounts or

3 whatever. And what I specifically was referring to,

4 you'll note that some of the amounts listed here are

5 570. Some are 850. There's one that's 430. And I was

6 just curious as to whether you had an understanding as

7 to why those numbers differed from --

8 A I --

9 MR. BOYD: Wait a minute. I want to object.

10 Because I only see one that's 850. I don't see some

11 that are 850.

12 THE WITNESS: There are two. One per page.

13 MR. HOFFMAN: One on the second page as well.

14 MR. BOYD: Okay. Where's the one on the first

15 page?

16 MR. HOFFMAN: The fourth one down.

17 MR. BOYD: I see it. Okay.

18 MR. HOFFMAN: For the record, I see at least

19 two that are 430. There's one on the last page that's

20 1380.

21 MR. BOYD: Right.

22 BY MR. HOFFMAN:

23 Q So again my question to you is, do you have an

24 understanding as to why some of those numbers might be

25 different?

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1 A No, I don't have understanding why. But I have

2 some guess that maybe these families are so poor more

3 than the other ones. They are so more needy. Or maybe

4 if some of the donors send extra hundred dollars for

5 this family or that family. This is --

6 Q That's your speculation or your guess?

7 A This is my guess, yes. But I have no --

8 Q You have no personal knowledge?

9 A No.

10 MR. LANDON: There probably should be a

11 clarification. You used the term "dollars." But again,

12 you have no knowledge what currency it is. He has no

13 knowledge of the document. I assume it was being used

14 generically as opposed to specifically.

15 MR. HOFFMAN: Whatever it is. Theoretically

16 it's at least convertible into dollars.

17 MR. LANDON: Right.

18 MR. BOYD: How many shekels to the dollar?

19 MR. LANDON: Pounds. I think a hundred shekels

20 to the pound.

21 MR. HOFFMAN: I think shekels convert directly

22 to dollars.

23 MR. LANDON: To dollars?

24 MR. BOYD: Do you know?

25 (Discussion off the record.)

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1 (Deposition Exhibit 9 was marked for

2 identification by the court reporter.)

3 MR. HOFFMAN: Back on the record.

4 Q Mr. El-Mezain, you've been handed what's been

5 marked as Exhibit 9.

6 A Yes.

7 Q This is a single-page document, predominantly

8 in Arabic. Although it has an English letterhead at the

9 top of Holy Land Foundation for Relief and Development.

10 Are you familiar with this document?

11 A It's the first time I've seen it.

12 Q Are you familiar with the letterhead that --

13 A Yes, this is the letterhead of the Holy Land

14 Foundation.

15 Q And can you tell me who -- am I correct that

16 this is a letter?

17 A This is a letter.

18 Q And what is the date on the letter at the top?

19 A 12 August '92.

20 MR. BOYD: '92?

21 THE WITNESS: Yes.

22 MR. BOYD: Okay.

23 BY MR. HOFFMAN:

24 Q Are you able to tell who authored this letter?

25 A According to the address in here, Haitham

28

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1 Maghawri.
 2 Q H-a-i-t-h-a-m M-a-g-h-a-w-r-i.
 3 MR. BOYD: That's pretty close.
 4 THE WITNESS: H-a-i-t-h-a-m M-a-g-h-a-w-r-i.
 5 BY MR. HOFFMAN:
 6 Q Who is Mr. Maghawri?
 7 A He is executive director of the Holy Land
 8 Foundation.
 9 Q During what time period?
 10 A In that time, I think he was office manager in
 11 the Holy Land.
 12 Q During what time? During '92?
 13 A Yeah.
 14 Q At some point he became the executive director?
 15 A He became executive director.
 16 Q Do you know when that occurred?
 17 A 2000, something like that.
 18 Q When did Mr. Maghawri begin working with Holy
 19 Land Foundation?
 20 A Early nineties. I don't know exactly.
 21 Q What were his responsibilities as the office
 22 manager?
 23 A The responsibility of an office manager. Take
 24 care of the employees and coordinate between the
 25 departments, and sending a letter if he has the

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1 authority.
 2 Q It's my understanding that Mr. Maghawri is no
 3 longer in the country. Do you know if that's correct?
 4 A Yes.
 5 Q Do you know where he is?
 6 A I believe he went back to Lebanon.
 7 Q We've spent a fair amount of time talking about
 8 conferences. You mentioned a number of MAYA conferences
 9 and IAP conferences. And I understand there's some
 10 difficulty in pegging down specific years and location.
 11 I wanted to ask you about a couple of them in
 12 particular. Let me -- I'm going to mark -- I have here
 13 two CDs.
 14 These are, just for the record, John, we had
 15 produced a videotape of a 1989 conference. We've merely
 16 transferred it to CD-ROM so that it would be easier to
 17 play during the course of the deposition.
 18 MR. BOYD: Is it 1989 conference of --
 19 MR. HOFFMAN: Well, I think it's the IAP
 20 conference but -- or MAYA/IAP conference. But obviously
 21 we will ask the witness, if he can verify that. Two
 22 disks, so we can just mark them 10 and 11.
 23 (Deposition Exhibits 10 and 11 were marked
 24 for identification by the court reporter.)
 25 MR. HOFFMAN: I wanted to show him portions of

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1 authority to send some letters. Making calls with the
 2 others and work with the Holy Land Foundation, like the
 3 organization, something like that. I don't have his job
 4 description.
 5 Q I understand. You would have a better basis
 6 for knowing than I would. That's why I have to ask you.
 7 Are you able to tell who this letter was
 8 written to?
 9 A Man, his name Majed.
 10 Q Do you know who Majed is?
 11 A I don't know.
 12 Q Do you know what organization he's with? Are
 13 you able to tell?
 14 A It does not here show anything. I don't know.
 15 Q Am I correct that in this letter Mr. Maghawri
 16 asks for a list of the children of martyrs to be sent
 17 for donation purposes?
 18 A You are right.
 19 Q And in fact, I think if you look there's a word
 20 circled early on. Mr. Abu Baker did us the service of
 21 circling that. That's the word, shaheed.
 22 A Yeah, that's right.
 23 Q Was making a request of this type within
 24 Mr. Maghawri's job responsibilities in 1992?
 25 A If he signed this letter, that mean under his

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1 that and see if he --
 2 MR. BOYD: Just let the record reflect the disk
 3 is being played.
 4 (Discussion off the record.)
 5 MR. HOFFMAN: Okay. What I'm going to do here
 6 is I'm going to turn this so I'm going to try to set it
 7 up so we can all see it here.
 8 MR. BOYD: Can you see it?
 9 (Discussion off the record.)
 10 MR. BOYD: Can you see now?
 11 THE WITNESS: Yes.
 12 BY MR. HOFFMAN:
 13 Q Do you recall attending a conference sponsored
 14 by MAYA and/or the IAP in Kansas City in 1989?
 15 A I don't recall.
 16 Q Okay. I'm going to try to show you some things
 17 from this videotape that we have that's now on CD-ROM
 18 format and see if it jogs your memory at all if it's
 19 familiar to you.
 20 First of all, time sequence approximately 1.45
 21 seconds in. I'll refer you to this logo here. Are you
 22 familiar with this as the logo of the Islamic
 23 Association for Palestine?
 24 A Seems to be, yes.
 25 Q And I think you had testified earlier that

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1 you're familiar with Mr. Yasser Bushnaq?
 2 A Yes.
 3 Q And moving to time sequence approximately 10
 4 minutes and 20 seconds. There's an individual on the
 5 screen. Are you able to tell, is that Mr. Bushnaq?
 6 A Yes.
 7 Q Okay. And do you recall -- I think I may have
 8 asked you this before -- whether Mr. Bushnaq was a
 9 president of the IAP?
 10 A Yes.
 11 Q Do you recall situations in which -- let me
 12 back up a second. Do you recall situations in which
 13 Mr. -- in which the IAP either co-sponsored or
 14 participated in conferences put on by MAYA?
 15 A Again the question? I start getting headache
 16 before.
 17 Q I understand. Are you aware of instances in
 18 the late 1980s or early 1990s when IAP would co-sponsor
 19 conferences with MAYA or put on seminars at MAYA
 20 conferences?
 21 A I recall something like that.
 22 Q Okay. While I have it, you'll see that that --
 23 this is a little dark and it will lighten up in a
 24 moment. But I wanted to focus on the front dais here,
 25 the front table. There's some Arabic writing. And in

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1 some of the later picture it's a little hard with
 2 brighter lights to read. I'm wondering if you're able
 3 to read what's on there? There is a plant in the middle
 4 but --
 5 A This is --
 6 Q By the way, this is time sequence 10 minutes 42
 7 seconds.
 8 A This mean Islamic movement resistance. I could
 9 not read that.
 10 Q So at least part of it reads "Islamic
 11 Resistance Movement," which is Hamas? Is that not -- is
 12 Hamas, in fact, the shortened name, the acronym, for
 13 Islamic Resistance Movement?
 14 A Supposed to be.
 15 Q Okay. Let me then ask you about -- I'm going
 16 to move ahead to time sequence 21 minutes, 20 seconds.
 17 Let's make it here 22 minutes and 20 seconds. We'll put
 18 it. There's a speaker on. Do you recognize this
 19 individual?
 20 A Yes.
 21 Q Who is?
 22 A He's Yousef Al-Qaradawi.
 23 Q And if could you spell that for the court
 24 reporter.
 25 A Y-o-u-s-e-f A-l Q-a-r-a-d-a-w-i.

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1 Q And how is it that you're familiar with Shaikh
 2 Al-Qaradawi?
 3 A He's the most popular one in Islamic world.
 4 Came usually in the T.V., newspaper.
 5 Q When you say "most popular," he's an Islamic
 6 scholar?
 7 A It's the top of the Islamic scholars.
 8 Q Can you tell me, what is fatwah? Are you
 9 familiar with that term? Am I pronouncing it right?
 10 A Yes. You are too smart, you know. Fatwah, it
 11 means the opinion of the Islamic law in some issue. And
 12 difference from issue to issue.
 13 Q So it would be some sort of pronouncements of
 14 what Islamic law says or allows from a scholar, would
 15 that be fair?
 16 A Yeah.
 17 Q Are you familiar with any of the fatwahs that
 18 Shaikh Quaradawi issued?
 19 A He issue tens of fatwah. I'm not sitting with
 20 them in front of me.
 21 Q You certainly know that he issues many fatwahs?
 22 A I see him in the T.V., in satellite.
 23 Q Are you aware of him issuing fatwahs indicating
 24 that it was permissible to engage in suicide operations
 25 as part of the resistance in connection with the

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1 Palestinian struggle?
 2 A I don't recall that.
 3 Q Do you recall being aware of him issuing a
 4 fatwah to the effect that it would be permissible for a
 5 Muslim woman to engage in a suicide operation to dress
 6 in a secular way?
 7 A I don't know that.
 8 Q Have you ever seen Shaikh Quaradawi speak?
 9 MR. BOYD: You mean in person?
 10 THE WITNESS: In person, yes, I seen him.
 11 BY MR. HOFFMAN:
 12 Q Do you recall when you saw him speak?
 13 A The conferences, saw him speak in the
 14 conferences.
 15 Q The conferences would be, what, MAYA
 16 conference?
 17 A MAYA conference.
 18 Q And if, in fact, as we see this appears as
 19 Shaikh Qaradawi is speaking, are you able to tell yet at
 20 this point whether this is a conference that you
 21 attended? Or you would need to see more?
 22 A He came here frequent. I'm not attending all.
 23 I don't usually attend all the conferences see this,
 24 determine by his dress.
 25 Q So you're not able to tell whether this

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1 particular conference is one you attended?
 2 A Even I don't know if this is a conference or
 3 not. He's speaking, but I don't know if it's in
 4 conference or not.
 5 Q Let me skip back to time sequence and get to 10
 6 minutes and 45 seconds here. There's a large banner
 7 here behind -- I'd asked you before to read the banner
 8 that's at the front of the table. Behind it there's a
 9 large banner with a picture of -- it's got a map on it,
 10 first of all. Do you see that? Do you see this map?
 11 A Yes, I see this map, which is not -- the
 12 picture is not clear to me.
 13 Q I have a better picture. I'll turn to that.
 14 It's on the second disk. So we'll come back to that,
 15 then.
 16 Let me move ahead now to time sequence 58
 17 minutes and, I think, 10 seconds. Okay. Now, at this
 18 point the videotape is showing several individuals
 19 escorting an individual to the speaking stand who has
 20 his head -- his entire head covered with -- I believe
 21 it's called a kofia, is that the right term?
 22 A Yeah.
 23 Q And do you ever recall having attended a
 24 conference at which a speaker --
 25 A No.

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1 Q -- had its identity hidden in this manner?
 2 A No. I did not see this manner in convention of
 3 that. But maybe in the videotapes or something.
 4 Q But you've never been to a conference where
 5 somebody's had their identity hidden in this manner?
 6 A No, I was not in session. If I was in
 7 conference -- what year is this one?
 8 Q 1989.
 9 A 1989? I believe I did not attend in 1989. My
 10 wife was pregnant, and I could not attend. I did not
 11 see that.
 12 MR. BOYD: I don't want you to assume that this
 13 is an IAP conference or a MAYA conference, or anything
 14 of this sort. If you don't recognize it --
 15 THE WITNESS: I don't recognize it.
 16 MR. BOYD: -- don't speculate about whose
 17 conference this may be.
 18 THE WITNESS: I don't recognize it.
 19 BY MR. HOFFMAN:
 20 Q I take it from the fact that you've never seen
 21 a speaker whose identity was hidden in this fashion,
 22 that you wouldn't have an understanding as to why his
 23 identity is hidden; is that fair?
 24 A I don't know why.
 25 Q All right. Let me take a moment. We'll stop

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1 this disk, and I wanted to ask you some questions about
 2 the second disk.
 3 We've now put in Exhibit 11, which is the
 4 second disk of the two-disk set. And I want to turn to
 5 time sequence 24 minutes and 10 seconds to address one
 6 of Mr. Boyd's concerns, if I can here.
 7 Do you see there's -- the large banner that you
 8 had problems reading before. You see now they've zoomed
 9 in on the top part of it. I'll do it for you. Are you
 10 able to read it?
 11 A It's difficult to read. It's difficult to
 12 read.
 13 Q Now, there's -- when you say it's difficult to
 14 read, you're saying the smaller script at the top?
 15 A Yeah. I see "In the name of Allah, the most
 16 compassionate, the most merciful."
 17 Q And the rest of it you're not able to make out.
 18 Would it help if I turn this more?
 19 MR. BOYD: Yes, turn it more.
 20 THE WITNESS: This is a verse of Holy Koran.
 21 It says, "Oh, Believer, if you support the God, he is
 22 going to support you and fix your feet. The
 23 non-believers, they will be loser," something like that.
 24 BY MR. HOFFMAN:
 25 Q Okay. Now, there is -- below that there's the

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1 start of some bolder face --
 2 A This is Philistine, which is Palestine.
 3 Q And I'm going to run this, because as we go on
 4 they're going to scroll down. You'll be able to see the
 5 whole thing if you could just read along.
 6 A "Palestine, Palestine. Palestine is Islamic
 7 state from the sea to the river."
 8 Q Do you have an understanding when they say
 9 "From the sea to the river," what sea and river they're
 10 talking about.
 11 A Mediterranean Sea to Jordanian --
 12 Q To the Jordan river, okay.
 13 Now, below that there's some more text that's
 14 just beginning to come into view.
 15 A IAP conference.
 16 Q IAP conference, okay.
 17 A The rest I could not -- martyr, but I could not
 18 see the rest.
 19 Q I'm sorry. What did you say about --
 20 A This word is the martyr. I could not read the
 21 rest.
 22 Q Okay.
 23 A This is Kansas City.
 24 Q Kansas City, Missouri. We can all read that.
 25 That's in English. We have at least fixed, according to

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1 this banner, anyway, that this is an IAP conference in
 2 Kansas City, Missouri?
 3 A Yeah.
 4 Q Do you recall attending a conference where a
 5 banner of the type that you just looked at and read was
 6 up? Does that refresh your memory at all?
 7 A I don't recall that one.
 8 Q If we go to the end of this, at time sequence
 9 56 minutes, roughly, there's singing and dancing. Do
 10 you hear that? That's, I take it, not unusual at this
 11 kind of conference?
 12 A It is usual thing to dance, to sing.
 13 Q Do you recognize this speaker at 55.55?
 14 A Yes. He is well-known speaker. He's a Kuwaiti
 15 man.
 16 Q What is his name; do you know?
 17 A His name Shaikh Ahmad Al-Qatan. S-h-a-i-k-h.
 18 Ahmad, A-h-m-e-d. A-l Q-a-t-a-n.
 19 Q Okay. We have here at the very end what
 20 appears to be in English a graphic with a map of what is
 21 currently Israel and the occupied territories; correct?
 22 A This is the map of all of Palestine.
 23 Q It reads, "Send your tax deductible donations
 24 and information to Occupied Land Fund," with a P.O. Box
 25 in Los Angeles, California.

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1 Do you have any understanding as to how this
 2 request for donations to the Occupied Land Fund happened
 3 to be in here?
 4 A I don't have any idea.
 5 Q Are you familiar --
 6 A This is not Occupied Land Fund videotapes. We
 7 don't make videotapes.
 8 Q I'm not suggesting it is an Occupied Land Fund
 9 videotape. I'm just asking if you have an understanding
 10 as to how the solicitation got there?
 11 A No, I don't.
 12 Q Are you familiar with this P.O. Box in Los
 13 Angeles, California? Is that something that IAP used in
 14 its early days?
 15 A I don't recall. You showed me some documents
 16 before, I don't know if it's inside it or not.
 17 Q Do you know whether the Holy Land Foundation
 18 had any role in the 1989 MAYA or IAP conference in
 19 Kansas City?
 20 A Any role?
 21 Q Any role.
 22 A I don't know.
 23 Q Do you know whether Holy Land Foundation sent
 24 representatives to attend the conference?
 25 A I don't know.

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1 Q Mr. El-Mezain, can you tell me whether you
 2 attended a MAYA/IAP conference in Kansas City in 1990?
 3 A 19 --
 4 Q 1990.
 5 A 1990? I don't recall if I go or not.
 6 Q Do you recall attending any conference at which
 7 Mousa Abu Marzook was a speaker?
 8 A No.
 9 Q I'm going to show you a couple of documents
 10 that suggest or indicate your activity at that
 11 conference, and I just want to ask you about whether or
 12 not you can confirm or deny those indications?
 13 MR. BOYD: I'm sorry, indications of his
 14 activity?
 15 MR. HOFFMAN: His activity.
 16 If you could mark that.
 17 (Deposition Exhibit 12 was marked for
 18 identification by the court reporter.)
 19 BY MR. HOFFMAN:
 20 Q Mr. El-Mezain, you've been handed what's been
 21 marked as Exhibit 12. It is an excerpt from a book.
 22 The cover of which is on the first page, entitled,
 23 "American Jihad, The Terrorists Living Among Us," by
 24 Steven Emerson.
 25 This is chapter 5, the chapter on Hamas. In

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1 particular I wanted to turn your attention, if I could,
 2 to page 82, in which Mr. Emerson is talking about a
 3 June -- or I'm sorry, about the 1990 conference put on
 4 by MAYA and the IAP.
 5 And the first full paragraph of page 82
 6 Mr. Emerson writes, "During the conference, Mohammad
 7 Salah organized a series of small workshop for Hidmi and
 8 other Hamas recruits at a nearby Ramada Inn. At the
 9 front of a room, a burly man introduced himself as
 10 Ibrahim Mahmoud Muzayyin, director of an organization
 11 called the Holy Land Foundation for Relief and
 12 Development, which officially raises money for 'charity'
 13 in the West Bank and Gaza. Muzayyin told the group:
 14 'You have been assembled here because you are all
 15 residents of the occupied territories. And you have
 16 been chosen to carry out operations to escalate the
 17 intifadah on behalf of the Hamas movement.'"
 18 First of all, did I read that correctly?
 19 A Yes.
 20 Q Let's sort of break that down a little bit. Do
 21 you recall attending a conference in or around 1990 at
 22 which there were workshops put on by Mohammad Salah --
 23 A No.
 24 Q -- at a Ramada Inn?
 25 A No. Never.

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1 Q Do you recall making statements of the type
 2 that are attributed to you in this paragraph?
 3 A No.
 4 Q Have you ever attended conferences at which
 5 either at the conference or in conjunction with the
 6 conference there were training sessions for potential
 7 Hamas members?
 8 A No.
 9 Q Are you aware -- even if you didn't participate
 10 in a meeting of that type, are you aware of meetings
 11 taking place in connection with IAP or MAYA conferences
 12 where terrorist or resistance training was provided?
 13 A No.
 14 Q Have you been involved in any conference led by
 15 or at which Mohammad Salah spoke?
 16 A No.
 17 (Deposition Exhibit 13 was marked for
 18 identification by the court reporter.)
 19 BY MR. HOFFMAN:
 20 Q Mr. El-Mezain, you've been handed what's been
 21 marked as Exhibit 13. And this is a lengthy document,
 22 including, in fact, multiple different documents, some
 23 in English, some in Hebrew. And I'm simply going to
 24 direct your attention to the last paragraph on the first
 25 page.

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1 According to the heading in the document it
 2 purports to be a Nasar Hidmi interrogation statement,
 3 March 11, 1993. And --
 4 MR. BOYD: Can I ask you what the provenance of
 5 this is?
 6 MR. HOFFMAN: The provenance of it?
 7 MR. BOYD: Yeah, where did this come from?
 8 MR. HOFFMAN: I'd have to go back and take a
 9 look. I'm not sure where it originally came from.
 10 THE WITNESS: This is Israel.
 11 MR. HOFFMAN: Certainly portions of it came
 12 from Israel. But in terms of --
 13 MR. BOYD: Do you know who the translator is?
 14 Or whether it was a certified translation? Where did
 15 you get it?
 16 MR. HOFFMAN: I'd have to go back and check.
 17 MR. BOYD: Have you given this to us in
 18 discovery?
 19 MR. HOFFMAN: I think it's part of discovery.
 20 If it's not, let me know. I'm fairly certain it has
 21 been.
 22 Q And I'm not interested in getting to debates
 23 about certification of translation. I want to -- taking
 24 what's here at face value and ask you whether or not you
 25 believe it to be accurate or not.

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1 And if I could direct your attention to the
 2 bottom paragraph on the first page. There's a
 3 discussion about an Islamic Congress in December of 1990
 4 at the invitation of MAYA. In particular I'm going to
 5 start looking at from the sixth line down in that
 6 paragraph. After the ellipses it reads, "In the
 7 conference in Kansas City." Do you see that?
 8 A Yeah.
 9 Q Where it starts, "In the conference in Kansas
 10 City," do you see where I am?
 11 MR. BOYD: Wait. I don't. "The Arab world,"
 12 dot, dot, dot, "in the conference in Kansas City."
 13 BY MR. HOFFMAN:
 14 Q Right.
 15 A Yes.
 16 Q It says, "In the conference in Kansas City,
 17 Muhammad Salah collected youths, and me among them, for
 18 secret meetings of the Hamas organization in a hall in
 19 one of the hotels. And in this meeting, spoke to us
 20 Muhammad Salah and Ibrahim Muzayyin, about 50, from Gaza
 21 originally, and they told all of us that were there that
 22 we had been chosen for this secret meeting, because we
 23 were residents of the territories, and had been
 24 chosen --" and there's another ellipses, "as to carry
 25 out operations for the escalation of the intifadah in

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1 the framework of the Hamas organization."
 2 And then it goes on from there. The
 3 characterization that's here, to the best of your
 4 knowledge and understanding, is that accurate --
 5 A It is not accurate.
 6 Q And as you sit here today, having seen these
 7 last two documents, are you able to tell me, does that
 8 refresh your recollection at least as to whether you
 9 were at the December, 1990 MAYA conference?
 10 A I never been in such this conferences with --
 11 who's this guy.
 12 Q Well, he's an individual who was arrested by
 13 the Israelis.
 14 A This is un -- this is false.
 15 Q Okay. My question now is, having talked about
 16 it a little bit more, can you -- do you recall whether
 17 or not you attended the 1990 -- December, 1990
 18 conference in Kansas City put on by MAYA?
 19 A I don't recall it.
 20 Q You can put that aside.
 21 Are you aware of a meeting that took place in
 22 October of 1993 in Philadelphia?
 23 A I'm not aware of it.
 24 Q Okay. This is a meeting which -- well, let me
 25 show you a document, see if it helps at all.

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1 (Deposition Exhibit 14 was marked for
 2 identification by the court reporter.)
 3 BY MR. HOFFMAN:
 4 Q Mr. El-Mezain, you've been handed what's been
 5 marked as Exhibit 14. This is a multi-page document
 6 that is part of the administrative record in the D.C.
 7 proceedings. And purports to include a report of a
 8 meeting taking place in October, 1993 in Philadelphia.
 9 And the reason I wanted to show you this document, is if
 10 you look at the fourth page, which is number 255 at the
 11 bottom, there's a section in the middle. It says, "With
 12 the cooperation of hotel security personnel, the
 13 following individuals and room assignments were
 14 identified." And if you look at the bottom, by room 401
 15 there's your name.
 16 A I never been there.
 17 Q I'm sorry?
 18 A I never --
 19 MR. BOYD: It says so.
 20 THE WITNESS: The question now?
 21 BY MR. HOFFMAN:
 22 Q Do you see where there's a reference to your
 23 name?
 24 A This is a reference. This is my name.
 25 Q Below that there's asterisks which make

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1 references to "Abu-Ibrahim," which we covered earlier is
 2 you?
 3 A Yes.
 4 Q Says, "Did not attend the conference because he
 5 was hospitalized."
 6 Do you recall having a conference that you were
 7 unable to attend in October of 1993 because you were
 8 hospitalized?
 9 A I was hospitalized in 1993, that's right. But
 10 I did not recall any conference.
 11 Q Some of the other people who are identified as
 12 having participated in this conference include Shukri
 13 Abu Baker, and Ghassan Al-Ashi. Do you ever recall
 14 discussing with either of those gentlemen --
 15 A No.
 16 Q Let me just finish the question.
 17 Do you recall discussing with either of those
 18 gentlemen their attending a conference at Philadelphia
 19 in 1993?
 20 A First of all, I would like to apologize. I
 21 thought that you finished.
 22 Q Okay.
 23 A No, I don't.
 24 Q Were you in any way aware of a conference that
 25 was to be held in or around October of 1993 that would

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1 involve representatives from HLF, LAP and other leading
 2 Muslim organizations?
 3 A I don't recall.
 4 (Deposition Exhibit 15 was marked for
 5 identification by the court reporter.)
 6 BY MR. HOFFMAN:
 7 Q Mr. El-Mezain, you've been handed what's been
 8 marked as Exhibit 15. And this is a lengthy document,
 9 which I think is commonly referred to as the Watson
 10 report or the Watson memorandum, prepared under the
 11 direction of Dale Watson, assistant director of
 12 counterterrorism division, dated November 5th, 2001.
 13 And it's part of the administrative record in the D.C.
 14 proceedings brought by the government and then in the
 15 case by the Holy Land Foundation.
 16 Are you familiar with this document?
 17 A I'm not familiar. I hear about it, but I'm not
 18 familiar with it.
 19 Q Were you ever provided a copy to review?
 20 A I don't recall. I see some pages of it, but
 21 I --
 22 Q Are you familiar generally with the allegations
 23 about the Holy Land Foundation that are contained in
 24 this report?
 25 MR. BOYD: I can tell you that I haven't given

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1 him a copy to review. And I don't -- I'm going to
 2 object to the form of the question, but just to say is
 3 he generally familiar with the allegations. If he
 4 hasn't reviewed the document, then I don't know how he
 5 can answer the question.
 6 THE WITNESS: I'm not familiar.
 7 MR. HOFFMAN: Well, he could have discussed it
 8 with somebody as well.
 9 THE WITNESS: Okay.
 10 BY MR. HOFFMAN:
 11 Q I'm sorry?
 12 A I'm not familiar exactly.
 13 Q Okay. I want to ask you -- obviously it's a
 14 very long document. I'm only going to ask you about
 15 specific items that reference you directly or
 16 indirectly, and just see if you can tell me about those
 17 items.
 18 First of all, if you would turn to page 11 of
 19 the report, which is numbered in the lower right-hand
 20 corner 0070.
 21 The first full paragraph on that page. Starts
 22 off, you see where it says "HLFRD-2"?
 23 A Yes.
 24 Q And which is reference to an FBI informant or
 25 source?

34

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1 MR. BOYD: I'm sorry, where are you pointing?
 2 MR. HOFFMAN: Page 11, top full paragraph.
 3 Q Says, "Who has been found to be reliable in the
 4 past, stated in 1993, that Al-Hanooti collected over \$6
 5 million for support of Hamas in Israel." Do you see
 6 that?
 7 A Yes.
 8 Q Now, I'm going to show you another reference to
 9 that same paragraph, and ask you to look at them
 10 together.
 11 (Deposition Exhibit 16 was marked for
 12 identification by the court reporter.)
 13 BY MR. HOFFMAN:
 14 Q Exhibit 16 is an action memorandum dated
 15 February 28, 2002 from Steven Jennings, Jr., Acting
 16 Section Chief, International Terrorism Operation
 17 Section, Counterterrorism Division, to Richard Newcomb,
 18 Director of the Office of Foreign Assets Control,
 19 Department of the Treasury.
 20 And if you'd look at the last page of Exhibit
 21 16 there's a numbered paragraph 7, and it says,
 22 "Correction." Do you see that?
 23 A Yes.
 24 Q It says, "On page 11 of the memo," which is a
 25 reference back to the page we were just looking at in

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1 Exhibit 15, "the FBI quoted HLFDRD-2," and it makes --
 2 you'll see that quoting, the language?
 3 MR. BOYD: I'm sorry, I lost you. Where are
 4 you looking now?
 5 MR. LANDON: The fourth page here (indicating).
 6 MR. BOYD: Got you.
 7 BY MR. HOFFMAN:
 8 Q So that numbered paragraph 7 on page 44 of
 9 Exhibit 16 is making reference back to the paragraph I
 10 just read from Exhibit 15 regarding Mr. Al-Hanooti. And
 11 it says, "In fact, HLFDRD-2 stated that the Islamic
 12 Center of Passaic County had collected over \$6 million
 13 for support of Hamas in Israel. Al-Hanooti, at the
 14 time, was second imam of the Center under Mohammad
 15 El-Mezain, the first imam."
 16 We already covered your relationship with
 17 Mr. Al-Hanooti. What I wanted to ask you about, the
 18 assertion that the Islamic Center of Passaic County had
 19 collected over \$6 million for support of Hamas in
 20 Israel.
 21 A No.
 22 Q And by "no" you're saying that's not an
 23 accurate statement?
 24 A That's absolutely.
 25 MR. BOYD: That's absolutely what?

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1 THE WITNESS: Absolutely uncorrect statement,
 2 \$6 million.
 3 MR. BOYD: I'm sorry, this is an important
 4 thing. We've got to make it sure we got it on the
 5 record.
 6 THE WITNESS: Yes.
 7 MR. BOYD: It sounded like you said it's
 8 absolutely -- you said "an accurate" or "unaccurate"?
 9 THE WITNESS: It is unaccurate statement. A
 10 false statement.
 11 MR. LANDON: Not an accurate statement.
 12 MR. BOYD: It's a false statement.
 13 THE WITNESS: False statement.
 14 BY MR. HOFFMAN:
 15 Q Did the Islamic Center of Passaic County
 16 collect U.S. dollars for support of Hamas in Israel?
 17 A No.
 18 Q Are you aware of the mosque ever being involved
 19 in raising funds for support of Hamas?
 20 A No.
 21 Q I'm trying to remember back to your testimony
 22 earlier today about the mosque. I think you testified
 23 earlier there were some events where people would bring
 24 in a speaker and maybe raise funds?
 25 A This is for the IAP.

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1 Q Were any of the fund-raising events or speakers
 2 put on by the Holy Land Foundation at the mosque in New
 3 Jersey?
 4 A By the Holy Land Foundation, we visited most of
 5 the mosques, including this center.
 6 Q Okay. So when you testified earlier that there
 7 were speakers and there may have been collections for
 8 donations, that was not only IAP, but Holy Land
 9 Foundation did that as well?
 10 A Yes, the Holy Land Foundation used to get
 11 speakers and get some donations from the mosque.
 12 Q Now, how is it that you can be so confident
 13 that none of the funds that were raised at any of the
 14 events that took place at the mosque were being raised
 15 for Hamas?
 16 A How --
 17 MR. BOYD: Wait a minute. So the question is
 18 clear, are you talking about any funds raised for Hamas,
 19 not Holy Land Foundation or IAP funds? Just any funds?
 20 MR. HOFFMAN: Yes.
 21 THE WITNESS: During my staying over there from
 22 1989 to 1999, to my best information, we never collected
 23 any funds for Hamas. And this was I believe. This is
 24 the policy.
 25 BY MR. HOFFMAN:

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1 Q If you would look at -- back to Exhibit 15, the
 2 Watson report. If you turn to pages 13 and 14. There
 3 are some references there to a couple of individuals I
 4 wanted to ask you about. One is a man by the name Jamal
 5 Hamami?
 6 A What page?
 7 MR. LANDON: 13.
 8 THE WITNESS: Oh, I'm sorry. I did not look
 9 right.
 10 BY MR. HOFFMAN:
 11 Q Pages 72 and 73 in the larger print numbers.
 12 There's a reference to a Jamal Hamami, H-a-m-a-m-i?
 13 A Jameen (phonetic).
 14 Q Jameen. Are you familiar with Mr. Hamami?
 15 A Hamami, yes.
 16 Q He's identified here as one of the founders of
 17 Hamas. Do you know whether that is accurate?
 18 A I never hear that he's a founder of Hamas.
 19 Q How is it you know Mr. Hamami?
 20 A He came to the United States as a speaker. And
 21 he has school in Palestine over there. And he want
 22 support from the community to his school from Holy Land
 23 Foundation. We studied the projects and we found has
 24 good school, and still existing now.
 25 Q And did the Holy Land Foundation, in fact, make

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1 donations to the school that Mr. Hamami was running?
 2 A Yes, I believe so.
 3 Q There's also a reference to a Sheik Mohammad
 4 Siyam, S-i-y-a-m?
 5 A Yes.
 6 Q Do you know Mr. Siyam or Sheik Siyam?
 7 A He is the president of the Islamic University
 8 of Gaza. Ex-president.
 9 Q Do you know during what period of time he
 10 served as president of Islamic University?
 11 A I don't recall.
 12 Q On page 13 Mr. Siyam is identified as a
 13 self-admitted Hamas official. Do you know whether, in
 14 fact, Mr. Siyam is affiliated with Hamas?
 15 A I don't recall exactly. According to the --
 16 what line?
 17 Q If you'd start from the fifth line from the
 18 bottom where it starts, "Two senior Hamas activists."
 19 A Yes.
 20 Q Okay. And first it describes Mr. Hamami, and
 21 then it says, "Sheikh Mohammad Siyam, a self-admitted
 22 Hamas official." My question is, are you aware of any
 23 relationship that Mr. Siyam has or had with Hamas?
 24 A I don't know what kind of relationship with
 25 Hamas from Siyam to Hamas.

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1 Q Have you ever heard or been advised that
 2 Mr. Siyam had a relationship with Hamas?
 3 A I don't recall.
 4 Q On page 14 then it goes on and indicates that
 5 the Holy Land Foundation paid to bring both Mr. Hamami
 6 and Mr. Siyam into this company as guest speakers at
 7 Holy Land Foundation events. Can you tell me whether or
 8 not that is accurate?
 9 A Yes, they used to come here early nineties.
 10 Q And when they came over, Holy Land Foundation
 11 paid for their travel?
 12 A I believe so.
 13 Q Do you recall what events they spoke at for
 14 Holy Land Foundation?
 15 A Not specific. Sometimes they make -- they
 16 visit the mosques. This is how they came. Sometimes
 17 they came Ramadan.
 18 Q In connection with any of the speaking
 19 engagements that Mr. Hamami and Mr. Siyam had at Holy
 20 Land Foundation events, do you recall them ever making
 21 reference to Hamas?
 22 A I don't recall.
 23 Q Did you attend all of their speaking
 24 engagements?
 25 A No, not all of it.

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1 Q Do you know how it is that is the two
 2 individuals were chosen by the Holy Land Foundation to
 3 come over and speak at HLF events?
 4 A They are popular and they have -- they are
 5 famous in the community. And the people, they love the
 6 speakers who talking Arabic good, who speak Arabic good
 7 speech, something like that.
 8 Q Who made the decision to bring these particular
 9 individuals in as speakers?
 10 A The office in Dallas.
 11 Q Excuse me?
 12 A Our office in Dallas. The headquarter in
 13 Dallas.
 14 Q Do you know who specifically in the Dallas
 15 office made that decision?
 16 A I don't know. Maybe Haitham Maghawri.
 17 MR. BOYD: Don't speculate. If you don't know,
 18 just say you don't know Mr. Maghawri did.
 19 THE WITNESS: I don't know. This is
 20 speculation.
 21 BY MR. HOFFMAN:
 22 Q Okay. When the Holy Land Foundation would
 23 bring in speakers such as Mr. Hamami and Mr. Siyam to
 24 speak at Holy Land Foundation events, was there ever any
 25 advance discussion as to what the topics were or what

36

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1 they would be talking about?

2 A What I know on that, all the speakers when they

3 came from the Middle East to visit the mosques or make a

4 tour here, they being told from the Holy Land Foundation

5 at the beginning this is what the topic and what we like

6 to talk about and emphasize about the need of the people

7 in Palestine for your alms for zakat. This is what they

8 use to be instructed from the Holy Land Foundation.

9 Q And who at the Holy Land Foundation was

10 responsible for making those arrangements?

11 A I don't recall.

12 MR. BOYD: I'm sorry, what do you mean? By

13 telling what to say?

14 BY MR. HOFFMAN:

15 Q By arranging what sort of -- what topics we

16 want you to talk about?

17 A I don't recall. This is executive work,

18 actually. It's not --

19 Q Going back to page 13. There's a paragraph, we

20 were looking at part of it at the bottom of the page, it

21 starts with the heading, "1994 Oxford, Mississippi

22 meeting." And rather than me take the time and read the

23 entire thing on the record, if you would just take a

24 moment and read that paragraph.

25 My question to you is, are you familiar with,

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1 or do you know anything about the meetings and

2 conversations that are described in this paragraph?

3 A Could I have a minute to read it?

4 Q Please. Go ahead.

5 A What was the question?

6 Q The question is whether you are familiar with

7 or know anything about the communications, the

8 discussions that are referenced in this paragraph?

9 MR. BOYD: I want to make an objection and ask

10 to you clarify the question. Are you asking him to

11 assume the truth of the allegations in this, and this is

12 a hypothetical question? Or are you just asking him

13 does he know anything about it?

14 MR. HOFFMAN: Does he know anything about

15 what's in this paragraph?

16 MR. BOYD: Okay.

17 THE WITNESS: I don't know anything about this

18 conversation.

19 BY MR. HOFFMAN:

20 Q Were you aware of the Al-Aqsa Educational Fund?

21 Is that something you're familiar with?

22 A I don't recall this.

23 Q And it indicates here that it was a fund that

24 was run by Mr. Al-Ashqar, who I think you had testified

25 about earlier?

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1 A Yes.

2 Q Were you aware of a fund that Mr. Al-Ashqar had

3 that he was involved with in raising funds?

4 A Oh. What was the name again?

5 Q The Al-Aqsa Educational Fund?

6 A Al-Aqsa Educational Fund.

7 Q It's referenced in this third line of this

8 paragraph.

9 A I know he has funds. Is it Al-Aqsa or other

10 name, I don't recall exactly.

11 Q When you say that you're aware that he has

12 funds, are you aware of more than one fund that

13 Mr. Al-Ashqar sponsored?

14 A I'm not aware.

15 Q Do you have an understanding as to what the

16 fund that Mr. Al-Ashqar did have, what its purpose was?

17 A I don't recollect.

18 Q Do you know whether that fund had any ties to

19 Hamas?

20 A I don't know.

21 Q Do you know whether Mr. Al-Ashqar had any ties

22 to Hamas?

23 A I don't know.

24 Q Now, according to this paragraph, it says that,

25 "Hamas political bureau head Mousa Abu Marzook

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1 designated the HILFRD," Holy Land Foundation for Relief

2 and Development, "as the primary fund-raising entity in

3 the United States."

4 And my question to you is, are you aware of any

5 such event taking place?

6 A No, I'm not aware of that.

7 Q Did you ever have any discussions with Mr. Abu

8 Marzook regarding Holy Land Foundation's fund-raising?

9 A No.

10 Q Now, farther down in the paragraph, it says

11 that, "Ultimately, Marzook traveled to the United States

12 and chaired a meeting in Dallas, Texas, regarding this

13 issue." Are you aware of such a meeting --

14 A No.

15 Q -- taking place in Dallas?

16 And I think this was probably covered by one of

17 the earlier questions, but just so that we're clear.

18 The last section we looked at earlier, the description

19 of Mr. Hamami and Siyam, says they "met with Ashqar in

20 Oxford, Mississippi, on March 13, 1994 to explain

21 Marzook's decision."

22 Do you know anything about these alleged

23 conversations?

24 A No.

25 Q Do you know what the current status of

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1 Mr. Al-Ashqar's fund, the Al-Aqsa Educational Fund, is?
 2 A No, I don't know.
 3 Q Do you know whether his fund stopped its
 4 fund-raising activities?
 5 A I don't know.
 6 Q I'd like you to turn, if you would, to page 46
 7 of the report, which in the bigger numbers is page 105.
 8 Now, starting on page 46, there are a series of
 9 paragraphs that talk about -- that are under the
 10 heading, "HLFRD And Its Leadership Identified As Hamas."
 11 And these paragraphs talk about various meetings or
 12 speeches. And I wanted to just ask you about ones in
 13 which you're referenced.
 14 First, right under the heading "FBI asset
 15 reporting," there's a paragraph that starts off with the
 16 title -- it's starts off, "HLFRD 1." Do you see that?
 17 A Yeah.
 18 Q And it attributes to this FBI source, said that
 19 this person "reported that during a speech at the
 20 Islamic Center of Passaic County --" and that was your
 21 mosque; correct? Is that correct, that was your mosque?
 22 A Yes.
 23 Q "-- in November, 1994, Mohammad El-Mezain, the
 24 Holy Land Foundation's current director of endowments
 25 and former chairman of the HLFDR board, admitted that

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1 some of the money collected by ICPC and the HLFDR goes
 2 to Hamas or Hamas activities in Israel." Do you recall
 3 ever making such a statement?
 4 A I never made this statement.
 5 Q It says, "El-Mezain also defended Hamas and the
 6 activities carried out by Hamas." Do you recall ever
 7 doing that?
 8 A No.
 9 Q The next paragraph, quoting another FBI source,
 10 identified as HLFDR 4, talks about a November 5th, 1994
 11 IAP conference at the Culver City Memorial Building in
 12 Culver City, California. We have talked about Culver
 13 City, and that was where, I think, Mr. Al-Ashi was for a
 14 while.
 15 A Yes.
 16 Q It first quotes Mr. Abu Baker, and then in the
 17 last sentence of the paragraph it says, "The source
 18 reported that at his conference, El-Mezain and Baker
 19 stated that the monies raised by HLFDR were strictly for
 20 Hamas terrorists."
 21 Can you confirm or deny that assertion, if
 22 that's accurate?
 23 A This is not accurate.
 24 Q Can you tell me -- it's been a long time. Can
 25 you tell me whether you attended an IAP conference at

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1 the Culver City Memorial Building in Culver City,
 2 California in November, 1994?
 3 A I don't recall that.
 4 Q Have you ever attended anything at the Culver
 5 City Memorial Building?
 6 A I don't recall it. I may be, but I don't
 7 recall it.
 8 Q Moving on to the next paragraph, is again
 9 referring to the source HLFDR 4, indicates that, it
 10 says, "that Hamas leaders Shukri Abu Baker and Mohammad
 11 El-Mezain attended a Muslim Arab Youth Association
 12 conference December 30, 1994, to January 2, 1995 at the
 13 Hyatt Regency in Los Angeles, wherein Sheikh Muhammed
 14 Siyam was the keynote speaker. Siyam introduced as
 15 'head of operations of Al Jihad Al Islamia in Gaza, the
 16 Hamas military wing."
 17 Let me sort of break this up. First of all, do
 18 you recall attending a MAYA conference at the Hyatt
 19 Regency in Los Angeles December, 1994 to January, '95?
 20 A I don't recall it.
 21 (Discussion off the record.)
 22 (Record read.)
 23 BY MR. HOFFMAN:
 24 Q Do you recall ever attending any conference at
 25 which Sheik Siyam was a speaker in which he was

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1 introduced as the head of the Hamas military wing?
 2 A I recall I attend conferences. I never recall
 3 that he introduced as the head, Siyam.
 4 Q This then goes on to say that, "Siyam stated,
 5 'I've been told to restrict or restrain what I say."
 6 and there's an ellipses. "I hope no one is recording
 7 me taking any pictures. As none are allowed." Again
 8 another ellipses. "Because I'm going to speak the
 9 truth to you. It's simple. Finish off the Israelis.
 10 Kill them all. Exterminate them. No peace ever. Do
 11 not bother to talk politics."
 12 Do you recall ever attending a conference at
 13 which Mr. Siyam said those words or words to that
 14 effect?
 15 A No.
 16 Q Are you aware of him ever taking a position
 17 consistent with those statements? Are you aware of
 18 Mr. Siyam ever taking any positions that are consistent
 19 with the statements that we just read?
 20 A I don't understand you --
 21 Q Okay. Are you aware -- even if you didn't hear
 22 him in a conference say these words, are you aware of
 23 any other time where he came out publicly --
 24 A No.
 25 Q -- and said, "This is my -- this is how I

38

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1 feel"?

2 A I'm not aware of it.

3 Q This again then goes on to say that, "Following

4 Siyam's speech, El-Mezain exhorted the crowd to

5 contribute money. It was subsequently announced that

6 \$207,000 was raised for 'the cause.'"

7 Do you have any recollection of such an event

8 taking place at any conference you've attended?

9 A Sometimes we collect money, but I never

10 collect -- I never said I raised 1,800,000 for Hamas. I

11 never said that.

12 Q Now you're moving down to the next paragraph

13 which I was going to ask you about next. The paragraph

14 above that.

15 A What's that? I don't recall that.

16 Q Okay. Now, let's go to the one you were just

17 talking. The next paragraph, "At that conference,

18 El-Mezain reportedly stated that during 1994, he

19 (El-Mezain) raised \$1,800,000 inside the United States

20 for Hamas. El-Mezain and Abu Baker stated that funds

21 raised by HILFRD are strictly dollars for Hamas."

22 My question is, do you recall making statements

23 to that effect?

24 A This is a false statement.

25 Q Do you recall ever making statements that

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1 El-Mezain travels throughout the United States,

2 conducting fund-raising events on behalf of Hamas and

3 toured different Arab Gulf countries in 1994, giving

4 speeches about Hamas and collecting donations."

5 Let me sort of break that up. First of all,

6 have you ever traveled through the United States

7 conducting fund-raising events on behalf of Hamas?

8 A No.

9 Q Did you tour Arab Gulf countries in 1994?

10 A I visited Saudi Arabia. I visited Qatar on

11 behalf of Islamic Center of Passaic County. I was

12 carrying with me the project of the school, that Islamic

13 Center of Passaic County, like to build it. But not

14 collecting any money on behalf of Hamas.

15 Q In carrying those plans, were you there trying

16 to raise funds to get the school built?

17 A Yes.

18 Q This goes on to say during this tour you were

19 giving speeches about Hamas?

20 A No.

21 Q Is that accurate?

22 A This is incorrect.

23 Q Have you ever personally provided monetary

24 support to Hamas?

25 A No.

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1 were -- that in any way indicated you or the Holy Land

2 Foundation had raised money on behalf of Hamas?

3 A No.

4 Q Going farther down on that page, the last

5 paragraph makes reference to an individual named Ammar

6 Hussein Imreish, I-m-r-e-i-s-h. Do you know who that

7 is?

8 A Where is this?

9 Q It's easier to point. Right here. Starting in

10 the second line of that paragraph.

11 A Yes. What is the question?

12 Q The question is, do you know who Mr. Imreish

13 is?

14 A Imreish is one of the residents of Orange

15 County.

16 Q Was he in any way affiliated with the Holy Land

17 Foundation?

18 A Maybe he used to work with the Holy Land

19 Foundation. But for a couple of years.

20 Q The last item I want to ask you about on here

21 is page 48. At the top the second paragraph starts with

22 "HLFRD 7." Do you see that?

23 A Yes.

24 Q It's another FBI source. And it says, "who has

25 provided reliable information in the past reported that

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1 Q Have you ever provided monetary support to any

2 organization that's affiliated with Hamas?

3 A No.

4 Q Have you ever provided any monetary support to

5 any organization raising funds for Hamas?

6 A No.

7 Q Has the Holy Land Foundation, to your

8 knowledge, ever provided monetary support to Hamas?

9 A No.

10 Q Has the Holy Land Foundation, to your

11 knowledge, ever provided monetary support to any

12 organization affiliated with Hamas?

13 A No.

14 Q Has the Holy Land Foundation ever, to your

15 knowledge, provided monetary support to any organization

16 raising funds for Hamas?

17 A No.

18 Q Have you personally ever provided any other

19 support aside from monetary support to Hamas?

20 A No.

21 Q Have you provided any support to any

22 organization that's affiliated with Hamas?

23 A No.

24 Q Have you provided any support to any

25 organization that raises funds for Hamas?

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1 A No.
 2 Q To your knowledge, has the Holy Land Foundation
 3 ever provided any support other than monetary support to
 4 Hamas?
 5 A No.
 6 Q To your knowledge, has the Holy Land Foundation
 7 ever provided any type of support to any organization
 8 that's affiliated with Hamas?
 9 A No.
 10 Q To your knowledge, has the Holy Land Foundation
 11 ever provided any support to any organization that's
 12 raising funds for Hamas?
 13 A No.
 14 Q Have you ever attended any speeches by anyone
 15 that you know to be affiliated with Hamas?
 16 A I don't recall.
 17 MR. HOFFMAN: Can we go off the record? I want
 18 to take a couple minutes and look through my notes.
 19 MR. BOYD: Okay.
 20 MR. HOFFMAN: I think I'm done.
 21 (Recess.)
 22 MR. HOFFMAN: Back on the record.
 23 Q Mr. El-Mezain, I just have a couple of odds and
 24 ends I wanted to follow up. I'm not sure, I may have
 25 already covered these. Just bear with me.

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1 I'd asked you earlier a bunch of questions
 2 about the IAP. Do you recall that? I think some of it
 3 was I asked about local branches of the IAP.
 4 A Yes.
 5 Q And you had testified about the branch in
 6 Patterson, New Jersey. Do you recall whether you're
 7 aware of any other IAP branches anywhere else in the
 8 country?
 9 A Visit IAP branches?
 10 Q Either visit or you didn't visit, if you're
 11 aware if they're out there?
 12 A I'm not aware.
 13 Q Finally, we've spent a fair amount of time
 14 today talking about either IAP conferences or MAYA
 15 conferences or other conferences. And I understand it's
 16 been a lot of years and you've attended a number of
 17 these. My question to you, is there anything that would
 18 help to refresh your recollection, any documents or
 19 anything else that you could do to try and determine
 20 which years or which cities you attended these
 21 conferences?
 22 A I don't recall. I don't know.
 23 Q Nothing comes to mind that would help you?
 24 A No, nothing comes to my mind.
 25 MR. HOFFMAN: All right. I have no further

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1 questions, then. Thank you for your time.
 2 THE WITNESS: Thank you.
 3 MR. BOYD: Let's take a quick break. And then
 4 I think I'm going to have maybe one or two questions.
 5 And then we're done. Okay?
 6 (Recess.)
 7 EXAMINATION
 8 BY MR. BOYD:
 9 Q Mr. El-Mezain, do you recall any occasion on
 10 which you were approached to accept money for Hamas?
 11 A One time.
 12 Q When was that?
 13 A In early nineties.
 14 Q Okay. And would you describe the
 15 circumstances?
 16 A It was in a conference. I don't know exactly
 17 what. In L.A. And after the session --
 18 Q I'm sorry, did you say in L.A.?
 19 A In L.A., yeah. And after the session, the
 20 woman came to me, a Muslim woman came to me and said,
 21 Abu Ibrahim --" early, early nineties. "Abu Ibrahim,
 22 this is \$3,000 I like to send it to mujahadeen of Hamas.
 23 Q To mujahadeen of Hamas?
 24 A Of Hamas. I said to her "No," in front of all
 25 the crowd under the stage, "I'm not accepting that. We

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1 are not working for Hamas. We are just working for the
 2 poor and the needy family and the orphan and social
 3 services for the Palestinian people, not for Hamas."
 4 She said to me, "I sold my piece of land and I get this
 5 money for that." I said, "I'm sorry, I cannot accept
 6 it. We just focus on the orphan and the poor and needy
 7 family inside Palestine. That's it. If you like to
 8 send it for the poor and needy, I can accept it.
 9 Otherwise, I am sorry."
 10 And she turn away. And after three or four
 11 minutes she get back to me. "Abu Ibrahim, take it for
 12 the orphans." I said to her, "Repeat it again." "Take
 13 it for the orphans." "Repeat it again, three times."
 14 She said, "For the orphans."
 15 And I said, "Be my witness," for the crowds
 16 over there. "This is -- this money is just for the
 17 orphans and the orphans only. I accept it for the
 18 orphans. Not for anything else." And this was in one
 19 of the conference.
 20 Q Okay. Now, Mr. Hoffman during the course of
 21 his examination asked you -- he read to you a series of
 22 statements and asked you if you recalled having made
 23 them. And in many cases -- sitting here now I can't
 24 recall every instance that this happened, but there were
 25 a number of occasions in which you said in response to

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1 his question whether you recalled that you did not
 2 recall.
 3 I'm asking you, have you ever gotten up in
 4 front of anyone and said, made any statement to support
 5 terrorism of any sort?
 6 A No, I never do it. We are not supporting
 7 terrorism, by any means.
 8 MR. BOYD: I have no further questions.
 9 FURTHER EXAMINATION
 10 BY MR. HOFFMAN:
 11 Q If I could just follow up for a minute on this
 12 conference in Los Angeles in the early nineties. Do you
 13 recall who sponsored that conference?
 14 A MAYA.
 15 Q Were you a speaker at that conference?
 16 A No. I was not speaker in the conference. I
 17 collect some donations for the Holy Land Foundation.
 18 Q Part of the reason I asked because you said
 19 something about being on stage.
 20 A Because when I stood collecting the money, this
 21 is the last of the session, for the Holy Land
 22 Foundation. The session is ended, and one of the woman
 23 came after ending. There was some crowd. They like to
 24 shake hand, my hand or something.
 25 Q You said that this was the last session for the

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1 Holy Land Foundation?
 2 A The last of the session.
 3 Q End of the session?
 4 A The end of the session in the program.
 5 Q Other than your standing up at the end and
 6 trying to solicit donations for the Holy Land
 7 Foundation, did the Holy Land Foundation have any other
 8 involvement in that conference?
 9 A No. Just to collect some donations for the
 10 orphan.
 11 Q Did anybody make any speeches on behalf of Holy
 12 Land to encourage people to make donations?
 13 A I did that.
 14 Q Do you recall what facility this conference was
 15 at? Was it a hotel?
 16 A It seemed to be in a hotel.
 17 Q Do you remember which one?
 18 A I have bad memory.
 19 Q This woman who gave you this \$3,000, had you
 20 ever met her before?
 21 A No.
 22 Q Have you ever met her since?
 23 A I don't know. I don't know her. And I told
 24 one of the Holy Land Foundation employees in that time,
 25 "Take the money and just deposit in the account right

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1 away and send it to the orphan."
 2 Q Do you happen to recall the woman's name?
 3 A No.
 4 Q You mentioned also something about somebody
 5 being a witness. Do you know anybody who, if we were to
 6 track them down, could confirm this?
 7 A A crowd of the people. I don't know who.
 8 Q No particular individuals?
 9 A No, no. I don't recall anyone right now.
 10 MR. HOFFMAN: I don't have any further
 11 questions.
 12 MR. BOYD: Okay.
 13 MR. HOFFMAN: Thank you.
 14 THE REPORTER: Mr. Boyd, do you want a copy of
 15 the transcript?
 16 MR. BOYD: Yes, please.
 17 (Discussion off the record.)
 18 MR. LANDON: Send original to my office for
 19 review. As far as how long we can have to review it, 30
 20 days?
 21 MR. HOFFMAN: That's fine.
 22 MR. LANDON: Is that all right? 30 days all
 23 right?
 24 MR. HOFFMAN: I'm going to be reasonable. If
 25 you call me towards the end of 30 days, and say you need

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1 another 10 days, whatever.
 2 MR. LANDON: Fine.
 3 MR. HOFFMAN: I don't want it indefinite.
 4 MR. LANDON: Right.
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41

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF ILLINOIS

3
4 STANLEY BOIM, et al.,)
5 Plaintiffs,)
6 vs.) No. 00 C 2905
7 QUARANIC LITERACY INSTITUTE,)
8 et al.,)
9 Defendants.)

10 _____)
11 I, MOHAMMAD A. EL-MEZAIN, do hereby declare
12 under penalty of perjury that I have read the foregoing
13 transcript, consisting of pages 1 to 164; that I have
14 made the corrections, if any, listed on the attached
15 errata sheet(s); that my testimony as contained herein,
16 as corrected, is true and correct.

17 EXECUTED this _____ day of _____,
18 2003, at _____,
19 (City) (State)

20
21 _____
22 MOHAMMAD A. EL-MEZAIN
23
24
25

1
2
3
4 I, the undersigned, a Certified Shorthand
5 Reporter of the State of California, do hereby certify:
6 That the foregoing proceedings were taken
7 before me at the time and place herein set forth; that
8 any witnesses in the foregoing proceedings, prior to
9 testifying, were placed under oath; that a verbatim
10 record of the proceedings was made by me using machine
11 shorthand which was thereafter transcribed under my
12 direction; further, that the foregoing is an accurate
13 transcription thereof.

14 I further certify that I am neither financially
15 interested in the action nor a relative or employee of
16 any attorney of any of the parties.

17 IN WITNESS WHEREOF, I have this date subscribed
18 my name.

19
20 Dated: _____

21
22 _____
23
24 RENEE KELCH
25 CSR No. 5063

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