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February 13, 2023

VIA ECF

Hon. Denise Cote
United States District Judge
Federal District Court for the Southern District of New York
500 Pearl Street
New York, NY
10007-1312

Re: Defense Sentencing Submission in *United States v. Saadah Masoud*, 22-cr-000359

Dear Judge Cote,

We write to formally request that you impose a sentence of six months' incarceration and three years of supervised release on Mr. Masoud at his upcoming sentencing on March 3, 2023.

Mr. Masoud's agreed-upon Guidelines Range is eighteen to twenty-four months. Chief U.S. Probation Officer Jonathan Sparks has recommended the minimum of that range — eighteen months. It is our understanding that the Government does not intend to argue for a sentence outside the Guidelines Range.

A sentence of six months imprisonment with three years of supervised release, however, is sufficient to, but not greater than, a sentence necessary to comply with 18 U.S.C. Sec. 3553(a)(2).

Nature and Circumstances of the Offense and History and Characteristics of the Defendant

The use of violence to promote social and political goals in a democratic society is never acceptable. Not before January 6, 2021, and certainly not since. No matter how deeply Mr. Masoud feels about the occupation of Palestine, that fight cannot be permitted to take place on the streets of New York. Period.

There are, however, several circumstances regarding the offense conduct that warrant closer examination and belie the Government's narrative that Mr. Masoud is fueled singularly by antisemitic hate.

As a preliminary matter, all three victims were known only to Mr. Masoud as outspoken advocates for the State of Israel. His conduct toward them would have been the same, no matter the religious faith to which they belonged. Indeed, in terms of numbers alone, there are more

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Evangelical Christians in the United States, who identify with the State of Israel than Jews. See <http://bit.ly/3xqYWLG>. Video of the April 20, 2022, demonstration reveals dozens of members of the Satmar religious group marching with, and being welcomed by, Mr. Masoud and his colleagues. The Satmars are one of the two main branches of Hassidic Judaism, and they stand in fierce opposition to the existence of the State of Israel.

With respect to the assault on Matthew Greenberg, it occurred on April 20, 2022, at the peak of clashes between Palestinian and Israeli Defense Forces in the Al-Aqsa Compound of Jerusalem. Mr. Masoud attended a pro-Palestine rally and march in Manhattan. Mr. Greenberg attended, wearing a giant Israeli flag like a cape, and proceeded to heckle the demonstrators. He came armed with a crutch (which video showed he did not need for any legitimate purpose). He acted as a provocateur. His behavior can only be described in ideological terms; it is not a Jewish practice, cultural or religious, to wear the Israeli flag, nor is it an accident that the symbol was placed in direct view of thousands of pro-Palestine demonstrators, during a period of intense conflict in Israel/Palestine. Usually, the NYPD separates mutually-antagonistic demonstrations from each other—precisely to prevent provocation and escalation. But Mr. Greenberg did not apply for a march permit and his one-man-show flew under the police radar.

Without question, Mr. Masoud punched Mr. Greenberg, without being physically provoked. And without question, this was a wrongful, criminal assault that could have been, and indeed should have been, prosecuted by local authorities. But Mr. Masoud had no knowledge of Mr. Greenberg’s religious or ethnic identity; to Mr. Masoud, he was a pro-Israel counter-protestor, seeking to disrespect the pro-Palestine message. PSR at ¶22(b).

The second victim is a public figure named Harold “Heshy” Tischler, a pro-Israel, Pro-Trump, anti-masking spewer of hate who has achieved a degree of notoriety for calling then-Mayor DeBlasio’s wife Charlene McCray a “whore” and a “retard woman,” and encouraging a mob to attack a reporter with whom Mr. Tischler had disagreed about Covid-19 restrictions. Mr. Tischler ultimately pleaded guilty to inciting a riot and received a non-carceral sentence. He was also a fierce critic of the Black Lives Matter protests that took place in the aftermath of George Floyd’s murder.

Mr. Masoud admits that he was driving by Mr. Tischler’s house when he saw him outside; that the two exchanged words; that Mr. Masoud slapped the phone Mr. Tischler was using to record him out of his hands. PSR at ¶ 22(a). Mr. Tischler’s statement to the press in the immediate aftermath tracks these admissions entirely. Further, Mr. Tischler himself identified an individual other than Mr. Masoud as the individual who hit him and identified Mr. Masoud as someone known to him from a George Floyd memorial service led by Black Lives Matter. See <http://bit.ly/40Pt29d>. Mr. Tischler called Mr. Masoud “a terrorist” for “coming to his neighborhood” but said nothing about Mr. Masoud’s culpability other than making a threat. *Id.* Mr. Masoud independently corroborated his prior relationship with Mr. Tischler at his pre-Sentence interview. PSR at ¶ 24 (“I had encountered him and argued with him previously at a Black Lives Matter protest where he appeared as a counter-protestor). Mr. Masoud’s actions with respect to Mr. Tischler cannot be reduced to a caricature of anti-Semitism, but instead, are the result of a prior, fraught relationship, over multiple issues that both parties consider deeply personal.

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Finally, the third incident took place several blocks from a highly confrontational clash between pro-Palestine and pro-Israel demonstrators in Times Square. See <http://bit.ly/3IBztMN>. Mr. Masoud takes responsibility for the fact that he approached and struck someone who had been present at the pro-Israel rally and without provocation. PSR at 11. Video footage of the incident shows Victim-3 carrying an Israeli flag in one hand, returning from the demonstration.

Mr. Masoud’s conduct cannot be reduced to anti-Semitism. Nor can it be reduced only to opposition to the State of Israel. Mr. Masoud was clear in his Pre-Sentence interview that the aggression he showed towards these three individuals was triggered by the death of his father and cousin, a recent break-up, and constant confrontation with counter-protestors at demonstrations. PSR at ¶ 23. He is clear that “anything could have made [him] snap because [he] was just so angry at everything”; that he should have taken a break from protesting because he was “not in the right state of mind.” *Id.* Every single one of his letters of support echoes the role that timing played in his escalating aggression. The fact that he has no prior convictions, has worked his entire adult life, and has earned his Associate’s Degree and was working towards his Bachelor’s at the time of the instant offenses, offers further corroboration for the notion that his criminal behavior was highly aberrant, and extremely context-dependent.

Mr. Masoud has taken the break he now knows he needed, from the time of his arrest on these charges. His pretrial status and his present incarceration have given him the opportunity to seriously reflect on his wrongful conduct. He understands that all three incidents stemmed from his own undisciplined reaction to simultaneous moments of acute conflict in Israel/Palestine and acute trauma in his life (the death of his father and cousin). Exhibit A, Mr. Masoud’s Letter to the Court. He has expressed not only tremendous remorse and a desire to apologize to the victims, but has re-committed himself to his faith such that he never makes the same mistake again. *Id.*

He attaches a large number of letters of support at Exhibit B. Each emphasizes the same key themes: Mr. Masoud’s commitment to helping others, through volunteering and raising money and awareness, and the simultaneous struggles he has faced overcoming domestic violence, the death of his father, the death of his cousin, and growing up visibly Arab and Muslim in a post-911 NYC. All recognize that he has erred; none make excuses for his behavior. They do however, understand its root causes, and see Mr. Masoud making an active effort to address them.

Jumana Khatib, a close family friend, describes Mr. Masoud as putting those he loves first, largely as a function of his difficult childhood.

Mahmoud Ahmed, a close friend and entrepreneur, describes the likelihood that Mr. Masoud’s grief — after the loss of his father and cousin — played a huge role in his actions during the protests in 2021.

Ahmed Hussein, a Sargent in the United States Army, FDNY firefighter, and former MOS of the NYPD, describes Mr. Masoud as someone like himself — committed to helping others, and being of service wherever possible.

Rushdy Hauter, LCMSW, describes Mr. Masoud’s kind heart, despite the struggles he endured growing up.

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Reem Hassan, Mr. Masoud's sister-in-law describes Mr. Masoud going above and beyond for others, known and unknown, by volunteering and raising money in the community, all despite the loss of his father in 2021.

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SHREYA YALGA 1952-2012

Mr. Masoud's mother, Fadwa Jaber with whom he hopes to reside upon his release, describes Mr. Masoud's life as being defined by being both a victim of, and witness to, domestic violence, at the hands of both his father, and her second husband.

Fade Masoud, Mr. Masoud's brother, describes Mr. Masoud's moving attempt, at the end of his father's life, to reunite his father with all of his children, so that he would not die with regret. He describes Mr. Masoud's regret for the offense conduct.

Fatma Elhousseini, Mr. Masoud's sister, goes to great pains to describe Mr. Masoud as someone who puts the suffering of those around him before his own, no matter its magnitude. She recognizes that repressed trauma bubbled over, causing him to commit the instant offenses. Her description of Mr. Masoud as technically her half-brother, but someone who never treated her as anything other than a full sibling, is itself, telling.

Nour Elhousseini, Mr. Masoud's sister, describes Mr. Masoud's constant presence in her life; his struggles after losing his cousin and his father; her desire to have him attend her high school graduation, as he has so many of her milestones.

Applicable 18 U.S.C. 3553(a)(2)-(7) Factors

The proposed sentence is more than adequate to deter the defendant from engaging in other criminal acts in the future, and to protect the public. The defendant has never before been incarcerated. A full six months of imprisonment is certainly more than a taste of what awaits him should he recidivate. Indeed, a similar type of sentence is routinely employed in the State court system with first felony offenders deemed unsuitable from probation.¹

Six months' imprisonment will importantly avoid creating large sentencing disparities between that imposed in the case against Mr. Masoud, and that imposed in similar state prosecutions currently pending. Waseem Awadeh, for example, facing charges stemming from the same Times Square May 20, 2021 incident described above, *supra*, is expected to be sentenced to six months' imprisonment. See <https://bit.ly/40YfsAC>. Defense counsel is informed by Mark Kleiman, that criminal charges stemming from an incident where pro-Palestine supporters allegedly *threw glass bottles* at several pro-Israel individuals who were eating outdoors at a restaurant are currently expected to reach a non-custodial disposition. See <http://bit.ly/3K50nqC>.

¹ State sentences of six months incarceration and five-years' supervised release, a so called "split sentence," are common and likely to be the most severe punishment Mr. Masoud would face had State authorities chosen to prosecute him. It is worth noting that a six-month sentence is deemed "city time" and the defendant serves only four months. By contrast, as this Court is no doubt aware, there is no "good time" reduction at all for a six-month federal sentence.

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The offense conduct herein is serious, but neither of the assault victims were seriously injured. That is, under New York law, both offenses would qualify for “physical injury,” rather than “serious physical injury.” Mr. Masoud did not employ any weapon.

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Ultimately, Mr. Masoud has learned his lesson; despite his serial failure to abide by the terms of his home confinement, he did not attend a single other pro-Palestine demonstration, though many took place during the period of his pre-trial proceedings. His participation in weekly counseling (which he never failed to attend) fulfilled 18 U.S.C. § 1353’s focus upon rehabilitation; not only did Mr. Masoud develop tremendous insight into why he acted with aggression towards the victims, but he recommitted himself to his faith, praying daily and attending Mosque weekly. He wishes to apologize; he sees the consequences of his actions; he pleaded guilty and appeared in court when remand was imminent. He does not defend his actions, nor do we intend to in this submission. We thus ask that you impose a sentence of six months’ imprisonment, and three years post release supervision.

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PROCESS SERVER
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Respectfully submitted,

/s/
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rhiyatrivedi@gmail.com

Dated: February 17, 2023

EXHIBIT

A

February 5, 2023

The Hon. Denise Cote
District Court Judge
Federal District Court for the Southern District of New York
500 Pearl Street
New York, NY

Dear Judge Cote,

The purpose of this paper is to show case my empathy for my invalid retaliations against Israeli counter protestors and to apologize for my actions during the pro-Palestinian protest that took place in May of 2021. Regardless of what my actions may have suggested, I am a fellow American citizen, born and raised in the United States, earning my education and well-being here, as well as leading a life amongst other fellow Americans of different cultures and beliefs.

I never intended to cause harm to anyone. Growing up in Brooklyn, I spent my whole life avoiding crime and violence because it was contrary to how I was raised. I always believed the pen was mightier than the sword. During the 10-day protest, that started May of 2021, pro-Palestinian protestors took to the streets of New York City to protest against injustice in Palestine. During each of the protests, we were met by aggressive counter protestors. They spat at us, referred to us by terrible names, and I was physically assaulted, with pepper spray. When we clashed with them, the NYPD would never step in to stop them, or to at least, dissolve the altercation.

The NYPD had several opportunities to prevent the counter protestors from hurting me, and never did. Eventually, after continuously attempting to retreat, I was forced to defend myself, as I was backed into corners with no other options, which led to my altercations with the counter protestors. I had no hate or intentional malice towards anyone. My only issue was with the injustice in Palestine, where my parents are from. I am truly disappointed in how Palestinians are being treated overseas and in America for the past few decades, and as a fellow American citizen, I was disconcerted at how the counter protestors were allowed to assault the pro-Palestinian protestors, who are also Americans, with complete immunity, and with no intervention from the NYPD to provide protection. I asked myself, several times, even more so than the injustice occurring in Palestine, how is this fair?

Unfortunately, however, I was ignorant in my actions and in how to properly retaliate against the physical abuse I endured during the protests. In a sense, I fought fire with fire. I see now that was a mistake. Mistakes, however, are human nature.

As a matter of fact, in reference to mistakes, I took a philosophy class, during my undergraduate college career, that addressed human error. The class taught me that the difference between animals and humans is that unlike animals, when humans make a mistake, they can identify their mistake and change their behavior to perhaps ensure they will not repeat the same mistakes again.

I identify that I have made a grave error and vow to make sure it will never happen again. I fell victim to their trap, allowing myself to look like the villain, when in fact, my initial purpose was contrary to the case. Ironically enough, through my research of the injustice in Palestine, I found that the same tactics are being used against Palestinians in the Middle East too.

Islam is a peaceful religion, and its teachings are beautiful, and perfected in a wise manner for its followers to project peace, prosperity, sincerity, and morality. Unfortunately for its followers, extremist leaders across the world have dishonored Islam's purpose and have allowed it to be tainted across media platforms.

I never considered myself a religious individual, growing up. My mother and father were born in Jerusalem, during the first revolution in Palestine. With war brewing, and a weak economy, my parents eventually married and migrated to New York City.

Eventually, my mother birthed me and my two brothers. Although I did not grow up with my father around much, after my parents divorced, when I was in the first grade, I remember noticing my father's passion for his country's freedom, and made sure I would never forget my roots.

Elsewhere, during the 10-day protest in May of 2021, I received word that my father was diagnosed with cancer and that it was rapidly spreading all over his body; shortly after, he passed away. On his death bed I promised him I would continue to peacefully protest for our country's freedom, just as he did.

Then, after returning to the protests, I unfortunately became more aggressive, and lead the protestors in the wrong direction, due to my lackluster state of mind.

During the protest, my cousin, Modraan Tayeh, who I spent most of my life around, supported everything I was doing to spread awareness. He carried me on his shoulders while I chanted and delivered speeches. Unfortunately, during the protest he too passed away, for reasons I prefer not to disclose.

I had lost two family members, in this short time, which left me feeling lost, alone, angry and frustrated, with no sense of direction. I discharged that anger on the aggressive counter protestors. Looking back today, I realize I was in the anger stage of grieving and acted out of character.

Today, and for many days since the encounters, I wish I could sit down with the victims and apologize to them for how I acted, because I was not in the right state of mind. They too are fellow American citizens, and they did not deserve the retaliation they endured from me. The mistake I made has allowed me to become a better person, which I believe should be the goal of every individual out there, to grow from their errors. I believe everything happens for a reason and God has already written my story.

To expand on this belief, had I not gotten into the altercations, I would have never been on house detention, which has given me thorough time to reflect on my actions, as well as, a lot of reading, including the Holy Quran.

My cousin Modraan and I purchased several copies of the Quran to donate. Ultimately, the one copy, his copy, that remained in my house after his passing, was the one I ended up reading, cover to cover. And because of that, I now pray five times, daily and I have gained the knowledge on how to be a righteous person. I recognize that I followed an incorrect path during the protests. I see now I must walk a straight path of self-righteousness and peace, and everything I say or do should be for God.

God is greater than the Palestinian struggle, and if I did everything for Him, instead of my selfishness, I would not have been in the predicament I find myself in today. I understand that now, and I am thankful to God for what He has shown me. In this short time, I have learned to lead a different life, using the revelations of the Quran to help guide myself and people back to the light. That is my only objective. After this case is done, I plan on becoming a scholar of Islam so I may help guide others.

/s/

Saadah Masoud

EXHIBIT

B

From: saadah masoud saadah.masoud1@gmail.com
Subject: Fwd: Pardon Letter (please revise)
Date: February 2, 2023 at 3:45 PM
To: Rhiya Trivedi rhiyatrivedi@gmail.com

SM

----- Forwarded message -----

From: **Ahmed Hussein** <ahmedhussein321@gmail.com>
Date: Thu, Feb 2, 2023 at 3:40 PM
Subject: Pardon Letter (please revise)
To: <Saadah.masoud1@gmail.com>

To whom it may concern,

My name is Ahmed Hussein and I have been a close friend of Saadah Masoud for over 15 years. I am a Sargent in the United States Army, an active firefighter in the FDNY, and a former NYPD Police officer for four years. I am currently writing this letter while on a combat deployment in Somalia with 1/69th Infantry Division. I am on a year deployment and not set to return home until July 2023 god willing. The intent of this letter is to speak on behalf of my good friend and plead with you that you may pardon him or at minimum reduce his sentence so that he may continue being a positive contributing member of society and make amends with his shortcomings.

Saadah over the years has been a prime example of personal growth, resiliency, and compassion. Saadah is a driving force in our community and the backbone of his friends and family. It was with Saadah that I went to the recruiting office so that we may both sign up for the service. It was with Saadah that we took the open competitive exam to become police officers and although he was unable to join, the intention and the dignified purpose behind it was and is still there. As Muslims it is our purpose in life to serve others, to prohibit what is evil and enjoin what is good. Saadah serves as a role model for his younger siblings often at home tutoring them with their math homework or supporting his brothers football matches in the stadium. Last summer it was his idea that we all volunteer for Muslims giving back; a nonprofit organization that distributes food and supplies to the homeless in the heart of the city. He sponsored several nights of catering in the name of those who are no longer with us. Saadah has faced many challenges in his life, many of his close friends dying at a very young age from overdose but he stuck by his good friends and never went down the same path. He recently endured the loss of his father, where he traveled to comfort him on his death bed and making amends for his father was absent for most of his life. Saadah continues to gain a higher education at Baruch College and sharpen his skills at trading stocks. He is our go to guy when it comes to making decisions in

the stock market and he's proven to be very successful at it. Although he has made a mistake and had a lapse of judgement, he is competent and ethically moral to stand by living a life of good and adhering to being a valued member of our society.

Your Honor I am asking you and pleading with you on behalf of my service and sacrifice to this country to pardon Saadah Masoud. I have lived by the Army values and executed every order from my chain of command diligently, I have ran to save the lives of innocent victims in the streets of NYC from danger placing their well being above my own. I have ran into burning apartments with the bravest of men to protect our community members lives and property. If my service is of any value to our country and community all I ask is for Saadah to be pardoned so that he can continue being the cornerstone of his family and friends. I am in no way shape or form condoning violence or hate but I believe Saadah has learned his lesson and will continue a life of pious efforts. I wish to reunite with my friend who I consider a brother when I return safely from this deployment. I have faith in my friend and I believe our commitment to being the best servants of our community speaks volumes and tips the scale against his infraction. Please allow us to stay a family and do not severe our bond of brotherhood by placing him in prison.

Dear Judge Cote,

My name is Fade Masoud and I am writing this letter pleading for your leniency when sentencing my brother Saadah Masoud. I am Saadah's eldest brother, and I can personally vouch for my brother that he is one of the kindest, caring, ambitious, and most soft-hearted person I know. Growing up we have had our shares of a rough childhood. We grew up in a household with 6 children and a single mother who did her best to provide for us. Our father not being present took a big toll on Saadah as we had to grow up faster than most children our age did and had more responsibilities put on our shoulders. Despite the challenges that my brother has faced Saadah grew up to become very independent, ambitious, and cares about everyone around him. Growing up I often watched him contribute to charity, provide meals for the homeless, and participate in events to help benefit the community.

When I was a child, I promised myself to never ask about my father who abandoned us however, despite what he put us through Saadah was the only one out of my siblings who kept in contact with him and tried numerous times to help us reunite with him. Of course, this was something I was never open too and continuously told Saadah to leave me out of. When my father was diagnosed with lung cancer in the year of 2020 his last wishes were to reunite with his children. While I still didn't have the heart to see or even speak to my father, Saadah did the impossible in making it happen without giving up. Saadah's last resort was reaching out to my wife and speaking to her to help get both me and my son, my father's first grandchild to finally reunite again. Until this day, I am not sure how this happened after promising myself to never speak to my father again, Saadah made it happen. After 15 years, Saadah flew my father out from Florida to reunite with his children, meet his daughter in law, and meet his first grandchild for the first time. This is just one example of the differences Saadah has made in peoples lives. Allowing us to reunite with our father has brought us closure we never knew we needed. While life seemed good for a while, having our father back in our life, and enjoying having the father we never had in our childhood, it was all taken away from us 9 months later. On July 15, 2021 our father succumbed to cancer and we lost him all over again, but this time permanently. This affected my brother Saadah the most because what he worked so hard to bring him back into our lives, was gone in an instant. Saadah was never the same after we lost our father.

I am not writing this letter to make excuses for my brother's actions, however there are things that occur in life that can break a person, and I know losing our father broke my brother. Remaining strong for the rest of the family, Saadah was the only one who flew out to Florida to bury my father. He showed strength that I personally didn't have. The way I see my brother interact with my son, his only nephew solidifies my perspective on what a great individual Saadah is. My son is so attached to his uncle and asks to speak to him and see him on a daily. It would break my heart to not have Saadah present in watching my son grow through primitive years in his life. Saadah is the glue to our family, and it has been this way since we were children. It would break our family apart to have him go away for a long time. I can tell you firsthand Saadah regrets his actions and shows extreme remorse in our conversations. There are many things in life that we can't take back, but I know this is an instance where Saadah wishes he can turn back in time and change his actions. This experience has made Saadah grow, become calmer, and wiser. I can assure you he will never repeat anything like this again or put himself in a situation where he will harm others and jeopardize his life. I plead with you Judge

Cote to take it easy on my brother and be lenient with your sentencing. Thank you for taking time to read this letter.

Sincerely,
Fadi Masoud

From: saadah masoud saadah.masoud1@gmail.com
Subject: Fwd: Saadah Masoud
Date: February 2, 2023 at 8:57 PM
To: Rhiya Trivedi rhiyatrivedi@gmail.com

----- Forwarded message -----

From: **fadwa jaber** <fadwajaber90@gmail.com>
Date: Thu, Feb 2, 2023 at 8:54 PM
Subject: Saadah Masoud
To: <Saadah.masoud1@gmail.com>

To the Honorable Judge Cote,

My name is Fadwa Jaber, the mother
Of Saadah Masoud. I honestly don't were
To start, my son Saadah had a tough upbringing,
It all started when I married their dad, at the age of 16, I had Saadah when I was 18, the marriage was an arranged marriage do to our
culture and religion. It was a marriage from hell, my kids saw me being physically abused by their dad. For many years. It was the
worst thing ever to have my kids see me being abused by their father. Saadah grades started going down, couldn't focus in his school
work. When I started seeing all this happening to my kids.
I finally had the courage to pack my things and leave their father and move from Florida to NY next to my family. Once I got to NY I
was able to divorce their dad. When things started to get A little better, I decided to get remarried, to their step dad, I needed help
raising my boys and he made think he will always be there for my kids and me, has the years started to pass, he started treating my
boys very badly and all over again they once again stared to see me being physically and mentally abused by their step dad. Saadah
seeing this again, he left the house and turned to using drugs and acting out in school, when I felt I was going to lose my son, I finally
got the courage and left my ex husband. Start to get the help for my son that he needed.
He was able to finish High school and go to college.
With everything he has been through in his life and specially seeing me being physically and mentally abused by both my ex
husbands. I very proud of how he has overcame everything in his life and was able to turn things around in his life. I know every
mother says the Same about her kids, but Saadah has the biggest heart you can imagine, always will to help everyone in need of
help. I remember when my nephew passed away, (his cousin) how he took over and made all the funeral arrangements for him, and
how he collected donations to build a well in his name in Africa. That was one of my proudest moments of my son Saadah. Please
your honor I hope you put all this into consideration, when handing down your sentence. He has definitely turned his life around, and I
am so proud of the man he has become. Everything that happens in life is always a lesson learned. Thank you for your time and
understanding.

Sincerely,
Fadwa Jaber

Sent from my iPhone

Dear Judge Cote,

To begin, my name is Fatma Elhousseini. Saadah Masoud's little sister. I want you to keep the different last names in mind as you read further into this letter. Before I go any further, I want to address two brief points. First and foremost, do I know whether you intend to read my letter? No...will I still write it? Indeed. Did I initially have any intention of writing this letter? Nope...will I still write it? Indeed. See what I did? Neither you nor I may want to do anything personally, but for the betterment and benefit of others, we take it into consideration and move on forward. That was exactly what happened with my elder brother, only the balloon was packed with so much helium that it exploded and made a bang that everyone could hear.

I'm unsure whether you're aware of my brother's experiences and the sacrifices he's made for the people around him. The list goes on and on, from tearing an ACL to getting beaten so badly that he had to be hospitalized. And you may think that I'm full of crap for what I'm about to say next, because I'm sure you've heard it all, but his main priority while he was down, was to keep everyone around him up. Are you aware of how much strength it takes to do such a thing? To suppress your emotions, even rage, and despair, in order to maintain the smiles on the faces of people he loves? It eventually gets too much for a person to bear, and you can't keep things bottled up forever, that bottle will begin to crack and eventually break.

Remember the different last names? When half-siblings meet an ordinary person, that person's interest grows and they ask the traditional question...do you consider him your true brother? If I had a dime for every time I was asked this question I would most certainly be rich. Most people don't consider them to be and even treat them differently, but I can promise you, Judge Cote, that we are not typical. I didn't know what a half-sibling was until I reached middle school, and when I questioned my brother about it, he basically told me there's no such thing, full blood or not, we're still just as much brother and sister as the others. His compassion is not limited to family members in any manner. Essentially, I'm arguing that he's human, and we all make mistakes, but instead of abandoning them, he learns from them. He's just someone who went through a rough patch; before all of this, he wasn't known for this behavior. Someone who was so focused on people and other things that he disregarded his own feelings, and it ultimately caught up with him. All I ask is that you give him an opportunity to show you who he truly is. Thank you for your time.

Sincerely,

Fatma Elhousseini

From: Jumana Khatib jumanak19@gmail.com
Subject: Saadah Masoud
Date: February 5, 2023 at 10:10 AM
To: rhiyatrivedi@gmail.com



Dear Judge Cote,

I write to you today on 2/3/2023 to plead for the most lenient sentence for Saadah Masoud. I am a good friend of Saadah and have known him for quite some time and I can genuinely say that he has the biggest heart a person can have. He is caring, thoughtful and so incredibly family oriented. He is constantly putting his loved ones before him and spending time with his little sisters and nephews. I have never seen a person that values their family as much as him. Saadah has always been hard working and juggling multiple jobs to keep afloat. He has had a very difficult life and took on the father figure early in life since his biological father wasn't in the picture and then passing away from cancer a few years ago. Saadah has so much ambition, charisma and drive and it would be a shame if that was stripped away from him. He regrets the decisions he has made in the past and has always vocalized that to me. Saadah has completely shifted his lifestyle and has centered all his decisions and actions around God, I see him as so much more patient and calm now. His upbringing has been tough but I know that he will use these mistakes to educate the youth on how to stay on a more straight and narrow path. He deserves another chance to leave a positive footprint on this earth.

Thank you for your time and consideration.

Regards,
Jumana

Dear Judge Cote:

My name is Mahmoud Ahmed. I am a friend and colleague of Saadah Masoud. The purpose of this letter is to convey the rough patch Saadah has gone through in his life, over the last couple of months, and to provide reason as to why he should receive the lightest possible sentence, if at all.

Before I write about Saadah, I want to provide some information on myself. I am a graduate of the LIU School of Business, Class of 2019. I graduated with a Masters of Public Administration, with distinction. Currently, I own an insurance agency, Guardian Insurance Brokerage, and I work in New York City servicing the Medicare population with Medicare Advantage plans. I have been serving the Medicare population since 2015 and I have been labeled as an anchor in the community, that people can confide in to receive service.

For the 10 years that I know Saadah, he is consistently striving to be a better person. He was always available for his family, and with the encounters I had with his mother, he was the child she relied on the most for emotional support.

In addition to being around for his family, Saadah was continuously working on himself too. He was usually at work, if not, in school. Although he has yet to complete his college career, he was recently in school during the past Fall 2022 semester, continuing his education. Saadah always communicated to me his intentions on either being a business man, or working in the hospitality industry, since he was a people's person and easily likeable by all who meet him.

Saadah's intentions during the protests that took place during 2021 were seemingly out of his character. He is a decent person who respects others and himself, carrying himself with dignity and honor. His father passed away during the protests, and shortly after, his cousin, who he considered his best friend. I am sure that due to these incidents, Saadah had difficulty coping with his losses, which unfortunately led to his acts during the protests.

Your honor, please understand, that the actions perceived during the protests are out of character for Saadah. He is a peaceful, law abiding American citizen, and wants nothing short of a successful career and to one day start a family of his own.

Should you have any further questions, please do not hesitate to reach out to me directly.

Many thanks,

Mahmoud Ahmed, MPA
718-664-4925

Dear Honorable Judge Cote,

I hope this letter finds you well. I ask you to consider giving my beloved older brother, Saadah Masoud, the most lenient sentence possible. Your honor, Saadah has had a complex upbringing and I intend to shed some light on it that will make his actions much more understandable.

We grew up without our biological father. Although I had no memory of him, my brother Saadah did. So, when my mother remarried it was hard for him to live with the idea of another man being our 'Father' in the house. It was less complicated when my mother was raising us single yet still a struggle. As years went by and my mother had children with her then husband, our stepfather abused my mother. My brother Saadah witnessed this abuse growing up, at times even receiving some of the abuse himself. We have such a strong relationship with our mother, he witnessed this abuse feeling helpless, not being able to 'fight' for her wellbeing. But this feeling of helplessness didn't last forever, Saadah eventually took matters in his own hands and removed our stepfather from our household resulting in his first arrest. Which, in retrospect, we are grateful for. But no teenager should be in such a dilemma. It's in his instincts to protect his struggled loved ones... like our family back in Palestine.

Growing up post 9/11 we witnessed our mother, whom wears a hijab, get treated terribly for absolutely no reason from the randomness of people. This is not something we could understand growing up. The memories of our mother, the sweetest and most caring person we knew, getting spat on, cursed at, treated terribly by neighbors and consistently being called a 'terrorist' in front of us were surely going to stick with us. Even after witnessing such behavior, my brother Saadah did not reciprocate this type of prejudicial treatment to others. We were raised to love & protect the ones that couldn't protect themselves. My brother Saadah is widely misunderstood but that's because people don't understand his intention, his intention to protect the helpless or his loved ones.

My brother does not belong in prison, he is not a menace to society or a threat. I would say after all these legal troubles and the house arrest, my brother has really woken up and seen there's a correct way to fight societal battles and there's a wrong way. It would break my heart to see my brother go to prison, subjectively. Objectively, it would be such a shame to see someone with such pure and good intentions for the people in need to go to waste during the times we live in now. All he has ever wanted was to find purpose in this purposeless world and bring awareness to our family's struggles back in Palestine. I would like to see my brother finish school and become a leader in our communities, with his past mistakes being a tool to help guide the next generation of the confused youth.

Please do consider being lenient with his sentence, your honor. His presence in our community will be missed undoubtedly.

Thank you for your time,

Mohammad Masoud

Defendant's younger brother

----- Forwarded message -----

From: **Nour Elhousseini** <22elhousseini@gmail.com>

Date: Mon, Jan 30, 2023 at 6:54 PM

Subject: nunu's letter to judge cote!!

To: <Saadah.masoud1@gmail.com>

Dear Judge Cote,

First I would like to introduce myself. My name is Nour or as what most of my family members call me, Nunu. One of those family members being Saadah Masoud. I wouldn't say i'm the brightest of the family when it comes to writing so please excuse the way I format my letter to you. Saadah being not only my second oldest brother but one of the men who raised my siblings and I. Saadah has watched me become a women, he's pushed me to do nothing but succeed, he never missed a second of our growing ups, he was always there. He never missed an award ceremony, he never missed a graduation, or a dance performance of mine growing up and he always encouraged us to be successful when it came to our future eductions. Saadah is the reason that as a sophomore in high school I organized a fundraiser towards palestine and raised over \$300. Saadah is the reason I became the vice president of American Muslim Association. But what people don't know is that growing up on the days I couldn't sleep I would go into saadah's room and sit and talk to him for hours. One of the many conversations i'll never forget is when late at night saadah looked at me and said "you're going to be the peacemaker of the family". In that moment I knew I always reminded him of the younger version of himself. He was the person I found my peace in, he is the person I feel safe with. I will never forget about the times where we would build a fort and and watch all the twilight movies. That man watched all the twilight movies for his little sister and being realistic no grown man wants to watch all the twilight movies back to back. I could name so many times where I didn't see him as a brother, instead I seen him more as a father figure because i've never met a man that would do anything for his little sister the way he does for me. Saadah lost his closest cousin and his dad in the same year due to cancer. He watches his friends drop like flies, but not only did he watch his dad and cousin pass. But his aunt, our aunt. Unfortunately I never got the chance of having her in my life very long, but Saadah did. She was a strong Palestinian women, the way saadah talked about her to me was a way I wish I would be talked about. Saadah has been fighting for palestine since he was young, to him it feels like it's not going anywhere, like his voice isn't being heard. As if Palestinians are mute and the listeners are deaf. He's been surrounded by women and men that fled their country and worked all their lives in hopes of better lives for their children, for him. He wants peace, the peace that he can't have because nobody's heard his story. If you were to ask saadah "what's going on in your head?" he could speak for years, everyone knows that about him. I want my brother to finally experience the peace he's given me growing up and the feeling of shelter that he still gives me. Saadah can swear up and down I saved him, but he'll never realize that he saved my life time and time again. Please give him that little bit of peace Judge Cote. My little brothers a sophomore in high school, I'm a junior in high school and my sister is a senior in high school. My sister fatma is graduating in June, please I'm begging you Judge Cote, don't let the man that watched us all grow up miss any of our high school graduations. Thank you for hearing me, thank you for not muting me and my voice.

All My Best,
Nour Elhousseini

Dear Judge Cote,

My name is Reem Hassan, and I am writing this letter in regard to my brother-in-law Saadah Masoud, pleading for your leniency during his sentencing. I want to write this letter to give more insight on Saadah and how he truly is as a person. I've known Saadah for many years now and I can honestly say he's the most genuine, thoughtful, and honest person I've ever encountered, with the sweetest soul. Saadah goes above and beyond for everyone he knows whether it's family, friends, or even strangers. He is the greatest son, brother, friend, and the best uncle to my three-year-old son. Saadah has always had this power to bring people together for the best causes. In the years that I've known him I've seen Saadah bring others together to donate to charities, engage in meal drives for the homeless, and work within our community to make positive and beneficial impacts. Saadah brings so much light to our family and others around him. Saadah lost his father in 2021 after losing his battle to cancer. I am certain a loss this big has played a significant role on the deterioration of his mental and emotional well-being. Everyone deals with grief and cope differently and I believe this unbearable grief, has led Saadah to cope through unhealthy coping mechanisms. I don't believe this defines Saadah as a person. Dealing with loss, grief, and vulnerability Saadah has put himself in a situation in which he is now extremely remorseful of. Upon long and hard reflection Saadah is aware of how his choices have misrepresented him as a person and I can see how this has motivated him to change for the better and make necessary changes in his life that will never allow him to put himself in such circumstances again. Saadah is normally the person I know to keep and maintain the peace wherever he goes. He always wants to do what's right and does his best to never let anyone down. He acts with good intention and despite the challenges he has faced in life I know he will continue to learn and improve. Thank you for taking time to reading my letter. I beg for you to consider all these qualities that Saadah encompasses when making your final decision and determining the outcome of this case.

Sincerely,
Reem Hassan

To whom it may concern,

My name is Rushdy Hauter and I am a Licensed Master Social Worker. I am proud to offer my recommendation of Saadah Masoud to whom I have personally known for over 10 years as my close friend.

During my relationship with Saadah, I have witnessed an individual who is honest, loyal, creative and supportive to those around him. Even with the struggles he has endured growing up, he has persevered and cultivated a welcoming personality and kind heart.

Saadah is a family-person who has always tried his best to make me feel accepted and those around him. I do not see him as someone who discriminates against others so I was surprised to hear him become entangled in this situation when I did. I hope this letter and its words reach you and hope that Saadah gets a chance to continue to work on his goals of starting a family and developing a career which I believe would benefit others in the future. I am confident he is taking this seriously and is working everyday to be better.

I hope you consider my request.

Sincerely,

Rushdy Hauter

917-349-7281

Rhauter101@gmail.com