

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

STANLEY BOIM, Individually and)
as Administrator of the Estate)
of DAVID BOIM, Deceased, and)
JOYCE BOIM,)
Plaintiff,)

-vs-) No. 00 C 2905

QURANIC LITERACY INSTITUTE,)
et al.,)
Defendants.)

Deposition of KIFAH MUSTAPHA taken before
Elisabeth D. Collopy, C.S.R., R.P.R., and Notary Public,
pursuant to the Federal Rules of Civil Procedure for the
United States District Courts pertaining to the taking
of depositions, at Suite 3000, 225 West Wacker Drive, in
the City of Chicago, Cook County, Illinois, commencing
at 11:00 o'clock a.m. on the 2nd day of March, A.D.
2004.

1 PRESENT:
2 WILDMAN, HARROLD, ALLEN & DIXON by
MR. DAVID OPPENHEIM
3 MS. LEA PETROWSKI
225 West Wacker Drive
4 Suite 2800
Chicago, Illinois 60606-1229
5 (312) 201-2000
6 on behalf of the Plaintiffs;
7
FREEDMAN BOYD DANIELS HOLLANDER
8 GOLDBERG & CLINE, P.A. by
MS. NANCY HOLLANDER
9 20 First Plaza
Suite 700
10 Albuquerque, NM 87102
(505) 842-9960
11
on behalf of HLF;
12
13 JAMES R. FENNERTY & ASSOCIATES, L.L.C. by
MR. JAMES R. FENNERTY
14 36 South Wabash
Suite 1310
15 Chicago, Illinois 60603
(312) 345-1704
16
on behalf of the Defendants American Muslim
17 Society and Islamic Association for
Palestine.
18
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1 DEPOSITION OF
KIFAH MUSTAPHA

2

3 EXAMINATION BY: PAGE
4 Mr. David Oppenheim 4
5 * * * * *

6 EXHIBITS

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1 KIFAH MUSTAPHA,
2 called as a witness herein, having been first duly
3 sworn, was examined upon oral interrogatories and
4 testified as follows:
5 EXAMINATION
6 BY MR. OPPENHEIM:
7 **Q Please state your full name for the record.**
8 A Kifah Mustapha.
9 **Q Do you go by any other names?**
10 A No.
11 **Q Have you ever been known by any other names?**
12 A That's my name.
13 **Q Have you ever been deposed before?**
14 A At a deposition, no.
15 **Q Have you ever testified in court before?**
16 A No.
17 **Q Well, today in the deposition, in that case, why**
18 **don't I explain a few ground rules. I'm going to ask a**
19 **series of questions and you're going to answer them and**
20 **the court reporter is going to take down everything that**
21 **both of us and everybody else in the room says. So if**
22 **you can try real hard and I'm going to try real hard not**
23 **to talk over you, if you try not to talk over me, we'll**
24 **get a nice clean transcript out of this at the end of**

1 **the day.** Page 5
2 **If you don't understand what I'm asking at any**
3 **time, please stop me, ask me to clarify. I'm sure**
4 **that's going to happen. And if do you answer something**
5 **and don't stop me and ask me to clarify, I'm going to**
6 **assume you understood it; is that fair?**
7 A Okay.
8 **Q Now, are you represented by counsel here today?**
9 A Personally, no. I mean, I have the lawyers for
10 the HLF and IHP, but personally, no.
11 MS. HOLLANDER: Can I put on the record that my name
12 is Nancy Hollander. I represent the Holy Land
13 Foundation, and to the extent that Mr. Mustapha was an
14 employee of Holy Land, to the extent the questions are
15 about Holy Land, then we'll defend.
16 MR. FENNERTY: My name is James Fennerty, and the
17 same statement applies to myself as the attorney for the
18 Islamic Association of Palestine and the American Muslim
19 Society.
20 BY MR. OPPENHEIM:
21 **Q I'm going to hand you a document right now which**
22 **we're going to mark Exhibit 1.**
23 (Document marked as requested.)
24 BY MR. OPPENHEIM:

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1 **Q Have you ever seen this document before?**
 2 A I don't recall, no. I mean, was it sent to --
 3 **Q Well, just if you've seen it.**
 4 A No.
 5 **Q You are here today, though, because the lawyers**
 6 **asked you to come; is that fair?**
 7 A Yes.
 8 **Q I don't want to get into what the lawyers**
 9 **actually told you about anything.**
 10 A Yes.
 11 **Q Okay. Now, are you a current employee of the**
 12 **Holy Land Foundation?**
 13 A No.
 14 **Q Were you ever an employee of the Holy Land**
 15 **Foundation?**
 16 A Yes.
 17 **Q When did you stop being an employee of HLF?**
 18 A The time it was put on halt by the government.
 19 Somewhere in 2001.
 20 **Q And when did you began working for Holy Land?**
 21 A As I remember, it might be either '95 or '96.
 22 **Q And what was your title? I guess if it changed,**
 23 **start from when you began working all the way up until**
 24 **2001.**

1 A I was basically the registered agent for HLF in
 2 Illinois.
 3 **Q And what duties did that position entail?**
 4 A Conduct soliciting money for the various
 5 programs that HLF had.
 6 **Q And this was done solely within the state of**
 7 **Illinois?**
 8 A Yes, but sometimes we would go outside. They
 9 will call us to go to another state.
 10 **Q Did you work at an office regularly or did you**
 11 **work out of your home? How was that set up?**
 12 A We had a rented office. First it was in Palos
 13 Hills, Illinois, and then it was in Bridgeview,
 14 Illinois.
 15 **Q Do you remember the addresses?**
 16 A The first one maybe 9740 something on Roberts
 17 Road and the second 9250 South Harlem.
 18 **Q Were there -- How many employees, on average,**
 19 **worked at the office when you were there?**
 20 A Just myself.
 21 **Q And that's true for the entire period from '95**
 22 **to 2001?**
 23 A Yes.
 24 **Q Now, are you currently affiliated in any way**

1 **with the Islamic Association for Palestine or the**
 2 **American Muslim Society?**
 3 A We do like volunteer work sometimes for them.
 4 **Q Have you ever been a member of the Islamic**
 5 **Association for Palestine board of directors?**
 6 A You know, there's all types of boards. We were
 7 a group of volunteers and we were a committee. I'm not
 8 sure if they included that in any of the board, but I
 9 did not register to be a board member as far as I
 10 remember.
 11 **Q Now, when you say we, who does that entail?**
 12 A Myself. You know, like I am a volunteer, so
 13 they might include the name as a volunteer and -- but I
 14 don't recall having myself registered as a board member
 15 and I didn't apply for that.
 16 **Q You said that you volunteered for IAP. What**
 17 **sort of things have you done?**
 18 A All sorts of -- like, for example, distribute
 19 flyers. Sometimes they held events. If it was
 20 festivals or conventions, we would help prepare, you
 21 know, for that.
 22 **Q Have you ever helped plan any of the conventions**
 23 **or festivals?**
 24 A Festivals, no. But I was part of some of the

1 committees at conventions, yes.
 2 **Q And do you remember when you were part of the**
 3 **convention committee for IAP?**
 4 A I recall maybe two or three conventions. Maybe
 5 '99, 2000, 2001.
 6 **Q When was the first time you did volunteer work**
 7 **for IAP?**
 8 A Well, basically -- For the conventions
 9 themselves, you mean?
 10 **Q Actually, that's a good point. Why don't we**
 11 **say -- first answer the question regarding the**
 12 **conventions and then I'll get more general.**
 13 A Well, basically as a part of the committee, I
 14 recall maybe '99. Maybe at that time.
 15 **Q And when was the first time that you volunteered**
 16 **for IAP in any capacity?**
 17 A Well, maybe in '93, '94. Maybe before. I don't
 18 remember.
 19 **Q And has your work ever involved assisting in any**
 20 **way with any of their publications?**
 21 A No. Basically anything before '99 was
 22 completely limited. We do sing in a band and they
 23 invite us to sing. That was the primary type of
 24 volunteering for them.

- 1 **Q What's your band called?**
- 2 A Al-Nujoum
- 3 **Q Can you spell that?**
- 4 A A-L N-U-J-O-U-M.
- 5 **Q What does that mean, just out of curiosity?**
- 6 A Stars.
- 7 **Q Have you ever been in any other bands?**
- 8 A Well, we have a local band here that's in
- 9 Chicago.
- 10 **Q What's that?**
- 11 A That's called Isra, I-S-R-A.
- 12 **Q What does that mean?**
- 13 A A trip, like walking in the night.
- 14 **Q Have you ever heard of a band called Al-Sakhra?**
- 15 A Yes.
- 16 **Q Were you ever in that band?**
- 17 A Well, basically we were Isra and then Al-Sakhra
- 18 was like nationwide, and we would go representing Isra
- 19 joined with Al-Sakhra, yes.
- 20 **Q So Al-Sakhra was -- and I apologize for my**
- 21 **butchering of the pronunciation -- was essentially a**
- 22 **name under which various local bands played; is that**
- 23 **what you're saying?**
- 24 A When I first started the band thing, it was

- 1 under Isra. That's the name for local guys. We are
- 2 here in Chicago. But there was Al-Sakhra established
- 3 already somewhere. It wasn't an umbrella for others,
- 4 no. It was a band by itself, and we would go perform
- 5 together.
- 6 **Q And during what time period are you talking**
- 7 **about when you would perform Isra and Al-Sakhra?**
- 8 A Maybe '91, '92 at the earliest.
- 9 **Q Until when?**
- 10 A Until -- Now it's all Al-Nujoum. We, you know,
- 11 formatted together Al-Nujoum.
- 12 **Q So is Al-Nujoum a combination of the bands that**
- 13 **were Isra and Al-Sakhra?**
- 14 A No. It was an idea we came up with, a few guys.
- 15 And then whoever wanted to join in, you know, new guys,
- 16 old guys, that's what happened.
- 17 **Q When was that band formed?**
- 18 A '95 or '96, something like that.
- 19 **Q You mentioned that you have been invited by IAP**
- 20 **to perform at some of their annual conferences. Do you**
- 21 **know which ones you had performed at?**
- 22 A Since '91, basically -- conference, I don't
- 23 recall. But for festivals, almost every year.
- 24 **Q Okay. What, just out of curiosity, is the**

- 1 **difference between a conference and a festival?**
- 2 A A conference is a three-day program that people
- 3 come and sleep over and family-type of stuff. A
- 4 festival is a one-day, two hours, you know, party, if
- 5 you want to call it.
- 6 **Q Do you speak any languages other than English?**
- 7 A Arabic.
- 8 **Q Are you fluent both reading and writing in**
- 9 **Arabic?**
- 10 A Yes.
- 11 **Q Do you speak any other languages?**
- 12 A Little bit French. That's all.
- 13 **Q Now, we've talked some about your involvement**
- 14 **with Holy Land Foundation, which from now on for ease**
- 15 **I'm going to call HLF, and the Islamic Association for**
- 16 **Palestine, which I'm going to refer to as IAP, and also**
- 17 **your bands, Al-Nujoum and Isra. Have you been involved**
- 18 **in any other organizations over, say, the past 10, 15**
- 19 **years?**
- 20 A Could you be more specific?
- 21 **Q I mean, have you volunteered with any other**
- 22 **organizations?**
- 23 A I believe, yes. Maybe too many.
- 24 **Q Let me ask you this then. Are there any that --**

- 1 **other organizations that you've volunteered for that you**
- 2 **put the same amount of time and effort in as you have**
- 3 **with HLF or IAP?**
- 4 A No.
- 5 **Q Have you ever been public spokesman for any**
- 6 **other organizations?**
- 7 A No. Well, now I am employed by an organization
- 8 which I am a public speaker for that organization.
- 9 **Q Which organization is that?**
- 10 A The Mosque Foundation.
- 11 **Q And when did you first start working for the**
- 12 **Mosque Foundation?**
- 13 A March of 2002.
- 14 **Q And have you been an employee spokesperson for**
- 15 **any other organization prior to that?**
- 16 A Well, I'm not employed as a public spokesman.
- 17 That's part of what I do. But I was never employed as a
- 18 public spokesman for anybody.
- 19 **Q Where did you work before working for the Mosque**
- 20 **Foundation?**
- 21 A HLF.
- 22 **Q And during the time that you were employed by**
- 23 **either HLF or the Mosque Foundation, have you held any**
- 24 **other jobs?**

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1 A At the time of HLF, no. Now I'm employed by the
 2 Mosque Foundation.
 3 **Q But --**
 4 A I'm not employed by somebody else. Just the
 5 Mosque Foundation.
 6 **Q Thank you. Are you familiar with -- Strike**
 7 **that.**
 8 **Are you aware of any connections between the**
 9 **Mosque Foundation and HLF?**
 10 A The only connection is as an institution for the
 11 Mosque Foundation, people will apply to come and solicit
 12 funds for certain projects they believe, and the Mosque
 13 Foundation might accept or reject their application.
 14 And that's how it was at the time when I was employed by
 15 HLF. We would request and then they will say yes or no.
 16 **Q So did HLF work with the Mosque Foundation in**
 17 **any projects while you were employed by HLF?**
 18 A I wouldn't say they worked on projects. They
 19 would only appeal. They would have a session to talk to
 20 people, and then the Mosque Foundation will say yes.
 21 They will allow them to come and talk to the
 22 congregation about their projects.
 23 **Q So HLF would come and solicit funds at the**
 24 **Mosque Foundation?**

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1 A Yes.
 2 **Q Was that something that happened regularly?**
 3 A Yes. On a yearly basis, maybe once.
 4 **Q And do you know of any relationship between the**
 5 **Mosque Foundation and IAP?**
 6 A Same. Like HLF would come and request, IAP
 7 would come and do the same thing.
 8 **Q As part of your work for IAP, were you ever the**
 9 **one that went to the Mosque Foundation and asked for**
 10 **permission as you put it?**
 11 A No.
 12 **Q How about for HLF?**
 13 A Yes, I was the one.
 14 **Q Were you always the one?**
 15 A Well, basically, yes. But sometimes I may be
 16 somewhere else. You know, the headquarters in Dallas
 17 might contact.
 18 **Q When you made these contacts, was it always with**
 19 **the same person at the Mosque Foundation?**
 20 A No. Because every two years they have new
 21 presidents and new board members. You have to go
 22 through the president most of the time. So he changes
 23 every couple years or something like that.
 24 **Q So when you were to make these overtures, you**

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1 **would go to the sitting president of the Mosque**
 2 **Foundation?**
 3 A Or the leader of the congregation we call imam.
 4 **Q Has that been the same person?**
 5 A Yes. The imam has been the same, but the
 6 president changes. And usually we need to get the okay
 7 from the president.
 8 **Q Is the imam Sheikh Jamal Said?**
 9 A Yes.
 10 **Q He's been the imam since you began working for**
 11 **HLF?**
 12 A Yes.
 13 **Q Have you heard of an organization known as the**
 14 **Quranic Literacy Institute?**
 15 A I just heard the news.
 16 **Q Have you ever been involved with them in any**
 17 **way? Employed, volunteer?**
 18 A No.
 19 **Q Do you know if they have any sort of**
 20 **relationship with the Mosque Foundation?**
 21 A I have no idea.
 22 **Q You never, when you were working with HLF, saw**
 23 **that they were involved in working with the Mosque**
 24 **Foundation as HLF and IAP were?**

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1 A Not to my knowledge.
 2 **Q How about now? Now that you are an employee of**
 3 **the Mosque Foundation, have you had any dealings --**
 4 A Not to my knowledge.
 5 **Q -- with QLI? I'm sorry. If you could just let**
 6 **me finish. I know I speak slowly sometimes.**
 7 A Sorry.
 8 **Q Are you familiar with an individual by the name**
 9 **of Mohammed Salah?**
 10 A Yes, I know him.
 11 **Q And how do you know him?**
 12 A Well, he attends the mosque.
 13 **Q That is the Mosque Foundation?**
 14 A Yes.
 15 **Q When was the first time you met him?**
 16 A I don't recall. But since I started working for
 17 the Mosque Foundation, I see him daily.
 18 **Q Do you recall if you knew him before you began**
 19 **working for the Mosque Foundation in 2000?**
 20 A I only knew the name when the case started, you
 21 know, but I don't recall that I know him personally.
 22 **Q And has he been involved in any of the functions**
 23 **of the Mosque Foundation other than as a worshipper?**
 24 A Not that I know of.

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- 1 **Q Are you familiar with an organization called**
- 2 **UMAA, U-M-A-A?**
- 3 A Yes.
- 4 **Q What did -- Have you been involved with them in**
- 5 **any capacity?**
- 6 A No.
- 7 **Q You've just heard of them?**
- 8 A Well, they are visible in the community, you
- 9 know, like any other organization. They conduct
- 10 activities, so yes, you see them.
- 11 **Q You've never been involved in any of those**
- 12 **activities, though, have you?**
- 13 A Well, we attend. Like any other fund-raising in
- 14 the community, you go. But I understood from your
- 15 question like to be part of their -- no, I haven't been
- 16 part of their board or team.
- 17 **Q Have you ever personally contributed money to**
- 18 **UMAA?**
- 19 A Maybe.
- 20 **Q So have you ever personally contributed money to**
- 21 **HLF?**
- 22 A Yes.
- 23 **Q How about IAP?**
- 24 A Maybe, yes.

- 1 **Q QLI?**
- 2 A No.
- 3 **Q Are you familiar with an organization called**
- 4 **CAIR, C-A-I-R?**
- 5 A Yes.
- 6 **Q Have you volunteered or worked for them?**
- 7 A You know, this is a national group in which they
- 8 would come to the mosque like any other organization. I
- 9 don't recall that I have been part also as an assigned
- 10 team or a group as a volunteer, but I contributed for
- 11 them. Basically I might have attended one of their
- 12 fund-raisers or something like that.
- 13 **Q So they have come to the Mosque Foundation to**
- 14 **solicit funds in the same way as HLF and IAP?**
- 15 A Yes.
- 16 **Q Have you dealt with their representatives to set**
- 17 **that up in your capacity as an employee of the Mosque**
- 18 **Foundation?**
- 19 A No.
- 20 **Q Now, you mentioned that part of your job**
- 21 **currently is as a spokesman?**
- 22 A No. Let me rephrase that correctly. I just
- 23 give the ceremony, you know, the prayer. It's part --
- 24 You pray part; you give a lecture.

- 1 **Q In those lectures, have you ever given a lecture**
- 2 **on the subject of Hamas?**
- 3 A No, not that I recall.
- 4 **Q Have you ever given a lecture on the subject of**
- 5 **Mohammed Salah and his imprisonment in Israel?**
- 6 A Not that I recall.
- 7 **Q How about on the government's action against**
- 8 **HLF?**
- 9 A Well, we might have mentioned the type of
- 10 support that the community should do to stand behind,
- 11 you know, the cases of the community in that matter,
- 12 yes.
- 13 **Q What types of support would that be?**
- 14 A You know, like there was some probably petitions
- 15 to be signed. Something like that.
- 16 **Q But in terms of your talk on the HLF case, did**
- 17 **you comment at all on the merits of it?**
- 18 A Would you explain that?
- 19 **Q Well, was your activity limited to we need to**
- 20 **support these guys, so please sign a petition? Or was**
- 21 **your talk a detailed description of why they were being**
- 22 **mistreated?**
- 23 A No. Basically, it was limited to the type of
- 24 the support, you know. They basically had like papers

- 1 to be signed, you know, for the government or something
- 2 to be signed and asked for support. That's basically --
- 3 **Q So I guess my question is -- I just thought of**
- 4 **how to simplify it. Your role has been limited to**
- 5 **explaining what to do and how rather than why; is that**
- 6 **correct?**
- 7 A Yes. Anything that falls under the legal way
- 8 to, you know, support, we did.
- 9 **Q Have you given any talks in your position on the**
- 10 **government's action against InfoCom in Texas? Let me**
- 11 **back up.**
- 12 **Have you heard of a company called InfoCom?**
- 13 A I've heard of the company.
- 14 **Q Have you given a talk on the government action**
- 15 **against InfoCom?**
- 16 A Not that I recall, no.
- 17 **Q How about have you given a talk on the**
- 18 **government's prosecution of Sami Al-Arian.**
- 19 A Not that I recall.
- 20 **Q Have you given a talk on this case?**
- 21 A No, not that I recall.
- 22 **Q I asked before if you worked on any of IAP's**
- 23 **publications. Do you subscribe to any of the IAP**
- 24 **publications?**

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1 A Not that I recall.
 2 **Q Well, I mean, do you or don't you?**
 3 A I don't -- No, I do not. I don't remember
 4 subscribing to any, no.
 5 **Q For example, I know that currently they have an**
 6 **e-mail list. Are you on the e-mail list serve?**
 7 A I might have been for a while when we were in
 8 the committee for the conventions, but now I don't.
 9 **Q You don't receive IAP news updates frequently?**
 10 A No.
 11 **Q Mr. Mustapha, what is your educational**
 12 **experience, I guess, starting with anything past high**
 13 **school and moving forward? If you could give me --**
 14 A Well, I finished high school in Lebanon. I came
 15 here to the States and I just took like a couple classes
 16 in English, and that's basically it.
 17 **Q And when did you come to the States from**
 18 **Lebanon?**
 19 A '88.
 20 **Q And you've been here ever since?**
 21 A Yes.
 22 **Q Have you traveled overseas since moving to this**
 23 **country?**
 24 A Yes.

1 **Q Do you do that frequently?**
 2 A I visit home, yes.
 3 **Q Maybe on an annual basis or more frequently than**
 4 **that?**
 5 A Whenever I can afford it.
 6 **Q That certainly makes sense. But has that been**
 7 **more or less often than once a year?**
 8 A Now I try to do it every year.
 9 **Q Okay. Have you visited any other places in the**
 10 **Middle East other than Lebanon?**
 11 A Jordan, my wife is from there. Saudi Arabia,
 12 that's where we go for the pilgrimage. And Britain, I
 13 have a brother other there. That's the personal
 14 visitations.
 15 With HLF, we have been to countries.
 16 **Q Do you remember which ones?**
 17 A Basically like Venezuela, the Caribbean. Too
 18 many islands. I don't recall the names. They're all
 19 small.
 20 **Q Okay.**
 21 A But it basically was like twice. And one time
 22 to Albania.
 23 **Q Ever go to Chechnya?**
 24 A No.

1 **Q How about anywhere in the Balkans like Bosnia or**
 2 **Serbia.**
 3 A Albania.
 4 **Q That is in the Balkans. I need my geography**
 5 **lesson. How about in the Middle East in your capacity**
 6 **with HLF?**
 7 A Never. I never went to the Middle East for HLF.
 8 **Q And your trips for HLF, for what purpose were**
 9 **they taken?**
 10 A Same like we do in the States. They send me to
 11 a mosque. We go give the lecture, urge people to donate
 12 to the projects of HLF, and then come back.
 13 **Q So these are essentially for fund raising?**
 14 A Yes.
 15 **Q Have you ever gone on a trip in order to oversee**
 16 **distribution of funds that have been raised by HLF?**
 17 A No.
 18 **Q How frequent were these fund-raising trips that**
 19 **you took when you were working for HLF?**
 20 A Well, maybe just three trips.
 21 **Q Over the course of the five or six years that**
 22 **you worked there, only three? One was to Albania --**
 23 A And a couple to the Caribbean.
 24 **Q And do you remember when those three trips were?**

1 A I can't specify a year exactly. Somewhere
 2 between '96 and 2000.
 3 **Q And you mentioned going on three of these trips.**
 4 **Were they spread out over that period or do you remember**
 5 **if they all came at once? How did that work?**
 6 A Headquarters would call me. We have an arranged
 7 trip for you to one, two, three -- like it would be one
 8 trip, but you might visit one island, two islands, three
 9 islands, and then I'll come back. Maybe a year after or
 10 couple years after, I went to another trip.
 11 **Q And you said the total was three of these trips**
 12 **in your -- in the time that you worked at HLF?**
 13 A There might be one more, but I would think there
 14 were three total.
 15 **Q Were you involved at all in overseeing the funds**
 16 **that came in?**
 17 A No. Not for the HLF headquarters, no.
 18 **Q So --**
 19 **MS. HOLLANDER: Can you clarify by what you mean by**
 20 **overseeing the funds?**
 21 **MR. OPPENHEIM: Sure.**
 22 **BY MR. OPPENHEIM:**
 23 **Q I guess that's kind of where I'm going now. I'm**
 24 **just trying to understand what your role in HLF**

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1 **operations was. You mentioned that you'd go out and**
 2 **speak at places like the Mosque Foundation and the**
 3 **equivalent and ask for donations?**
 4 A Yes.
 5 **Q Where did you ask for these donations to be**
 6 **sent?**
 7 A Mosques, primarily.
 8 MS. HOLLANDER: I don't think he understood your
 9 question.
 10 BY MR. OPPENHEIM:
 11 **Q When you're speaking and asking the people in**
 12 **the audience to donate to the Holy Land Foundation, what**
 13 **specifically are you asking them to do?**
 14 A Well, basically we had a list of projects that
 15 the HLF had, you know, told us about, and those projects
 16 would include like, for example, a food package in the
 17 holy month of Ramadan. Buy a sheep to be distributed as
 18 meat to the needy. A school backpack package. Stuff
 19 like that.
 20 **Q So you'd tell about all of these projects that**
 21 **you're trying to raise money for and then ask the**
 22 **congregation to give money toward those projects?**
 23 A Yes.
 24 **Q Would you then just simply ask them to write a**

1 **check to the Holy Land Foundation and mail it to**
 2 **Richardson, Texas?**
 3 A This is how the process goes. We will receive
 4 flyers or, like, forms from headquarters. It will
 5 include the name, address for the guy who want to
 6 donate. And then on the back it will say like school
 7 package, Ramadan, something like that. So I'll make the
 8 speech, and the papers will be ready for the people
 9 outside on the way out.
 10 Most of the times, people would fill and either
 11 mail it themselves, because it had a self-stamped
 12 envelope thing. Or they had gathered -- The other, that
 13 they'll make the checks and it will be given to me and I
 14 will mail it to HLF. That's if it was outside of
 15 Illinois. Everything that -- that will be mailed.
 16 In my office in Illinois we had a bank that we
 17 deposited the money in and then, you know, I had
 18 authority only on depositing for that account. So the
 19 money that will come, it will be deposited. I had
 20 another account only for like expenses. \$500, \$600
 21 budgeted for bills. That's how it used to happen.
 22 **Q So you mentioned your authority is only for**
 23 **deposits. Do you know who had authority for withdrawals**
 24 **in that account?**

1 A I would assume Mr. Abu Baker.
 2 **Q Was he able to --**
 3 **MS. HOLLANDER: Don't speculate. Answer the**
 4 **question if you know the answer.**
 5 **THE WITNESS: I don't know.**
 6 **BY MR. OPPENHEIM:**
 7 **Q Would you -- Do you know if he was able to**
 8 **withdraw those funds from Texas or did he have to fly**
 9 **into Illinois periodically to collect the money?**
 10 A I wasn't involved in the way they handled the
 11 account with the bank, so I really don't know much.
 12 **Q And were you ever involved -- And I think I may**
 13 **have asked this, and if I did I apologize. Were you**
 14 **ever involved with distributing money to any sort of aid**
 15 **recipients for any of these projects?**
 16 A No.
 17 **Q Were you aware of any of the -- any other office**
 18 **that HLF maintained while you worked in the Illinois**
 19 **office?**
 20 A Do I know if HLF had other offices?
 21 **Q Yes.**
 22 A Yes.
 23 **Q Do you know where they were?**
 24 A I know one in New Jersey.

1 **Q Where in New Jersey?**
 2 A I'm not familiar with what city, but somewhere
 3 in New Jersey.
 4 **Q And presumably you know of the headquarters in**
 5 **Texas?**
 6 A Yes.
 7 **Q Do you know of any others?**
 8 A Well, HLF had offices open, but I don't know
 9 exactly addresses of those offices or something, you
 10 know.
 11 **Q Do you know which cities they might have been**
 12 **in?**
 13 A I recall once meeting with, you know,
 14 representatives from Detroit and New York maybe.
 15 **Q Do you know if HLF had any offices outside the**
 16 **United States?**
 17 A I don't know personally.
 18 **Q You never heard anyone talk about any non-U.S.**
 19 **offices?**
 20 A I mean, I don't recall, no. But I don't know,
 21 like, they have physical office somewhere outside. I
 22 don't know.
 23 **Q Have you ever heard the name Muhammed Anati,**
 24 **A-N-A-T-I?**

- 1 A Just in the news when the case against HLF came
2 up.
3 **Q Never heard him discussed prior to that?**
4 A No.
5 **Q And you said that you've never been to Israel,**
6 **so presumably you weren't -- it's a fair statement that**
7 **you've never been to HLF's Jerusalem office; is that**
8 **fair?**
9 A No.
10 **Q I apologize if I've asked this, but I want to**
11 **make sure that throughout the five or six years that you**
12 **worked for HLF your duties did not change at any point;**
13 **is that correct?**
14 A No. It was, you know, to solicit money,
15 basically.
16 **Q Well, did your methods of soliciting money**
17 **change?**
18 A Basically, it was the same. Give -- You know,
19 visit mosques. We sometimes did fund-raising dinners in
20 Illinois.
21 **Q You would have fund-raising dinners. Would they**
22 **be given solely on behalf of HLF or would they be in**
23 **conjunction with any other organization?**
24 A The one that I was involved in was only for HLF.

- 1 **Q Did you know of others that you may not**
2 **personally have attended that were put on with other**
3 **organizations?**
4 A I have no idea.
5 **Q Now, I want to switch gears for a second and**
6 **talk about IAP. You mentioned that you've volunteered**
7 **with them for several years and that you've served on**
8 **some of the committees. I was wondering if you could**
9 **expand on what you've done for IAP kind of on a more**
10 **specific day-to-day basis?**
11 A It was very limited till '98, '99. Basically
12 just singing in the bands. When they had the convention
13 in '99, I believe that's when I jumped into the program
14 committee.
15 **Q 1999 you said?**
16 A I believe. And my job was very limited, you
17 know, to arrange the timings of the lectures at the
18 convention.
19 **Q Have you performed these tasks since 1999?**
20 A Just for like two years or three years. I mean,
21 one year they didn't have a convention. Last year they
22 didn't have a convention.
23 **Q Have you been involved in anything over the**
24 **years other than singing at the functions and more**

- 1 **recently planning the conventions?**
2 A I would think this is the main thing.
3 **Q Well, what else can you think of?**
4 A Not that I recall of. Sometimes you stand, you
5 know, you welcome people. Sometimes you -- if they have
6 a function, they need somebody to carry some stuff, you
7 carry. Nothing of an importance that I might take on.
8 **Q How many people were on the program -- the**
9 **convention committees?**
10 A I don't recall the number, but there was too
11 many committees.
12 **Q Too many committees you said?**
13 A Yes.
14 **Q How many would you say there have been?**
15 A Food committee, registration committee,
16 baby-sitting committee, school committee.
17 **Q And was your role to oversee all these various**
18 **committees?**
19 A No. My role was completely limited to make sure
20 of the timings of the lectures throughout the -- and
21 that each lecturer is, you know, in his hall at the time
22 of the lecture.
23 **Q And so did you serve on each of these other**
24 **small committees that you've been ticking off, like the**

- 1 **baby-sitting --**
2 A No, no.
3 **Q What was the committee you served on called?**
4 A It was called program committee.
5 **Q Okay. And how many people were on the program**
6 **committee with you?**
7 A Well, I was in charge of, you know, assigning
8 the halls and the timings of the convention for the
9 certain topics. And there was somebody in charge of the
10 guest committee. And there was the president of the
11 convention for that part, the lectures basically.
12 **Q So it would be the three of you meeting at these**
13 **committee meetings, you, the president and the -- I'm**
14 **sorry, the individual who was the head --**
15 A Guest committee.
16 **Q Guest committee?**
17 A Well, every meeting would include all the
18 committees.
19 **Q Okay. And --**
20 A And they would discuss -- Each person will take
21 his turn and, you know, what do we need and stuff like
22 that.
23 **Q So it sounds to me, and correct me if I'm wrong,**
24 **but essentially your program committee consisted of only**

1 yourself and you were in charge of putting together the
 2 program, and then when you were to meet, you'd meet with
 3 representatives of all the other committees and the
 4 president of IAP; is that correct?
 5 **MR. FENNERTY:** When you say in charge of the
 6 program, it sounds like he's planning what people are
 7 going to say and who's invited to speak. He only said
 8 he was to make sure that people got to the rooms, and I
 9 want to make sure that's clear.
 10 **MR. OPPENHEIM:** I apologize if I'm mischaracterizing
 11 it. I will definitely go into the topic of what his
 12 responsibilities were. I'm just trying to nail down how
 13 the committee structure works right now.
 14 **THE WITNESS:** Basically, you know, the committees
 15 will -- will meet with the president in charge, and each
 16 one will give a report of what is needed through the
 17 convention, what is missing, and that's how it goes.
 18 **BY MR. OPPENHEIM:**
 19 **Q** So I guess I'm returning, though, to the
 20 structure. You were on the program committee?
 21 **A** Yes.
 22 **Q** Was there anyone else on the program committee
 23 with you?
 24 **A** No. I might have had a helper, you know, just a

1 guy, you know. But as a program committee, only like
 2 one individual is responsible.
 3 **Q** Okay. You started to tick off a whole bunch of
 4 other committees that helped put together the
 5 convention. Do you remember approximately how many
 6 there are in total?
 7 **A** I really don't remember.
 8 **Q** I mean, you mentioned the guest committee, the
 9 baby-sitting, the food --
 10 **A** The program --
 11 **Q** -- the program. What are some of the others?
 12 **A** Five, six, seven. Something like that.
 13 **Q** You don't remember any of the others
 14 specifically?
 15 **A** No.
 16 **Q** Now, your counsel brought up just now that
 17 perhaps we haven't been clear enough about what it is
 18 that you did as head of the program committee, so I was
 19 wondering if you would describe that in detail for us?
 20 **A** Well, basically it was limited to assigning the
 21 halls to the lectures that were set, you know, for the
 22 lecturers and make sure that the timings -- everything
 23 is ready as far as speaker at the microphone and -- and
 24 that the lecturer is on time there. That's basically my

1 job.
 2 **Q** So you are not responsible for deciding who gets
 3 to speak at the convention?
 4 **A** That's the president, basically, with the guest
 5 committee.
 6 **Q** Who is responsible for setting the agenda of the
 7 convention and deciding what topics should be discussed?
 8 **A** The president.
 9 **Q** Who is responsible for compensating or
 10 reimbursing the various guests who come?
 11 **A** That, I don't know.
 12 **Q** By guests I mean speakers.
 13 **A** The president. I mean, he's in charge of
 14 everything.
 15 **Q** I'll hand you a document that we're going to
 16 call Exhibit 2.
 17 (Document marked as requested.)
 18 **BY MR. OPPENHEIM:**
 19 **Q** Have you seen this document before?
 20 **A** This document itself, no.
 21 **Q** Well, I mean, have you seen a document, not
 22 perhaps in this form, but which conveys the same
 23 information before?
 24 **A** Well, I mentioned that when I was volunteering

1 for IAP we were in a group of volunteers that they might
 2 have included our names and the local chapter here in
 3 Chicago as volunteering, and it has probably included
 4 them with the name. I mean, is this like from the state
 5 of Illinois or what?
 6 **Q** This, I will represent to you, is a document
 7 that was produced to us by the IAP and AMS in response
 8 to a request for documents. It's been Bates labeled, if
 9 you'll see at the bottom, IAP 77, 78, and 79. So in
 10 answer to your question, this does not look to me like
 11 an official Illinois form, but rather something that was
 12 put together by IAP.
 13 **A** Yeah. I will say, yes, my name is included as a
 14 volunteer for the local chapter of AMS in Chicago. And
 15 they might have included my name as a board of
 16 directors, but nothing of an official title in the state
 17 legally that I know of.
 18 **Q** Well, did you attend any meetings either in 2000
 19 or 2001 with these people that are listed beside your
 20 name?
 21 **A** Yes.
 22 **Q** How frequently were those meetings?
 23 **A** I will say basically for the convention.
 24 **Q** So in the weeks and months leading up to the

- 1 **convention, is that when you guys met?**
- 2 A Probably, yes.
- 3 **Q How many times did you have to meet before the**
- 4 **convention was able to take place?**
- 5 A Probably twice.
- 6 **Q And do you recognize all of these names that are**
- 7 **listed with you in the 2001 and 2002 list -- 2000 and**
- 8 **2001 list?**
- 9 A Yes, the one in 2000.
- 10 **Q Now, all of these people, do you know if their**
- 11 **role in IAP is similar to that of yours, a volunteer who**
- 12 **is the head of one of the convention committees?**
- 13 A Some of them served on the conventions, but I
- 14 don't know of any other role that they might have
- 15 employed in IAP.
- 16 **Q Well, I guess --**
- 17 A Doesn't --
- 18 **Q Maybe we can take them one at a time then. Do**
- 19 **you know what role Rafeeq Jaber played?**
- 20 A He is the president of IAP, I believe.
- 21 **Q And was he the president in 2002, 2001?**
- 22 A I really don't recall. I don't know.
- 23 **Q How about 1999 since you mentioned that's when**
- 24 **you first were involved with these committees?**

- 1 A I don't recall really who was the president. I
- 2 mean, I remember that Rafeeq was the president for
- 3 probably few years, so it might be.
- 4 **Q So when you had these meetings to plan the**
- 5 **conventions, who led them?**
- 6 A Rafeeq.
- 7 **Q Do you know Abdel Baset Hamayel?**
- 8 A Yes.
- 9 **Q What role did he play in IAP?**
- 10 A I believe he was an employee of IAP.
- 11 **Q And just for the record, we are now talking**
- 12 **about the period 2000 and 2001?**
- 13 A Yes.
- 14 **Q Do you know what Mr. Hamayel did for IAP?**
- 15 A Well, majorly I had contact with him during the
- 16 time of the conventions. He was like the guy everybody
- 17 wants to refer to for anything to be done, you know,
- 18 reserving the hotel, making plane tickets, having food
- 19 available.
- 20 **Q How about Salah Daoud, are you familiar with**
- 21 **him?**
- 22 A I know him. He used to attend some of the
- 23 meetings. I don't remember exactly if he served on
- 24 committee or not.

- 1 **Q Do you know Mohamed El-Natour?**
- 2 A I know him.
- 3 **Q Do you know if he attended these meetings?**
- 4 A Yes. And he was in charge of services in the
- 5 conventions.
- 6 **Q Do you know Muhamad Abdelal?**
- 7 A I've seen him few times. I know the name. I
- 8 don't know much if he served or what else he does, you
- 9 know. I just know the name.
- 10 **Q So you don't know what his role in IAP would be?**
- 11 A No.
- 12 **Q No, right?**
- 13 A I don't know.
- 14 **Q How about do you know Fawaz Mushtaha?**
- 15 A I know him.
- 16 **Q Do you know what role he played in IAP?**
- 17 A He was in the food committee.
- 18 **Q How about Imad Sarsour?**
- 19 A He was in the security committee.
- 20 **Q What is the security committee --**
- 21 **A They have a --**
- 22 **Q -- responsible for?**
- 23 A The convention security, people making sure
- 24 everything is smooth and normal.

- 1 **Q Do you ever -- Did you take care of your own**
- 2 **convention security or did IAP hire an outside firm for**
- 3 **that?**
- 4 A I wouldn't know if they hired anybody from
- 5 outside. But Mr. Sarsour would be basically getting
- 6 some volunteers and helping out.
- 7 **Q Do you know Sufian Nabhan?**
- 8 A The same as Abdelal. I know the name, I know
- 9 the person, but I don't recall him involving in any of
- 10 the committees.
- 11 **Q How about Sabri Samirah?**
- 12 A I know him also. He might be in the media
- 13 stuff.
- 14 **Q What media stuff?**
- 15 A Like if TVs and newspapers want to come and make
- 16 coverage of the convention.
- 17 **Q So he's kind of the press liaison?**
- 18 A Maybe.
- 19 **Q How about Ghasan Dahduli?**
- 20 A I know the person also, but I don't know much
- 21 about his role.
- 22 **Q Is he someone that would have attended the**
- 23 **meetings that you attended?**
- 24 A I don't recall seeing him, no.

1 **Q How about Hasan Sabri?**

2 A Also I know the person. Maybe in the first
3 convention he was in charge of the guests, but after
4 that, I don't know if he had any other role.

5 **Q Now I'm going to hand you another document I'm
6 going to label it Exhibit No. 3.**

7 (Document marked as requested.)

8 BY MR. OPPENHEIM:

9 **Q Now, what I'm interested in within document --**

10 **You can flip through it to see if you recognize it if
11 you want, but I would like to focus on the last page.**

12 A It looks like a Web site.

13 MR. FENNERTY: This is from the IAP Web site?

14 MR. OPPENHEIM: Yes. I printed this off the IAP Web
15 site on January 21, 2003, it appears from the notations
16 at the bottom.

17 MS. HOLLANDER: Can I ask you a question? Are you
18 representing -- This appears to be several different
19 documents. Are you representing that they were all
20 printed from the Web site on that date?

21 MR. OPPENHEIM: Right. I'm going off the URLs that
22 are printed out at the bottom of each page. It looks as
23 though each one is a different page from the iap.org Web
24 site and each one bears a date stamp of January 21,

1 2003. As I said -- Well, I guess I'll back up.

2 BY MR. OPPENHEIM:

3 **Q Are you familiar with the iap.org Web site?**

4 A Yes. I know they have a Web site.

5 **Q Is it one that you have visited?**

6 A Maybe few times.

7 **Q If you could look at the last page in this
8 exhibit, I see you have it in front of you. Do you
9 recognize this particular page from that Web site?**

10 A No.

11 **Q Never saw that before?**

12 A I don't recall seeing it.

13 **Q Okay. And what I want you to focus on on this
14 page is the right-hand column.**

15 A Uh-huh.

16 **Q And it says IAP Board of Directors/Shura
17 Council. First of all, what is a Shura Council?**

18 A It's the same as board of directors. It's just
19 a term in Arabic use.

20 **Q If you'll notice the directors here, some of
21 them are the same as the ones we were discussing who are
22 on the board in 2000 and 2001, but they're broken down
23 by what appears to be state. Are you aware of IAP
24 offices existing in each of these states?**

1 A I'm not aware that they have offices in other

2 states registered, but each person is from a different
3 state, yes, it looks like.

4 **Q So if they do not have offices, then what would
5 be the point of printing what state each of the board
6 member is from?**

7 **MR. FENNERTY: I have one clarification, because in
8 all last depositions we talked about IAP local and IAP
9 national. And if there's people from all over the
10 country, this may be IAP national and not IAP local, and
11 I'm a little confused here about -- because there's
12 always been a distinction in all the other depositions.**

13 **MR. OPPENHEIM: Okay. That's actually a very good
14 point.**

15 **BY MR. OPPENHEIM:**

16 **Q Are you aware of how -- how the national IAP
17 organization is structured?**

18 A No.

19 **Q When you volunteered, have you dealt with any
20 offices other than the one located in Chicago?**

21 A Could you be more specific?

22 **Q Well, first of all, I guess going back to 1991
23 or whenever the first time that you performed at one of
24 the conventions, what -- who did you deal with and where**

1 **were they located?**

2 A I don't recall names from that time, but
3 basically the way we used to volunteer, we would travel.
4 Festivals were in such states like these mentioned here.
5 So somebody would come and pick us up from the airport.
6 We would go rest. If the festival wasn't the same day,
7 go to lunch. So I might have sat with Mr. Nabhan for
8 dinner or lunch or breakfast or Mr. Mushtaha or
9 whatever. And then they will take us to the festival.
10 We will perform. And then the next day they will drop
11 us back at the airport and come back.

12 **Q Who made the original contact, though, of you to
13 ask you to perform?**

14 A Well, it was Mr. Mushtaha, Fawaz Mushtaha.

15 **Q For each year that you performed you would get a
16 call from Mr. Mushtaha?**

17 A Al-Sakhra, the one you remember, he was the one
18 who was in charge of that. So we look at him as the one
19 who arranges all of the -- Basically, it was just one
20 time, you know, they told us about the festivals and we
21 offered, yes, we can volunteer. And then it would be
22 whoever is in Illinois. If it was Mr. Hamayel, the
23 employee, he will be contacting us. He will be making
24 us reservations and everything.

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1 **Q So the requests for your band Isra to perform**
 2 **came from Mr. Mushtaha, who is the head of Al-Sakhra, as**
 3 **opposed to anyone in the IAP leadership? That's a poor**
 4 **question. Strike that.**
 5 A Well, he was the one --
 6 MS. HOLLANDER: Well, wait. He struck the question.
 7 MR. OPPENHEIM: I'm going to clean it up.
 8 BY MR. OPPENHEIM:
 9 **Q So when you were engaged to perform at IAP**
 10 **functions, did you always perform with Al-Sakhra?**
 11 A No.
 12 **Q When you did perform with Al-Sakhra, did the**
 13 **contact always come through Mr. Mushtaha?**
 14 A No. It was through the employee at IAP office
 15 here in Chicago.
 16 **Q It was always from a Chicago employee dating**
 17 **back to 1991?**
 18 A Yes. They will arrange our trips and
 19 everything.
 20 **Q Are you familiar with -- with a Texas office of**
 21 **the IAP?**
 22 A I've heard that they have.
 23 **Q You've never dealt with anyone out of that**
 24 **office? Or have you ever dealt with anyone out of that**

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1 **office?**
 2 A Dealt business?
 3 **Q Yes.**
 4 A No. It was basically the chapter in Chicago
 5 that we --
 6 **Q And the chapter in Chicago has always been**
 7 **responsible for putting on the convention; is that**
 8 **correct?**
 9 A Well, I myself doesn't know much between what is
 10 the national and the local. For me, there is this guy
 11 who works at the IAP office here in Chicago, and that's
 12 the guy I deal with, you know. He tells us --
 13 **Q Who is that again?**
 14 A Hamayel. He tells us we have this year five
 15 festivals, would you like to join. And I say yes.
 16 **Q Were you ever paid for performing at the**
 17 **festivals?**
 18 A It was always volunteer.
 19 **Q Are you aware of any sort of IAP office or IAP**
 20 **organization going beyond, say, Mr. Sarsour in**
 21 **Wisconsin?**
 22 A I'm not that aware if they have any office over
 23 there.
 24 **Q And I guess are you aware of an IAP office or**

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1 **any other IAP affiliated personnel in Michigan other**
 2 **than Mr. An-Nabhan?**
 3 A Not that I know of.
 4 MR. FENNERTY: First of all, you never asked if he
 5 knew these people. Maybe he doesn't even know these
 6 people.
 7 THE WITNESS: Well, there's --
 8 MS. HOLLANDER: Wait.
 9 MR. OPPENHEIM: These, to this point, Jim, have been
 10 the same people who are on that board of directors we
 11 just went over. And I realize that Mahmoud Shafeeq is a
 12 new name and I'll deal with that when we get to it.
 13 That's a fair point. Which I guess is now.
 14 BY MR. OPPENHEIM:
 15 **Q Do you know Mr. Mahmoud Shafeeq?**
 16 A It doesn't ring a bell.
 17 **Q You don't -- You've never met him?**
 18 A The name doesn't ring a bell.
 19 **Q But you do know Mr. Adbel'al I believe you**
 20 **testified to?**
 21 A I said I know the person.
 22 **Q Do you know of any IAP office in New Jersey**
 23 **other than -- any other personnel outside of these two?**
 24 A Not that I know of.

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1 **Q And I guess the same question goes for**
 2 **Washington D.C. and Fawaz Mushtaha?**
 3 A The same.
 4 **Q Now, I think you testified that you became**
 5 **involved the first time with IAP in the early 1990s. Do**
 6 **you have any knowledge as to where and when IAP was**
 7 **created?**
 8 A I have no idea.
 9 **Q Have you ever heard of an individual -- I guess**
 10 **I should start, do you know an individual by the name of**
 11 **Aly Mishal, A-L-Y M-I-S-H-A-L?**
 12 A Just heard the name in the papers that you
 13 guys -- I don't know him personally, no.
 14 **Q So you had never even heard the name until you**
 15 **read -- I'm going to back up.**
 16 **When did you first hear the name?**
 17 A I mean, people in the committee they talk that
 18 Mr. Mishal was in Chicago. That's how I know.
 19 **Q And when did you first hear that?**
 20 A I have no idea.
 21 **Q Do you know if whether or not he was involved**
 22 **with IAP at any point?**
 23 A I don't know.
 24 **Q Was he involved with IAP when you were involved**

1 **with IAP?**
 2 A Not that I know of.
 3 **Q Now, about Mousa abu Marzook? Have you met him?**
 4 A Not that I recall.
 5 **Q Have you ever heard him speak?**
 6 A I don't recall that too.
 7 **Q Do you know if he was involved with IAP?**
 8 A Not that I know of.
 9 **Q How about an individual by the name of Yasser Bushnaq, have you ever met him?**
 10 **Bushnaq, have you ever met him?**
 11 A Maybe I heard him in some conventions giving
 12 lectures.
 13 **Q Was he involved with IAP when you were?**
 14 A Not that I know of.
 15 **Q Do you have any idea who was the president of IAP when you first started volunteering for them back in the early '90s?**
 16 **IAP when you first started volunteering for them back in the early '90s?**
 17 **the early '90s?**
 18 A I don't know.
 19 **Q Do you know of anyone who's ever been the president of the IAP other than Mr. Jaber?**
 20 **president of the IAP other than Mr. Jaber?**
 21 A Not that I know.
 22 **Q How long has Mr. Jaber been the president to your knowledge?**
 23 **your knowledge?**
 24 A When I volunteered as a committee, he was the

1 president, I believe, in '99. Before that, my volunteer
 2 work was very limited. We just went and sang and we
 3 left. We didn't bother who was the president, who is
 4 what, and who is who.
 5 **Q When you attended and sang at the conventions, did you also stay for the other functions? Or was it simply you show up, you sing, you leave?**
 6 **did you also stay for the other functions? Or was it simply you show up, you sing, you leave?**
 7 **simply you show up, you sing, you leave?**
 8 A At the time when we were performing in the band,
 9 we barely seen anything. We would come, stay in the
 10 hotel room, practice all day, all night. We wouldn't
 11 see any lectures, period. And even the night of
 12 performance, we would go perform behind the curtain and
 13 then we leave.
 14 **Q Have you ever heard of any -- Well, I guess have you ever heard of the IAP information office?**
 15 **you ever heard of the IAP information office?**
 16 A IAP information office? It doesn't ring a bell.
 17 **Q Okay. Do you know if, while you worked there, IAP had a mailing address in Tucson, Arizona?**
 18 **IAP had a mailing address in Tucson, Arizona?**
 19 A Who worked there?
 20 **Q Well, I'm asking if you were aware of an IAP mailing address in Tucson, Arizona?**
 21 **mailing address in Tucson, Arizona?**
 22 A Not that I recall.
 23 **Q How about are you aware of an IAP mailing address in Culver City, California?**
 24 **address in Culver City, California?**

1 A Not that I know of.
 2 **Q Are you aware of -- actually an HLF mailing address in Plainfield, Indiana?**
 3 **address in Plainfield, Indiana?**
 4 A Not that I know of.
 5 **Q Do you know of any of the -- any offices held -- offices of HLF other than the Illinois office that you worked at and the headquarters in Texas up until the time of the government closure?**
 6 **offices of HLF other than the Illinois office that you worked at and the headquarters in Texas up until the time of the government closure?**
 7 **time of the government closure?**
 8 **time of the government closure?**
 9 A I do recall that certain year they tried to open
 10 offices, expand; but then they did shut some of those
 11 offices. The only office that I recall was still
 12 operating is the one in New Jersey. I mentioned before
 13 the one in Detroit and in New York because at one year
 14 somebody came from this. But other than that, I don't
 15 recall any other offices.
 16 **Q Do you recall one in San Diego, California?**
 17 **Do you recall one in San Diego, California?**
 18 A San Diego? I mean, a lot of times they would
 19 have volunteers coming from all the states. Who was
 20 registered, who was not registered, I really don't know.
 21 **Q Do you know what activities were conducted out of those other offices? By that I mean the one in New Jersey and then the others that you were talking about that may have been active for some period of time.**
 22 **of those other offices? By that I mean the one in New Jersey and then the others that you were talking about that may have been active for some period of time.**
 23 **that may have been active for some period of time.**
 24 A I can't specify anything on their behalf.

1 **Q As far as you know, were they doing the same things that you were doing?**
 2 **things that you were doing?**
 3 A I would assume that.
 4 MS. HOLLANDER: Don't speculate. Answer if you know
 5 the answer.
 6 BY MR. OPPENHEIM:
 7 **Q Do you know what the purpose of HLF was?**
 8 **Do you know what the purpose of HLF was?**
 8 A It's a humanitarian organization helping the
 9 needy.
 10 **Q How about IAP?**
 11 **How about IAP?**
 11 A It's an organization working to -- how do you
 12 phrase that -- work for the cause of the Palestinian
 13 people, talk about the life and misery and stuff like
 14 that.
 15 **Q And I know we've talked about IAP's main office in Chicago who you've dealt with. Are you aware of any offices that IAP has other than the Chicago one?**
 16 **in Chicago who you've dealt with. Are you aware of any offices that IAP has other than the Chicago one?**
 17 **offices that IAP has other than the Chicago one?**
 18 A I answered before not that I know of.
 19 **Q Okay. I'm sorry if I'm being repetitive. I just want to make sure we have everything down. So I think you said that you had heard of the Richardson, Texas office but never actually dealt with it; is that correct?**
 20 **just want to make sure we have everything down. So I think you said that you had heard of the Richardson, Texas office but never actually dealt with it; is that correct?**
 21 **think you said that you had heard of the Richardson, Texas office but never actually dealt with it; is that correct?**
 22 **correct?**
 23 **correct?**
 24 A I'm sorry?

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1 **Q That you heard of IAP's Richardson, Texas office**
 2 **but never actually dealt with it?**
 3 A Yeah.
 4 **Q Have you ever heard of an organization by the**
 5 **name of the American Middle Eastern League for**
 6 **Palestine, AMELP?**
 7 A I mean, the name doesn't ring a bell. I've read
 8 it in some of the papers, but I don't recall what is it
 9 for or what does it even mean.
 10 **Q You never had any dealings with that**
 11 **organization?**
 12 A No.
 13 **Q Do you know an individual by the name of Omar**
 14 **Ahmed?**
 15 A Yes.
 16 **Q How do you know Mr. Ahmed?**
 17 A He was speaker at more than one time at CAIR and
 18 IAP conventions.
 19 **Q Do you know if he was affiliated in any way with**
 20 **IAP?**
 21 A I don't remember much of an affiliation. I
 22 don't recall.
 23 **Q Did you ever work with him as part of your role**
 24 **volunteering for IAP?**

1 A You have to understand that when we go as a
 2 band, and you're calling that volunteering work, there
 3 is a bunch of people sitting with you. So he might be
 4 there. But as me volunteering, I dealt with the person
 5 whom was representing IAP at my local chapter here in
 6 Chicago. But he might be in one of those meetings that
 7 we were sitting or having lunch or dinner.
 8 **Q And did you ever work with him in your capacity**
 9 **as an employee of HLF?**
 10 A No.
 11 **Q And I know I asked you these questions for the**
 12 **Mosque Foundation, so if we could just quickly -- Has**
 13 **QLI or Mohammed Salah had any role or any affiliation**
 14 **with HLF to your knowledge?**
 15 **MS. HOLLANDER: Object to the form.**
 16 **THE WITNESS: I have no idea.**
 17 **BY MR. OPPENHEIM:**
 18 **Q Mohammed Salah was never an employee to your**
 19 **knowledge?**
 20 A No.
 21 **Q Was he ever a donor to your knowledge?**
 22 A Not that I know.
 23 **Q I note that you have worked in some capacity for**
 24 **both HLF and IAP. Do you know if there are any other**

1 **people who also have?**
 2 A I never worked for IAP as work.
 3 **Q Do you know if there are any other people who,**
 4 **like you, have been affiliated with and performed**
 5 **activities on behalf of both organizations, whether they**
 6 **were employees of one or both or neither?**
 7 A I don't recall. I don't know.
 8 **Q No one you've talked to, no one you've seen in**
 9 **both places?**
 10 A I would see a lot of people in both places, but
 11 I wouldn't know if somebody is doing something for one
 12 organization and at the same time doing for another. I
 13 wouldn't know.
 14 **Q Nobody else in any of your bands has worked for**
 15 **or volunteered for HLF?**
 16 A Well, for HLF you have to ask, you know, the
 17 people at the headquarters. I wouldn't be able to
 18 answer that. We were -- As a band, we would go perform.
 19 Sometimes HLF might call on us. Sometimes IAP might
 20 call on us. Sometimes somebody making a cultural party
 21 will call on us and we go.
 22 **Q So you have performed for events sponsored by**
 23 **both HLF and IAP; is that correct?**
 24 A Yes.

1 **Q And you are or were employed by HLF. Do you**
 2 **know if any of your fellow band members were also**
 3 **employed by HLF?**
 4 A Well, I do recall the guy from Detroit. He was
 5 probably employed.
 6 **Q Do you know his name?**
 7 A Because he was with us in the band. His name is
 8 Muhammed Masfaka.
 9 **Q How is that spelled?**
 10 A M-A-S-F-A-K-A, maybe.
 11 **Q And he's the only one?**
 12 A The one I know that is employed by HLF.
 13 **Q Right.**
 14 A The other one, I don't know.
 15 **Q How many people are in your band, by the way?**
 16 A Maybe six.
 17 **Q And that's true throughout all the time periods**
 18 **and all the band?**
 19 A No. It goes up and down. People travel, change
 20 states.
 21 **Q Are there any members who have been with you the**
 22 **whole time since the beginning?**
 23 A I do recall two. One by the name of Monzer,
 24 M-O-N-Z-E-R, Taleb, T-A-L-E-B. And the other one is

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1 Mufid, M-U-F-I-D, Abdul Qader, A-B-D-U-L Q-A-D-E-R.
 2 **Q As part of your fund-raising efforts when you**
 3 **worked for HLF, did you ever work jointly with**
 4 **fund-raising for IAP?**
 5 A No. It was prime HLF.
 6 **Q But I mean, did you ever schedule any sort of**
 7 **fund raisers or events in which you were a sponsor of it**
 8 **and also IAP?**
 9 A Any functions that used to happen used to come
 10 from the headquarters. So all the dealings would be
 11 done at HLF headquarters.
 12 **Q I understand that you may not have negotiated**
 13 **the deals, but were there any fund-raisers that you**
 14 **attended in which IAP representatives were also there**
 15 **soliciting funds?**
 16 A You mean joint with -- I don't recall that they
 17 were soliciting funds at the same time. But in the
 18 convention -- the convention was by IAP, and I believe
 19 HLF once collected funds in the convention for their
 20 projects.
 21 **Q Once or is that a regular occurrence?**
 22 A I don't know. But at the time when I was in
 23 that convention, it happened once I recall of that.
 24 **Q And how did they solicit those funds that one**

1 **time that you remember?**
 2 A Somebody would stand up and put the papers --
 3 the projects that they have and urge people to donate.
 4 **Q Do you remember who?**
 5 A It was six years ago. Maybe it was --
 6 MS. HOLLANDER: Don't speculate. Answer if you know
 7 the answer.
 8 THE WITNESS: I don't recall.
 9 MS. HOLLANDER: Are you going to break for lunch or
 10 did we miss it because they were late?
 11 MR. OPPENHEIM: I think we will.
 12 BY MR. OPPENHEIM:
 13 **Q Do you know an individual by the name of Ahmed**
 14 **Agha, A-H-M-E-D A-G-H-A?**
 15 A No.
 16 **Q Were you aware when you were working at HLF of a**
 17 **position called HLF director of health?**
 18 A Not that I recall of, no. Director of health,
 19 no.
 20 **Q Who did you have contact with in the HLF head**
 21 **office?**
 22 A It was 90 percent the executive director,
 23 Haithem, H-A-I-T-H-E-M, last name Maghawri
 24 M-A-G-H-A-W-R-I.

1 **Q You said 90 percent. What about the other ten?**
 2 A There was a person by the name of Ibrahim,
 3 I-B-R-A-H-I-M, Samneh, S-A-M-N-E-H. He like acted as
 4 the executive director for periods. He would take -- We
 5 always reported to one person.
 6 **Q You never reported to Mr. Abu Backer?**
 7 A No.
 8 **Q Nor Mr. El-Mezain?**
 9 A No.
 10 **Q How about Mr. Ghassan Elashi?**
 11 A No.
 12 **Q Do you know any of those three individuals that**
 13 **I just mentioned?**
 14 A I know them, yeah. I've met them.
 15 **Q Have you met them as part of your job for HLF or**
 16 **have you met them in a personal capacity?**
 17 A No. It was whenever I visited the headquarters,
 18 sometimes they would be there.
 19 **Q How frequently did you visit the headquarters?**
 20 A It was once period. That's a must.
 21 **Q Was it ever more frequent than that?**
 22 A No.
 23 **Q Now, you mentioned that you've met Mohammed**
 24 **Salah. Did you know Mohammed Salah in the early '90s?**

1 A No.
 2 **Q You testified, I believe, that you have not ever**
 3 **personally met Mousa Marzook; is that correct?**
 4 A Yes.
 5 **Q Yes, that's correct; or yes, you've met him?**
 6 A I don't recall I ever met him.
 7 **Q Have you ever spoken to him not in person?**
 8 A What do you mean?
 9 **Q Like over the telephone?**
 10 A Not that I recall, no.
 11 **Q Have you ever corresponded via letter or e-mail**
 12 **or any other impersonal contact?**
 13 A No.
 14 **Q Do you know -- Now, you mentioned being aware**
 15 **that IAP has various publications. Do you know what**
 16 **they are?**
 17 A The only publications I recall for IAP are a
 18 newsletter by the name of Al-Zaytouna, A-L
 19 Z-A-Y-T-O-U-N-I (sic). And it included for a period of
 20 time, now it stopped, Muslim World Monitor. It was like
 21 an insert in the paper.
 22 **Q Did you ever hear of a publication by the name**
 23 **Ila Filistin, I-L-A-F-I-L-I-S-T-I-N?**
 24 A Is that a magazine?

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1 **Q Have you ever heard of a publication by that**
 2 **name?**
 3 A I know something like that overseas. It doesn't
 4 ring a bell for IAP. I don't know.
 5 **Q I'm going to hand you a document. We're on**
 6 **No. 4**
 7 (Document marked as requested.)
 8 BY MR. OPPENHEIM:
 9 **Q Take a moment to flip through this and I'll have**
 10 **a couple questions on it.**
 11 A Do you want me to read all this?
 12 **Q No. Just flip through it, see what it looks**
 13 **like and see if there's anything that triggers a memory**
 14 **that you might have.**
 15 **MS. HOLLANDER: There's no question on the floor at**
 16 **this time.**
 17 **BY MR. OPPENHEIM:**
 18 **Q Now, I guess the first, most basic question is,**
 19 **have you ever seen this particular publication before?**
 20 A I don't recall seeing it, no.
 21 **Q Have you ever seen any Ila Filistin publication,**
 22 **by which I mean a publication that has the same masthead**
 23 **as you see on the left side of the first page?**
 24 A No, I don't recall.

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1 **Q Now, you mentioned earlier that you read Arabic.**
 2 **Just out of curiosity, could you read for us what the**
 3 **masthead actually says?**
 4 A It says on top I do like Islamic, Islamic.
 5 Coming back. I feel fine to Palestine. I like
 6 everything. And then there's very small writings here.
 7 I can barely read. I guess it's a quote from the
 8 Qur'an.
 9 MR. FENNERTY: Do you know what year this is?
 10 MS. HOLLANDER: It says 1989.
 11 THE WITNESS: 1989.
 12 MR. OPPENHEIM: I believe it's November-December
 13 1989.
 14 BY MR. OPPENHEIM:
 15 **Q If you'll flip now to the third page of this**
 16 **exhibit and look down, there's a picture of some**
 17 **children and below it there's some Arabic text and then**
 18 **some English text. Do you see where I'm looking?**
 19 A Uh-huh.
 20 **Q Are you familiar with the Occupied Land Fund?**
 21 A I've heard of the name before, yes.
 22 **Q Are you aware of it being kind of a predecessor**
 23 **or precursor of the Holy Land foundation?**
 24 A Not that I know of. But I've heard the name

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1 before, yes.
 2 **Q It was never brought up as the precursor**
 3 **organization while you were working at HLF?**
 4 A Not that I recall, no.
 5 **Q Okay. What does the Arabic say in that**
 6 **particular box?**
 7 **MS. HOLLANDER: I'm going to object to his becoming**
 8 **your translator. I mean, I just -- I'm not going to**
 9 **object if we're going to have one or two translations,**
 10 **but I'm going to object if you want to use this**
 11 **deposition for the purpose of translation because I**
 12 **don't want him bound by -- I mean, I don't know how well**
 13 **he's translating and I don't want him to be bound by**
 14 **what these words mean in English.**
 15 **MR. OPPENHEIM: Okay. I won't try and have him read**
 16 **the entire publication, if that's the fear.**
 17 **MS. HOLLANDER: Well, you know, I just -- I don't**
 18 **want there to be some admission later that this is what**
 19 **this means because he told you he can read and write in**
 20 **Arabic. If you want an official translation, you should**
 21 **get an official translation. And that's the basis of my**
 22 **objection.**
 23 **MR. OPPENHEIM: Noted.**
 24 **THE WITNESS: Your question again?**

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1 **BY MR. OPPENHEIM:**
 2 **Q What does this one line of text say?**
 3 A It says your donations are requested now.
 4 **Q You can put that to one side now.**
 5 **MR. OPPENHEIM: Actually this is probably a decent**
 6 **time to break for lunch.**
 7 (Break taken.)
 8 BY MR. OPPENHEIM:
 9 **Q Welcome back, Mr. Mustapha. I just want to**
 10 **remind you that you are still under oath.**
 11 A Okay.
 12 **Q As part of your work for the Holy Land**
 13 **Foundation, did you ever contract with any publications**
 14 **to place ads?**
 15 A No.
 16 **Q Did you -- Do you know if the Holy Land**
 17 **Foundation put ads in any publications?**
 18 A I wouldn't know that.
 19 **Q That would have been something that the head**
 20 **office would take care of?**
 21 A Yes.
 22 **Q You mentioned attending several IAP conferences**
 23 **and gatherings. Which year would you say the first one**
 24 **is?**

- 1 A Well, festivals I would say as early as '91 or
2 '92. Maybe '92.
- 3 **Q Is there any possibility that you attended a
4 conference or a festival in 1989?**
- 5 A Not that I recall.
- 6 **Q Do you recall where any of these gatherings that
7 you attended and performed at were?**
- 8 A Well, as far as I know, conferences for IAP
9 didn't start till after '95.
- 10 **Q Okay.**
- 11 A So nothing on conferences that I recall. But
12 festivals, every single major city.
- 13 **Q Could you name some of the ones you remember
14 going to to attend the conference or a festival?**
- 15 A For festival, Chicago, Detroit, New Jersey,
16 Dallas, California. These were the major ones.
- 17 **Q Did you ever go to one in Kansas City?**
- 18 A No. Not that I recall, no. Festival in Kansas
19 City, no.
- 20 **Q Any sort of IAP event in Kansas City?**
- 21 A Not that I recall, no.
- 22 **Q How about New Jersey?**
- 23 A Every year almost there's a festival in New
24 Jersey.

- 1 **Q Would Patterson, New Jersey, would that --**
2 A Yes.
- 3 **Q I know you were looking for the name of the town
4 and I was wondering if that was it?**
- 5 A Yes. Patterson. I remember now.
- 6 **Q Do you know if any of the speakers at any of the
7 conferences or festivals were paid by IAP?**
- 8 A I wouldn't know that.
- 9 **Q Would you know if they were paid by anyone?**
- 10 A I wouldn't know that either.
- 11 **Q Have you ever spoken at one of these events? I
12 know you've performed in your band, but have you spoken?**
- 13 A No. Basically it was just for singing.
- 14 **Q Have you ever seen Sami Al-Arian speak?**
- 15 A Yes.
- 16 **Q Would that have been in 1996?**
- 17 A In '96, yes. And he was on -- I seen him also
18 in '99 maybe.
- 19 **Q Did he have any sort of formal relationship with
20 IAP?**
- 21 A I don't know that.
- 22 **Q And have you ever been involved in Dr. Al-Arian
23 organization, ICP?**
- 24 A No.

- 1 **Q Have you ever heard of that organization?**
- 2 A The name doesn't ring a bell, but you know, I
3 know that he had -- you know, he's a doctor representing
4 a organization or something.
- 5 **Q I believe it's called Islamic Consciousness
6 Project. Does that ring any bells?**
- 7 A Not at all.
- 8 **Q Have you ever had any contact or face-to-face
9 contact, I guess, with Dr. Al-Arian outside of the IAP
10 events?**
- 11 A He came more than once to the Mosque Foundation,
12 so yes, we would see him.
- 13 **Q Has he ever solicited funds at the Mosque
14 Foundation?**
- 15 A I don't recall any.
- 16 **Q Now, who attended these festivals?**
- 17 A The community.
- 18 **Q It was -- They were open to the public?**
- 19 A Yes.
- 20 **Q Was there any sort of admission charge or was it
21 free to come?**
- 22 A Well, there was something like a few bucks.
- 23 **Q So tickets were sold?**
- 24 A Yes, by the door.
- 1 **Q Not in advance?**
- 2 A It might have been the case before, but
3 primarily it's by the door.
- 4 **Q And is that true with respect to the conferences
5 as well?**
- 6 A I wouldn't know for the conferences how would
7 they go; but for the festivals, mainly it was by the
8 doors.
- 9 **Q I mean --**
- 10 A And the conferences you need to register so --
- 11 **Q How does that work?**
- 12 A You can just walk in and register. Some people
13 might register before. But I wouldn't know how the
14 process would go.
- 15 **Q So is it fair to say, then, that for the
16 festivals, anyone can simply buy a ticket and walk in;
17 whereas for the conferences, one would have to fill out
18 some sort of form giving their name and various
19 information about themselves before they could attend?**
- 20 A Yes.
- 21 **Q Would you know what sort of information, other
22 than the person's name, would be required in the
23 registration?**
- 24 A I wasn't involved in the registration, so I

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1 wouldn't know.

2 **Q Well, did you ever have to fill out one of the**

3 **forms?**

4 A Yes.

5 **Q What was on it?**

6 A Simple info. Name, address, what type of method

7 of payment, and then if you want to purchase your own

8 food or you want to buy the food through the conference.

9 And that's basically it.

10 **Q What were the payment options?**

11 A You can either pay cash or credit card or even

12 check, I believe.

13 **Q And do you know if the registration process was**

14 **the same throughout the time that you were attending IAP**

15 **conferences?**

16 A I wouldn't know.

17 **Q Well, you filled out personally a form every**

18 **year that you attended, correct?**

19 A Yes.

20 **Q So every year a form was required?**

21 A True.

22 **Q And the same sort --**

23 A I would say it's the same.

24 MR. FENNERTY: Every year he was there?

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1 MR. OPPENHEIM: Every year he was there.

2 THE WITNESS: Right.

3 BY MR. OPPENHEIM:

4 **Q Which years did you attend conferences rather**

5 **than festivals?**

6 A '96. And then I guess -- I'm not sure which

7 year they didn't do a conference, was it '97 or '98. It

8 was on hold for one year. And then after that, like I

9 say, '97 wasn't on. So '98, '99. And then there was

10 only one year that also they didn't do a conference.

11 All of them I was there.

12 **Q That's up to the present day?**

13 A Yes.

14 **Q And the speakers for the conference were**

15 **selected solely by the IAP president?**

16 A He was the one in charge, yes.

17 **Q Do you know if anyone else had input into who**

18 **got to speak?**

19 A Well, I wouldn't know, I mean, in detail; but

20 the president has the authority to assign all the names

21 to lectures.

22 **Q And that's been true for -- Well, is that true**

23 **for the festivals as well?**

24 A I wouldn't know. I was only involved in the

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1 program committee when I was in the conferences. The

2 festivals, I wouldn't know.

3 **Q Do you know if any of IAP's publications are**

4 **distributed to the attendees either of festivals or the**

5 **conferences?**

6 A I know that Al-Zaytouna is always available.

7 You can find it free in markets, mosques, and they also

8 have a copy on each chair in the conferences, yes.

9 **Q Only Al-Zaytouna, though?**

10 A That's what I recall.

11 **Q Has that been the case ever since the first**

12 **festival that you attended?**

13 A I don't remember. But for the conferences

14 that's for sure. And festivals, I don't recall them

15 distributing anything.

16 **Q Did the festivals have a host, somebody who**

17 **would be essentially a master of ceremonies?**

18 A Yes.

19 **Q Who was that typically?**

20 A The employee, Mr. Hamayel, H-A-M-A-Y-E-L.

21 **Q For all the years of festivals and conference?**

22 A The ones I remember.

23 **Q Dating back to 1991?**

24 A No. I'm talking about '96. Before that, I

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1 don't remember.

2 **Q You don't know if there was somebody hosting in**

3 **the conference -- or I suppose the festivals that you**

4 **attended prior to '96, is that --**

5 A As I mentioned before, our job was to sing. So

6 basically we were always in the backstage. I know after

7 '96 because I know Mr. Hamayel. So when I hear the

8 voice, I can assume it's him.

9 **Q Did you -- Do you remember at all who would have**

10 **introduced you when you began your set prior to '96?**

11 A Prior?

12 **Q Prior.**

13 A I don't recall.

14 **Q Did IAP typically make a profit on their**

15 **conferences?**

16 A I wouldn't know that.

17 **Q Did HLF raise -- Actually, let me back up. I**

18 **think you testified earlier that at at least one**

19 **conference that you remember HLF was soliciting funds;**

20 **is that true?**

21 A Yes.

22 **Q Were their fund raising efforts successful?**

23 A Could you be more specific?

24 **Q Did HLF, to your knowledge, raise funds**

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1 **successfully, obtain donations at the IAP conferences?**

2 A I was not involved even though after '96 I was

3 an employee of HLF. But my work was limited to my

4 office in Illinois, so anything else, I wouldn't have

5 any clue of how much or -- And again, we were always --

6 When we were in the band, in the back, you know,

7 practicing.

8 **Q Well, I know you mentioned that part of your job**

9 **was raising funds. Did you ever personally raise funds**

10 **for HLF at an IAP event?**

11 A I don't recall having that, no.

12 **Q The conferences that you attended, do you recall**

13 **any speakers speaking on the subject of Hamas?**

14 A Not that I recall, no.

15 **Q How about at the festivals?**

16 **MS. HOLLANDER: Speakers?**

17 **MR. OPPENHEIM: Speakers, yes.**

18 **THE WITNESS: Well, also I don't recall, you know.**

19 **I don't remember much. One more time, we were in the**

20 **backstage. We really didn't much witness any of the**

21 **lectures or the speeches.**

22 **BY MR. OPPENHEIM:**

23 **Q Well, were there programs printed for the**

24 **festivals?**

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1 A Festivals, no.

2 **Q And at the conferences you don't recall any**

3 **mention of Hamas by any of the speakers?**

4 A I don't recall that.

5 **Q Do you recall any calls for jihad by any of the**

6 **speakers?**

7 A One more time, most of the speeches we were not

8 there. I mean, so I wouldn't be able to answer any

9 questions of the content of whatever had been spoken.

10 **Q Well, you've told me that you haven't heard most**

11 **of the speeches. I'm simply asking of the ones you did**

12 **hear, did they contain these particular elements?**

13 A I don't recall any of that, no.

14 **Q I'm guessing I know what the answer to this is,**

15 **but did any of the speeches that you did hear contain**

16 **support of martyrs?**

17 A I don't recall that.

18 **Q You don't recall the term martyr being used?**

19 A Well, the term will be used, yes. It depends

20 what phrase you are using.

21 **Q In the speeches that you heard, the term martyr**

22 **was used?**

23 A I don't recall really.

24 **Q Okay. How were these festivals and conferences**

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1 **promoted? How would the community know when and where**

2 **they were?**

3 A There were flyers printed and distributed in

4 mosques and local markets.

5 **Q And did you ever oversee the printing of the**

6 **flyers?**

7 A For HLF events that were local, I was the one in

8 charge. But for IAP and festivals and conferences, I

9 had nothing to do.

10 **Q So your knowledge that there were these flyers**

11 **comes from the fact that you personally have seen them?**

12 A Yes. You see them in the mosques, so you know

13 there's something coming up.

14 **Q Do you know -- I should say have you ever seen**

15 **advertisements in publications for IAP conferences or**

16 **festivals, whether they're IAP publications or other**

17 **publications?**

18 A In Al-Zaytouna, there will always be more than

19 one advertisement for the event, yes.

20 **Q Mr. Mustapha, I'm going to show you a tape now**

21 **and ask you some questions about what you see on the**

22 **tape. And I'm going to attempt to do this and I'd**

23 **appreciate it if you would too. The transcript isn't**

24 **going to reflect what's on the screen, so if we could**

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1 **each try to be as descriptive as possible when we discuss**

2 **what's up there.**

3 **MS. HOLLANDER: Before you start, so I don't have to**

4 **interrupt you, can you tell me which tape this is?**

5 **MR. OPPENHEIM: This is going to be tape Bates**

6 **No. B02676.**

7 **MR. FENNERTY: Tape one of Kansas City?**

8 **MR. OPPENHEIM: Tape one of Kansas City.**

9 **MR. FENNERTY: This is '89, right?**

10 **MR. OPPENHEIM: Right. Off the record.**

11 (Discussion had off the record.)

12 (Whereupon videotapes were played during the

13 deposition proceedings.)

14 MR. OPPENHEIM: Back on.

15 BY MR. OPPENHEIM:

16 **Q Mr. Mustapha, do you recognize this logo, this**

17 **insignia that you see on the screen right here?**

18 A Yes.

19 **Q Right here at 203 mark?**

20 A Yes.

21 **Q Is this the official logo of the IAP?**

22 A As I remember it, yes.

23 **Q Now, I see on this logo there's Islamic**

24 **Association for Palestine in English across the bottom.**

1 And I realize I'm going to get an objection to this, but
 2 I was just going to ask you what the Arabic text that
 3 runs across the top says.
 4 MS. HOLLANDER: And I do object.
 5 THE WITNESS: The same meaning, Islamic Association
 6 for Palestine.
 7 MR. FENNERTY: When you asked about the logo, what
 8 year are you referring that is the logo, because I think
 9 the logo had changed.
 10 BY MR. OPPENHEIM:
 11 Q To your knowledge, what years was this the
 12 official logo of the IAP?
 13 A I don't remember number of years, but I do
 14 remember that was part of it.
 15 Q Is it possible, also, that the Arabic text that
 16 you just read off to me and translated to me could also
 17 be translated into English as the union, Islamic Union
 18 for Palestine?
 19 MR. FENNERTY: As opposed to association?
 20 MR. OPPENHEIM: As opposed to association.
 21 MS. HOLLANDER: Only answer if you know.
 22 THE WITNESS: I wouldn't know that.
 23 BY MR. OPPENHEIM:
 24 Q You would personally say association?

1 A Yes.
 2 Q And what is this text here that's just coming
 3 out into view if you can see it? It's the white text
 4 that's coming across the IAP logo.
 5 MS. HOLLANDER: I object to the request that the
 6 witness be a translator.
 7 THE WITNESS: The same text on the white round thing
 8 in the back says the same thing that showed up, Islamic
 9 Association for Palestine. It just adds down there
 10 North America.
 11 BY MR. OPPENHEIM:
 12 Q Now, you see on the screen now it appears to be
 13 a banner. Do you recall this banner being present at
 14 any of the IAP functions that you attended?
 15 A I don't remember that.
 16 Q Now, I paused and obviously I've cut off part of
 17 it, but the banner appears to have a red map of the
 18 State of Israel and occupied territories and then some
 19 text written across it. Could you tell me what that
 20 text says?
 21 MS. HOLLANDER: Objection to requiring him to
 22 translate.
 23 THE WITNESS: It means Palestine Islamic from sea to
 24 river.

1 BY MR. OPPENHEIM:
 2 Q Do you know what that slogan might be referring
 3 to?
 4 A No.
 5 Q Well, do you know which sea they're referring
 6 to?
 7 A There is like three seas next to -- could be the
 8 Mediterranean or Red or the Dead Sea.
 9 Q And how about the river?
 10 A I don't know too many rivers.
 11 Q Do you recognize this slogan as being one that
 12 is associated with the group Hamas? Have you ever heard
 13 that?
 14 A I really don't recall any of that.
 15 Q Now, I just want you to watch and see if you see
 16 yourself appear. Let me know if you do. Are you
 17 performing?
 18 A I don't know how to do that, so I wouldn't be
 19 there.
 20 Q This is not you here, for example?
 21 A For sure not me.
 22 MR. FENNERTY: Too much hair.
 23 BY MR. OPPENHEIM:
 24 Q Now, this is a shot of the banner which we were

1 looking at before. This is the full banner. I realize
 2 that it's not particularly clear, but can you tell at
 3 all what the text on the bottom part says?
 4 MS. HOLLANDER: Objection to the translation.
 5 THE WITNESS: It says the convention of the Islamic
 6 Association for Palestine. That's on the banner at the
 7 bottom with the map.
 8 MR. FENNERTY: Is there any way to designate the
 9 time in the video so we can know what time you're
 10 referring to every time you ask him questions?
 11 MR. OPPENHEIM: I can give you a summary of the ones
 12 we've done so far. Now we're at what appears to be
 13 5833.
 14 BY MR. OPPENHEIM:
 15 Q Have you ever seen this particular speaker at an
 16 IAP event?
 17 MS. HOLLANDER: I object to the form of the
 18 question.
 19 THE WITNESS: No.
 20 BY MR. OPPENHEIM:
 21 Q Never saw a speaker that was attired with his
 22 face covered?
 23 A No, I don't recall that.
 24 MR. FENNERTY: You mean at this convention in 1989?

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1 Because he testified --

2 MR. OPPENHEIM: He testified he wasn't at '89. I

3 want to know if he's seen a speaker who looks like this

4 talking in an IAP convention, because I suspect that

5 that may be -- he may be mistaken about the year.

6 THE WITNESS: I don't recall it.

7 MR. OPPENHEIM: You can go to the next one.

8 BY MR. OPPENHEIM:

9 **Q We're now at 5836 or thereabouts. I was**

10 **wondering if you recognize any of the individuals that**

11 **we see?**

12 A I know them all.

13 **Q Are these the members of Al-Sakhra?**

14 A Yes.

15 **Q Now, do you recall performing with these**

16 **individuals at this particular event?**

17 A What year is this event?

18 **Q This film is from 1989.**

19 A I don't recall I was even there.

20 **Q Okay.**

21 **MR. OPPENHEIM: Fast forward with the picture on.**

22 **BY MR. OPPENHEIM:**

23 **Q You mentioned that you did know the four**

24 **individuals who were on the screen at the previous time**

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1 **stamp?**

2 A Yes.

3 **Q What are their names?**

4 A This person is Fawaz Mushtaha.

5 **Q And he is the same one we were discussing**

6 **earlier that was on the IAP board?**

7 A Yes. Can you go backwards? The next one to his

8 right is first name Monzer, M-O-N-Z-E-R, last name

9 Taleb, T-A-L-E-B.

10 **Q To the left can you --**

11 A The guy --

12 **Q Right here.**

13 A The guy who is to the left of Mr. Mushtaha is

14 Ibrahim, I-B-R-A-H-I-M. I don't know his last name.

15 And the one -- I just know him by the name of Joher.

16 **Q That's the man on the far left?**

17 A Yes. J-O-H-E-R.

18 **Q Do you know if Mr. Mushtaha is still living in**

19 **the United States?**

20 A I wouldn't know.

21 **Q When was the last time you spoke with him?**

22 A Maybe in the last convention.

23 **Q Which would have been when?**

24 A Two years ago.

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1 **Q I paused the screen at two hours five minutes**

2 **and one second, and we have what appears to be a**

3 **solicitation for the Occupied Land Fund. Do you**

4 **recall -- Well, I guess, first, do you recall ever**

5 **seeing a tape of one of the IAP events, of any IAP**

6 **event?**

7 **MS. HOLLANDER: Before this litigation, you mean?**

8 **MR. OPPENHEIM: Before this litigation.**

9 **THE WITNESS: Yes. Yesterday we were --**

10 **MS. HOLLANDER: Before this litigation.**

11 **THE WITNESS: Oh, you mean any event?**

12 **MR. OPPENHEIM: Any tape of any IAP event.**

13 **THE WITNESS: Yes. I always watch, you know, the**

14 **ones for like -- especially with the songs and the**

15 **festivals**

16 **BY MR. OPPENHEIM:**

17 **Q In any of the tapes that you have seen, did the**

18 **tape -- does the tape conclude with a solicitation like**

19 **the one we see here?**

20 **MR. FENNERTY: For the Occupied Land Fund?**

21 **MR. OPPENHEIM: For the Occupied Land Fund or for**

22 **the Holy Land Foundation?**

23 **THE WITNESS: I don't recall seeing this on the**

24 **tape, no.**

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1 **BY MR. OPPENHEIM:**

2 **Q Have you ever seen this particular tape? And**

3 **that would be the tape of the 1989 IAP convention in**

4 **Kansas City.**

5 **MS. HOLLANDER: Before this litigation?**

6 **MR. OPPENHEIM: Before this litigation.**

7 **THE WITNESS: I don't recall. I don't recall.**

8 **MR. OPPENHEIM: Go to the next one. That's it for**

9 **this tape.**

10 **MR. FENNERTY: This is not part two of that one?**

11 **MR. OPPENHEIM: No. This is -- This is going to be**

12 **the tape Bates No. Boim 2667, which is, I believe, the**

13 **1992 IAP. We called it the convention, but I guess it**

14 **would be the festival in 1992.**

15 **MS. HOLLANDER: You called it IAP conference 1992?**

16 **MR. OPPENHEIM: Yes.**

17 **MS. HOLLANDER: What's the Bates number?**

18 **MR. OPPENHEIM: 2667.**

19 **MS. HOLLANDER: I have that as 1988, unless I**

20 **misabeled it.**

21 **MR. OPPENHEIM: That's entirely possible.**

22 **MS. HOLLANDER: But I tried to use your labels.**

23 **MR. OPPENHEIM: Well, hopefully we'll resolve that**

24 **shortly.**

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1 **BY MR. OPPENHEIM:**
 2 **Q Now, 1992, this would have been one of the**
 3 **festivals you did perform at?**
 4 A I would assume that.
 5 **Q We can pause it right here. It looks like it's**
 6 **53 seconds into the tape.**
 7 **MS. HOLLANDER: And you're sure about the Bates**
 8 **number?**
 9 **MR. OPPENHEIM: That's where we may be off, but**
 10 **that's what the label is.**
 11 **Is there any possibility that Dan mislabeled**
 12 **them? We can check on that.**
 13 **MS. HOLLANDER: You think this is 002667 and it's**
 14 **1992?**
 15 **MR. OPPENHEIM: Yes. In fact, I would just like to**
 16 **note for the record that the screen that I've currently**
 17 **paused the tape on says at the bottom -- although it's**
 18 **covered by the counter -- Oklahoma City 1992. Above it,**
 19 **the proceedings of the 15th Annual Convention of the**
 20 **Muslim-Arab Youth Association, omsiyat (phonetic)**
 21 **Philistine, prepared by the Islamic Association of**
 22 **Palestine.**
 23 **BY MR. OPPENHEIM:**
 24 **Q Are you familiar with the Muslim-Arab Youth**

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1 **Association?**
 2 A Yes.
 3 **Q Are you affiliated with them in any way?**
 4 A No.
 5 MR. FENNERTY: He's too old to be a youth.
 6 BY MR. OPPENHEIM:
 7 **Q Have you ever been affiliated with MAYA?**
 8 A Maybe I applied as a membership with them in
 9 some year.
 10 **Q Do you know what connections they have with IAP?**
 11 A I wouldn't know that.
 12 **Q Do you know if, for example, they jointly**
 13 **sponsor conferences or festivals with IAP?**
 14 A I wouldn't know that. But we performed, you
 15 know, as a band in events of MAYA, which is Muslim-Arab
 16 Youth Association, as MAYA and IAP, yes.
 17 **Q Omsiyat Philistine, I assume, is the phonetic**
 18 **writing of what would be Arabic words. What would those**
 19 **words translate into in English?**
 20 A Omsiyat means night. Philistine is Philistine.
 21 **Q So night of Palestine?**
 22 A Yes.
 23 MR. OPPENHEIM: We can go to the next one.
 24 BY MR. OPPENHEIM:

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1 **Q Do you recall attending a conference or a**
 2 **festival in Oklahoma City?**
 3 A I do.
 4 **Q Is this your band or is this Al-Sakhra?**
 5 A This is Al-Sakhra.
 6 **Q Are these all members of Al-Sakhra that we see?**
 7 A Yes.
 8 **Q Do you recall if during this particular**
 9 **performance you performed with them?**
 10 A The one in Oklahoma, I was sick and I had stayed
 11 in my hotel room. I don't recall that I performed in
 12 the major night, which would be this. But I don't
 13 remember. I don't remember.
 14 **Q Other members of your band Isra had performed?**
 15 A I don't think any of us did. Maybe. I'm not
 16 sure.
 17 MR. OPPENHEIM: Let's fast forward with the screen
 18 on.
 19 THE WITNESS: If I may add one thing?
 20 MS. HOLLANDER: There there's no question pending.
 21 BY MR. OPPENHEIM:
 22 **Q If there's something you need to clarify, please**
 23 **go ahead.**
 24 A I'll hold it.

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1 **Q As far as you can recall, you were not**
 2 **performing on this night that we see on this videotape?**
 3 A I don't recall that I participated, but I
 4 attended the conference in Oklahoma.
 5 MR. OPPENHEIM: Let's go to the next one.
 6 MS. HOLLANDER: We're on the same tape still?
 7 MR. OPPENHEIM: We're on the same tape.
 8 MR. FENNERTY: What time?
 9 MR. OPPENHEIM: 5527 it looks like. 5531.
 10 BY MR. OPPENHEIM:
 11 **Q Can you tell me what the picture on the screen**
 12 **is a picture of?**
 13 A I have no idea.
 14 **Q This isn't the room as you remember it in**
 15 **Oklahoma City; is that correct?**
 16 A What room?
 17 **Q The room at which the conference took place?**
 18 A I wouldn't know.
 19 **Q This appears to be footage of something else**
 20 **spliced into the tape; is that a fair statement?**
 21 **MR. FENNERTY: Objection. He's not an expert in**
 22 **video splicing.**
 23 **MR. OPPENHEIM: I'm simply looking for an**
 24 **acknowledgment that this is outside footage that isn't**

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1 footage of the actual event or conference festivities;
 2 is that a fair estimate?
 3 MR. FENNERTY: You're asking him to speculate on
 4 what he doesn't know.
 5 THE WITNESS: I can't recognize what's on this.
 6 BY MR. OPPENHEIM:
 7 Q And there looks to be seven lines of text which
 8 has been placed on the screen. Can you tell me what
 9 that text says?
 10 MS. HOLLANDER: Objection to making the witness a
 11 translator.
 12 THE WITNESS: I need a clearer view. I can't read
 13 this.
 14 I might recognize some of the -- if you can
 15 rewind it, please, and pause it.
 16 As far as I can understand it, it says but the
 17 Muslim world rings the bell of urgency, or something
 18 like that, from the town of the mosque from Jerusalem
 19 and is requesting to let go or let go their differences,
 20 which these differences are like, you know, chaining
 21 them from going forward because Jerusalem is under the
 22 microscope or like pointed at and there's no -- I can't
 23 read that last line.
 24 MR. OPPENHEIM: Go to the next one.

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1 MS. PETROWSKI: That's it for this tape.
 2 MR. FENNERTY: Next tape?
 3 MR. OPPENHEIM: Is 2666, which I believe is the '93
 4 New Jersey IAP festival.
 5 MS. HOLLANDER: Do you have one labeled IAP
 6 conference 1988?
 7 MR. OPPENHEIM: Yes. I'm not going to use that,
 8 though.
 9 MS. HOLLANDER: Can you tell me what its Bates
 10 number is?
 11 MR. OPPENHEIM: I don't know it off the top of my
 12 head.
 13 MS. HOLLANDER: But there is one?
 14 MR. OPPENHEIM: Yes.
 15 BY MR. OPPENHEIM:
 16 Q It's fair to say you weren't at the 1988
 17 festival; is that correct?
 18 A Yes.
 19 Q This isn't very clear, but this first screen
 20 appears to say that the video is produced by Aqsa
 21 Vision. Are you familiar with Aqsa Vision?
 22 MR. FENNERTY: What time?
 23 MR. OPPENHEIM: 20 seconds into the tape.
 24 THE WITNESS: I only recall seeing the name Aqsa

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1 Vision on some of the tapes. That's how I know there's
 2 something called Aqsa Vision.
 3 BY MR. OPPENHEIM:
 4 Q In your work for HLF and in your work on behalf
 5 of IAP, you never heard Aqsa Vision being discussed?
 6 A Not that I recall.
 7 MR. OPPENHEIM: Play the next one.
 8 BY MR. OPPENHEIM:
 9 Q Actually, I should have asked at the beginning,
 10 have you seen this tape that we're watching right now
 11 before?
 12 MS. HOLLANDER: Other than through this?
 13 BY MR. OPPENHEIM:
 14 Q Other than what your attorney might have showed
 15 you in the last few days?
 16 A I don't remember. We haven't played anything
 17 yet.
 18 Q So if you'll look at this screen, you'll notice
 19 the word Intifada in English, although it's kind of
 20 getting cut off by the static, and then what appears to
 21 be the IAP logo. Based on your familiarity with that
 22 logo, is this, in fact, the IAP logo?
 23 I am now indicating a circular logo that
 24 appears in the middle half right side of the screen.

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1 A I don't remember this one particularly, you
 2 know, as the logo of IAP. I seen it. I can see it, but
 3 I don't remember.
 4 Q Would it be fair, though, to say that this logo
 5 is simply a black and white -- a dark green and white
 6 version of the logo that you have identified for us in
 7 the 1989 tape; is that a fair statement?
 8 A It does say on it Islamic Association for
 9 Palestine, but it's different.
 10 Q How is it different?
 11 A The previous one didn't have any of those
 12 plants, those things. I don't remember. I need to see
 13 the old -- the one before that to make comparison.
 14 Q I'll note there is a word across the middle in
 15 this one. I'm not sure if that was in the other one
 16 either. Can you read what this says?
 17 A Can you replay it, please, so it will show
 18 better?
 19 MS. HOLLANDER: I object to his being asked to
 20 translate.
 21 THE WITNESS: It says what I do, prepare.
 22 BY MR. OPPENHEIM:
 23 Q And then how about the text that's running along
 24 the ribbon that's --

- 1 A Before this?
- 2 **Q Yes.**
- 3 A It just says there's no God but Allah and
- 4 Muhammad is his messenger.
- 5 **Q Now, is that a slogan that you heard before?**
- 6 A Of course.
- 7 **Q Is that a slogan that gets used at IAP**
- 8 **conferences and events?**
- 9 A We use it every single second. This is a part
- 10 of our prayers. The statement I set down, not the word.
- 11 **Q Right. When we were watching the first tape,**
- 12 **the 1989 tape, you identified for us another slogan,**
- 13 **Palestine from the river to the sea. Is that a slogan**
- 14 **that gets used at IAP functions and events frequently?**
- 15 A Not that I know of.
- 16 MR. FENNERTY: What time frame?
- 17 MR. OPPENHEIM: Any that he's aware of.
- 18 BY MR. OPPENHEIM:
- 19 **Q Have you had a chance to see what that screen**
- 20 **says above the word Intifada in Arabic. I know it's**
- 21 **been cut off, but it's been running back and forth.**
- 22 A I believe it's the same. Islamic Association
- 23 for Palestine on the top and then festivals of coming
- 24 back.

- 1 **Q Now, to your knowledge, was the Islamic**
- 2 **Association of Palestine involved in any way in the**
- 3 **Intifada?**
- 4 A I wouldn't know that.
- 5 **Q Well, in the course of your work for them,**
- 6 **either through your performances or through any other**
- 7 **work you might have done, that never was something that**
- 8 **was ever discussed?**
- 9 A One more time, the period at the time of '91
- 10 till '96, my main volunteer-type of job is to sing. So
- 11 anything that would be of what type of policies or whom
- 12 they're conducting business with, I wouldn't know.
- 13 **Q Well, let me go in a different direction. Do**
- 14 **you write your own music?**
- 15 A Sometimes.
- 16 **Q Do you know if Al-Sakhra writes their own music?**
- 17 A I wouldn't know that.
- 18 **Q Now, in all the times you've performed at IAP**
- 19 **festivals, the songs you've performed, are those -- are**
- 20 **those generally songs that you've written yourself?**
- 21 A Not till probably '98. All the songs we used
- 22 were songs of cultural songs from the Middle East.
- 23 **Q And why did you pick the ones that you did?**
- 24 A In the festivals and in the convention, I

- 1 wouldn't pick them.
- 2 **Q Who would?**
- 3 A The head of Al-Sakhra, Mr. Mushtaha.
- 4 **Q And your role was simply to perform along with**
- 5 **them whatever songs they wanted to?**
- 6 A We always had the back line.
- 7 **Q Now, do you ever pay any attention to the lyrics**
- 8 **of the songs that Mr. Mushtaha chose?**
- 9 A Yes. We sing them.
- 10 **Q Did any of them have to do with Hamas?**
- 11 A Sometimes it did.
- 12 **Q And were these generally songs that were**
- 13 **favorable of what Hamas does or critical?**
- 14 A Well, because they are cultural songs, so they
- 15 are to be favorable of Hamas.
- 16 MS. HOLLANDER: What time period are you speaking
- 17 of?
- 18 MR. OPPENHEIM: I'm talking about when he was
- 19 performing at these festivals, which I think we defined
- 20 as 1991 through '95.
- 21 THE WITNESS: No. I wouldn't say to '95. Probably
- 22 just for two years that I was involved as far I am --
- 23 BY MR. OPPENHEIM:
- 24 **Q So that would be '91 and '92 then?**

- 1 A Maybe to '93. I'm not sure.
- 2 **Q Okay. You said that some of the songs were**
- 3 **about Hamas, but not all of them; is that a fair**
- 4 **statement?**
- 5 **MS. HOLLANDER: I don't think he said they were**
- 6 **about Hamas. You said that they used Hamas words.**
- 7 **BY MR. OPPENHEIM:**
- 8 **Q Well, in that case, why don't you put it in your**
- 9 **words since we seem to be on a --**
- 10 A Well, some songs included the name Hamas in
- 11 their lyrics.
- 12 **Q Were they about Hamas?**
- 13 A I wouldn't remember exactly the text, but yes,
- 14 the name Hamas appeared in some of the wordings that we
- 15 were singing.
- 16 **Q And the songs, generally, were supportive of**
- 17 **Hamas, I believe you said?**
- 18 A I would phrase it support of the cultural cause
- 19 that, you know -- The Palestinians were doing those
- 20 writings, and Hamas would be included through those
- 21 writings.
- 22 **Q So were Hamas tactics supported?**
- 23 A I wouldn't know. What do you mean?
- 24 MR. FENNERTY: Would you clarify what tactics you're

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1 talking about?
 2 MR. OPPENHEIM: What I want to know is whether the
 3 songs that were sung were generally calls to arms. Were
 4 they advocating jihad? Were they advocating the
 5 Intifada, the struggle against Israel? Is this the
 6 material generally that was being performed?
 7 MS. HOLLANDER: I object because a call to arm means
 8 one thing and jihad means another thing and Intifada
 9 means another thing. I think we have to be clear if
 10 he's going to answer, so I'm going to object to the form
 11 of the question.
 12 BY MR. OPPENHEIM:
 13 **Q Fair enough. Were the songs about any of those**
 14 **three things?**
 15 A Well, I would recall the name Intifada
 16 mentioned, yes. But a call for arms or jihad, I don't
 17 recall any of that.
 18 **Q Do you still have any of the songs that you**
 19 **performed in written form?**
 20 A Now?
 21 **Q Yes.**
 22 A I don't think so.
 23 **Q Did you then?**
 24 A Everything for the band was dealt with

1 Al-Sakhra, papers and stuff, so I wasn't the one to have
 2 the papers for that. We would go and the Al-Sakhra
 3 would have the whole program, what we're going to sing,
 4 the songs. We sit down, practice, go with them on stage
 5 and then come back.
 6 **Q You have no idea why Al-Sakhra was the only band**
 7 **that performed at these conferences and festivals while**
 8 **you have been involved?**
 9 A Why Al-Sakhra was the only band?
 10 **Q Yes.**
 11 A I don't know.
 12 **Q I think you testified that Mr. Mushtaha always**
 13 **asked you to accompany them; is that correct?**
 14 A He wouldn't ask me. I mentioned that he -- in
 15 the beginning he mentioned if you guys are interested.
 16 And then all our dealings were with the local chapter of
 17 IAP.
 18 **Q Okay. Fair enough. But you never performed**
 19 **without them to your recollection, did you?**
 20 A In those festivals?
 21 **Q Yes.**
 22 A I don't recall that we did, no.
 23 **Q Do you recall any other bands ever performing**
 24 **other than yourself, your own and Al-Sakhra?**

1 A No.
 2 **Q What does that sign say, that banner?**
 3 **MS. HOLLANDER: Objection.**
 4 **MR. OPPENHEIM: We are now at 128, a minute 28 into**
 5 **the video.**
 6 **THE WITNESS: I got it. It says Islamic Association**
 7 **for Palestine welcomes.**
 8 **BY MR. OPPENHEIM:**
 9 **Q Do you recall seeing that banner in a venue at**
 10 **which you performed?**
 11 A I don't remember. I mean, you're asking me
 12 things that happened -- every single banner and every
 13 time. Where were you in 1998 of January?
 14 MS. HOLLANDER: You don't get to ask questions.
 15 MR. OPPENHEIM: Let's go to the next one.
 16 BY MR. OPPENHEIM:
 17 **Q What does this one say?**
 18 **MS. HOLLANDER: Objection.**
 19 **THE WITNESS: It says --**
 20 **MR. OPPENHEIM: It's at 135, I'm sorry. Go ahead.**
 21 **THE WITNESS: This is treaty or something. Like**
 22 **we're not in support of this treaty.**
 23 **BY MR. OPPENHEIM:**
 24 **Q Based on to your knowledge, could that be**
 1 **referring to the Oslo Peace Treaty between Yasser Arafat**
 2 **and Yitzhak Rabin?**
 3 A Yes.
 4 **Q Yes, it could; or yes, you actually know that**
 5 **that's what it was referring to?**
 6 A To my knowledge, this term refers to the Spain
 7 meeting that happened.
 8 **Q And finally this sign, what does this one say?**
 9 **MS. HOLLANDER: I'll object to this too.**
 10 **MR. OPPENHEIM: It's 138, I believe. 137.**
 11 **THE WITNESS: It says the mini state of Jericho one**
 12 **hour and the state of Islam till the day of the**
 13 **judgment.**
 14 **BY MR. OPPENHEIM:**
 15 **Q What does that mean to you?**
 16 A Exactly as I translated.
 17 **Q So what is the mini state of Jericho?**
 18 **MS. HOLLANDER: I'm going to object. Are you asking**
 19 **for an expert opinion?**
 20 **MR. OPPENHEIM: No. I'm asking based on his own**
 21 **knowledge.**
 22 **THE WITNESS: You say this is a big cup and this is**
 23 **a mini cup, and there's a state and a mini state.**
 24 **Whoever wrote it, what he meant with it, I have no idea.**

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1 **BY MR. OPPENHEIM:**
 2 **Q So would it be a fair interpretation to say that**
 3 **the statement is to say that Jericho is one part --**
 4 **small part of the greater Islamic community or world?**
 5 **MS. HOLLANDER: I'm going to object. Calls for**
 6 **speculation on the witness' part of what the writer**
 7 **meant.**
 8 **MR. OPPENHEIM: You can answer.**
 9 **THE WITNESS: I don't think it would be phrased the**
 10 **way you just interpreted it now.**
 11 **BY MR. OPPENHEIM:**
 12 **Q How would you phrase it?**
 13 A The mini state of Jericho is one hour. The
 14 state of Islam till the day of judgment. That's very
 15 simple.
 16 **Q I realize that that's the translation. But what**
 17 **I'm asking is your understanding of what that means.**
 18 A It means in the first line that the state of --
 19 the mini state of Jericho is not going to last more than
 20 an hour. That's my interpretation. The way I
 21 understand it. I could be wrong. And the second line
 22 says that Islam will stay till the day of judgment.
 23 That's my understanding.
 24 MR. OPPENHEIM: Move on to the next. 328 it looks

1 A No.
 2 **Q Never heard of them?**
 3 A No, no.
 4 **Q Have you ever heard of Video Nablus?**
 5 A Yes.
 6 **Q What do you know about them?**
 7 A They do weddings, so I know them from when I was
 8 getting married. I was looking into options.
 9 **Q Are they affiliated in any way with IAP?**
 10 A I wouldn't know that.
 11 **Q But they're a local company?**
 12 A I know they are in New Jersey.
 13 **Q Okay. Other than looking to have them possibly**
 14 **videotape your wedding, have you ever had any**
 15 **involvement with Video Nablus?**
 16 A No.
 17 MS. HOLLANDER: Which one is this?
 18 MS. PETROWSKI: 2668. This is an IAP conference.
 19 MR. OPPENHEIM: We're unsure of the year.
 20 BY MR. OPPENHEIM:
 21 **Q First question, from the view of the stage, do**
 22 **you recognize this arena at all?**
 23 A The what?
 24 **Q Do you recognize where this was filmed?**

1 like.
 2 BY MR. OPPENHEIM:
 3 **Q Is this Al-Sakhra again?**
 4 A Yes.
 5 **Q Do you recall performing this time with**
 6 **Al-Sakhra?**
 7 A What year was that again, please?
 8 **Q This is 1993 in New Jersey.**
 9 A I would suppose I was there because that period
 10 we were going to the festivals. I'm not sure, though.
 11 **Q If you can get a group shot. We're going to try**
 12 **to get all the performers on screen so you can point**
 13 **yourself out, if you would.**
 14 A There's only four here, right?
 15 **Q I think there are five, actually.**
 16 A Just keep playing.
 17 I'm not there.
 18 **Q So you are not on this stage here?**
 19 A No.
 20 MR. OPPENHEIM: You can keep going.
 21 BY MR. OPPENHEIM:
 22 **Q Do you recognize any of these individuals?**
 23 A You mean names?
 24 **Q Yes. There's going to be four or five of them.**

1 A No. I need to watch more.
 2 **Q The second question is going to be asking you to**
 3 **translate what the text that comes up is.**
 4 **MR. FENNERTY: What's the time?**
 5 **MR. OPPENHEIM: Ten seconds in.**
 6 **MS. HOLLANDER: And I object.**
 7 **THE WITNESS: Can you pause it?**
 8 **It says the entertainment session Al-Sakhra**
 9 **joined with Al-Isra, Islamic Association for Palestine**
 10 **of North America.**
 11 **BY MR. OPPENHEIM:**
 12 **Q Does it give a year?**
 13 A No.
 14 **Q Judging that this indicates that this is a**
 15 **videotape of one of the performances that your band did**
 16 **with Al-Sakhra, does that narrow down when it could have**
 17 **been?**
 18 A I really don't remember. I need to see a
 19 clearer picture. See, we went all over, so I really
 20 wouldn't know.
 21 **Q What are they singing by the way?**
 22 A They are just go hey, hey, hey. It means
 23 nothing.
 24 **Q Okay. Do you recognize that song, though?**

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- 1 A Yes.
- 2 **Q What's the first word? How does it go?**
- 3 A It says December 8th it started. This is the
- 4 first -- and the whole world is watching us.
- 5 **Q What does that say?**
- 6 A I have no idea.
- 7 **Q You say you're familiar with this song. How**
- 8 **does the first verse go?**
- 9 A I just told you.
- 10 **Q Okay. And then after that?**
- 11 A It just goes hey, hey, hey. You know, it's just
- 12 like a fill.
- 13 **Q Is there any other lyrics?**
- 14 A I don't remember the whole thing, so I wouldn't
- 15 remember the lyrics, really.
- 16 **Q So all you remember is what you've told me?**
- 17 A Yes.
- 18 **Q Let me know if you recognize yourself since this**
- 19 **appears to be a larger performance than the ones we've**
- 20 **seen.**
- 21 **Let's see if we can get the performers.**
- 22 **Okay. You are none of these?**
- 23 A I haven't seen myself yet.
- 24 **Q Obviously that's not you, correct?**

- 1 A Yes.
- 2 **Q Nor is that?**
- 3 A No.
- 4 **Q How about in the background?**
- 5 A No.
- 6 MR. OPPENHEIM: We are currently at about 245, two
- 7 to three minutes into the tape. And we're watching as
- 8 the video jumps back and forth from the performers and
- 9 the song to various other visuals.
- 10 Do we have a place where everybody is on the
- 11 screen? Actually, back up for a second.
- 12 THE WITNESS: None of this is me.
- 13 BY MR. OPPENHEIM:
- 14 **Q Is that Mr. Mushtaha again?**
- 15 A Yes.
- 16 MR. OPPENHEIM: For the record at 532 and again at
- 17 536 we identified Mr. Mushtaha.
- 18 Let's see if we can fast forward. See if we
- 19 can get any more of the people on stage.
- 20 BY MR. OPPENHEIM:
- 21 **Q Now, from what you can see of this picture, it**
- 22 **appears to be everyone on stage. Is that Al-Sakhra, the**
- 23 **group in front?**
- 24 A Yes.

- 1 **Q And this is, once again, at 654. Now, do you**
- 2 **recognize any of the individuals in the military**
- 3 **fatigues in the two group -- either of two groups behind**
- 4 **Al-Sakhra?**
- 5 A You need to go -- I can't see nothing.
- 6 **Q These four on the left. First of all, do you**
- 7 **recognize --**
- 8 A I can't from here. I see a bald guy. That's
- 9 all I can tell.
- 10 **Q When you would perform with Al-Sakhra, though,**
- 11 **would you be usually behind them?**
- 12 A Yes.
- 13 **Q As these individuals are?**
- 14 **MR. OPPENHEIM: Fast forward and see if we can get a**
- 15 **better picture.**
- 16 **BY MR. OPPENHEIM:**
- 17 **Q Do you recognize these four individuals?**
- 18 A Go back and play. Well, actually no.
- 19 **Q You don't recognize any of them?**
- 20 A No, I don't.
- 21 MS. HOLLANDER: Where were we?
- 22 MR. OPPENHEIM: We were at --
- 23 MS. PETROWSKI: 1635, I believe. Around there.
- 24 MR. FENNERTY: With the four gentleman in the
- 1 fatigues?
- 2 MR. OPPENHEIM: In military fatigues at 1640 and the
- 3 witness indicated that he does not recognize any of
- 4 them.
- 5 THE WITNESS: The one in the fatigues. I know all
- 6 the guys who are in front.
- 7 BY MR. OPPENHEIM:
- 8 **Q Right, the Al-Sakhra band. But you do not**
- 9 **recognize the backups?**
- 10 A No.
- 11 **Q You have not seen any members of your own band?**
- 12 A No.
- 13 **Q We're going to be coming up on 1122 or**
- 14 **thereabouts. Do you recognize any of these four?**
- 15 A Can you back up a little bit?
- 16 MS. PETROWSKI: It's 17, not 11.
- 17 MS. HOLLANDER: What's the number?
- 18 MR. OPPENHEIM: 1722, 23, 24.
- 19 THE WITNESS: Okay. Two of them, I recognize them
- 20 as the team for the plays. I've seen them performing
- 21 plays. They are still in Al-Sakhra. But that's all I
- 22 remember. The other two I don't know.
- 23 BY MR. OPPENHEIM:
- 24 **Q We're going to pause here at 1646 at what**

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1 appears to be a Hamas banner on the screen. Do you
 2 recall seeing a banner like that at any of the places
 3 you performed?
 4 A No, I do not recall that.
 5 Q Okay. Right here.
 6 Now, this appears to be banner of some sort as
 7 well. Could you read what it says?
 8 A Hamas.
 9 MS. HOLLANDER: Objection.
 10 BY MR. OPPENHEIM:
 11 Q And can you tell from there what the Hamas sign
 12 is made out of?
 13 MS. HOLLANDER: What material it's made out of?
 14 MR. OPPENHEIM: What material and what the little
 15 white objects that make up the word appear to be.
 16 THE WITNESS: What?
 17 BY MR. OPPENHEIM:
 18 Q This word is formed through a series of what
 19 appears to be white circles. Do you have any idea what
 20 those are?
 21 A I have no idea.
 22 Q You never saw that sign?
 23 A Not that I recall, no.
 24 Q Do you recall ever seeing a children's group

1 perform at any of the IAP functions that you performed
 2 at?
 3 A Lately, yes. But if you're talking about the
 4 period between '91 to '95, I don't recall that, no.
 5 Q Is it possible that this videotape that we're
 6 watching is one of the more recent events?
 7 MS. HOLLANDER: I'm going to object, calls for
 8 speculation.
 9 THE WITNESS: I wouldn't know.
 10 BY MR. OPPENHEIM:
 11 Q You don't remember every seeing those particular
 12 children perform?
 13 A No, I don't recall that.
 14 Q What are they singing?
 15 MS. HOLLANDER: Objection.
 16 THE WITNESS: I have no idea.
 17 BY MR. OPPENHEIM:
 18 Q The sound quality is not good enough?
 19 A And the voices --
 20 Q Turn it up a little bit.
 21 A I really can't tell.
 22 Q Is this a song or does it resemble a song that
 23 you have performed?
 24 A I don't recall that I did that.

1 Q It appears that at least one of the chorus words
 2 in this song is the word Hamas. Have you performed any
 3 of the songs where the chorus ends in Hamas?
 4 A I don't remember. I mentioned before that we
 5 used some lyrics that has the word Hamas included.
 6 Other than that, I really don't recall any phrases.
 7 Q And of the children singing groups that you have
 8 observed that you remember, whether now -- whether more
 9 recent or back then, do you remember any other
 10 children's group performing this song?
 11 A I don't recall that.
 12 MR. OPPENHEIM: Pause right here.
 13 MR. FENNERTY: What's the time?
 14 MR. OPPENHEIM: We are now at 26 minutes 40 seconds
 15 into this videotape.
 16 BY MR. OPPENHEIM:
 17 Q Do you recognize this individual?
 18 A Can you play it?
 19 MS. HOLLANDER: Where were the kids? Did we say
 20 where we were on the tape?
 21 MS. PETROWSKI: 23 minutes, and it runs for about
 22 3 and a half minutes.
 23 MS. HOLLANDER: Thank you.
 24 THE WITNESS: I don't know.

1 BY MR. OPPENHEIM:
 2 Q Never seen this individual before?
 3 A Not that I remember, no.
 4 Q Does the name Qawka, Q-A-W-K-A, have you heard
 5 that name before?
 6 A What?
 7 Q Qawka, have you heard the name Qawka before?
 8 A No.
 9 Q Stop.
 10 What does that banner say?
 11 MS. HOLLANDER: Objection.
 12 THE WITNESS: It says there's no God but Allah and
 13 Muhammad is his messenger.
 14 MR. OPPENHEIM: We are 2904 on the tape. Keep
 15 playing actually.
 16 BY MR. OPPENHEIM:
 17 Q Okay. Now, does this also spell out Hamas?
 18 A Yes.
 19 MS. HOLLANDER: Where are you?
 20 MR. OPPENHEIM: I'm pointing at the bottom of
 21 screen.
 22 MS. PETROWSKI: 3022.
 23 MR. OPPENHEIM: I think we're all set with the tapes
 24 now.

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1 BY MR. OPPENHEIM:
 2 **Q After seeing a large portion of this tape, do**
 3 **you have any better idea of when this event might have**
 4 **taken place?**

5 A I can't tell.

6 MR. OPPENHEIM: We're done with the tape. We can
 7 take a couple minutes and break.

8 (Whereupon the playing of videotapes was
 9 completed.)

10 (Break taken.)

11 BY MR. OPPENHEIM:

12 **Q We just watched a videotape of what appeared to**
 13 **be an IAP event. Is it possible that that event was the**
 14 **1991 festival which you referred to earlier in the**
 15 **deposition?**

16 A I wouldn't recall what date was it.

17 MS. HOLLANDER: Object to form.

18 BY MR. OPPENHEIM:

19 **Q You did attend an IAP festival in 1991; is that**
 20 **correct?**

21 A I would assume that between '91 and '93,
 22 something like that, yes.

23 **Q And you don't recall hearing a speech from**
 24 **Khalil, K-H-A-L-I-L, Al hyphen Qawka, Q-A-W-K-A; is that**

1 **correct?**

2 A No. Because as I mentioned, as a band, we were
 3 never like in the audience. We were always in the back,
 4 so I wouldn't know.

5 **Q You never actually got to hear the speakers from**
 6 **where you were situated?**

7 A Not that I recall.

8 **Q Did you attend the 1996 IAP conference?**

9 A Yes.

10 **Q You actually helped plan the 1996 IAP**
 11 **conference, correct?**

12 A No. Planning, I assume, it started, for me as a
 13 volunteer on the committee in '98 or '99.

14 **Q I apologize. In 1996, did you happen to catch**
 15 **any of the speech by Mohammad abu Faris, A-B-U, new**
 16 **word, F-A-R-I-S?**

17 A No.

18 **Q Have you ever heard of Mohammad abu Faris?**

19 A I'm familiar with the name. I guess he's a
 20 lecturer or something.

21 **Q Have you ever met him?**

22 A Not that I recall.

23 **Q Have you ever communicated in any way?**

24 A No.

1 **Q Do you recall if you've heard a speech at the**
 2 **1996 IAP convention by Abdul Rahman Alamoudi, A-B-D-U-L**
 3 **R-A-H-M-A-N A-L-A-M-O-U-D-I?**

4 A Not that I recall, no.

5 **Q Do you know Mr. Alamoudi?**

6 A I know him as also a guest and a speaker.

7 **Q Have you ever met him personally?**

8 A Just in the conventions.

9 **Q So you've never had a face-to-face meeting with**
 10 **Mr. Alamoudi outside the IAP conventions?**

11 A Not that I recall, no.

12 **Q I notice you said conventions plural. Have you**
 13 **seen him at more than one IAP convention?**

14 A He might have appeared in one more. That's why
 15 I used that.

16 **Q Did you also attend the IAP convention in 1997?**

17 A I'm not sure if that's the year we, you know,
 18 the IAP skipped or was it done. But if there was a
 19 convention in '97, yes, I had attended.

20 **Q Do you remember any of the speeches from that**
 21 **year?**

22 A One more time, not before '99.

23 **Q Okay.**

24 A I barely watch anything.

1 **Q '99 or '98?**

2 A If the convention was in '97, then IAP skipped
 3 '98. And then I joined as a member for the committee in
 4 '99. So I doubt there was a convention in '98.

5 **Q Have you ever heard of Ahmed Al-Kufahi?**

6 A Yes.

7 **Q What do you know of Mr. Al-Kufahi?**

8 A He was also a speaker at the convention.

9 **Q Did you meet him at the convention?**

10 A Yes.

11 **Q Have you ever met him any time outside of the**
 12 **convention?**

13 A Yes.

14 **Q In what context?**

15 A Here in Chicago. He would come visit. IAP
 16 would bring the guests sometimes a week earlier or they
 17 will stay a week after, so we see them in the mosques,
 18 you know. That's how it goes.

19 **Q So you have seen Mr. Al-Kufahi in the Mosque**
 20 **Foundation?**

21 A Yes.

22 **Q When was the last time you seen him?**

23 A Few years ago. Maybe three, four years ago.

24 **Q How frequently did you run into Mr. Al-Kufahi in**

- 1 **that time period?**
 2 A You have to understand, in the mosque, people
 3 run into each other a lot. So if we attend the five
 4 daily prayers, I'm going to see him five times a day.
 5 That's how it goes.
 6 **Q Do you ever have any sort of relationship with**
 7 **Mr. Al-Kufahi outside of the mosque and outside of the**
 8 **conventions?**
 9 A I believe he was like a guest speaker at some of
 10 the events and festivals, conventions, fund-raising
 11 dinners, so yes. You know, if he would stay one week,
 12 you are going to run into him outside in the mosque,
 13 yes.
 14 **Q Does he live in the United States, to your**
 15 **knowledge?**
 16 A I have no idea.
 17 **Q Have you ever heard of the Islamic Action Front?**
 18 A What is that?
 19 **Q I'm guessing that would mean the answer is no?**
 20 A No.
 21 **Q Have you ever seen Mr. Al-Kufahi give a speech**
 22 **in any venue?**
 23 A In any?
 24 **Q In any venue, have you ever seen him get up and**

- 1 **give a speech?**
 2 A Venue.
 3 **Q Yes, anywhere?**
 4 A Yes. Conventions and fund-raising dinners and
 5 festivals, yes.
 6 **Q Have you ever heard him give a speech about the**
 7 **topic of jihad?**
 8 A I don't recall. What period of time are you
 9 talking about?
 10 **Q Whenever, any time you heard him give a speech.**
 11 A I don't recall really.
 12 **Q Do you recall any of the topics that you've**
 13 **heard him speak about?**
 14 A I don't recall it.
 15 **Q Have you ever heard of an individual by the name**
 16 **of Ali Al-Bayanuni, A-L-I A-L hyphen B-A-Y-A-N-U-N I?**
 17 A I remember he might be a guest also in one of
 18 the conventions.
 19 **Q Do you remember which one that might have been?**
 20 A I really don't remember.
 21 **Q Did you hear his speech at the convention?**
 22 A I don't recall that.
 23 **Q Have you ever heard of an organization called**
 24 **the Muslim Brotherhood?**

- 1 A Yes.
 2 **Q And in what context did you hear about them?**
 3 A They are an organization in Egypt as far as I
 4 know.
 5 **Q Do you know if they are active in the United**
 6 **States?**
 7 A I wouldn't know that.
 8 **Q You are not a member of the Muslim Brotherhood?**
 9 A No, I am not.
 10 **Q Have you ever been?**
 11 A No.
 12 **Q Now, you mentioned in 1999 your role at the IAP**
 13 **conference was different. What changed in 1999?**
 14 A There's volunteer work to be done and they call,
 15 you know, we need this and that. So you go and say,
 16 well, I would like to help more. They will tell you
 17 what to do, where to fit.
 18 **Q So in 1999 you were actually involved in helping**
 19 **to plan and put on the IAP conference; is that correct?**
 20 A I wouldn't phrase it in that way.
 21 **Q How would you phrase it?**
 22 A I was involved in the lectures program. Set up
 23 the timings, make sure the lecturers, speakers are on
 24 time. We would get the list from the president and then

- 1 we will enforce it. Make sure that everything runs
 2 smooth.
 3 **Q So as part of your work, did you meet with each**
 4 **of the speakers before they were to go up on the stage?**
 5 A No.
 6 **Q Do you meet with each of the speakers at all?**
 7 A Well, sometimes they make a lunch, a dinner, we
 8 sit down and talk, yes.
 9 **Q How would you know how long each of the speeches**
 10 **is?**
 11 A Everything will come to us from the IAP. The
 12 lecture name, the lecture speaker, the length,
 13 everything.
 14 **Q And you, essentially, were responsible for**
 15 **scheduling everything so it fit in before the event**
 16 **actually happened?**
 17 A Yes. And during the convention, make sure it
 18 goes on time.
 19 **Q So what exactly did you have to do to make sure**
 20 **things went on time during the convention?**
 21 A I would contact the president or the guests
 22 committee head. We have a lecture at 7 o'clock, for
 23 example, in that hall. Make sure that the speaker is
 24 ready 15 minutes before. I go there, make sure sound

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1 system is working, the chairs are set, you know.
 2 **Q But you weren't the actual person that made sure**
 3 **the speaker was ready?**
 4 A No. It was something that the IAP, you know,
 5 gave. Like they will give us sheets which speaker for
 6 when.
 7 **Q Do you know who at the IAP would be responsible**
 8 **for getting every speaker ready?**
 9 A The president, as he's in charge. Who else with
 10 him, I wouldn't know.
 11 **Q There wasn't a committee dedicated specifically**
 12 **to that?**
 13 A There was a guests committee. I don't know much
 14 about the details of their job, so I don't know.
 15 **Q Were you able to hear any of the speakers in**
 16 **1999?**
 17 A Well, as a head of the program going on, you
 18 have to be going all the time from one place to another.
 19 So I might have caught some in each speech, yes. But I
 20 don't recall sitting, you know, two hours for lecture or
 21 something like that.
 22 **Q And you mentioned before, in order to schedule**
 23 **everything, you were provided with the name of the**
 24 **speaker and the length of the speech. Were you also**

1 **provided with the text of the speech?**
 2 A No.
 3 **Q Do you recall a speaker in 1999 by the name of**
 4 **Salah Sultan?**
 5 A Yes.
 6 **Q Do you know Mr. Sultan outside of hearing him**
 7 **speak in '99?**
 8 A I know the person, yes. You know, he visits.
 9 He's a speaker. One more time, all the speakers who
 10 come to the conventions or festivals, you get to know
 11 them through the socializing at the mosque and in
 12 events. Nothing of a specific relationship, though.
 13 **Q Do you recall the content of Mr. Sultan's speech**
 14 **in 1999?**
 15 A No, I do not.
 16 **Q Do you recall at all hearing him say, quote, I**
 17 **want every child to sleep on the wound Palestine and the**
 18 **actions of martyrdom just like that mother in the**
 19 **country whose son wrote to her that they are to meet in**
 20 **Paradise? Do you recall hearing that in Mr. Sultan's**
 21 **speech?**
 22 A I don't recall that.
 23 **Q Did you hear Mr. Al-Kufahi, who I believe we've**
 24 **discussed, speak in 1999?**

1 A I'm not sure if he was in '99. But if he was,
 2 one more time, I don't recall the lectures in general,
 3 you know. I was busy from one place to another.
 4 **Q Now, in the 2000 conference, was your role in**
 5 **planning similar to that of 1999?**
 6 A Yes.
 7 **Q Do you recall hearing Jamal Said speak in 2000?**
 8 A I mean, if he is from the speakers, he might
 9 have gave lecture. I really don't recall the names,
 10 when and how. I don't remember.
 11 **Q Do you remember hearing speak an individual by**
 12 **the name of Tariq Suweidan, T-A-R-I-Q S-U-W-E-I-D-A-N?**
 13 A Yes. Now what year was that?
 14 **Q I believe 2000. Does that fit with your memory?**
 15 A I don't remember, but if your records say so --
 16 **Q You did see Mr. Suweidan speak?**
 17 A Yes.
 18 **Q Do you remember what he said in his speech?**
 19 A I don't.
 20 **Q Do you know Mr. Suweidan outside of the 2000 IAP**
 21 **conference?**
 22 A No, I do not.
 23 **Q Have you ever heard of an individual by the name**
 24 **of Hamdi Hassin?**

1 A No.
 2 **Q Now, have you performed at any functions other**
 3 **than the IAP festivals?**
 4 A As band?
 5 **Q As a band.**
 6 A Yes.
 7 **Q Have you performed at any other -- any function**
 8 **sponsored by HLF?**
 9 A Yes.
 10 **Q How about any functions sponsored by CAIR?**
 11 A I don't recall.
 12 **Q How about any functions sponsored by United**
 13 **Association for Studies and Research, USAR?**
 14 A I don't recall that.
 15 **Q Is there -- Are there any other groups who**
 16 **sponsor annual conferences or conventions or festivals**
 17 **other than IAP that you perform at every year?**
 18 A Well, we perform at weddings, cultural --
 19 sometimes holidays. We do this on a weekly basis.
 20 **Q But are there any other organizations that put**
 21 **on regular functions that you will perform at on a**
 22 **regular basis?**
 23 A They are organizations. A mosque, for example,
 24 would make a holiday party, so we would go and perform.

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1 A school would have a graduation ceremony, and we go and
 2 we will visit every year, yes.
 3 **Q I assume, then, that you have performed at**
 4 **functions for the Mosque Foundation?**
 5 A Yes.
 6 **Q Did you attend the festival in Kansas City in**
 7 **1990?**
 8 A I don't remember.
 9 **Q I think I asked you this before, but have you**
 10 **ever seen Mousa Marzook speak?**
 11 A Not that I recall.
 12 **Q Are you familiar with an individual by the name**
 13 **of Nasser Hidmi, H-I-D-M-I?**
 14 A No.
 15 **Q Did you attend a meeting in Philadelphia from on**
 16 **October 1 to 3, 1993?**
 17 A No.
 18 **Q You're absolutely certain?**
 19 A Yes.
 20 **Q Were you even in Philadelphia on those dates?**
 21 A I don't recall that.
 22 **Q How are you certain that you didn't have a**
 23 **meeting there then?**
 24 A I don't recall going to Philadelphia at that

1 time.
 2 **Q Okay.**
 3 (Document marked as Exhibit 5.)
 4 MS. HOLLANDER: Are the previous exhibits numbers
 5 from previous depositions in this case?
 6 MR. OPPENHEIM: Yes. Unless the sticker was placed
 7 over it, you'll see that this also says Exhibit 51 from
 8 Rafeeq Jaber's deposition, August 6, 2003.
 9 BY MR. OPPENHEIM:
 10 **Q If you would take a moment to leaf through this**
 11 **exhibit. I don't need you to actually read it.**
 12 A Okay.
 13 **Q If you'll just flip to the cover page, do you**
 14 **recognize this symbol? Have you seen it before?**
 15 A I don't recall.
 16 **Q Okay. And could you read for us what the Arabic**
 17 **text that appears next to what appears to be what is a**
 18 **map of Israel says?**
 19 MS. HOLLANDER: Objection.
 20 THE WITNESS: I'll do my best translation. It might
 21 mean the bylaws or something like that of the Islamic
 22 Movement, Hamas, Palestine, and then there's a date,
 23 August 18th of 1988.
 24 BY MR. OPPENHEIM:

1 **Q You've never seen this document before?**
 2 A I don't recall.
 3 **Q If you'll flip now to the -- I guess what's the**
 4 **third to last page in this exhibit, you have a list of**
 5 **organizations, the first one of which is the IAP**
 6 **Information Office in Tucson, Arizona. Then if you'll**
 7 **scroll down, second from the bottom says the Occupied**
 8 **Land Fund in Plainfield, Indiana. Did you -- When you**
 9 **were with IAP, did anyone mention that they were**
 10 **responsible for the publication of that document?**
 11 A I wouldn't have any idea.
 12 **Q Now, if you'll look at the symbol on this page,**
 13 **is that the same symbol that we've been discussing**
 14 **earlier?**
 15 A Yes.
 16 **Q This is the one that you recognized as being a**
 17 **past IAP symbol?**
 18 A Yes. I didn't remember seeing this logo here.
 19 **Q Okay. But the symbol, as you recognize, it**
 20 **involved a circle with the Islamic Association for**
 21 **Palestine written in both English and Arabic?**
 22 A Yes.
 23 **Q And it also involved a picture of the map of**
 24 **Israel; is this correct?**

1 A Yes.
 2 **Q The differences with this symbol and the one you**
 3 **recognized, then, are simply the -- what look like**
 4 **leaves around the inside of the circle; is that correct?**
 5 A You haven't brought me the other one. I really
 6 don't recall the other one much. I need to compare.
 7 **Q Unfortunately, that one is on the videotape.**
 8 **If you'll flip to the next page, you'll see**
 9 **some Arabic writing and you'll see in English the IAP**
 10 **Information Office. Could you read the three lines of**
 11 **Arabic above the box that includes IAP Information**
 12 **Office?**
 13 MS. HOLLANDER: To which I object.
 14 THE WITNESS: It says this copy has been reprinted
 15 in North America under the supervision of the Islamic
 16 Association of Palestine in North America.
 17 BY MR. OPPENHEIM:
 18 **Q Now, when you were performing any of your**
 19 **functions for IAP, did you ever come across a copy of**
 20 **this document?**
 21 A I wouldn't remember.
 22 **Q Do you have any idea why on the second to last**
 23 **or third to last, excuse me, page, the Occupied Land**
 24 **Fund is listed in the list along with all of the various**

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1 **IAP offices?**
 2 A I have no idea.
 3 **Q When you were working for HLF, did you ever come**
 4 **across this document?**
 5 A Not that I recall, no.
 6 (Document marked as Exhibit 6.)
 7 BY MR. OPPENHEIM:
 8 **Q Let me give you a group exhibit of some**
 9 **documents that we put together. It's Group Exhibit**
 10 **No. 6. Now, I ask you to flip through these. I think**
 11 **there are three documents combined here. Two are in**
 12 **English; one is in Arabic. Have you ever seen any of**
 13 **these three documents before?**
 14 **MS. HOLLANDER: Before this litigation, you mean?**
 15 **MR. OPPENHEIM: Yes.**
 16 **THE WITNESS: Not that I recall of, no.**
 17 **BY MR. OPPENHEIM:**
 18 **Q Actually, that's a good thing to ask. What**
 19 **documents did you review in preparation for this**
 20 **deposition?**
 21 A Some of the ones you just presented.
 22 **Q Okay. Could you elaborate a little bit?**
 23 A Well, the ones like these ones here, I mean,
 24 yesterday when you are talking about with the lawyers.

1 **Q Did you review any deposition transcripts in**
 2 **preparation for this deposition?**
 3 A I went through with my lawyer through a
 4 procedure of training me for this. So whatever the
 5 lawyer had prepared.
 6 **Q Well, I don't want to know anything that you**
 7 **talked about with any of your lawyers, but I would like**
 8 **to know what documents you were provided.**
 9 A Well, some like this one.
 10 **Q This one here?**
 11 A Yes.
 12 **Q How about the one underneath it?**
 13 A There was too many papers to tell you the truth.
 14 I can't remember each one by each text.
 15 **Q Were you provided with what we just labeled**
 16 **Exhibit 5, the Hamas charter?**
 17 **MS. HOLLANDER: I am going to voice an objection**
 18 **that these questions are going to lead to privileged**
 19 **communication and to work product, doctrine privileges**
 20 **of what his lawyer chose to collect for him. So I'm**
 21 **going to object and instruct him not to answer on behalf**
 22 **of Holy Land.**
 23 **MR. OPPENHEIM: I guess I would just like to respond**
 24 **that I have no intention of getting into any sort of**

1 **privileged material, and I would hope that we wait until**
 2 **we got there before cutting off the witness or lodging**
 3 **an objection. I think it's premature at this time. And**
 4 **I think I am entitled to find out what the witness did**
 5 **to prepare for this deposition that he's in today.**
 6 **MS. HOLLANDER: Well, I think you can ask him. He**
 7 **says he met with his counsel. But what his counsel**
 8 **chose to collect, in other words, what counsel chooses**
 9 **to collect, which is really where you're going, is what**
 10 **concerns me. And I don't want to waive any privilege**
 11 **here. What concerns me is what counsel collected as a**
 12 **collection now. That's my concern. Do you follow me?**
 13 **MR. OPPENHEIM: I understand. It's not where I'm**
 14 **attempting to go. All I merely want to know is what the**
 15 **witness looked at to familiarize himself with the case**
 16 **and to influence what his knowledge would be and what**
 17 **his testimony would be today.**
 18 **MS. HOLLANDER: Well, you're asking him to talk**
 19 **about his preparation with his counsel, and that's**
 20 **privileged.**
 21 **MR. OPPENHEIM: I'm not asking for any**
 22 **communications, however, I'm simply asking what he**
 23 **looked at. And frankly, I don't care if it was given to**
 24 **him by his counsel or picked it up off the street.**

1 **MS. HOLLANDER: But the way you framed your question**
 2 **and the way he's answered, I think we're kind of locked**
 3 **into his conversations with his counsel, and that's my**
 4 **concern. I just don't want to waive any privilege here.**
 5 **MR. OPPENHEIM: I understand that.**
 6 **MR. FENNERTY: I'll be willing to let him answer**
 7 **what he reviewed in preparation for the deposition.**
 8 **MR. OPPENHEIM: Okay.**
 9 **MS. HOLLANDER: I'd be willing to let him answer**
 10 **that as long as we have an agreement that we're not**
 11 **waiving any privilege by having him simply state what he**
 12 **reviewed.**
 13 **MR. OPPENHEIM: That's fine. That's all I'm going**
 14 **after.**
 15 **MS. HOLLANDER: That's fine. If you can remember**
 16 **what you reviewed.**
 17 **THE WITNESS: There was too many papers.**
 18 **MS. HOLLANDER: But he asked you what depositions**
 19 **you reviewed. You can tell him that, if you remember.**
 20 **THE WITNESS: The questions that were asked to me in**
 21 **my -- I had to understand it was of Mr. Elashi.**
 22 **BY MR. OPPENHEIM:**
 23 **Q Which Mr. Elashi?**
 24 A Ghassan.

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1 **Q Was that the only deposition you reviewed?**
 2 A Yes.
 3 **Q And you mentioned reviewing several documents**
 4 **similar to these. But sitting here today, do you**
 5 **remember any specific document that you reviewed?**
 6 A Well, as I mentioned, this was one of them.
 7 There was lots. I mean, I didn't go through all of
 8 them. Most of it was talking with the lawyers
 9 themselves.
 10 **Q I don't want to know anything about any of those**
 11 **conversations.**
 12 A I understand.
 13 **Q And I think I was going to ask was this one of**
 14 **those documents?**
 15 A I believe it might have been one, yes.
 16 MR. OPPENHEIM: Let the record indicate that when I
 17 said this one, in this instance I meant the document
 18 that's been labeled Exhibit No. 5 for this deposition.
 19 BY MR. OPPENHEIM:
 20 **Q Did you review any videotapes?**
 21 A I didn't.
 22 **Q Did you review any of the four videotapes that I**
 23 **have shown you in the deposition today?**
 24 A Maybe one.

1 **Q Do you recall which one?**
 2 A It was the one that we didn't see with the long
 3 play.
 4 **Q But of the four we did see, did you review any**
 5 **of those?**
 6 A Maybe one of those, yes. Maybe one, but I don't
 7 recall.
 8 **Q But you saw, to your recollection, how many**
 9 **videotapes?**
 10 A Maybe two. The one with the long play and --
 11 **Q Getting back to Exhibit No. 6, before you**
 12 **reviewed these documents with your counsel in the**
 13 **preceding three days, have you ever seen any of the**
 14 **three of them before?**
 15 A No.
 16 **Q I'm going to hand you another document we're**
 17 **going to label in No. 7.**
 18 (Document marked as requested.)
 19 BY MR. OPPENHEIM:
 20 **Q Have you ever reviewed this document before?**
 21 **And let me know if --**
 22 A No.
 23 **Q -- this was one of the ones reviewed going into**
 24 **today.**

1 A No, I don't recall that either before or --
 2 **Q I will note it says at the top it's from the**
 3 **Islamic Association for Palestine and then gives the**
 4 **e-mail address, iapinfo@yahoo.com. Have you received**
 5 **e-mail from that e-mail address?**
 6 A I don't remember.
 7 **Q You don't remember seeing this report?**
 8 A No.
 9 MR. FENNERTY: You say this is from their Web site?
 10 MR. OPPENHEIM: This is, I believe, from the list
 11 serve.
 12 BY MR. OPPENHEIM:
 13 **Q Have you ever heard of a contact -- or actually,**
 14 **have you ever heard of an individual by the name of**
 15 **Yassin Kadi, K-A-D-I?**
 16 A No.
 17 **Q Never heard of him?**
 18 A No.
 19 **Q Have you ever heard of an entity call the Kadi**
 20 **Muwafaq Designated Fund?**
 21 A No.
 22 **Q Ever heard of an entity called the Saar**
 23 **Foundation, S-A-A-R?**
 24 A No.

1 **Q Ever heard of an entity called the Amtrax**
 2 **Holdings Limited, A-M-T-R-A-X?**
 3 A No.
 4 **Q I think you've testified that you've heard of**
 5 **Mousa Marzook, but you've never actually had any contact**
 6 **with him; is that correct?**
 7 A Yes.
 8 **Q Have you heard of an individual by the name of a**
 9 **Abed al-Aziz Rantissi?**
 10 A Yes.
 11 **Q Have you ever had any contact with him?**
 12 A No.
 13 **Q Just heard about him in the news?**
 14 A That's it.
 15 **Q Is that a yes? I'm sorry.**
 16 A Yes.
 17 **Q Have you ever heard of an individual -- actually**
 18 **I should say, have you ever had any contact with an**
 19 **individual by the name of Sheikh Ahmed Yassin?**
 20 A No.
 21 **Q Have you ever had any contact with an individual**
 22 **by the name of Abdullah Azzam?**
 23 A No.
 24 **Q By contact I mean heard these people speak in**

1 person as well as actually meeting them. Does that
 2 change your answer for any of the above?
 3 A I don't recall any, no.
 4 Q You don't recall hearing Mr. Azzam speak?
 5 A No.
 6 Q Or Mr. Yassin?
 7 A No.
 8 Q Have you had any contact with Sheikh Yusuf
 9 Qaradawi?
 10 A I've heard him speaking before at the
 11 conventions, yes.
 12 Q Do you remember which conventions?
 13 A Maybe '94. I'm not sure.
 14 Q How about do you know an individual by the name
 15 of Nasser Al-Khatib?
 16 A No.
 17 Q Never heard of him? Have you ever heard of an
 18 individual by the name of Mohammad Al-Khatib?
 19 A Yes.
 20 Q Do you know Mr. Al-Khatib?
 21 A Uh-huh.
 22 Q How do you know him?
 23 A He was an employee for IAP.
 24 Q And did you work with him when you volunteered

1 for IAP?
 2 A I believe his time was when I was just doing the
 3 singing; so yes, we contacted with him at that time.
 4 But I believe '95, '96, it was Mr. Hamayel.
 5 Q Have you ever heard of an individual by the name
 6 of Mohammad Kazim, K-A-Z-I-M?
 7 A No.
 8 Q Now, you have met an individual by the name of
 9 Mohammed El Mezain; is that correct?
 10 A Yes.
 11 Q Do you know if he goes by any other names?
 12 A They just call him Abu Ibrahim, A-B-U Ibrahim.
 13 Q Have you ever heard him referred to as Ibrahim
 14 Mahmoud Muzayyin?
 15 A No.
 16 Q Have you ever met an individual by the name of
 17 Basman Elashi?
 18 A Maybe once.
 19 Q Did you have any contact with him in the context
 20 of your work with either HLF or IAP?
 21 A No. It was just hi.
 22 Q I know you've mentioned that you know Mr. Rafeeq
 23 Jaber as the president of IAP?
 24 A Yes.

1 Q Other than attending committee meetings at which
 2 Mr. Jaber was present, what contact have you had with
 3 him in your role working with IAP?
 4 A He's the president of IAP; I'm a volunteer. So
 5 he would always -- Whenever you go to their office, he's
 6 there. You sit down, you drink coffee, and that's how I
 7 know him.
 8 Q Do you ever work with him in terms of your work
 9 at fund-raising for HLF?
 10 A No. Not that I recall.
 11 Q Do you know an individual by the name of Sabri
 12 Samirah?
 13 A Yes.
 14 Q How do you know Mr. Samirah?
 15 A He was also either an employee or a director or
 16 board member, something like that, in IAP. So I would
 17 know him the same way I would know Mr. Jaber.
 18 Q That you would deal with them; they may be at
 19 the office?
 20 A Yes.
 21 Q Do you know an individual by the name of Nihad
 22 Awad?
 23 A Yes.
 24 Q How do you know Mr. Awad?

1 A I've heard him speaking at more than one event
 2 and he leads a well-known nationwide organization.
 3 Q Have you ever worked with him on IAP business?
 4 A No. He was just a guest speaker at conventions.
 5 Q Have you ever heard of an individual by the name
 6 of Abdelhaleem Al-Ashqar?
 7 A Yes.
 8 Q How have you heard of Mr. Al-Ashqar?
 9 A He was in the news for quite a bit of time.
 10 Q Have you ever met him?
 11 A He came to Chicago and we got to know him at
 12 that time.
 13 Q You know him through the Mosque Foundation?
 14 A He gave a lecture, basically, that we attended.
 15 Q Where?
 16 A At the Mosque Foundation.
 17 Q And when was this?
 18 A I don't recall. Last few years.
 19 Q That's the only time you've ever had contact
 20 with Mr. Al-Ashqar?
 21 A Well, he might have been at some of the
 22 conventions, you know. A lot of people come.
 23 Q Do you recall him being a speaker at any of the
 24 conventions?

1 A I don't recall, no.

2 **Q And when you were the individual responsible for**

3 **scheduling all of the speakers, was he ever a speaker in**

4 **those conventions?**

5 A To my best knowledge, I don't remember he was

6 included as a guest speaker.

7 **Q Have you ever heard of an individual by the name**

8 **of Ahmad Zaki Hammad?**

9 A Yes.

10 **Q How do you know Mr. Hammad? Or how have you**

11 **heard of Mr. Hammad?**

12 A I know that he was once at the Mosque Foundation

13 in Chicago. Long time ago.

14 **Q And do you know in what role?**

15 A I really don't know. It was before I even came

16 to the States.

17 **Q Have you ever met him?**

18 A Maybe in one of the conventions. But not

19 personally I know him, no.

20 **Q Do you know of an individual by the name of**

21 **Ibrahim Abusharif?**

22 A The name does ring a bell, but I don't recall

23 knowing him personally, no.

24 **Q How about Linda Abusharif?**

1 A No.

2 **Q Do you know an individual by the name of Amer**

3 **Haleem?**

4 A Yes.

5 **Q How do you know Mr. Haleem?**

6 A He attends the congregation.

7 **Q Have you ever done any business with him?**

8 A No.

9 **Q Have you ever met him anywhere outside of the**

10 **Mosque Foundation?**

11 A He's from the community, so we go to festivals.

12 You see him there. Normal -- Nothing personal, no.

13 **Q Are you now or have you ever been a member of**

14 **the Hamas?**

15 **MS. HOLLANDER: Object to the form.**

16 **BY MR. OPPENHEIM:**

17 **Q Have you ever played any role in Hamas?**

18 A No.

19 **Q Ever advocated on behalf of Hamas?**

20 A No.

21 **Q Do you support Hamas?**

22 A No, I do not.

23 **Q Do you support the creation of Hamas?**

24 **MS. HOLLANDER: I object to the form. I don't**

1 **understand what that question means.**

2 **BY MR. OPPENHEIM:**

3 **Q Do you know any individuals who are members of**

4 **Hamas?**

5 A No, I do not.

6 **Q Do you know of any organizations in the United**

7 **States that are affiliated with Hamas?**

8 A No, I do not.

9 **Q Is it a fair statement that Hamas is not in**

10 **favor of a two-state solution to resolve the conflict**

11 **between Israel and the Palestinians?**

12 **MR. FENNERTY: Objection. What does that have to do**

13 **with anything?**

14 **MR. OPPENHEIM: I'll withdraw that one. That's**

15 **fine.**

16 **MR. FENNERTY: Some Israelis don't like the**

17 **two-state solution.**

18 **BY MR. OPPENHEIM:**

19 **Q At any point did you learn that Hamas funds its**

20 **activity by raising funds in the United States?**

21 A I wouldn't know that.

22 **Q Have you ever learned that Hamas is involved in**

23 **violent acts?**

24 A Through the news.

1 **Q Do you agree that Hamas instigates and conducts**

2 **operations that are dangerous to human life?**

3 **MS. HOLLANDER: Objection. Totally irrelevant**

4 **question.**

5 **MR. FENNERTY: He sees this on TV. You don't have**

6 **to --**

7 **MR. OPPENHEIM: You can answer it.**

8 **THE WITNESS: I wouldn't know.**

9 **BY MR. OPPENHEIM:**

10 **Q At any time did you provide any organizational**

11 **or financial assistance to any person you knew or**

12 **suspected was a member of Hamas?**

13 A No.

14 MR. OPPENHEIM: That's all I have.

15 MS. HOLLANDER: We will read and sign our half.

16 MR. OPPENHEIM: You can work that out.

17 MS. HOLLANDER: We'll work that out. And we want

18 everything.

19 MR. OPPENHEIM: I want the original, I want the

20 mini, and I want the ASCII.

21 MS. HOLLANDER: And I want my copy to be the same as

22 his.

23 MR. FENNERTY: I don't want anything.

24 * * * * *

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STATE OF ILLINOIS)

) ss:

COUNTY OF C O O K)

The within and foregoing deposition of the aforementioned witness was taken before ELISABETH D. COLLOPY, CSR, RPR, and Notary Public, at the place, date and time aforementioned.

There were present during the taking of the deposition the previously named counsel.

The said witness was first duly sworn and was then examined upon oral interrogatories; the questions and answers were taken down in shorthand by the undersigned, acting as stenographer and Notary Public; and the within and foregoing is a true, accurate and complete record of all of the questions asked of and answers made by the forementioned witness, at the time and place hereinabove referred to.

The signature of the witness was not waived, and the deposition was submitted, pursuant to Rules 207 and 211 (d) of the Rules of the Supreme Court of Illinois, to the deponent per copy of the attached letter.

The undersigned is not interested in the within case, nor of kin or counsel to any of the parties.

Witness my official signature and seal as Notary Public in and for Cook County Illinois on this _____ day of _____, A.D. _____.

ELISABETH D. COLLOPY, CSR, RPR
License No. 084-004192

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

STANLEY BOIM, Individually and)
as Administrator of the Estate)
of DAVID BOIM, Deceased, and)
JOYCE BOIM,)
Plaintiff,)

-vs-) No. 00 C 2905

QURANIC LITERACY INSTITUTE,)
et al.,)
Defendants.)

I, KIFAH MUSTAPHA, being first duly sworn, on oath say that I am the deponent in the aforesaid deposition taken on March 2, 2004; that I have read the

foregoing transcript of my deposition, consisting of pages 1 through 148 inclusive, and affix my signature to same.

Kifah Mustapha

Subscribed and sworn to before me this _____ day of _____,

Notary Public

Mr. Kifah Mustapha
c/o Freedman Boyd Daniels Hollander
Goldberg & Cline
20 First Plaza
Suite 700
Albuquerque, NM 87102
Attn: Ms. Nancy Hollander
Case: Boim vs. QLI
No: 00 C 2905

Dear Mr. Mustapha:

Your deposition testimony given on March 2, 2004 in the above captioned case has been transcribed, and inasmuch as signature was not waived, this is to advise that the deposition will be available in our office for 30 days for reading and signing.

If you choose to read and sign your deposition at our offices, please call the undersigned for an appointment. Our office hours are from 9:00 a.m. to 4:00 p.m., Monday through Friday.

If you choose to make other arrangements for the reading and signing of your deposition, please advise us of the arrangements you have made in writing within 30 days from the date of this letter.

Very truly yours,

Sylvia Gerut

cc: Mr. David Oppenheim

CASE: Boim vs. QLI
DEPONENT: Kifah Mustapha
DATE TAKEN: March 2, 2004

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Reporter: Elisabeth Collopy, CSR, RPR

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