

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

STANLEY BOIM, Individually and as
Administrator of the Estate of David Boim,
deceased; and JOYCE BOIM,

Plaintiffs,

v.

AMERICAN MUSLIMS FOR PALESTINE;
AMERICANS FOR JUSTICE IN PALESTINE
EDUCATIONAL FOUNDATION; RAFEEQ
JABER; ABDELBASSET HAMAYEL; AND
OSAMA ABU IRSHAD,

Defendants.

Civil No. 17-cv-03591

Hon. Sharon Johnson Coleman

Hon. Sidney I. Schenkier

PLAINTIFFS' RESPONSE TO MOTION TO DISMISS

After eight years of litigation that culminated in an *en banc* decision of the Seventh Circuit, the defendants in *Boim v. Holy Land Foundation, et al.* No. 00-cv-2905, were held to have violated the Anti-Terrorism Act (“ATA”) by providing material support to Hamas. The Holy Land Foundation (“HLF”), Islamic Association for Palestine (“IAP”), American Muslim Society (“AMS”), and other defendants (collectively, the “*Boim* Defendants”) were held civilly liable for Hamas’ murder of American David Boim and were ordered to pay \$156 million to the victim’s family (the “*Boim* Judgment”). The question presented by this case is whether the *Boim* Defendants, in the guise of new corporate entities, can now avoid paying that judgment to victims of terrorism based on their assertion that the original defendants are out of business and have no assets, while they truly continue their previous operations.

The basis for the Boims’ claim is not, as the Defendants assert in the Rule 12(b)(1) motion to dismiss, that corporate “veils” are being “pierced.” It is, rather, that the Defendants in this action are the alter egos and successors of the original *Boim* Defendants that were sued by the Boims and found liable by the Seventh Circuit.

This case—and the related enforcement proceedings in *Boim v. Holy Land Foundation*, No. 00-cv-2905, (the “Enforcement Action”)—serve two critically important functions: First, they seek compensation for the parents of David Boim, an American teenager murdered by a Hamas gunman in 1996. Second, they seek to ensure the efficacy of the civil remedies provisions of the ATA. In upholding the *Boim* Judgment, the Seventh Circuit, sitting *en banc*, made clear that the conduct of the *Boim* Defendants was nothing less than intentional funding for terrorism: “the American Muslim Society...*did* know (that) in giving money to the (Holy Land) Foundation (it) was deliberately funneling money to Hamas.” *Boim v. Holy Land Foundation*, 549 F.3d 685, 701 (7th Cir. 2008). The *Boim* Judgment, awarded pursuant to the ATA, fulfilled

an important role in the legislative scheme to protect American nationals from international terrorism. As Judge Posner observed:

[A] donation to a terrorist group that targets Americans outside the United States may violate section 2333. Which makes good sense as a counterterrorism measure. Damages are a less effective remedy against terrorists and their organizations than against their financial angels. Terrorist organizations have been sued under section 2333...but to collect a damages judgment against such an organization, let alone a judgment against the terrorists themselves (if they can even be identified and thus sued), is...well-nigh impossible. These are foreign organizations and individuals, operating abroad and often covertly, and they are often impecunious as well...[S]uits against financiers of terrorism can cut the terrorists' lifeline.

Boim, 549 F.3d at 690-91. Consistent with the purposes of the ATA, the *Boim* Judgment was intended to saddle organizations that had deliberately funded Hamas with significant liability and the ignominy of being responsible for the murder of an American teenager.

Unfortunately, casting off this liability and ignominy has proved all too easy. The *Boim* Defendants simply claimed they had used up their assets and gone out of business. They then continued the same operations down the street under new names: American Muslims for Palestine (“AMP”) and Americans for Justice in Palestine Educational Foundation (“AJP”). AMP and AJP have the same mission and purpose, same leaders, same donors and sponsors, and same fundraising and annual conferences as their predecessors. The one big difference is that instead of funding the *Boim* Judgment out of their assets and ongoing fundraising, AMP and AJP want to be free to carry on the work initiated decades ago by the leaders of Hamas under new names and unencumbered by the *Boim* Judgment. As Defendants themselves put it, the new entities continued the “charitable work of [*Boim* Defendants] IAP and AMS without their debts.” (Mot. at 13.) Allowing United States-based supporters of terrorism operating under the guise of “charities” to simply regroup and cast away terror-related debts will have one necessary consequence: rendering the Anti-Terrorism Act a nullity. That is what is at stake in this case.

Plaintiffs brought this action seeking a declaration that AMP, AJP and three individuals (collectively, “Defendants”) are liable for the *Boim* Judgment as alter egos and successors of the *Boim* Defendants. Defendants have chosen to respond to Plaintiffs’ Complaint by filing a Rule 12(b)(1) motion based almost entirely on a Supreme Court case—*Peacock*—that applies only to vicarious liability veil-piercing claims, and not to the “direct” liability alleged in alter ego and successor claims. *Peacock* does not preclude jurisdiction here.

Furthermore, Defendants deliberately chose to file a Rule 12(b)(1) motion to challenge *jurisdiction*, not a Rule 12(b)(6) motion or motion for summary judgment challenging the viability of Plaintiffs’ claims. They cannot attack jurisdiction by arguing (without complying with the procedural requirements of Rules 12(b)(6) and 56) that they should win the ultimate issue on the merits. Furthermore, Plaintiffs’ allegations do state viable claims, and none of Defendants’ new evidence provides any basis to decide otherwise. For these reasons, as set forth below, the Court should deny Defendants’ motion.

BACKGROUND

In 1996, Plaintiffs’ son David was murdered by two agents of the international terrorist organization Hamas. Plaintiffs initiated what is now the Enforcement Action in 2000 under the civil remedies provision of the ATA against various individuals and organizations that provided material support to Hamas in violation of 18 U.S.C. § 2339A. In 2004, this Court entered the *Boim* Judgment in the amount of \$156,000,000 against certain of the *Boim* Defendants, including the AMS and IAP and in 2012 against HLF. Plaintiffs had little success collecting on the *Boim* Judgment. AMS and IAP claimed to be out of business with few assets; HLF had ceased operations, and its assets had been seized by the United States. (Compl. ¶ 1.)

Plaintiffs have since learned that these *Boim* Defendants remain in business today through their alter egos and successors, AMP and AJP. (*Id.* ¶ 2.) These two new entities are

effectively the *same entities* as AMS and IAP—just operating under different names. (1) AMP was established in 2005 (right after the *Boim* Judgment). (2) The new entities were created and are managed by individuals who previously managed and controlled the *Boim* Defendants. (3) They have the same mission and purpose. (4) They opened on the same street. (5) They run the same annual conference. (6) They share many of the same donors and fundraisers. (7) On information and belief, some of the *Boim* Defendants’ assets were transferred to AMP and AJP. (*Id.* ¶¶ 34-36, 47-48, 53.) AMS, IAP and HLF were abandoned and replaced by new entities “in order to permit the same ongoing enterprise—formerly conducted through the *Boim* Defendants—to continue free and clear of the burden of paying the *Boim* Judgment.” (*Id.* ¶ 54.)

Plaintiffs have also learned that three of the leaders of the original *Boim* Defendants—Rafeeq Jaber, Abdelbasset Hamayel, and Osama Abu Irshaid (the “Individual Defendants”)—subsequently became key leaders of AMP and AJP. Jaber was president and the principal spokesman of both AMS and IAP. (Compl. ¶ 39.) He was deeply involved with the operation and funding of these organizations in the 1990s, including when Hamas murdered David Boim in 1996. Jaber was subsequently an organizer of AJP, a representative of AMP, and President of the Board of Directors of the Bridgeview Mosque, which is a significant supporter of AMP and AJP and has a history of directing money to terrorist organizations, including Hamas and al-Qaeda. (*Id.* ¶¶ 38, 39.) Hamayel and Abu Irshaid were also heavily involved with AMS and IAP, and, along with Jaber, directed and controlled AMS’s activities. (*Id.* ¶¶ 40, 41, 55.) Like Jaber, they subsequently controlled AMP and AJP. (*Id.* ¶¶ 40, 41, 55.)

Plaintiffs seek to enforce the *Boim* Judgment against Defendants based on alter ego and successor liability theories. To accomplish this, Plaintiffs have initiated three well-recognized procedural mechanisms for enforcing judgments against alter egos and successors of judgment

debtors: (i) they re-initiated enforcement proceedings within the Enforcement Action by serving citations to discover assets pursuant to 735 ILCS 5/2-1402(a) and Ill. S. Ct. R. 277(b); (ii) they filed a Motion for Joinder of Non-Parties Pursuant to Federal Rule of Civil Procedure 25(c) in the Enforcement Action; and (iii) they filed this action seeking a declaration that Defendants are successors and alter egos of the *Boim* Defendants. Because of potential limitations in the scope of post-judgment proceedings, Plaintiffs brought this action to supplement the Enforcement Action, in order to ensure access to the full range of relief available under the law.

This Court has jurisdiction over this action because Plaintiffs seek to impose “direct” liability under the ATA on Defendants as alter egos and successors of the *Boim* Defendants. (Compl. ¶ 5.) As discussed below, there is ample authority establishing that independent federal jurisdiction exists in these circumstances. Defendants have nonetheless chosen to file a Rule 12(b)(1) motion challenging jurisdiction—apparently seeking to force this case into state court while the parallel Enforcement Action proceeds in federal court. They made the strategic choice not to file a Rule 12(b)(6) or summary judgment motion. As demonstrated below, there is no legal or factual basis for the Defendants’ jurisdictional challenge.

ARGUMENT

I. Plaintiffs Have Pled Alter Ego and Successor Liability Claims that Give Rise to Independent Subject-Matter Jurisdiction.

Claims under section 2333(a) of the ATA are subject to exclusive federal jurisdiction. 18 U.S.C. § 2338. Plaintiffs allege that Defendants are *directly* liable under section 2333 for the unpaid portion of the *Boim* Judgment. AMP and AJP are directly liable because they *are* the judgment debtors, just under different names. The Individual Defendants are directly liable because they controlled the *Boim* Defendants and/or directly participated in the conduct at issue.

Relying on *Peacock v. Thomas*, 516 U.S. 349 (1996), Defendants assert that this is a “veil piercing” case (Mot. at 7-9), and that “[p]iercing the corporate veil is not itself an independent... cause of action, ‘but rather is a means of imposing liability on an underlying cause of action.’” 516 U.S. at 354. But this is not a “veil piercing” or “vicarious liability” case, and *Peacock* has no application. In *Peacock*, the plaintiff was unable to collect an ERISA judgment against a corporation and brought a second lawsuit seeking to pierce the corporate veil against an officer of that corporation. However, unlike here, that officer had been a defendant in the original lawsuit and the first court had already ruled that the officer was not a fiduciary and therefore *could not be directly liable under ERISA*. *Id.* at 351-52. In the second lawsuit, the plaintiff sought to hold the officer—who could not be directly liable—vicariously liable under a veil-piercing theory. *Id.* at 352. The Supreme Court held that this veil-piercing claim against a non-fiduciary alleged no “underlying” violation of any provision of ERISA. *Id.* at 354. Here, by contrast, the Defendants are *directly* liable. Plaintiffs allege that AMP and AJP are the same entity or a disguised continuance of the judgment debtors who were liable for violations of the ATA, and that the Individual Defendants are liable because they controlled the judgment debtors. These are *direct* liability allegations against defendants who, unlike in *Peacock*, are subject to ATA liability.

The Seventh Circuit has endorsed exactly this distinction, making clear that *Peacock* is limited to *veil-piercing* claims, which are a form of *vicarious* liability, and does not apply to *alter ego* or *successor liability* claims, which are a form of *direct* liability:

But there is a deeper problem with defendants’ position—they do not appreciate the difference between vicarious and direct liability. Efforts to pierce the corporate veil ask a court to hold A vicariously liable for B’s debt. If federal law does not establish vicarious liability, then the request must rest on state law; what other source could it have? ***But a contention that A is B’s “alter ego” asserts that A and B are the same***

entity; liability then is not vicarious but direct ... All liability under ERISA is federal; a claim “arises under” federal law when federal law creates the right of action.

Bd. of Trustees, Sheet Metal Workers’ Nat. Pension Fund v. Elite Erectors, Inc., 212 F.3d 1031, 1037-1038 (7th Cir. 2000) (emphasis added); *see also Central States, Se. & Sw. Areas Pension Fund v. Cent. Transp., Inc.*, 85 F.3d 1282, 1286-1287 (7th Cir. 1996) (“This theory is different from *Peacock*’s, where Thomas pursued *Peacock solely in his capacity as an officer and shareholder of the liable corporation*. Thomas’ lawsuit attempted to ‘*pierce the corporate veil*.’”) (emphasis added).

Courts within the Seventh Circuit have also found independent subject-matter jurisdiction over *successor* liability claims. These claims, like alter ego claims, are based on *direct* liability, in contrast to the veil-piercing claims barred in *Peacock*. *Trs. of the Chi. Painters & Decorators Pension Fund v. NGM Servs., Inc.*, 2014 U.S. Dist. LEXIS 176004, at *6-7 (N.D. Ill. Dec. 22, 2014); *Trustees of Sheet Metal Workers Local No. 1 Welfare Trust v. Pekin Climate Control, Ltd.*, 669 F. Supp. 2d 924, 928-929 (C.D. Ill. 2009). As the *NGM Services* court held, seeking to hold a successor (that did not co-exist with the predecessor) is not veil piercing but direct liability:

...the Funds here do not seek to pierce the corporate veil...because there never was any veil between the two companies. [They] coexisted for only 13 days in 2010 and there is no evidence before the court establishing that the two companies operated as one. Instead, the Funds seek to hold NGM liable under theories of successor or alter ego liability, both of which are claims for direct—not vicarious—liability.

2014 U.S. Dist. Lexis 176004, at *6-7. That is what Plaintiffs allege here.

Because there is an independent basis for subject-matter jurisdiction, Plaintiffs are not relying on supplemental (or “ancillary”) jurisdiction arising from the original *Boim* Action, as Defendants misleadingly suggest. Nonetheless, because there exists an independent basis for

subject-matter jurisdiction, this Court also has supplemental jurisdiction over any related theories of liability against the Defendants that “form part of the same case or controversy,” including any veil-piercing and vicarious liability that might otherwise not have an independent jurisdictional basis under *Peacock*. See 28 U.S.C. § 1367(a).

II. Defendants’ Challenge to the *Merits* of Plaintiffs’ Claims Is Both Improper in a Rule 12(b)(1) Motion and Insufficient to Demonstrate a Lack of Jurisdiction.

Defendants also argue that Plaintiffs’ claims have no merit. According to Defendants, Plaintiffs’ allegations either fail to state claims in the first place (Mot. at 5-6), or the “facts” presented in the declarations and documents accompanying Defendants’ motion rebut those claims. (Mot. at 10-15.) These arguments fail both procedurally and substantively.

A. Defendants Cannot Challenge the Merits of Plaintiffs’ Ultimate Claims through a Rule 12(b)(1) Motion.

Defendants filed a Rule 12(b)(1) motion, limited to the narrow issue of whether this Court has federal subject-matter jurisdiction to hear Plaintiffs’ claims. Such motions relate to jurisdictional issues—*e.g.*, amount in controversy or existence of diversity-of-citizenship—not to whether or not the claims have merit. Thus, the Seventh Circuit has noted the distinction between a challenge to the *viability* of a claim and a *jurisdictional* challenge:

Even if the Funds’ complaint was subject to dismissal under Fed. R. Civ. P. 12(b)(6), ***that shortcoming would not have affected the district court’s subject-matter jurisdiction.*** Skylight and Lowry appear to believe that whenever a claim flops, it also falls out of federal jurisdiction. That’s not so; there is a gulf between ‘deficient’ and ‘too feeble to invoke federal jurisdiction.’

Elite Erectors, 212 F.3d at 1038 (emphasis added); see also *Pekin*, 669 F. Supp. 2d at 928.¹

¹ Defendants also fail to comply with the procedural safeguards of a Rule 12(b)(6) motion or a motion for summary judgment. If this were a Rule 12(b)(6) motion, Defendants would be required to limit their arguments to “the complaint itself, documents attached to the complaint, documents that are critical to the complaint and referred to in it, and information that is subject to proper judicial notice.” *Geinosky v. City*

Defendants also cannot properly attach declarations and documents to a Rule 12(b)(1) motion for the purpose of rebutting the merits of Plaintiffs' ultimate claims. Quoting *Evers v. Astrue*, 536 F.3d 651, 656–57 (7th Cir. 2008), Defendants assert that the “[t]he district court may properly look beyond the jurisdictional allegations of the complaint and view whatever evidence has been submitted on the issue to determine whether in fact subject matter jurisdiction exists.” (Mot. at 10.) But their declarations and documents all address the issue of whether they are successors or alter egos (*see* Mot. at 10-15). That is, of course, the ultimate factual issue in this case. This evidentiary material falls under an exception to the *Evers* rule because “the facts required to establish jurisdiction are coextensive with those necessary to prevail on the merits.” *Villasenor v. Industrial Wire & Cable*, 929 F. Supp. 310, 312, n.3 (N.D. Ill. 1996); *Lockhart v. United States*, 961 F. Supp. 1260, 1264, n.3 (N.D. Ind. 1997). Defendants' evidentiary material is improper and should be disregarded.

B. Plaintiffs' Allegations State Cognizable Claims for Alter Ego and Successor Liability.

Defendants urge that the Court has no jurisdiction because the allegations in the Complaint are insufficient to state claims for alter ego or successor liability. (Mot. at 4-6.) Defendants have failed, however, to show any legal deficiency in Plaintiffs' allegations. Contrary to what Defendants suggest, federal courts have broadly applied alter ego liability to individuals and organizations that engage in or support terrorism. Recognizing that terrorist organizations differ from owned, for-profit entities, these courts have eschewed typical “factors”

of Chicago, 675 F.3d 743, 745 n.1 (7th Cir. 2012) (citations omitted). They have not done so. Nor do they comply with the evidentiary and procedural rules for presenting evidence in support of summary judgment, including the separate statement of facts required under the local rules and the “reasonable opportunity” to provide pertinent materials under Fed. R. Civ. P. 12(d), which includes being allowed to conduct meaningful discovery. *See Herzog v. St. Peter Lutheran Church*, 884 F. Supp. 2d 668, 671 (N.D. Ill. 2012).

applied to alter ego claims in the for-profit context in favor of “the broader equitable principle” under which “the doctrine of corporate entity, recognized generally and for most purposes, will not be regarded when to do so would work fraud or injustice” or when it is “interposed to defeat legislative policies.” *First Nat’l City Bank v. Banco Para El Comercio Exterior de Cuba*, 462 U.S. 611, 629-630 (1983) (“*BPECEC*”). This analysis looks at dominion and control and whether an entity’s independence is in form only. *See, e.g., Id.*; *In re 650 Fifth Ave. & Related Props.*, 881 F. Supp. 2d 533, 548-552 (S.D.N.Y. 2012); *Strauss v. Credit Lyonnais, S.A.*, 925 F. Supp. 2d 414, 435 n.14 (E.D.N.Y. 2013); *Goldberg v. UBS AG*, 660 F. Supp. 2d 410, 432 (E.D.N.Y. 2009).

Courts have also extended the alter ego analysis to *non-contemporaneous* entities when they are managed or controlled by the same people and are in reality a “disguised continuance” of one enterprise. *See Sanchez v. Global Parking Management, Inc.*, No. 14–cv–04611, 2015 WL 4429024, at *1, *3 (N.D. Ill. July 20, 2015) (common management “relevant to determine whether two seemingly independent businesses are really one enterprise”); *Int’l Union of Operating Eng’rs, Local 150, AFL-CIO v. Centor Contractors, Inc.*, 831 F.2d 1309, 1312 (7th Cir. 1987) (alter ego focuses on the “existence of a disguised continuance” of former business entity or attempt to avoid obligations of collective bargaining agreement); *Pekin*, 669 F. Supp. 2d at 926, 929 (finding alter ego liability based on “disguised continuance” where new entity was alleged to “conduct[s] substantially the same business, using substantially the same assets, at the same physical facility, with the same management, and same employees” and owners failed to properly wind up predecessor’s affairs and pay judgment); *Laborers’ Pension Fund v. Green Demolition Contractors, Inc.*, 2016 WL 74682, at *2 (N.D. Ill. Jan. 7, 2016). In addition, as Defendants note (Mot. at 5 n.8), a new entity may be liable under *successor liability* theories

where it is a “mere continuation” of a predecessor or where the new entity has the “fraudulent purpose” of escaping a predecessor’s liabilities. As the Seventh Circuit has stated, “If a corporation goes through a mere change in form without a significant change in substance, it should not be allowed to escape liability.” *Brandon v. Anesthesia & Pain Mgmt. Assoc., Ltd.*, 419 F.3d 594, 599 (7th Cir. 2005). As with alter ego liability, courts have adapted the successor liability paradigm to not-for-profit entities, even where requirements usually applied in the for-profit, corporate context do not fit the circumstances of non-profits. *See, e.g., Chao v. Int’l Bhd. of Indus. Workers Health & Welfare Fund*, 97 F. Supp. 3d 268, 274 (E.D.N.Y. 2015); *Hankinson v. King*, 117 F. Supp. 3d 1068, 1074 (D. Minn. 2015); *Ring v. The Elizabeth Found. for the Arts*, No. 113849/2011, 2014 WL 5908429, at *5 (N.Y. Sup. Nov. 12, 2014).

Plaintiffs allege that AMP and AJP—purportedly new entities—are actually *the same* organizations as AMS and IAP. They are a “disguised continuance” designed to “permit the same ongoing enterprise—formerly conducted through the *Boim* Defendants—to continue free and clear of the burden of paying the *Boim* Judgment.” (Compl. ¶ 54.) They have the same leaders; they have the same mission and purpose; they hold the same annual conferences; they operate in the same geographic location; and they have many of the same donors and fundraisers. Indeed, the new entities continue to generate funds using the same conferences, donors and fundraising mechanisms. Instead of using the ongoing funding to pay the *Boim* Judgment, they escape liability by putting a new name on the door. Permitting this strategy to succeed would “defeat [the] legislative policies,” *BPECEC*, 462 U.S. at 629-630, embodied in the civil remedies provisions of the ATA.

Likewise, Plaintiffs allege that the Individual Defendants controlled IAP, AMS and HLF, used them as a front to advance their personal objectives, and directly participated in the conduct

giving rise to the *Boim* Judgment. (Compl. ¶ 55.) The Individual Defendants also control AMP and AJP, and use them as a disguised continuance of the *Boim* Defendants to continue advancing the same objectives. (*Id.*) These allegations are sufficient for alter ego liability.

C. Defendants’ Purported Factual Arguments Do Not Preclude Jurisdiction.

Defendants devote the final 5 pages of their brief to *factual* arguments supported by perfunctory declarations and a few additional documents having no evidentiary foundation. (Mot. at 10-15.) Defendants’ purported evidence does not support any jurisdictional or other deficiency in Plaintiffs’ claims.

1. AMP and AJP. According to Defendants, a Settlement Agreement reached between KindHearts and the Treasury Department in 2011 precludes the “supposed fraudulent transfer of any assets” from HLF or KindHearts to AMP or AJP. (Mot. at 13-14, Ex. F.) This Settlement Agreement, supported by no declaration or other evidentiary foundation, does not prove that there were never transfers of funds or assets between the *Boim* Defendants and AMP and AJP. It indicates only that KindHearts (not a *Boim* Defendant but a “progeny” of HLF and former employer of Hamayel (Compl. ¶¶33, 40)) agreed that its remaining funds as of 2011 would be used for outstanding financial obligations and as grants for charitable purposes. (Mot., Ex. E ¶ 1.) There is no evidence regarding disposition of KindHearts’ assets prior to 2011 and no evidence concerning transfers that may have occurred between the judgment debtors and AMP and AJP. This is a disputed issue of fact that cannot be resolved prior to discovery.

Furthermore, Plaintiffs have not asserted a fraudulent transfer theory, and whether transfers occurred is not dispositive. Although Plaintiffs believe that discovery will show transfers, the core issue is whether AMP and AJP are the same entities, or “disguised continuances,” of one or more of the *Boim* Defendants. Evidence that the new and old entities share the same purpose, mission, leadership, donors, fund raising capability, conferences, and

physical location will suffice to support the alter ego and successor allegations.

Nor have the Plaintiffs alleged that legal entities named AMP and AJP existed in 1996. Defendants' assertion that the 1996 actions were "in actuality performed by entities which did not exist until nine (AMP) and thirteen (AJP) years later" (Mot. at 14.) is irrelevant. Plaintiffs allege that the new formal entities were created to avoid the *Boim* Judgment, and that they are actually the *same organizations* as their predecessors. In that sense AMP and AJP were the "true actors" that violated the ATA and were held liable in the *Boim* Judgment. In both *Central States* and *Elite Erectors* the Seventh Circuit found comparable allegations to support "direct" liability giving rise to subject-matter jurisdiction.

2. Rafeeq Jaber. Defendants attempt to minimize Jaber's involvement with AMS and IAP by attaching testimony that he had another job with Met Life at the time and was unpaid by AMS. (Mot. at 12.) At best, such evidence creates disputed issues of fact with respect to the degree of Jaber's involvement. Regardless of how he was paid, Jaber held high-level positions with the *Boim* Defendants: He was the former president and principal spokesman for AMS and IAP in Chicago and President of IAP National. (Compl. ¶ 39.) Defendants themselves *admit* Jaber served as President of AMS and IAP in the early 1990s. (Mot. 12.)

Jaber's effort to distance himself from a long history of activism and leadership with IAP/AMS is not new. During his first deposition in the *Boim* case, Jaber claimed that he was not involved with IAP National before 1996. He swore that "for IAP nationally prior to 1996, I was not involved. So I don't know what took place before that." (4/9/03 Jaber Dep. 225:18-20 (Landes Decl. (attached as Exhibit 1), Ex. A).) When confronted at his second deposition with a 1991 document from his own Mosque Foundation listing him as the president of IAP National's Chicago chapter, Jaber recanted and admitted he was a member of IAP National committees as

of 1991. (7/28/03 Jaber Dep. 72:21-74:20 & Ex. 29 (Landes Decl., Ex. B).)

Moreover, evidence directly links Jaber to the funding of Hamas terrorism proved in the *Boim* case. When Jaber was President of AMS, the organization was itself a donor to HLF, writing at least one check just two months before David Boim's murder. (AMS Check No. 211 (*Id.*, Ex. C).) Jaber testified that AMS would also directly send donors' funds to HLF. (*Id.*, Ex. A 73:5-23; 73:24-74:1-17.) Jaber also worked with the head of IAP National to celebrate the Fifth Anniversary of the Intifada in the Chicago area, and the proceeds of the event went to HLF. (*Id.*, Ex. B 70-78.) IAP and AMS had a contract agreeing to raise funds for HLF. (*Id.*, Ex. A 201-03.) Jaber vouched for HLF, identifying as "trustworthy people" Shukri Abu Baker, Ibrahim [El-Mezain], and Basman Elashi (*Id.*, Ex. A 203:13-18), each of whom was subsequently convicted and sent to prison for financial dealings with Hamas. *See United States v. El-Mezain*, 664 F.3d. 467 (5th Cir. 2011) (Abu Baker and El-Mezain); (U.S. Department of Justice Press Release, October 13, 2006 (Basman Elashi) (*Id.*, Ex. D).)

3. Abdelbasset Hamayel and Osama Abu Irshaid. Hamayel's and Abu Irshaid's declarations also relate to contested issues of fact. Hamayel asserts that he began working for IAP "as Chicago office administrator in or around September 1997." (Mot. Ex. 1 ¶ 3.) However, Kifah Mustapha, a former employee of HLF and a regular entertainer at IAP "festivals" and conventions, testified that Hamayel was the master of ceremonies at IAP festival events beginning in 1996. (3/2/04 Mustapha Dep. 72:16-24; 73:1 (Landes Decl., Ex. E).) Hamayel declares that he "did not hold any positions with the American Muslim Society," but he was an employee of its alter ego, IAP. *See Boim v. Quranic Literacy Institute*, 340 F. Supp. 885, 908 (N.D. Ill. 2004). Although he claims to be "a volunteer Executive Director for AMP, in an unpaid position," he was listed as part of the "Full-Time Staff" of the Mosque Foundation since

2007. (2010 Mosque Found. Ann. Report, 2010 at 14 (*Id.*, Ex. F).) The Mosque Foundation is a major financial sponsor of AMP and AJP. (Compl. ¶38.)

Abu Irshaid fails to mention in his declaration that he was editor of IAP's main publication, *Al-Zaytouna*, a copy of which was on "each chair in the [IAP/AMS] conferences." (Landes Decl., Ex. E 72:3-10.) In addition, although Abu Irshaid explains that he has filed suit to obtain naturalization, he omits that the reason USCIS denied his original application was because he failed to disclose his connections with IAP. Abu Irshaid's recent complaint, although cited in his affidavit, was filed under seal and is not available. *Irshaid v. United States Citizenship and Immigration Services*, No. 1:17-cv-00402 (E.D. Va. Filed 03/31/2017).

Defendants' factual arguments are premature and should be subject to discovery. Moreover, whether or not Hamayel and Abu Irshaid were "true actors" in 1996, they were alter egos of the *Boim* Defendants and AMP and AJP after that date. They were involved in the ongoing disguised continuance of the *Boim* Defendants for the purpose of avoiding payment of the *Boim* Judgment. *See Pekin*, 669 F. Supp. 2d at 6229 (finding alter ego liability where alter ego failed to properly wind up business affairs and effected sham transaction to frustrate collection of judgment). Plaintiffs' claims based on post-1996 conduct are inextricably intertwined with the successor claims against AMP and AJP and "form part of the same case or controversy." *See* 28 U.S.C. § 1367. Plaintiffs have, therefore, alleged supplemental jurisdiction over any claims not subject to original jurisdiction. (Compl. ¶ 6.)

CONCLUSION

For the foregoing reasons, this Court should deny the Defendants' motion and grant such further relief as the Court deems just and appropriate.

Dated: July 11, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned attorney certifies that on July 11, 2017 he caused the foregoing PLAINTIFFS' RESPONSE TO MOTION TO DISMISS to be served by electronically filing with the Clerk of the Court for the Northern District of Illinois using the CM/ECF system, and thereby serving by e-mail notification upon counsel for all parties of record.

Michael B. Kind

Exhibit 1

Declaration of Stephen J. Landes

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

STANLEY BOIM, Individually and as
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deceased; and JOYCE BOIM,

Plaintiffs,

v.

AMERICAN MUSLIMS FOR PALESTINE;
AMERICANS FOR JUSTICE IN PALESTINE
EDUCATIONAL FOUNDATION; RAFEEQ
JABER; ABDELBASSET HAMAYEL; AND
OSAMA ABU IRSHAID,

Defendants.

Civil No. 17-cv-03591

Hon. Sharon Johnson Coleman

Hon. Sidney I. Schenkier

DECLARATION OF STEPHEN J. LANDES

I, Stephen J. Landes, having been duly sworn on oath, hereby state:

1. I am over the age of eighteen (18) and, except where indicated, I have personal knowledge of the facts set forth in this affidavit. I am competent to testify to these facts if called to do so.

2. I am an attorney at Locke Lord LLP representing the Plaintiffs in the above-captioned matter.

3. I was also an attorney at Locke Lord LLP's predecessor law firm, Wildman Harrold Allen & Dixon LLP, where I was trial counsel in connection with *Boim v. Holy Land Foundation, et al.*, No. 00-cv-2905.

4. I am personally familiar with the files from that case, which are now maintained at Locke Lord LLP.

5. I reviewed certain of those files in order to compile transcripts and other documents to support Plaintiffs' response to Defendants' motion to dismiss.

6. **Exhibit A** to this Declaration is a true and correct copy of excerpts from the April 9, 2003 deposition testimony of Rafeeq Jaber.

7. **Exhibit B** to this Declaration is a true and correct copy of excerpts from the July 28, 2003 deposition testimony of Rafeeq Jaber.

8. **Exhibit C** to this Declaration is a true and correct copy of the AMS Transaction Report listing AMS Check No. 211.

9. **Exhibit D** to this Declaration is a true and correct copy of the U.S. Department of Justice Press Release, dated October 13, 2006 regarding Basman Elashi.

10. **Exhibit E** to this Declaration is a true and correct copy of excerpts from the March 2, 2004 deposition testimony of Kifah Mustapha.

11. **Exhibit F** to this Declaration is a true and correct copy of the 2010 Mosque Foundation Annual Report.

I declare under penalty of perjury that to my knowledge, the foregoing is true and correct.

Dated: July 11, 2017

/s/ Stephen J. Landes
Stephen J. Landes

Exhibit A to Landes Declaration

Excerpts from the April 9, 2003 deposition testimony of Rafeeq Jaber

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-

QURANIC LITERACY INSTITUTE,
et al., Defendants.

No. 00 C 2905

Videotaped deposition of RAFAEL JABER taken
before Sylvia A. Gerut, C.S.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 8:30 o'clock a.m. on the 9th day of April, A.D. 2003.

PRESENT:

WILMAN, HARROLD, ALLEN & DIXON
By MR. RICHARD M. HOFFMAN and
MR. DAVID OPPENHEIM
225 West Wacker Drive
Suite 2800
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on behalf of the Plaintiffs;

HEDLUND & HANLEY, LLC
By MS. SARAH J. DENEEN
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on behalf of the Defendant,
Holy Land Foundation for Relief and
Development.

JAMES R. FENNERITY & ASSOCIATES, L.L.C.
By MR. JAMES R. FENNERITY
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on behalf of the Defendants,
American Muslim Society and
Islamic Association for Palestine.

SYLVIA A. GERUT, C.S.R.
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DEPOSITION OF
RAFAEL JABER

04/09/03

EXAMINATION BY:

PAGE

Mr. Hoffman

07

EXHIBITS

PAGE

Deposition Exhibit No. 1	08
Deposition Exhibit No. 2	25
Deposition Exhibit No. 3	27
Deposition Exhibit No. 4	29
Deposition Exhibit No. 5	37
Deposition Exhibit No. 6	39
Deposition Exhibit No. 7	60
Deposition Exhibit No. 8	62
Deposition Exhibit No. 9	80
Deposition Exhibit No. 10	93
Deposition Exhibit No. 11	96
Deposition Exhibit No. 12	98
Deposition Exhibit No. 13	102
Deposition Exhibit No. 14	105
Deposition Exhibit No. 15	105
Deposition Exhibit No. 16	108
Deposition Exhibit No. 17	115
Deposition Exhibit No. 18	118
Deposition Exhibit No. 19	155
Deposition Exhibit No. 20	203
Deposition Exhibit No. 21	206
Deposition Exhibit No. 22	212
Deposition Exhibit No. 23	216
Deposition Exhibit No. 24	218
Deposition Exhibit No. 25	222
Deposition Exhibit No. 26	226
Deposition Exhibit No. 27	234
Deposition Exhibit No. 28	240
Deposition Exhibit No. 29	244
Deposition Exhibit No. 30	246
Deposition Exhibit No. 31	246
Deposition Exhibit No. 32	274

SYLVIA A. GERUT, C.S.R.
708.588.0283

EXHIBITS

PAGE

Deposition Exhibit No. 33	276
Deposition Exhibit No. 34	286
Deposition Exhibit No. 35	290

SYLVIA A. GERUT, C.S.R.
708.588.0283

through 9.

If you could take a moment to just look through those subjects, my question to you is, are you a witness who is prepared to testify about these subjects on behalf of the American Muslim Society?

A Well there's some -- because I came to know the IAP when I took over in 1996. So I really, I can't speak for the 1991, because I was not part of it.

I was the president of the American Muslim Society in 1993. So anything before '93, which is my involvement, I don't have much of the answer to some of it, probably I don't know what kind of question you're going to give up, but like officers or anything like that before 1993 AMS and '96 for IAP, it would be very hard for me to know those people.

Q Just to be clear, Mr. Jaber, again, although you'll see the name IAP in here, the way we've defined IAP is American Muslim Society d/b/a IAP. So whenever you see IAP in this document, what we're really asking for is for you to be -- whether you can testify about these subjects regarding the American Muslim Society and not the separate Islamic Association for Palestine Corporation in Texas, okay? I'm trying to draw that distinction.

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It's my understanding you're not the designated witness for the Islamic Association for Palestine in Texas, but you are for the American Muslim Society, and what I want to know is whether you can testify about these subjects with respect to the American Muslim Society?

A That's what I meant, 1993 when the American Muslim Society was incorporated. So anything before that, I'm not responsive for it or I have probably little or no knowledge of what's going on, what was taking place.

Q Okay. At least with respect to the American Muslim Society from the time of its formation in 1993, you would be able to testify about the subject matters identified in this exhibit?

A Yes.

Q Okay. Now, so that we are clear, it's my understanding that you currently hold positions with both the American Muslim Society and IAP, the Texas corporation, is that correct?

A Correct.

Q What is your current position with AMS?

A I'm the president of AMS.

Q How long have you held that position?

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A Actually since it's inception, 1993 until 1996. Then I became the national president of the IAP. And until '98, to the best of my recollection, then I stepped down and took over again in 1999.

Q When you say took over again, you mean took over again the position of president of AMS?

A IAP, president of IAP.

Q Okay. Let me -- I want to just focus on one at a time, because it's very easy to get confused between the two. Let's talk for the moment if we could just about the American Muslim Society. You were the president at its inception, correct?

A Right.

Q Have you always served as its president throughout its history?

A Yes.

Q Okay. And with respect to the IAP, if I understood your testimony you were -- served as the president of that organization from 1996 to 1998?

A I think '96, '97. '98 I left, and I think came back in '99.

Q Okay. So it was '96 to approximately 1997 or early 1998 that you were president the first time of IAP?

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A The first time in 1996. I think back in 1999, I came back.

Q When you say you came back, you became the president again?

A President of IAP, yes.

Q Have you continued to serve as the president of IAP since 1999?

A Yes.

MR. FENNERITY: Can we go off the record one second?

MR. HOFFMAN: Sure.

THE VIDEOGRAPHER: We're going off the record at 8:58 a.m.

(Discussion had off the record.)

THE VIDEOGRAPHER: We're going back on the record at 8:58 a.m.

MR. HOFFMAN: Q Okay. Mr. Jaber, I want to make sure that we're all on the same page and talking about the same thing. There is a corporation in Texas that is a defendant in this lawsuit known as the Islamic Association for Palestine, correct?

A Correct.

Q There is also the American Muslim Society which does business as the Islamic Association for Palestine, correct?

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708.588.0283

13

1 A Yes.

2 Q Okay. For purposes of today's deposition, when
3 we refer to the American Muslim Society, I'd like to
4 just refer to it as that or as AMS even though it may do
5 business as Islamic Association for Palestine, just so
6 we're clear. Is that okay with you?

7 A Yes.

8 Q Okay. Now, am I correct that Islamic
9 Association for Palestine is also a name that is used on
10 a -- sort of on a national basis by a number of
11 affiliated entities if you will?

12 A This I don't know.

13 Q Okay. Mr. Fennerty, while we were off the
14 record, had asked about IAP National. Do you have an
15 understanding of what that term means?

16 A Yes, the IAP National, they're the ones that
17 serves as the national entity. That sometimes like it's
18 now, it's in Chicago, which is the AMS, it is the IAP
19 National now.

20 Q Okay. So what is the relationship between --
21 when we talk about -- let's do this. When we talk about
22 the Islamic Association for Palestine based in Texas,
23 the Texas corporation, can we refer to that as IAP
24 Dallas?

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708.588.0283

14

1 A You can do that.

2 Q Well, if I say it, will you understand that
3 that's what we're referring to?

4 A Right.

5 Q Okay. So we have a common frame of reference.
6 Now, when you talk about Islamic Association for
7 Palestine National, what role do IAP Dallas and AMS play
8 in IAP National, how are they affiliated?

9 A Well, each separate corporation, and each they
10 have their own board. They have their own president.
11 They have their own budget, their own way of doing
12 business. They're just sometimes the national changes
13 offices at the headquarters from Dallas to Chicago.
14 Then the AMS would be the national office. If it's in
15 Dallas, then Dallas would be the national office.

16 Q Are there other corporations in the country
17 besides the IAP Dallas and AMS that fall under the
18 umbrella of the Islamic Association for Palestine?

19 A Not I am aware of.

20 Q When you testified earlier that you were the
21 national president for IAP, I take it then that what you
22 were talking about is sort of this national structure
23 and not the president for IAP Dallas?

24 A Yes.

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15

1 Q Okay. Have you served at any point in time as
2 an officer of IAP Dallas?

3 A Just recently when the president resigned, and I
4 was the national president, so I took over temporary
5 until we solved this dilemma.

6 Q Okay. When did that begin that you served as
7 president of IAP Dallas?

8 A Sometime last year, I think.

9 Q So 2002. You talked a little bit about this
10 national -- IAP National. Is that -- is there any sort
11 of a formal legal structure that's tied to that, in
12 other words is there a corporation or partnership or
13 some sort of a legal entity that's created for IAP
14 National or is it more of a loose affiliation between
15 IAP Dallas and AMS?

16 A No affiliation. That's why it changes sometimes
17 from Dallas to Chicago, Chicago to Dallas.

18 Q But there is no corporate structure that you're
19 aware of that is IAP National, is that correct?

20 A Not I'm aware of.

21 Q Okay. And when you became president of IAP
22 National for the first time in 1996 or -- in 1996 how
23 did you become president?

24 A The board of directors asked me to serve as

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708.588.0283

16

1 president, and I accepted that and as a full-time --
2 actually at the beginning it was sort to try it out as
3 part time. And then I accepted in 1997 when I became
4 fully employed as the president of the IAP National.

5 Q IAP National has a board of directors then?

6 A Yes.

7 Q How is that board of directors selected?

8 A Well, around the country, they have
9 representatives who would like to work for this cause
10 and who active, and they would become on the board of
11 directors based on the board's decision to bring them in
12 or to be part of it.

13 Q Is there any sort of formal rules that govern
14 the operations of IAP National, and by that I mean for
15 example corporations have articles of incorporation and
16 bylaws that talk about the rules of how they're
17 governed, is there anything like that for IAP National?

18 A Well, one of our rules, the national
19 headquarters, the bylaws, the rules will govern that.

20 Q So during the periods when you were the national
21 president, and the national office then would be based
22 in the Chicago area, correct?

23 A Right.

24 Q And during that period of time, the AMS bylaws

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708.588.0283

49

Al-Zaytuna?

A Yes, still does.

Q What is its involvement in that process?

A Like I said, the publication which is the printing, the distribution, keeping the advertisement. Almost everything except the editor who edit it and the one who takes care of it. He's from IAP National which is the -- which is Chicago.

Q Okay. But he's located in Washington?

A Washington now, yes.

Q What is that person's name?

A His name is Osama.

Q Osama?

A I don't know how he spells it, but I'll give my best.

Q Okay.

A It's a popular name now. And the last name is Abu Irshaid, A-b-u, I think, I-r-s-h-a-i-d.

Q Abu Irshaid?

A Abu Irshaid.

Q Okay. I'm sure I'll mispronounce that again at some point, but I'll do my best. So Mr. Abu Irshaid is the person who's in charge of the editorial content of Al-Zaytuna?

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50

A Actually in charge of everything from A to Z in the paper, what comes on the paper and what goes into the paper.

Q Okay.

A He's the chief editor you can call him.

Q Okay. And he does that out of his home in Washington?

A Correct.

Q And the actual work of putting together the publication, the printing, the advertising, the mechanics of it is done out of the IAP Dallas office?

A Correct.

Q And the check writing is done out of the AMS office here which is also the office for IAP National?

A No. The checks for the publications for all these things comes from Dallas.

Q Okay.

A Except the editor. His check comes from IAP National.

Q Then what is the -- what role, if any, does the Palos Hills office here have in connection with the publication of Al-Zaytuna?

A They pay the salary of the editor.

Q That's it?

SYLVIA A. GERUT, C.S.R.
708.588.0283

51

A That's a lot.

Q I don't mean to minimize the cost or anything of that nature, but that's the extent of the involvement, correct?

A I understand.

Q You also testified about action letters that are published, newsletters, things of that nature, bulletins, are those all produced in the Palos Hills office?

A Yes.

Q Who is responsible for the preparation of those materials?

A The employer.

MR. FENNERTY: What year are you talking about?

MR. HOFFMAN: Q Well, let's say in the current time?

A The employee that works for us, the executive director, the secretary. He's everything.

Q Who is that?

A His name is Abdel Based, A-b-d-e-l, B-a-s-e-d, I think.

Q B-a-s-e-d, Abdel Based?

A Yes. Last name is Hamayel, H-a-m-a-y-e-l, I think.

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52

Q Okay. Abdel Based Hamayel?

A Right.

Q Okay. How long has Mr. Hamayel been involved in that capacity with either AMS or IAP National?

A I think I would say for the last four years or month. I'm not good with dates, but he's been with us for a few years.

Q Okay. Prior to his employment, who at AMS/IAP National here in Palos Hills would have been responsible for the bulletins and action letters?

A Mohammed Al-Khatib.

Q My recollection was --

A He was on the board of AMS.

Q I'm sorry. You said it was Mr. Al-Khatib?

A Yes.

Q Okay. Now, my recollection from your earlier testimony was that he dropped out very early on?

A From the board.

Q From the board. Did he continue to be actively involved with AMS or IAP National even though he wasn't on the board?

A Yes, with AMS, because like I said, that's probably the reason he dropped out, because he became an employee.

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708.588.0283

53

Q Okay. So after he stepped down from the board in the early days of the AMS, Mr. Al-Khatib became a full-time employee of AMS or IAP National and was involved in the preparation of action letters and bulletins and things of that nature?

A Yes.

Q Has the IAP National/AMS office in Palos Hills also been involved in organizing conventions and other similar events?

A Yes.

Q What role does this office play, for example, in connection with the annual IAP conferences that are held?

A This office, we organized all the conventions that we held.

Q Okay. So and that's going back historically all of the national annual conventions?

A Well, from 1996 on. I think '97 the first one.

Q Okay.

A Or '96. You know, I think the end of '96 the first one. I think in December of 1996.

Q All right.

A To the best of my recollection, I think we had one in '97. I think we stopped in '98, and we back, I

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708.588.0283

54

think, in '99. We had about four or five of them.

Q Let me just clarify then. First of all, December 1996 was the first IAP annual convention, is that correct?

A That I'm aware of or I was involved with.

Q And since that time, those conventions have always been organized out of the AMS office whether it was in Palos Hills or some prior location?

A Right.

Q Have there been other conventions or seminars or things of that nature that have been put on besides the annual convention?

A Yes. We put on annual festivities around the country and put on like fund raising dinners and something like that, workshops sometimes in the office.

Q Do any of these other events involve having speakers come from either from IAP or from other organizations?

A Yes.

Q And these other events that you're describing, were those organized out of the AMS office here in Chicago?

A Since I took over of course for AMS, before that, probably from Dallas or the IAP National Dallas.

SYLVIA A. GERUT, C.S.R.

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55

Q So from 1996 forward, whatever records would be generated in the operation or the doings of IAP National by and large should have been coming from the AMS offices here in Chicago?

A Yes.

Q With the exception I think you had mentioned about the publication of Al-Zaytuna in Dallas?

A Right.

Q Were there any other activities of IAP National from 1996 forward that took place or were based out of someplace other than the AMS office here in Chicago?

A Yes. We talked about the web page.

Q And the web page. Okay. Besides the web page and the publication of Al-Zaytuna?

A I don't recall.

Q And then prior to 1996, would the records or documentation relating to the operations of IAP National have been centered out of the IAP Dallas offices, because that was the national office?

A I really don't know. I suppose. I'm not the one who knows. I was not involved with it.

Q Who was your predecessor as the president of IAP National?

A Omar Ahmad.

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708.588.0283

56

Q Omar Ahmad? And we're talking about now prior to '96?

A Right.

Q I think you had testified that there was a gap somewhere in there between like '98 and '99 when you were not the president of IAP National?

A Right.

Q Who was the president at that time?

A Amer Alshawra.

Q I'm sorry?

A Amer, A-m-e-r, Alshawra, A-l-s-h-a-w-r-a, I think.

Q Omar Alshawra?

A Amer.

Q Amer. I'm sorry. My penmanship is bad. Amer --

A Alshawra.

Q Alshawra. Do you know who was the IAP National president prior to Omar Ahmad?

A I was not involved, but I heard that it was, I think, Bushnaq.

Q Jasser Bushnaq. And I understand that you may have not been involved at the time, but nevertheless, do you have a knowledge or understanding as to who preceded

SYLVIA A. GERUT, C.S.R.

708.588.0283

225

1 be something else it says here what it means.

2 Q Well, could you just look over it. I mean it's
3 two pages. If you could just take a minute or two and
4 look it over and just let me know if there's anything in
5 there that would tell you what organization we're
6 talking about?

7 A Talking about the Islamic Association for
8 Palestine that's holding many festivities from
9 November 18, '88 through January 19 of 1989. So that
10 shows that probably that's what they mean, the Islamic
11 Association for Palestine.

12 Q Okay. This would have related to a time period
13 prior to your involvement with IAP, correct?

14 A Absolutely.

15 Q I take it from your prior testimony that you
16 don't have any knowledge -- personal knowledge about the
17 undertakings of IAP prior to 1993, is that fair?

18 A Actually for IAP nationally prior to 1996 I was
19 not involved. So I don't know what took place before
20 that.

21 Q So from 1993 when you formed AMS until 1996, you
22 really didn't have any involvement with IAP National
23 either?

24 A Other than like if you buy materials from them

SYLVIA A. GERUT, C.S.R.
708.588.0283

226

1 or like with the IAP Dallas, they call us to, you know,
2 help in anything or something. But I don't know -- we
3 had no knowledge or I had no knowledge or activity or
4 planning or know who meets and who did not meet and who
5 was there and who was not there, who was a board member
6 or who was not. I have no idea.

7 Q Okay. During your involvement with IAP and AMS,
8 has Mr. Marzook ever been a financial contributor or an
9 advisor or consultant?

10 A No.

11 Q Has Mr. Marzook ever spoken at any IAP or AMS
12 events to your knowledge?

13 A Not that I am aware of.

14 (Document marked Exhibit No. 26 for
15 identification.)

16 Q Mr. Jaber, you've been handed a group exhibit
17 that's been marked as Exhibit 26. It appears to be a
18 series of documents that were produced by IAP in this
19 litigation relating to Abu Marzook. Would you agree
20 with that?

21 A Yes.

22 Q These documents -- first of all, are you able to
23 tell me whether these were prepared by IAP National or
24 whether they're something that's a local effort?

SYLVIA A. GERUT, C.S.R.
708.588.0283

227

1 A Like I said, it depends on the date, if the IAP
2 National was part of the AMS, then it would be the IAP
3 National.

4 Q Well, these all appear to be in 1997?

5 A That's the IAP National then.

6 Q Okay. And would it be fair to say then that
7 these are all efforts by IAP to obtaining public support
8 for Abu Marzook in connection with extradition
9 proceedings undertaken by the United States government?

10 A Yes.

11 Q The fact on the first page, you are listed as
12 the contact on the statement, correct?

13 A Correct.

14 Q And why was it that IAP was asking for public
15 support for Mr. Abu Marzook?

16 A He's a Palestinian, and he came to the country
17 here. He was a legal residence, and we believe in
18 defending like I said earlier all the Palestinians in
19 particular and any other Arab or Muslim in this country
20 who we believe that they have to have the due process,
21 and we will support them at any time, and he will not be
22 the first one nor the last one.

23 Q The support that IAP provides for Muslims in
24 America does that -- is that support in any way tied to

SYLVIA A. GERUT, C.S.R.
708.588.0283

228

1 issues of what their political affiliation is?

2 A No.

3 Q Is there any -- for example, does the IAP
4 support people regardless of whether it has information
5 or belief as to their guilt or innocence in a particular
6 matter?

7 A Well, we believe everybody is innocent until
8 proven guilty. So everybody is innocent. So we support
9 all the innocent people. Once they're proven guilty,
10 it's over.

11 Q Now, the first page of this exhibit talks about
12 the evidence against Abu Marzook being a confession
13 obtained under torture, are you referring there to
14 confessions given by Mr. Salah?

15 A Yes.

16 Q And you've already described --

17 A Most likely is.

18 Q Okay. And you have already described for me
19 earlier your basis for believing that those confessions
20 were obtained under torture, is that right?

21 A Yes.

22 Q Now, the second page of the document refers to
23 Abu Marzook as the head of the political bureau of
24 HAMAS. You understood that that was his affiliation at

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708.588.0283

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-

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

No. 00 C 2905

Videotaped deposition of RAFAEQ JABER taken
before Sylvia A. Gerut, C.S.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 8:30 o'clock a.m. on the 9th day of April, A.D. 2003.

PRESENT:

WILLMAN, HARROLD, ALLEN & DIXON
By MR. RICHARD M. HOFFMAN and
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Holy Land Foundation for Relief and
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* * * * *

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Deposition Exhibit No. 20	203
Deposition Exhibit No. 21	206
Deposition Exhibit No. 22	212
Deposition Exhibit No. 23	216
Deposition Exhibit No. 24	218
Deposition Exhibit No. 25	222
Deposition Exhibit No. 26	226
Deposition Exhibit No. 27	234
Deposition Exhibit No. 28	240
Deposition Exhibit No. 29	244
Deposition Exhibit No. 30	246
Deposition Exhibit No. 31	246
Deposition Exhibit No. 32	274

SYLVIA A. GERUT, C.S.R.

708.588.0283

EXHIBITS

PAGE

Deposition Exhibit No. 33	276
Deposition Exhibit No. 34	286
Deposition Exhibit No. 35	290

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SYLVIA A. GERUT, C.S.R.

708.588.0283

1 where there are payments to Holy Land Foundation. Do
2 you have an understanding as to what the purpose of
3 payments to Holy Land Foundation were?

4 A I don't remember. It's been so long.

5 Q You don't remember any of the circumstances
6 relating to any payments of money to Holy Land
7 Foundation by AMS?

8 A Well, sometimes that could be, some of the
9 things that happen. People they give us the money to
10 HLF, but they write it in our name or sometimes if they
11 give it to us check cash, somebody says, well, here is
12 \$100 and somebody comes in with \$500, because they say
13 we want to give this to the Holy Land Foundation, can
14 you, you know, get it to them. Then we say yes, we can.
15 Then we collect, and we'll give them a check for
16 whatever was given to us as a donation to those people,
17 to HLF most likely.

18 Q All right. So there were situations in which
19 people would make contributions that they wanted that
20 they intended to ultimately go to HLF, came to AMS
21 instead and that you would then process those and write
22 a check to HLF in the same amount?

23 A That's a possibility, yes.

24 Q Okay. Are there any other circumstances that

SYLVIA A. GERUT, C.S.R.
708.588.0283

1 come to mind in which payments were made by AMS to HLF?

2 A I don't remember, unless there are some expenses
3 we have to pay or something because of the contracts.
4 But most likely, like I said, these HLF would be
5 donations made to us, given to us because from Illinois
6 especially, and we sent it out to them.

7 Q And if I wanted to get more information as to
8 what the nature of that was, the best places to look
9 would be to the descriptions in this document and to the
10 bank statements and copies of checks that accompanied
11 them, would that be right?

12 A It would be the check would be on it. Like I
13 say, if somebody comes in with three, four people, each
14 give us \$100. They say here's \$400 to HLF. Then we
15 write a check to HLF for \$400. That's the end of it.
16 We don't do any bookkeeping or anything from whom or
17 something. We just send it out to the HLF.

18 Q Okay. Now, there are a number of entries in
19 here in this report to travel entities, either Falcon
20 Travel, Light Star Travel, and I take it that some of
21 those relate to travel expenses related to the annual
22 convention or other events?

23 A Mostly.

24 Q What other types of travel-related expenses

SYLVIA A. GERUT, C.S.R.
708.588.0283

1 would be reflected?

2 A My travel when I go around.

3 Q Okay. So it might be cases where you're
4 traveling somewhere to do IAP or AMS business or make
5 speeches, things of that nature?

6 A Yes.

7 Q Now, if you turn to the second page about two
8 thirds of the way down there is an entry on 9-18-96,
9 Check No 303 to IAP Dallas, it appears to be for
10 publication office expense, \$8,000, you see that?

11 A Hm-hm.

12 Q You have to say yes?

13 A Yes. I'm sorry.

14 Q It's a hard habit to break. Is this then an
15 example of a payment to the IAP Dallas related to the
16 publication of Al-Zaytuna?

17 A Yes.

18 Q Turning to Page 3, there are a series of
19 additional payments to IAP Dallas for the publication
20 office expense but also to AMEL which I think you've
21 testified is AMELP for contributions, and I just wanted
22 to see whether the fact that these were being made on a
23 regular basis in any way refreshes your recollection as
24 to the nature of the contributions that were being made

SYLVIA A. GERUT, C.S.R.
708.588.0283

1 to AMELP?

2 A The same thing like with the HLF people, they
3 will give money to AMEL. Sometimes they give to us,
4 okay, because especially from Illinois. They heard or
5 they received a letter from AMEL, they ask us can you
6 give them the money, because they are not much aware of
7 AMEL itself, they don't know what it is. We say, okay,
8 it's a good, you know, we don't think it's a bad
9 organization, it's a good organization, and wants to
10 make a contribution. They make it to us. We say yeah,
11 fine. And in turn, we write a check from our checks to
12 the AMEL or HLF.

13 Q Do you have any understanding as to why it would
14 be that people would give money to you to give to AMELP,
15 why they would --

16 A Well, for one, because they trust me. Second,
17 because that could be they're not aware or not sure what
18 is AMEL is all about. If they received a letter for
19 contribution for fund raising, you know, they see
20 Palestine especially in the Middle East or something
21 like that. They come to me and they say what do you
22 think of this organization. I say it's a good
23 organization. I like to make a donation to it because
24 501 C 3 special. I says yeah, go ahead, then make a

SYLVIA A. GERUT, C.S.R.
708.588.0283

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-

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

No. 00 C 2905

Videotaped deposition of RAFAEQ JABER taken
before Sylvia A. Gerut, C.S.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 8:30 o'clock a.m. on the 9th day of April, A.D. 2003.

PRESENT:

WILLMAN, HARROLD, ALLEN & DIXON
By MR. RICHARD M. HOFFMAN and
MR. DAVID OPPENHEIM
225 West Wacker Drive
Suite 2800
Chicago, Illinois 60606-1229
(312) 201-2000

on behalf of the Plaintiffs;

HEDLUND & HANLEY, LLC
By MS. SARAH J. DENEEN
30 W. Monroe Street
Suite 500
Chicago, Illinois 60603
(312) 441-8615

on behalf of the Defendant,
Holy Land Foundation for Relief and
Development.

JAMES R. FENNERITY & ASSOCIATES, L.L.C.
By MR. JAMES R. FENNERITY
36 South Wabash
Suite 1310
Chicago, Illinois 60603
(312) 345-1704

on behalf of the Defendants,
American Muslim Society and
Islamic Association for Palestine.

* * * * *

SYLVIA A. GERUT, C.S.R.

708.588.0283

DEPOSITION OF
RAFAEQ JABER

04/09/03

EXAMINATION BY:

PAGE

Mr. Hoffman

07

EXHIBITS

PAGE

Deposition Exhibit No. 1	08
Deposition Exhibit No. 2	25
Deposition Exhibit No. 3	27
Deposition Exhibit No. 4	29
Deposition Exhibit No. 5	37
Deposition Exhibit No. 6	39
Deposition Exhibit No. 7	60
Deposition Exhibit No. 8	62
Deposition Exhibit No. 9	80
Deposition Exhibit No. 10	93
Deposition Exhibit No. 11	96
Deposition Exhibit No. 12	98
Deposition Exhibit No. 13	102
Deposition Exhibit No. 14	105
Deposition Exhibit No. 15	105
Deposition Exhibit No. 16	108
Deposition Exhibit No. 17	115
Deposition Exhibit No. 18	118
Deposition Exhibit No. 19	155
Deposition Exhibit No. 20	203
Deposition Exhibit No. 21	206
Deposition Exhibit No. 22	212
Deposition Exhibit No. 23	216
Deposition Exhibit No. 24	218
Deposition Exhibit No. 25	222
Deposition Exhibit No. 26	226
Deposition Exhibit No. 27	234
Deposition Exhibit No. 28	240
Deposition Exhibit No. 29	244
Deposition Exhibit No. 30	246
Deposition Exhibit No. 31	246
Deposition Exhibit No. 32	274

SYLVIA A. GERUT, C.S.R.

708.588.0283

EXHIBITS

PAGE

Deposition Exhibit No. 33	276
Deposition Exhibit No. 34	286
Deposition Exhibit No. 35	290

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SYLVIA A. GERUT, C.S.R.

708.588.0283

1 had any involvement in fund raising for us.

2 Q Other than the contract that was produced, and I
3 forget what the specific event was, but I think it was a
4 Ramadan event or --

5 A Ramadan event and convention.

6 Q Have there been any endeavors or joint ventures
7 that have been engaged in by IAP National and AMS on the
8 one hand and Holy Land Foundation on the other?

9 A Any specific. I don't know what you mean
10 endeavor.

11 Q Well, have you gone into any activities that you
12 did that IAP or AMS did with the Holy Land Foundation?

13 A The contracts, anything that with the contracts
14 for the festivities, yes, we did that.

15 Q Okay. And the contract -- the festivities and
16 the contracts that you're talking about, those were
17 documents that were produced, correct?

18 A Right.

19 Q And aside from the festivities for which you
20 produced contracts, were there any other activities that
21 IAP engaged in with the Holy Land Foundation to your
22 knowledge?

23 A Not other than we encourage people -- we
24 encourage people to donate for them of course. And we

SYLVIA A. GERUT, C.S.R.

708.588.0283

1 mention that in our IAP web page.

2 Q Why is it that IAP encourages people to
3 contribute to the Holy Land Foundation?

4 A Because we believe that the Holy Land Foundation
5 is a good charitable organization, worthy, trustworthy,
6 that the money that is donated to it will reach to the
7 people who need it.

8 Q What is your basis for that belief?

9 A Belief from the people we hear from, you know,
10 people are happy. We see the letters, their annual
11 report. All the feedback we get from, you know, the
12 poor and the needy they say, yeah. We ask about these
13 things.

14 Q When you say this feedback, where is this
15 feeding coming from, is that information that is
16 provided to you by the Holy Land Foundation?

17 A By Holy Land Foundation and also from people in
18 their territory that says, yeah, a lot of people benefit
19 from this and this. They know about the Holy Land.
20 They say they give to the poor here and orphans here and
21 this hospital and this. And, you know, we receive some
22 letters even, and we seen some letters from several
23 clinics and hospitals that the Holy Land has been part
24 of it and distributed funds to help establish which are

SYLVIA A. GERUT, C.S.R.

708.588.0283

1 worthy causes in our opinion.

2 Q If I understand your testimony correctly, the
3 basis for your belief that Holy Land Foundation is a
4 good and worthy entity to donate to come from word of
5 mouth or information that might flow back from Israel or
6 the occupied territories and also information that's
7 provided to you by the Holy Land Foundation such as
8 annual reports or other documentation, is that correct?

9 A Yeah, that's correct, and also people know some
10 of the people that are trustworthy around the country
11 that have been known as good people, trustworthy people
12 and good people.

13 Q Now, who are those people that you're referring
14 to now as being the trustworthy people that are known
15 around the country?

16 A Like Shukri Abu Baker, Ibrahim Muzayyin, Basran
17 Elashi, we all know of them as all good trustworthy
18 people.

19 Q Has IAP National or AMS ever made donations of
20 their own funds to the Holy Land Foundation, I know you
21 testified about forwarding donations from others?

22 A Not in particular. I don't think so except
23 forwarded like I said.

24 (Document marked Exhibit No. 20 for

SYLVIA A. GERUT, C.S.R.

708.588.0283

1 identification.)

2 Q Mr. Jaber, you've been handed what's been marked
3 as Exhibit 20, it purports to be an action alert issued
4 by IAP. First of all, is this the type of action alert
5 that you had testified about earlier that would
6 typically come from IAP National?

7 A Some of them, yes.

8 Q Do you know whether this particular action alert
9 would have come from IAP National?

10 A Yes, I believe so.

11 Q Who is it that would be responsible for
12 preparing, would it be Mr. Hamayel?

13 A I would be the one who would initiate this and
14 approve it. I would tell them what need to be do, and
15 somebody write it, and I have to review it and change
16 what needs to be changed and approve it.

17 Q Okay. And this I take it then would be sent out
18 to people by the IAP National office?

19 A Yes, it's from the IAP National.

20 Q How would this be distributed?

21 A Different ways, faxes, distributed in the
22 mosques and churches and places where they gather,
23 stores.

24 Q This particular document is dated

SYLVIA A. GERUT, C.S.R.

708.588.0283

Exhibit B to Landes Declaration

Excerpts from the July 28, 2003 deposition testimony of Rafeeq Jaber

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.

Videotaped continued deposition of RAFAQ JABER
taken before Sylvia A. Gerut, C.S.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 28th day of July, A.D.
2003.

PRESENT:

WILLMAN, HARROLD, ALLEN & DIXON
By MR. RICHARD M. HOFFMAN
225 West Wacker Drive
Suite 2800
Chicago, Illinois 60606-1229
(312) 201-2000

on behalf of the Plaintiffs;

HEDLUND & HANLEY, LLC
By MS. SARAH J. DENEEN
30 W. Monroe Street
Suite 500
Chicago, Illinois 60603
(312) 441-8615

on behalf of the Defendant,
Holy Land Foundation for Relief and
Development.

JAMES R. FENNERITY & ASSOCIATES, L.L.C.
By MR. JAMES R. FENNERITY
36 South Wabash
Suite 1310
Chicago, Illinois 60603
(312) 345-1704

on behalf of the Defendants,
American Muslim Society and
Islamic Association for Palestine.

VIDEOGRAPHER: LEGAL VIDEO SERVICES, INC.
MR. BRUCE WITTY.

* * * * *

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CONTINUED DEPOSITION OF
RAFAQ JABER

07/06/03

EXAMINATION BY:

PAGE

Mr. Hoffman
Mr. Fennerty

05
205

EXHIBITS

PAGE

Deposition Exhibit No. 36	12
Deposition Exhibit No. 37	16
Deposition Exhibit No. 38	34
Deposition Exhibit No. 39	42
Deposition Exhibit No. 40	45
Deposition Exhibit No. 41	63
Deposition Exhibit No. 42	70
Deposition Exhibit No. 43	98
Deposition Exhibit No. 44	106
Deposition Exhibit No. 45	117
Deposition Exhibit No. 46	128
Deposition Exhibit No. 47	146
Deposition Exhibit No. 48	146
Deposition Exhibit No. 49	162
Deposition Exhibit No. 50	165
Deposition Exhibit No. 51	174
Deposition Exhibit No. 52	179
Deposition Exhibit No. 53	183
Deposition Exhibit No. 54	184
Deposition Exhibit No. 55	187
Deposition Exhibit No. 56	189
Deposition Exhibit No. 57	192

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THE VIDEOGRAPHER: This is Bruce Witty of Legal
Video Services, Incorporated. 205 West Randolph Street,
Chicago, Illinois. I am the operator of this camera and
this videotaped deposition of Rafeeq Jaber, as being
taken pursuant of Federal Rules of Civil Procedure on
behalf of the Plaintiffs.

We're on the record on August 6th, 2003. The
time is 10:35 a.m. as indicated on the video screen. We
are at 225 West Wacker Drive, Chicago, Illinois.

The case is captioned Stanley Boim, individually
and as administrator of the estate of David Boim,
deceased, and Joyce Boim versus the Quranic Literary
Institute, et al., Case Number 00 C 2905.

Will the attorneys please identify themselves
for the video record?

MR. HOFFMAN: For the record, Rick Hoffman on behalf
of the Plaintiffs. Also with me here today are two of
our summer associate clerks, Dave Rotenberg and Debra
Morgan.

MR. FENNERITY: And James Fennerty, that's
F-e-n-n-e-r-t-y, on behalf of Rafeeq Jaber who is here
today.

MS. DENEEN: Sarah Deneen on behalf of Defendant
Holy Land Foundation.

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1 A Well, specifically what I said, I remember from
2 my recollection, I didn't have anything personally to do
3 with the national office, with their operation, their
4 meetings, their board, because before that I did not
5 have any direct input to the IAP National.

6 Q Did you have any involvement with IAP prior to
7 1996?

8 A National?

9 Q Any IAP, any entity known as IAP other than AMS?

10 A I don't remember in particular if there is any
11 particular thing. I don't remember any. Like I said,
12 sir, whatever we work with other organization, if that's
13 something that like help us some information or exchange
14 information and stuff like that.

15 Q Was the AMS did it serve -- prior to its
16 incorporation, was that a chapter of IAP National?

17 A Yes, we change to become a chapter IAP Chicago,
18 yes.

19 Q Okay. When did that effort first start?

20 A Probably a year later or something. I don't
21 remember.

22 Q A year later from when, after the formation of
23 AMS?

24 A Yes.

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1 Q Okay. Were you involved with any local chapter
2 of IAP prior to your formation of AMS?

3 A I didn't know if there was a chapter
4 specifically for IAP. I'm not aware there was one.

5 Q Now, you testified earlier also that you have
6 been involved over the years with the Mosque Foundation,
7 correct?

8 A Yes.

9 Q How long have you been involved with that
10 entity?

11 A Since its inception.

12 Q Which is when?

13 A 1980. Yeah, probably the 70's actually when I
14 was involved in raising funds to build it, yes, before
15 it was built. The IAP, just to clarify one thing, the
16 inception of the Mosque Foundation was four years old
17 actually when I go back. The Mosque Foundation was to
18 my knowledge, I think, was formed in 1954. So I was not
19 old enough even to be part of it. So to correct that.

20 (Document marked as Exhibit 42 for ID.)

21 Q Now, Mr. Jaber, you've been handed what's been
22 marked as Exhibit 42. It's a document that on its face
23 purports to be entitled the Islamic Post from the Mosque
24 Foundation of Chicago. That's the Mosque Foundation

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1 that you're involved with, correct?

2 A Yes.

3 Q And have been since at least the 1980's?

4 A Yes.

5 Q It's dated November 1991, do you see that on the
6 upper left?

7 A Yes, I see.

8 Q All right. You were involved with the Mosque
9 Foundation in 1991, correct?

10 A Yes.

11 Q Is this a copy of a newsletter that was put
12 together by the Mosque Foundation?

13 A It looks like it.

14 Q Would you turn to the second page, please. At
15 the bottom there is an article or a section entitled
16 anniversary gathering for the Intifada at Bogan High
17 School, Sunday 17, November. Do you see that?

18 A Yes.

19 Q And it starts off by saying that Muslims will be
20 focusing on the Intifada and the Islamic position for
21 genuine peace in Palestine in light of the Madrid
22 conference during the Fifth Anniversary Celebration of
23 the Intifada. Now, the Madrid conference, do you
24 understand what that's a reference to?

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1 A Yes.

2 Q What's your understanding?

3 A Well, that's gathered by President Bush, Senior
4 that trying to put together a peace process which is
5 after that the Alsa agreement, but that's when it
6 started the process after the second Golf War that
7 President Bush tried to make peace in the Middle East.

8 Q Okay. Now, skipping down to -- skipping over to
9 the next paragraph there's a paragraph that reads
10 jointly sponsored by the Islamic Association for
11 Palestine, IAP, and the Mosque Foundation, the event is
12 expected to draw about 1,500 supporters. Now, are you
13 aware of any activities of the IAP in November of 1991?

14 A The IAP, the national, they put, you know, like
15 every year from -- I think from the 1980's, late 80's
16 from Intifada that put on these kind of can call
17 celebration or gathering certain times. That's usually
18 at the anniversary of the Intifada.

19 Q Okay.

20 A And people usually got to work on that.

21 Q All right. And you were aware of these annual
22 events that were put on by the IAP on the anniversary of
23 the Intifada going back to the late 80's?

24 A Yes, I was.

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Q If you look down at the next paragraph, it says this is a celebration of the fruits of the Intifada to stress the idea that Palestine is an Islamic cause especially in this time of the conference on the Middle East. And it's quoting you as president of IAP's Chicago chapter. Do you see that?

A I see it.

Q And in fact were you in November of 1991 the president of the Chicago chapter of IAP?

A There was no chapter. This is, like I said, these are committees. At the time we need to put something together, the committee gathers, okay. Let's say they want to put this, which is like for this instance or before it or after it, they put the committee on.

I chaired the committee, but maybe the people they call it chapter, sometimes maybe they call it whatever they want to, but particularly it's not the chapter that's formed or existed or has this kind of chapter, my knowledge this is my definition of a chapter, just a committee.

Q So --

A When the event is gone, you know, they work event by event. People change. People come and go from

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these committees.

Q So this was a committee, though, that was working with IAP National in connection with this particular event, correct?

A Right.

Q And you were the head of that committee in 1991?

A Yes.

Q Do you have any understanding as to how the Mosque Foundation in which you were actively involved would have come to characterize your position as being the president of IAP Chicago chapter?

A Probably whoever wrote it, that's his, you know, conclusion. That's his understanding or that's the way he wants to define it. That's something that has to be referred to whoever wrote the article.

Q Would it be fair to say, though, sir, that at least in November of 1991, you were actively involved in this committee that was working with IAP to sponsor this event?

A Yes, its committee.

Q Were you involved in any other IAP events during this time frame?

A If there they put together an event, and they ask me would you like to chair the committee, I would.

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Q Okay. So there are other committees that you were involved with for IAP National relating to other events?

A Possible, yes. I don't remember, but that's possible if they ever ask me to do like they did in this one and the ones before, I would do it, yes. And I would do it again.

Q Now did you -- you've mentioned that these were annual conferences, the annual events on the anniversary of the Intifada. Were you involved in planning or organizing with IAP any of the events in earlier years prior to 1991?

A Yes, I said from the late, I think, '88 or '89 or something like that. I remember they asked if I was part of the committee. It was like committee, temporary committee, usually like when they gather they says, okay, you lead it, and somebody leads it.

Q Okay. So from 1988 forward, each year during this annual event celebrating the anniversary of the Intifada, you would be involved in the committee that was working with IAP National to set up this program?

A Yes.

Q And you may well have also been involved in other committees for IAP working on IAP National events

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during that time frame as well, correct?

A I don't remember, but if there was, they ask me, like I said, to help out, I would help out, because I believed in the cause, and I still do. It has not changed.

Q During that same time frame, did you attend any other IAP conventions or events that they sponsored, late 80's, early 1990's?

A I don't remember if they sponsored any conventions in particular, but I would go to conventions all the time whenever there's conventions or Islamic conventions. The only thing I remember like I went to MAYA conventions and ISNA conventions. I attend a lot of conventions.

Q Okay. When you were involved in working on this Fifth Anniversary Celebration of the Intifada, who at IAP National did you deal with?

A I think I remember the president then, I don't know if it was Omar Ahmad or Jasser Bushnaq, one of them.

Q In any of the prior years when you were dealing with IAP National in connection with these annual celebrations, who did you deal with at IAP National?

A Like I said, you know, the president at one

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point was Jasser Bushnaq or Omar Ahmad.

Q Did you ever have dealings with anyone at IAP National other than the president, whoever it may have been at any given time?

A Not that I recall.

Q Now, if you'd look farther down towards the bottom of the right-hand column, five lines up from the bottom, there's a sentence that says that proceeds will go to the Occupied Land Fund to help Palestinians who have been victimized by oppression. Last year's event netted about \$60,000. Do you see that?

A Yes, I see.

Q The Occupied Land Fund, that is today what is known as the Holy Land Foundation?

A Yes.

Q Do you know how it is that it came about that Occupied Land Fund was chosen to be the recipient of the proceeds of this event?

A That's the business of the IAP National. I have nothing to do with choose or not to choose. I had no say in that.

Q That was not something that was decided at your level, it was an IAP National decision?

A Yes.

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Q It makes reference to the prior event netting about \$60,000, do you know whether that money was also donated to the Occupied Land Fund?

A I would assume. If that's what they said -- if that's way they say, that's what they say. But I don't have a trace of the money. When it's collected, it's collected. It goes to the Holy Land Foundation. Whether after that or before that like when we dealt with them, it goes to them. What they do with it and how it goes after that, we have no control or even a say in it.

We just a committee that work together, put the things together, get the, you know, the place rented and, you know, sell the tickets, encourage people, distribute flyers and so forth.

Q Do you know how much money was raised at the event that's referenced here, this Fifth Anniversary celebration?

A No, I don't remember.

Q Now, you talked about a chapter of IAP National and your understanding of what is and is not a chapter. Can you explain to me how you -- what you understand to be a chapter and why you believe that these committees you were working on were not a chapter?

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A My understanding of chapter which I said before that usually the IAP works and we work with people that when we need to put on an event in any city, we just form a committee. Sometime they call themselves chapters. They call themselves whatever they want to call themselves. Usually we don't get involved in, you know.

But the chapter mean it's affiliated, has tax number, it has board, it has meetings, they keep minutes and so on and so forth. Committees for an event, they don't keep those things. If they keep anything, probably keep temporary until they're finished with it, then they throw it away, because it's not an entity -- official entity. Chapter is an official entity. Committee is just a committee. Works for certain events for the particular time and particular place, and when it's done, it's dissolved.

Q In your experience throughout the history of IAP National including the time that you've been the president, have the chapters, what have been referred to as chapters in the documents we've seen, have they always been entities, corporations or some other legal entity?

A Well, that's the way it should be. If they are

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referred to sometimes like I said, because the committee would like to be called a chapter. That I don't know. I don't remember. But my definition of a chapter, again, that would be an official entity with a tax number and so forth. Like the chapter -- like we considered Dallas a chapter. Chicago is a chapter. At one point we had, you know, the New Jersey, they were organized in the state of law that they wanted to become a chapter. We tried to establish a chapter in Michigan. That's why we paid the money we referred to earlier.

But other than that, there's always committees. They call themselves chapters sometimes whether North Carolina or could be in Milwaukee. It could be in any other place.

But, you know, they call themselves chapter either because usually the same people work out, you know, these events when we ask them or the same contacts or because it's more prestigious probably for them to call themselves chapters.

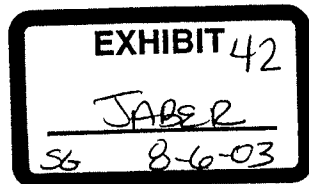
Q Just to clarify then, I know you had talked about the late 80's, can you tell me when the first time that you recall being involved in a committee for or working with IAP National?

A Late 80's.

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From the Mosque Foundation of Chicago

The Future of the Mosque Foundation and Our Greater Chicago Community

Message from the President: Dr. Talal Sunbuli

All praise is for Allah, whose grace completes all righteous acts; and peace and blessings upon him who taught humanity all that is good.

O Lord, indeed, nothing is easily attained except what you make easy. For You, O Lord make the difficult easy, if it is Your will.

The Mosque Foundation's publication comes to you after a long absence—and I hope it will be the last time we stop issuing it. Although it is a few pages, what is little, if sustained, is better than what is much but soon ceases to exist.

Let me take this auspicious opportunity, then, to express my appreciation to all of you for your trust in the Mosque's administration, and ask Allah the Exalted to enable us to fulfill your trust.

Also, I would like to remind that the Mosque opens its doors welcoming all who come to it, men, women, and children—those who make it prosper with prayer and remembrance, and benefit from its Islamic, academic, and public awareness programs.

Dear brothers and sisters, the place of the mosque in the community flows from its role in the life of Muslims throughout history, beginning at the time of the Prophet and the Rightly Guided Caliphs. It is clear that our situation as a community coming from the East to settle in this faraway piece of Allah's vast land puts us in dire need of this model role of the mosque.

A mosque is dedicated for all Muslims and should not be a monopoly of a

group, a country, or an ethnic block. Rather, in it we stand equal in ranks, regardless of individual differences in activity, participation and support.

A multitude of responsibilities and obligations lie before us; yet time is short and life is limited.

I ask Allah for success, help, and the removal of obstacles; and then I appeal to you for participation, help, advice, and gentle guidance. Let us not dispute, for this leads our hearts into contentiousness.

Do not dispute or you will fail and lose your power (8:46).

Brothers and sisters, these are some of the obligations facing us all:

(1.) Extending a helping hand to the youth and guiding them wisely and

► ... continued on back page

In This Issue

² Mosque Committees

² Intifada Celebration

gular Study Circles

³ Interpretation into English
— Surat Al-Fatiha

³ Islamic Education

³ Q & A

Welcome to the New Islamic Post!

Being able to talk to one another is a great gift from Allah. So much depends on it—consultation, advice, news, warning.

That's what the *Islamic Post!* is about, keeping our community in touch and informed. You'll find news and articles on the activities the Mosque is offering, issues our community faces or concerns we share, and inspiration.

We want to hear from you too. Tell us what's on your mind, what you would like to see happening at the Mosque and in the community. Or write us with your questions. The *Post!* is there, after all, to meet your information needs. —Amer Huseini

Becoming Involved in the Community— Who to Know & Where to Go

The Mosque Foundation has charted its course of future activity and growth, with 17 committees forming the backbone of its strategy.

Launching some of the programs is taking longer than first anticipated. But many committees have now put in place their plans for the coming months.

What they need, however, is you. Your help and involvement in any—or many—of these community activities is crucial.

Below the committees are listed, including their chairman and duties.

1. **EDUCATION:** Responsible for the weekend school and contacting similar programs to compare notes. It is also a liaison between the Mosque and nearby full-time Islamic Schools. (Ch., Tatal Sunbuli)
2. **ZAKAT & SCHOLARSHIP:** Responsible for informing about giving Zakat, and collecting and distributing funds to those in need. (Ch., Jamal Said)
3. **SEMINARS:** Responsible for putting together one or more annual seminars or symposia on Islam and the important issues facing the Muslim community. (Ch., Ahmad Zaki Hamad)
4. **LEGAL:** Responsible for legal affairs and consolidating legal documents. (Ch., Bassam Osman)
5. **YOUTH:** Responsible for educational, physical, and national programs for the youth to strengthen their identity and devotion to Islam. (Ch., to be selected)
6. **MEMBERSHIP:** Responsible for reaching out to the community to join as members and to developing a benefits program. (Ch., Bassam Jody)
7. **FUNDRAISING:** Responsible for securing financial

needs through programs, other strategies, and an annual dinner. (Ch., Mohammad Shtawi)

8. **LIBRARY:** Responsible for organizing and expanding library for member use. (Ch., Mohammad Harizi)

9. **CONSTRUCTION & SECURITY:** Responsible for building & grounds maintenance and recommending improvements. (Ch., Mohammad Shtawi)

10. **PUBLISHING:** Responsible for regular publications & distribution. (Ch., Amer Haleem)

11. **PUBLIC RELATIONS:** Responsible for strengthening ties with the community, improving Mosque image, and encouraging involvement from past-active community brs. & srs. (Ch., Ibrahim Diab)

12. **PLANNING:** Responsible for outlining long- & short-term goals for facilities, schools, and community. (Ch., Tawfiq Nassar)

13. **CONSTITUTION:** Responsible for reviewing and updating constitution as needed. (Ch., Bassam Osman)

14. **ORGANIZATION COORDINATION:** Responsible for reaching out to other Islamic institutions, assisting in forming Chicago Council of Islamic Institutions, and build ties with national organizations. (Ch., Tatal Sunbuli)

15. **INTERFAITH:** Responsible for establishing cordial relations and dialogues with other religious communities. (Ch., Bassam Jody)

16. **ADULT PROGRAMS:** Responsible for establishing regular weekly & monthly programs. (Ch., Jamal Said)

17. **PUBLIC AWARENESS:** Responsible for propagating Islam through appropriate media and representing the Foundation and community. (Ch., Mahmoud Ismail)

Regular Activities At Your Mosque Foundation

The Mosque Foundation has a number of well-established study circles that we want you to know about. For English -language programs see special Q&A column facing page. Hope to see you there!

► The Monthly Arabic-Language Meeting (separate meetings for men and women) is held every second Saturday evening, with presentations of Muslim world news, contemporary events, *tafsir* of Quran, and guest speakers.

► The Weekly Women's Arabic-Language Meeting is held every Wednesday. For more information contact the Mosque.

► Introduction to Computers offers instruction in word processing and basic programming every Saturday from 6:00 to 8:00 p.m. For fee schedule and information contact Br. Tawfik Taweel at 708.430.4118.

► Every Friday before Jumu'a (Congregational) prayers at 12:30 there is a lesson in Fiqh, covering individual topics such as the procedures of prayer, zakat, marriage, etiquette for daily activities, etc. Contact the Mosque for more information. ◀

Activity for Palestine

Anniversary Gathering for the Intifada at Bogan High School Sunday 17 November

Muslims will be focusing on the Intifada and the Islamic position for genuine peace in Palestine in light of the Madrid conference during the Fifth Anniversary Celebration of the Intifada.

Khalil Koka, a well-known Muslim activist from Ghaza, and among the first of those to be exiled at the start of the Intifada, is the guest speaker.

Jointly sponsored by the Islamic Association for Palestine (IAP) and the Mosque Foundation, the event is expected to draw at 1,500 supporters.

"This is a celebration of the fruits of the Intifada to stress the idea that Palestine is an Islamic cause—especially in this time of the conference on the Middle East," says Rafeeq Jaber, president

of IAP's Chicago chapter. Jaber added that he expects the gathering to be particularly important for area Muslims to gain perspective on the recent flurry of activity regarding Palestine.

Aside from the speeches, participants will be meaningfully entertained with *nashid* (lyric poetry) and a play. In addition, special Suq of mostly donated food and goods, including novelties, video and cassette tapes, and books, will be open to all who pay the \$10.00 (individual or family) admission fee. Proceeds will go to the Occupied Land Fund to help Palestinians who have been victimized by oppression. Last year's event netted about \$60,000.

For more information please contact the Mosque at 708.430.5666 or Sabri Ibrahim 312.434.5264. ◀

Exhibit C to Landes Declaration

AMS Transaction Report listing AMS Check No. 211

Transaction Report

1/1/96 Through 12/31'2

Page 1

2/13'3

96CRD51-Selected Accounts

Date	Acct	Num	Description	Memo	Category	Clr	Amount
1/3/96	AM...	173	RAFEEO	MAYA CONV.	MTNGS&TRVLNG...		-245.00
1/5/96	AM...	174	G. KASS	JAN. RENT	RENT PAID		-475.00
1/9/96	AM...	175	SABER ROOM	CHICAGO	ANL. FNDDNR EXP		-500.00
1/10/96	AM...	178	COMED	ELCT.	UTILITIES		-33.64
1/10/96	AM...	179	APPELE COMMUNC.	BEEPER RAFEEO	TEL., FAX, NET.		-28.02
1/10/96	AM...	180	ALBAM CENTER	SERVICES	ANL. FNDDNR EXP		-700.00
1/10/96	AM...	FEE	LASALLE BANK		BANK CHARGES		-9.24
1/15/96	AM...	181	AMEL		CONTRIBUTIONS		-2,000.00
1/15/96	AM...	182	SABRI	SERVICES	SERVICES		-700.00
1/23/96	AM...	183	AT&T	PHONE	EQUIPMENT		-239.24
1/30/96	AM...	186	RAFEEO	DETROITE	MTNGS&TRVLNG...		-150.00
1/31/96	AM...	184	M. ATWA	HOSTING	EDUC. PRGR. ...		-300.00
1/31/96	AM...	195	EXCELL INN	HOTEL	EDUC. PRGR. ...		-139.89
1/31/96	AM...	198	EXCELL INN	HOTEL	EDUC. PRGR. ...		-186.52
2/1/96	AM...	189	G. KASS		RENT PAID		-475.00
2/2/96	AM...	190	Westlawn		ANL. FNDDNR EXP		-170.00
2/2/96	AM...	187	Tawfeeq Tawael		EQUIPMENT		-300.00
2/2/96	AM...	188	COMED	ELCT.	UTILITIES		-70.24
2/5/96	AM...	191	MCI		TEL., FAX, NET.		-139.33
2/5/96	AM...	192	AMEERITICH		TEL., FAX, NET.		-126.00
2/6/96	AM...	193	City Food	Ayyash	EDUC MATR. EXP.		-300.00
2/7/96	AM...	194	Pager		TEL., FAX, NET.		-32.90
2/12/96	AM...	196	BALLOON INC		ANL. FNDDNR EXP		-117.00
2/13/96	AM...	197	ALBAM CENTER	SERVICES	ANL. FNDDNR EXP		-1,183.00
2/15/96	AM...	FEE	BANK		BANK CHARGES		-69.35
2/19/96	AM...	200	BRIGHT HORI		ANL. FNDDNR EXP		-210.00
2/20/96	AM...	199	Pierce Awards	Chicago	ANL. FNDDNR EXP		-80.00
2/22/96	AM...	201	METLIFE	FURNITURE	OFFICE SUPL.		-85.00
2/24/96	AM...	202	AMERITECH	TELEPHONE	TEL., FAX, NET.		-251.08
2/26/96	AM...	203	MCI		TEL., FAX, NET.		-411.45
2/27/96	AM...	204	METLIFE	FURNITURE	OFFICE SUPL.		-150.00
2/27/96	AM...	205	METLIFE	FURNITURE	OFFICE SUPL.		-20.00
2/29/96	AM...	206	WALEED KESWANI	ISRAA	CMNTY. PRG. ...		-1,000.00
2/29/96	AM...	208	DELPHAIN HOUSE	CHICAGO	ANL. FNDDNR EXP		-6,000.00
3/1/96	AM...	207	SABRI SAMRA		SERVICES		-1,519.87
3/3/96	AM...	FEE	BANK		BANK CHARGES		-2.00
3/5/96	AM...	209	G. KASS	MARCH	RENT PAID		-475.00
3/5/96	AM...	211	H.L.F				-1,030.00
3/8/96	AM...	212	BRIGHT HORIZON	TICKET N.J	MTNGS&TRVLNG...		-274.00
3/20/96	AM...	213	COMED	ELECTRECITY	UTILITIES		-14.17
3/20/96	AM...	214	APPLE BEEPER	PAGER	TEL., FAX, NET.		-32.85
3/20/96	AM...	215	AMERITECH	TEL.BELL	TEL., FAX, NET.		-251.08
3/20/96	AM...	216	AMBAADOR STUDIO	CHICAGO	ANL. FNDDNR EXP		-350.00
3/20/96	AM...	217	RAFEEO JABER	N.J	MTNGS&TRVLNG...		-241.36
3/28/96	AM...	218	BRIGHT HORI	N.J	ANL. FNDDNR EXP		-1,016.00
4/2/96	AM...	219	NETWORK CONEL ...	CONFERENCE CALL	ANL. CONV. EXP.		-749.94
4/2/96	AM...	220	G. KASS	APRIL	RENT PAID		-475.00
4/4/96	AM...	221	UNIVERSAL SCHOOL		CMNTY. PRG. ...		-500.00
4/5/96	AM...	222	BRIGHT HORI	WASHINGTON	MTNGS&TRVLNG...		-581.00
4/5/96	AM...	223	RAFEEO JABER	HOTEL MEETIN...	MTNGS&TRVLNG...		-242.50
4/12/96	AM...	224	A&H RENTAL CENTER		CMNTY. PRG. ...		-489.00
4/15/96	AM...	225	AMERICAN EXPRES	K.SABRI	EDUC. PRGR. ...		-1,091.50
4/15/96	AM...	227	RAFEEO JABER	ADC CONVENTION	MTNGS&TRVLNG...		-600.00
4/17/96	AM...	226	APPLE	RAFEEO	TEL., FAX, NET.		-32.95
4/25/96	AM...	228	WASHINGTON TIMES	LEBANON MASSCRE	ADS		-1,842.00
4/26/96	AM...	229	COMED	ELCT.	UTILITIES		-32.78
4/26/96	AM...	230	MCI		TEL., FAX, NET.		-221.28
5/4/96	AM...	MIRE	FALCON TRAVEL ...	GUEST TRAVEL...	ANL. FNDDNR EXP		-3,450.00
5/5/96	AM...	231	RAFEEO	ADC CONVNT.	MTNGS&TRVLNG...		-899.49
5/6/96	AM...	232	SABRI	OFFICE DEPOT	OFFICE SUPL.		-97.09
				S.W. AIRLINE	ANL. FNDDNR EXP		-150.00
				KINKO'S	PRINTING©.		-28.90
				AMERICA ONLI...	TEL., FAX, NET.		-39.80
				INSTY PRINTI...	PRINTING©.		-39.95
				AMERICAN AIR...	ANL. FNDDNR EXP		-314.00
				OFFICE DEPOT	OFFICE SUPL.		-134.97
5/8/96	AM...	234	AL-NADI INT. B...		EDUC MATR. EXP.		-250.00
5/8/96	AM...	235	LIGHT STAR TRAVEL	GHASSAN SALEH	ANL. CONV. E...		-295.00
5/8/96	AM...	236	LIGHT STAR TRAVEL	DIFF. CITIES	ANL. FNDDNR EXP		-2,000.00
5/11/96	AM...	237	AMERICAN EXPRESS	BY HASAN SABRI	ANL. FNDDNR EXP		-650.00
5/13/96	AM...	238	APPLE	RAFEEO	TEL., FAX, NET.		-32.95
5/22/96	AM...	239	M. KHATEEB	MARZOOK	PRINTING©.		-72.94
5/25/96	AM...	240	RAFASLE DIZENZO	JUNE	RENT PAID		-525.00
5/25/96	AM...	241	ANGLO DIZANZO	DEPOSIT	RENT DEPOSIT		-2,000.00
5/28/96	AM...	242	M. KHATEEB	MOSQUE BLDG.	REPAIRS&MTN...		-421.69
5/28/96	AM...	243	MCI	STARS CONFR.	TEL., FAX, NET.		-432.31
6/3/96	AM...	244	J&R LOCK		REPAIRS&MTN...		-41.47
6/4/96	AM...	245	J&R LOCK		REPAIRS&MTN...		-72.91
6/5/96	AM...	246	OFFICE MAX		EQUIPMENT		-9.46
6/10/96	AM...	247	RASEN ABDELMAJID		MTNGS&TRVLNG...		-220.00
6/10/96	AM...	249	BRIGHT HORI	WASHINGTON	MTNGS&TRVLNG...		-191.00
6/12/96	AM...	248	J&R LOCK		REPAIRS&MTN...		-60.42
6/12/96	AM...	250	Top Gun	Cleaning the...	REPAIRS&MTN...		-119.52
6/13/96	AM...	251	American Speed...	Forms	PRINTING©.		-51.60
6/13/96	AM...	252	Jamal Shualbi/...	Fax Modemust...	EQUIPMENT		-224.00
6/15/96	AM...	253	AMEERITICH	Part Kefah C...	TEL., FAX, NET.		-1,388.72
6/17/96	AM...	254	Kefah Mustapha	Stars Group	EDUC. PRGR. ...		-1,000.00
6/17/96	AM...	255	LIGHT STAR TRAVEL	Jan/12/1996	MTNGS&TRVLNG...		-2,257.45
				April Program	EDUC. PRGR. ...		-487.00
6/18/96	AM...	256	APPLE	RAFEEO	TEL., FAX, NET.		-32.95
6/18/96	AM...	257	COMED	Electricity	UTILITIES		-25.67
6/24/96	AM...	258	Sprint		TEL., FAX, NET.		-255.94
6/25/96	AM...	261	LIGHT STAR TRAVEL	Stars Group:...	ANL. FNDDNR EXP		-2,398.55
6/26/96	AM...	260	COMED	Electricity	UTILITIES		-26.16
6/26/96	AM...	262	Pintey Bowes	Postage Meter	MAIL&SHIPP.		-50.00
6/26/96	AM...	263	M. KHATEEB	6/7/1996 MTG...	ANL. CONV. EXP.		-584.52
6/27/96	AM...	264	RAFEEO	RYDER RENTAL	REPAIRS&MTN...		-107.69
				JERUSALEM CO...	MTNGS&TRVLNG...		-10.50
				MAIL BOX	MAIL&SHIPP.		-31.00
					OFFICE SUPL.		-56.78
				VACUM	EQUIPMENT		-64.61
				BULBS	REPAIRS&MTN...		-7.28
7/1/96	AM...	265	ELEK-TEK	TAXI	MTNGS&TRVLNG...		-30.00
7/1/96	AM...	266	NETWORK CONEL ...	PRINTER TONER	OFFICE SUPL.		-196.38
				CONFERENCE C...	ANL. CONV. EXP.		-846.72

EXHIBIT 20

Ahmed

11/5/04

EXHIBIT 8

Jaber

4-9-03

IAP 02447

Transaction Report

1/1/96 Through 12/31'2

2/13'3

Page 3

96RCRDS1-Selected Accounts

Date	Acct	Num	Description	Memo	Category	Clr	Amount
10/10/96	AM...	334	ski insurance	isna convint...	MTNGS&TRVLNG...		-296.00
10/10/96	AM...	340	SIGNS TODAY	one million p...	ANL. FSTVL. EXP		-355.00
10/12/96	AM...	336	HASAN SABRI	BANNER	ANL. FSTVL. EXP		-1,200.00
				ramada hotel...	ANL. CONV. E...		-267.05
				Parking	ANL. CONV. E...		-30.00
10/13/96	AM...	337	A.M.E.L		CONTRIBUTIONS		-8,000.00
10/14/96	AM...	339	IMAGE BANK		ANL. CONV. EXP.		-385.00
10/20/96	AM...	342	IAP DALLAS	CHICAGO SALES	EDUC MATR. EXP.		-748.00
10/20/96	AM...	343	MOHD KHATIB	BREAKFAST 10...	ANL. CONV. EXP.		-113.43
				DINNER	ANL. CONV. EXP.		-21.32
				SCREEN RENTAL	ANL. FSTVL. EXP		-14.00
				OFFICE DEPOT	OFFICE SUPL.		-3.55
				POSTAGE	MAIL&SHIPP.		-10.75
				DEMONSTRATION	PRINTING©.		-6.18
				OFFICE DEPOT	OFFICE SUPL.		-39.84
				DEMONSTRATION	PRINTING©.		-21.06
10/23/96	AM...	341	ALNUJOOM	CHICAGO-TORONTO	ANL. FSTVL. EXP		-2,500.00
10/24/96	AM...	348	BRIGHT HORI	WASHINGTON	MTNGS&TRVLNG...		-209.00
10/26/96	AM...	349	IAP	MAILING	ANL. CONV. EXP.		-1,200.00
10/26/96	AM...	350	ADVANCE XPRESS	PRINTING	ANL. CONV. EXP.		-6,851.40
10/28/96	AM...	344	SABBAH JABER	10/11/96	ANL. CONV. EXP.		-138.00
10/28/96	AM...	345	IAP DALLAS	CHICAGO SALES	EDUC MATR. EXP.		-635.00
10/30/96	AM...	346	ALNUJOOM	CHICAGO SALES	ANL. FSTVL. EXP		-2,150.00
10/30/96	AM...	351	HOLY LAND F.		CONTRIBUTIONS		-600.00
10/31/96	AM...	347	RAFEQ JABER	FOOD(3DAYS)	ANL. FSTVL. EXP		-60.00
				LA	ANL. FSTVL. EXP		-245.20
				LODGE(LA)	ANL. FSTVL. EXP		-342.40
				CHICAGO	ANL. FSTVL. EXP		-254.54
				POSTAGE	MAIL&SHIPP.		-73.60
11/2/96	AM...	352	ANGLO DIZANZO	NOVEMBER	RENT PAID		-1,150.00
11/6/96	AM...	353	J&R LOCK		REPAIRS&MNTNC		-57.50
11/7/96	AM...	354	OFFICE DEPOT		OFFICE SUPL.		-99.80
11/11/96	AM...	355	BRIGHT HORI	11/23/96	ANL. CONV. EXP.		-1,464.00
11/11/96	AM...	356	POSTMASTER	BOX RENUAL	MAIL&SHIPP.		-29.00
11/12/96	AM...	357	H.L.F	Anwer &Arafat	CONTRIBUTIONS		-2,000.00
11/12/96	AM...	358	J&R LOCK		REPAIRS&MNTNC		-37.50
11/12/96	AM...	359	IAP	poster	ANL. CONV. EXP.		-140.00
				tel. ball	ANL. CONV. EXP.		-350.00
11/12/96	AM...	360	AMEL		CONTRIBUTIONS		-1,500.00
11/12/96	AM...	361	IAP DALLAS		PBLG. OFF. EXP		-6,000.00
11/12/96	AM...	362	SABRI	food for fes	ANL. FSTVL. EXP		-85.75
				Washington	MTNGS&TRVLNG...		-29.71
				america on line	TEL., FAX, NET.		-51.01
				food	ANL. CONV. E...		-13.00
				food	OTHER EXP.		-22.00
				parking	OTHER EXP.		-10.50
				office s,cop...	OTHER EXP.		-27.02
11/18/96	AM...	364	LIGHT STAR TRAVEL		ANL. FSTVL. EXP		-11,993.76
11/18/96	AM...	365	ALNUJOOM		ANL. FSTVL. EXP		-1,850.00
11/19/96	AM...	366	BRIGHT HORI	neworleans,	ANL. FSTVL. EXP		-438.00
11/19/96	AM...	367	Sprint		TEL., FAX, NET.		-205.99
11/19/96	AM...	368	AMERITECH		TEL., FAX, NET.		-735.19
11/19/96	AM...	369	COMED	deposit	UTILITIES		-10.00
11/19/96	AM...	370	APPLE	RAFEQ	TEL., FAX, NET.		-32.95
11/26/96	AM...	375	AMEL		CONTRIBUTIONS		-2,000.00
11/27/96	AM...	376	LIGHT STAR TRAVEL		ANL. FSTVL. EXP		-695.50
11/28/96	AM...	372	M. KHATEEB	REIMBERESMENT	ANL. CONV. EXP.		-566.57
12/2/96	AM...	374	M. KHATEEB		WAGES		-1,500.00
12/4/96	AM...	377	ANGELO		RENT PAID		-1,200.00
12/7/96	AM...	WIRE	MOHAMMAD ALI T...	GUEST TRAVEL...	ANL. FSTVL. EXP		-3,365.00
12/7/96	AM...	WIRE	LASSAL BANK		BANK CHARGES		-20.00
12/11/96	AM...	382	BRIGHT HORI		ANL. FSTVL. EXP		-356.00
12/12/96	AM...	383	MAS		OFFICE SUPL.		-1,200.00
12/12/96	AM...	385	R.JABER		ANL. FSTVL. EXP		-1,301.15
12/13/96	AM...	384	ALNUJOOM		ANL. FSTVL. EXP		-4,500.00
12/20/96	AM...	394	COMED	#1208	UTILITIES		-96.32
12/20/96	AM...	395	HESNI GHONIM		ANL. FSTVL. EXP		-350.00
12/23/96	AM...	386	Sprint		TEL., FAX, NET.		-327.84
12/23/96	AM...	390	AMEERITICH		TEL., FAX, NET.		-893.33
12/24/96	AM...	389	Sprint		TEL., FAX, NET.		-96.32
12/26/96	AM...	387	IAP DALLAS		PBLG. OFF. EXP		-1,750.00
12/26/96	AM...	388	AMEL		CONTRIBUTIONS		-6,000.00
12/26/96	AM...	393	ADVANCE XPRESS	PRINTING	ANL. CONV. EXP.		-460.52
12/30/96	AM...	380	NETWORK COMEL ...	CONFERENCE C...	ANL. CONV. EXP.		-105.18
12/30/96	AM...	392	APPLE BEEPER	PAGER	TEL., FAX, NET.		-32.95
12/31/96	AM...	379	COMFUSERVE		TEL., FAX, NET.		-114.80
1/6/97	AM...	379	AMERICAN EXPRES		ANL. FSTVL. EXP		-645.41
1/6/97	AM...	391	JOURNAL OF PAL...		OTHER EXP.		-50.00
1/6/97	AM...	396	UPS		MAIL&SHIPP.		-61.16
1/6/97	AM...	397	BRIGHT HORI		MTNGS&TRVLNG...		-252.00
1/23/97	AM...	398	HASAN SABRI	CALLS	ANL. CONV. E...		-831.00
				CELLULAR	ANL. CONV. E...		-550.00
					ANL. CONV. E...		-177.97
				MUFFED -ORLANDO	ANL. FSTVL. EXP		-101.00
				CHANGING TICK.	ANL. CONV. E...		-60.00
				CHANGING TICK.	ANL. FSTVL. EXP		-50.00
				CHANGING TICK.	ANL. FSTVL. EXP		-50.00
				LOST TICK. C...	ANL. CONV. E...		-152.18
				RENTAL SPEAKERS	ANL. CONV. E...		-25.00
				CLEVELAND	ANL. FSTVL. EXP		-238.50
					ANL. FSTVL. EXP		-90.00
					ANL. CONV. E...		-94.09
					OTHER EXP.		-53.00
1/23/97	AM...	399	SAEED AGHA		ANL. CONV. E...		-194.00
1/23/97	AM...	400	ABDELAZEEM S.		ANL. CONV. E...		-580.52
1/24/97	AM...	401	IAP DALLAS		OTHER EXP.		-3,000.00
1/28/97	AM...	402	IAP DALLAS	RAMADAN	MAIL&SHIPP.		-1,600.00
1/28/97	AM...	403	ADVANCE XPRESS		MAIL CMFG. EXP.		-2,500.00
1/28/97	AM...	404	ALNUJOOM		ANL. CONV. E...		-2,302.00
1/30/97	AM...	405	CITIBANK		ANL. CONV. E...		-255.00
					ANL. CONV. E...		-150.00
1/31/97	AM...	BCHR	LASSAL BANK		BANK CHARGES		-10.00
2/1/97	AM...	406	LASSAL BANK	orlando/lodging	ANL. FSTVL. EXP		-339.94
				picture	ANL. CONV. E...		-300.74
				tv rental	ANL. CONV. E...		-123.21
					ANL. CONV. E...		-74.99

IAP 02449

Transaction Report

1/1/96 Through 12/31'2

2/13'3

Page 5

96CRDS1-Selected Accounts

Date	Acct	Mum	Description	Memo	Category	Clr	Amount
5/4/97	AM...	471	IAP DALLAS		PBLC. OFF. EXP		-2,080.00
5/4/97	AM...	472	AMEL		CONTRIBUTIONS		-5,000.00
5/6/97	AM...	473	J&K TV SERV.		REPAIRS&MTN		-49.00
5/8/97	AM...	474	ALNUJOOM	CR. LA	ANL. FNDDNR EXP		-3,000.00
5/10/97	AM...	475	CITY FOOD		EDUC MATR. EXP.		-50.00
5/12/97	AM...	BCHR	FALCONS TRAVEL...	SATTAR & UMO...	ANL. FNDDNR EXP		-5,445.00
5/12/97	AM...	BCHR	LASSAL BANK	DEBIT FEE	ANL. FSTVL. EXP		45.00
5/15/97	AM...	476	TRAVEL MONITOR...	ASHRAF TRAVI...	OTHER EXP		-348.00
				FUAD, ABURAT...	ANL. FSTVL. EXP		-1,294.50
5/19/97	AM...	RETUR	CORONA FOOD MART	CHECK RETURN	REALSTATE EXP.		-20,000.00
5/20/97	AM...	477	NETWORK CONEL ...	CONFERENCE C...	ANL. CONV. E...		-78.00
5/20/97	AM...	478	NETWORK CONEL ...	CONFERENCE C...	ANL. CONV. E...		-66.48
5/20/97	AM...	479	COMED	DEPOSIT	UTILITIES		-70.00
5/20/97	AM...	480	COMED		UTILITIES		-156.64
5/20/97	AM...	481	MCI		TEL., FAX, NET.		-20.45
5/20/97	AM...	482	APPLE BEEPER	PAGER	TEL., FAX, NET.		-32.95
5/20/97	AM...	483	Sprint		TEL., FAX, NET.		-142.19
5/20/97	AM...	484	AMEERITICH		TEL., FAX, NET.		-436.53
5/20/97	AM...	485	RAFEEO JABER		TEL., FAX, NET.		-144.63
					OTHER EXP.		-60.18
5/23/97	AM...	486	BRIGHT HORI		ANL. CONV. E...		-666.00
5/23/97	AM...	487	ROYAL INTERNAT...		ANL. CONV. E...		-506.00
					MTNGS&TRVLNG...		-512.00
5/25/97	AM...	RETUR	CORONA FOOD MART	CHECK RETURN	REALSTATE EXP.		-20,000.00
5/27/97	AM...	488	POSTMASTER	BOX RENUAL	MAIL&SHIPP.		-29.00
5/29/97	AM...	489	HLF		CONTRIBUTIONS		-265.00
6/1/97	AM...	490	AMEL		CONTRIBUTIONS		-5,000.00
6/1/97	AM...	491	RAFEEO JABER	HONORARIUM	WAGES		-3,150.00
6/1/97	AM...	492	MOHAMMAD ALKHATIB		WAGES		-1,500.00
6/1/97	AM...	493	SABRI SAMIRAH		OTHER EXP.		-100.00
6/3/97	AM...	494	ALNUJOOM		ANL. CONV. E...		-1,000.00
6/3/97	AM...	495	LASSAL BANK		JERUSALEM EX...		-21.00
					JERUSALEM EX...		-50.00
					JERUSALEM EX...		-7.47
					JERUSALEM EX...		-19.21
					JERUSALEM EX...		-73.44
					JERUSALEM EX...		-25.54
					JERUSALEM EX...		-117.21
					JERUSALEM EX...		-188.53
					JERUSALEM EX...		-196.26
					OFFICE SUPL.		-215.35
					JERUSALEM EX...		-55.28
					JERUSALEM EX...		-50.00
					JERUSALEM EX...		-50.00
					JERUSALEM EX...		-93.72
6/3/97	AM...	BCHR	LASSAL BANK	PURCHASE OF ...	OFFICE SUPL.		-500.00
6/4/97	AM...	496	ANGELO		RENT PAID		-1,200.00
6/4/97	AM...	BCHR	RETURNED ITENYM...		BANK CHARGES		-5.00
6/6/97	AM...	497	IMAN		CONTRIBUTIONS		-100.00
6/9/97	AM...	498	WAEEL SADAQA		ANL. CONV. E...		-500.00
6/11/97	AM...	499	IAP DALLAS		M.W.M. EXP.		-60.00
6/11/97	AM...	501	ASAD ALBOSOO	500 IN ADVAN...	JERUSALEM EX...		-1,000.00
6/16/97	AM...	502	ANA	1996 CNV. ADD.	ANL. CONV. E...		-3,070.00
6/17/97	AM...	503	HLF		CONTRIBUTIONS		-1,000.00
6/23/97	AM...	504	COP	COUNCL OF PR...	CONTRIBUTIONS		-100.00
6/23/97	AM...	505	MEA	THE WASHINTO...	CONTRIBUTIONS		-100.00
6/23/97	AM...	506	LASSAL BANK		CREDIT CHARGE		-798.81
6/26/97	AM...	507	MOHAMMED MALLEY		M.W.M. EXP.		-300.00
6/26/97	AM...	508	COMED	DEPOSIT	UTILITIES		-78.00
6/26/97	AM...	509	COMED		UTILITIES		-69.19
6/26/97	AM...	510	Sprint		TEL., FAX, NET.		-378.88
6/26/97	AM...	511	Sprint		TEL., FAX, NET.		-13.56
6/26/97	AM...	512	AMERITECH		TEL., FAX, NET.		-341.54
6/26/97	AM...	513	FRONET		TEL., FAX, N...		-32.95
6/26/97	AM...	514	MCI		TEL., FAX, NET.		-30.43
6/27/97	AM...	515	RAFEEO JABER		MTNGS&TRVLNG.		-667.19
6/27/97	AM...	BCHR	RETURN DEPOSIT...		BANK CHARGES		-5.00
6/27/97	AM...	CH.RT	CORONA FOOD MART	DEPOSIT ITEM...	REALSTATE EXP.		-5,000.00
7/1/97	AM...	516	ANGELO		RENT PAID		-1,200.00
7/2/97	AM...	517	AMEL		CONTRIBUTIONS		-5,000.00
7/2/97	AM...	518	MOHAMMAD ALKHATIB		WAGES		-1,500.00
7/8/97	AM...	519	PINNACLE PRODU...		OFFICE SUPL.		-75.00
7/15/97	AM...	520	IAP DALLAS		BRANCHES EXP.		-2,500.00
					EDUC MATR. EXP.		-300.00
					CONTRIBUTIONS		-1,200.00
					ANL. CONV. E...		-596.00
					MTNGS&TRVLNG...		-612.00
7/21/97	AM...	521	ROYAL INTERNAT...		REALSTATE EXP.		-10,000.00
7/25/97	AM...	CH.RT	ABDUR.C. AMINE...	DEPOSITE ITE...	BRANCHES EXP.		-5.00
7/25/97	AM...	BCHR	LASSAL BANK		BANK CHARGES		-3.00
7/28/97	AM...	BCHR	OVERDRAFT SER...		BANK CHARGES		-20.00
7/29/97	AM...	BCHR	RETURN CHECK O...		RENT PAID		-1,200.00
8/1/97	AM...	522	ANGELO	TICKET	JERUSALEM EX...		-255.00
8/2/97	AM...	523	HASAN SABRI		CONTRIBUTIONS		-5,000.00
8/2/97	AM...	524	AMEL		CONTRIBUTIONS		-2,500.00
8/2/97	AM...	525	IAP	CONV. MEETING	ANL. CONV. E...		-130.00
8/2/97	AM...	526	SHISH KABAB		CHNTY. PRG. ...		-316.32
8/4/97	AM...	527	KHAMIS AKEL		CHNTY. PRG. ...		-221.00
8/4/97	AM...	528	AL-MADINAH STOR	ITEMIZED	CREDIT CHARGE		-979.49
8/6/97	AM...	529	LASSAL BANK		UTILITIES		-329.32
8/6/97	AM...	530	COMED		TEL., FAX, NET.		-77.40
8/6/97	AM...	531	Sprint		TEL., FAX, NET.		-990.65
8/6/97	AM...	533	AMERITECH	YOSER PHON I...	TEL., FAX, N...		-71.04
8/6/97	AM...	534	FRONET	2 MONTHS	OFFICE SUPL.		-184.00
8/18/97	AM...	535	CASH		ANL. CONV. E...		-1,500.00
8/20/97	AM...	536	ALNUJOOM	96 CONV.	CONTRIBUTIONS		-50.00
8/27/97	AM...	537	COOK COUNTY SH...		PRINTING©.		-125.00
8/28/97	AM...	538	KEDZIE-WELSON ...	COPYING TAPE...	RENT PAID		-1,200.00
9/2/97	AM...	539	ANGLO DIZANZO	SEPTEMBER	TEL., FAX, N...		-35.52
9/2/97	AM...	540	FRONET		CONTRIBUTIONS		-5,000.00
9/3/97	AM...	541	AMEL		CONTRIBUTIONS		-2,500.00
9/3/97	AM...	542	IAP DALLAS	WASHINGTON T...	CREDIT CHARGE		-1,402.46
9/6/97	AM...	543	LASSAL BANK		TEL., FAX, NET.		-34.33
9/6/97	AM...	544	MCI		TEL., FAX, NET.		-119.80
9/6/97	AM...	545	Sprint	POSTER TO DA...	MAIL&SHIPP.		-136.49
9/10/97	AM...	546	POSTAL EXCHANGE		MTNGS&TRVLNG...		-150.00
9/17/97	AM...	547	SHISH KABAB	COUNCIL OF I...			

IAP 02451

Exhibit D to Landes Declaration

U.S. Department of Justice Press Release, dated October 13, 2006 regarding Basman Elashi



U.S. Department of Justice

United States Attorney
Northern District of Texas

1100 Commerce St., 3rd Fl.
Dallas, Texas 75242-1699

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FOR IMMEDIATE RELEASE
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www.usdoj.gov/usao/txn

DALLAS, TEXAS
OCTOBER 13, 2006

INFOCOM CORPORATION AND ITS OPERATORS SENTENCED IN FEDERAL COURT

ELASHI BROTHERS CONVICTED FOR DOING BUSINESS WITH TERRORIST

In a series of hearings conducted this week in federal court in Dallas by the Honorable Sam A. Lindsay, United States District Judge, Bayan Elashi, Ghassan Elashi, Basman Elashi, and Infocom Corporation were sentenced, announced United States Attorney Richard B. Roper. The three defendants, along with their brothers, Hazim and Ihsan "Sammy" Elashi, operated a family-run, Richardson, Texas, business, Infocom, that sold computers and Internet services mostly to customers in the Middle East.

Today, Basman Elashi, age 50, was sentenced to 80 months imprisonment. Yesterday, Ghassan Elashi, age 52, was also sentenced to 80 months imprisonment. On Wednesday, Bayan Elashi, age 51, was sentenced to 84 months imprisonment and Infocom Corporation was sentenced to two years probation (the corporation is defunct). Bayan and Basman Elashi have been in federal custody on immigration violations since their arrest in December 2002. Ghassan Elashi was ordered to surrender to Bureau of Prison officials on January 16, 2007. He is currently scheduled to go on trial, along with seven co-defendants, again in February 2007, before the Honorable A. Joe Fish, United States Chief District Judge, in a case styled U.S. v. Holy Land Foundation for Relief and Development, et al.

U.S. Attorney Roper said, "The sentences in this case demonstrate that the Government's efforts to restrict the assets and funds of terrorist organizations and those who lead those terrorist organizations must be recognized and adhered to. Those who knowingly violate the laws prohibiting any transactions with such assets can expect to face the prospect of prosecution and a lengthy incarceration for violating the laws passed by Congress to combat the threat imposed by terrorism. The sentences also demonstrate that the laws and regulations concerning the exporting of technology to foreign countries are a serious matter and must be respected by all who operate in that field."

In May 2004, the Court granted the defendants' motion to sever the indictment into two separate trials. In July 2004, during the trial of the export violations portion of the indictment, all five Elashi brothers, and Infocom Corporation, were convicted on charges they conspired to violate the Export Administration Regulations and the Libyan Sanctions Regulations. Each of the five brothers was found guilty of conspiracy to file false Shipper's Export Declaration forms. All of the brothers were convicted of making false statements and all of the defendants, except Ihsan Elashi, were also convicted on money laundering charges. At that trial, the jury found that from 1997 to 2000, the defendants made illegal computer shipments to Libya and Syria, in violation

of U.S. laws that restrict or prohibit the export of technology, goods or software to countries listed as state sponsors of terrorism as designated by Secretary of State in order to protect the national security of the United States.

During the second trial on the remaining charges in the indictment, in April 2005, the jury found that Bayan Elashi, Ghassan Elashi, Basman Elashi and Infocom Corporation conspired together and sent money to co-defendant Mousa Abu Marzook, an investor in Infocom and a self-admitted leader of the Islamic Resistance Movement, a/k/a Hamas. In 1995, the Department of Treasury, Office of Foreign Assets Control, designated Hamas as a Specially Designated Terrorist Organization, making it illegal for any United States person or entity to conduct any business with Hamas or its representatives. Nadia Marzook, also a defendant in the case, is Mousa Abu Marzook's wife and is the Elashi brothers' cousin. Bayan Elashi, Ghassan Elashi, Basman Elashi, and Infocom Corporation were each found guilty of conspiracy to deal in the property of a Specially Designated Terrorist and conspiracy to commit money laundering. In addition, Bayan Elashi and Ghassan Elashi were each convicted on 10 counts of dealing in the property of a Specially Designated Terrorist and nine counts of money laundering. Basman Elashi was also convicted on one count of dealing in the property of a Specially Designated Terrorist.

Brothers Hazim and Ihsan Elashi were sentenced in January 2006 to 66 months imprisonment and 72 months imprisonment, respectively. Hazim Elashi will be deported after his sentence is served. Ihsan Elashi's sentence will run consecutively to the 48-month federal sentence he is presently serving on unrelated charges.

At Infocom, Bayan Elashi was the chief executive officer; Ghassan Elashi was the vice-president of marketing; Basman Elashi was the logistics and credit manager; Hazim Elashi was the manager of personal computer systems; and Ihsan Elashi was a systems consultant and sales representative

United States Attorney Roper praised the collaborative investigative efforts of the United States Department of Commerce; Federal Bureau of Investigation; Internal Revenue Service - Criminal Investigation; United States Secret Service; and Immigration and Customs Enforcement. U.S. Attorney Roper also thanked the U.S. Marshals Service and the Federal Protective Service for their excellent work in providing security throughout the trials.

The case was prosecuted by First Assistant United States Attorney James T. Jacks, Assistant United States Attorney Nathan Garrett, Trial Attorney Barry Jonas of the Department of Justice Counterterrorism Section, and Trial Attorney Martha Rubio from the Department of Justice.

###

Exhibit E to Landes Declaration

Excerpts from the March 2, 2004 deposition testimony of Kifah Mustapha

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.

Page 1

Page 2

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
19
20
21
22
23
24

Page 70

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?

Page 71

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

Page 72

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

Page 73

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.

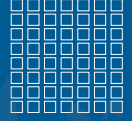
22 **Q Were their fund raising efforts successful?**

23 A Could you be more specific?

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

Exhibit F to Landes Declaration

2010 Mosque Foundation Annual Report



وَقَالُوا كَذِبُوا

فَسَيَرَى اللَّهُ عَمَلَكُمْ وَرَسُولَهُ وَالْمُؤْمِنُونَ



2010 ANNUAL REPORT



- 4 | ■ EXECUTIVE SUMMARY
- 5 | ■ ANNUAL REPORT OF 2010
- 11 | ■ MOSQUE FOUNDATION COMMUNITY CENTER 2010 REPORT
- 12 | ■ AL-SIDDIQ WEEKEND & SUMMER SCHOOLS REPORT OF 2010
- 12 | ■ THE MOSQUE FOUNDATION'S FOOD PANTRY REPORT OF 2010
- 13 | ■ WOMEN'S ROLE AT THE MOSQUE FOUNDATION 2010 REPORT
- 14 | ■ MEET THE PEOPLE BEHIND OUR ORGANIZATION
- 15 | ■ BOARD & FUNCTIONAL COMMITTEES
- 16 | ■ MOSQUE FOUNDATION FINANCIAL COMMITTEE REPORT
- 17 | ■ B. FINANCIAL DETAIL 2010





Vision Statement

Our vision is to be the leading mosque in the United States in providing Islamic guidance and services to the community.

Mission Statement

The Mosque Foundation serves the spiritual, religious, and communal needs of area Muslims by means of nurturing their faith, upholding their values, and fostering the wellbeing of the community around us through worship, charity, education, outreach, and civic engagement.



Executive Summary

Assalamu Alaikum,

We would like to thank you greatly for your continuous involvement and generous support of your second home: the Mosque Foundation. The year 2010 was a remarkable year when we enjoyed the blessing of larger facilities after expansion and more programs and activities.

As one of the most prominent mosques in Illinois, the Mosque Foundation had established itself as a forerunner of progress and development in the American Muslim landscape, consistently focusing on innovation and improvement. It continues to radiate its services to all, addressing the spiritual, religious, and communal needs of its constituents, and it has proven itself as an indisputable and indispensable advocate for Islam in America.

The essence of the Mosque Foundation lies in its religious services—the core that allows it to flourish and develop. One consistently witnesses the parking lots overflowing with cars, and the rows upon rows of worshippers prostrating to their Lord daily.

By attempting to address every facet of an American Muslim's life, the Mosque also takes a proactive, comprehensive approach to community service. Serving as the hub for numerous forms of outreach, the Mosque has initiated programs through the Community Center, a sanctuary for many children to play sports, gain spiritual and emotional support, and the Community Food Pantry, where lines of people, regardless of creed, congregate every Monday, awaiting sustenance.

The Mosque Foundation has garnered local and national attention for its civic involvement and activism on multiple levels. It has initiated and led endeavors toward the realization of tangible goals in the arenas of politics, the environment, and social justice. It plays a pivotal role in encouraging community members to exercise their civic duty as American citizens by voting and taking a dynamic role in the political process.

Please examine the details of the report that follows, and witness the fruits of your active participation and financial support. We owe our financial health and stability to you, our members and generous supporters. Finally, we pray to Allah (swt) to reward you for your trust in our leadership and for making the Mosque Foundation your second home.

Wassalamu Alaikum.



Hussein Ata
President & Chairman
of the Board



Sh. Jamal Said
Imam & Director

Annual Report of 2010

The Mosque Foundation provides a welcoming, spiritual environment where both men and women pray with peace of mind and a sense of belonging. In its sacred space, thousands of people learn the morals and ethics of Islam, the needy come to a tangible refuge, and the troubled find personal help.

Religious Services

The essence of the Mosque Foundation lies in its religious services—the core that allows it to flourish and develop. One might witness the parking lots overflowing with cars, as nearly 750 worshippers attend daily prayers, and 3,500 attend the two jumu'a congregational prayers.

Ramadan 2010 was a beautiful month for the community; we held nightly Taraweeh prayers, donated to different organizations each night, facilitated nightly youth programs, and enjoyed the spirit of praying Qiyam and Lailatul-Qadr.

The Eid al-Fitr Prayer at Toyota Park was attended by 15,000. An interfaith press conference was held after the prayer service where more than 30 community faith leaders came together to address the media in support of the Muslim community and to stand united against hatred. The Mosque Foundation held two Eid al-Adha prayer services in the Mosque, which was well attended. The mosque expansion project allowed the women to pray in their own space in the mosque rather than at nearby schools.



Educational Programs

Building a stable foundation for generations to come has been integral to the Mosque's mission. Through consistent educational programs, including study circles on various subjects for men and women, of different age groups, in Arabic, English and Spanish, the Mosque continues to cultivate Muslims well-versed in their faith. Below are some highlights of these programs:

- Approximately 950 men and 525 women attend weekly educational programs.
- Nearly 250 men and women attend the Monthly Meeting Programs on topics ranging from Islamic Financing to the rise of drug use among the youth.
- More than 700 students attend Al-Siddiq weekend school.
- Various knowledge and Quran competitions held at the Community Center.
- The Mosque Foundation tackled the subject of Islamic Financing in January 2010 with special guest speaker Amjad Quadri, Vice President of New Markets and Business Developments with University Islamic Financial.
- The Monthly English Program started off 2010 by educating parents about the growing problem of drug use among the youth. Representatives of the Arab American Police Association presented a startling view into the causes of drug use, who is vulnerable, signs to look for, and the many types of drugs easily accessible to youth.
- Special guest Zubair Tajuddin led a seminar for a packed audience in July 2010 about the importance of making a will, entitled "The Will in Shari'a and in American Law."
- Sh. Kifah Mustapha completed his Thursday evening series of the "99 Names of Allah" in November 2010. The series examined each of the 99 attributes in depth each week, and took two and a half years to complete. Followed was another series that took 10 weeks to complete as an introductory course on the science of the Quran, Sunnah and Hadith as well as the basics of Fiqh and Fiqh mazaheb.
- Sh. Jamal Said and Sh. Kifah Mustapha gave the annual Hajj workshop, in Arabic and English, for three consecutive weeks before the hujjaj departed.
- The Mosque Foundation Community Center held its first FAFSA (Free Application for Federal Student Aid) Workshop in February 2010 to educate students and their parents about grants and financial aid available to qualified college students.



Charitable and Zakat Programs

The Mosque Foundation consistently and reliably extends assistance to those in need. The Mosque serves as a collector and distributor of Zakat funds, and in 2010, 1,493 families received financial support from these funds.

Also, a daily team effort contributed to provide nightly iftars for needy Muslims in Chicago's inner-city. In the first half of Ramadan, the iftars fed up to 350 daily, and in the second half, when they began serving refugee families, 700 people enjoyed the donated food each day. Also, the Mosque Foundation Community Food Pantry is still going strong, serving between 200-300 needy families per week with supplemental food supplies. The Food Pantry celebrated its five year anniversary of service to the community in March 2010. Following Eid ul-Adha, thousands of Muslims and non-Muslims benefited from the udhiya meat distributed by the Mosque.

Zakat Distributed to Local Needy Families in 2010

Month	No. of Families
January	141
February	84
March	111
April	64
May	112
June	207
July	99
August	342
October	45
November	160
December	128
Total	1493

Community Services

The Mosque is taking a proactive, comprehensive approach to community service. Serving as the hub of this outreach, the Community Center has become a sanctuary for more than 500 boys and girls to play sports, gain spiritual development and emotional support. Some of its activities include:

- Availability for social needs such as azza'a, aqeeqas and meetings.
- Free health screening with the Compassionate Care Network.
- Men's ping-pong tournaments
- Boy's basketball tournaments
- Martial Arts Class for boys
- Monthly community breakfast

Our imams comfort, counsel, direct and advise our community in times of joy and distress. The past year, they have led the community, performing:

- New Muslims Orientation (19 took shahada in 2010)
- Marriage/divorce services and counseling (147 marriages & 73 divorces in 2010)
- Visitation & counseling during illness and death
- Islamic arbitration and mediation services
- Parental & teen counseling
- Services at hospitals, funerals, in the mosque and at graveside (87 funerals and 152 Azza's in 2010).
- Mosque Foundation Community Center held two Pre-marriage Workshops with Dr. Abdel Azim Elsiddig, which covered important topics such as what marriage means, what makes a successful marriage, and what are realistic expectations within a marriage.
- Mosque Foundation Community Center organized several health related programs throughout 2010 including blood drives, free health screenings and H1N1 flu vaccinations.



Outreach

In an effort to remain connected to a broad base of community members, and to keep the members updated and informed, the Mosque continues to:

- Publish the Community Pulse—a comprehensive, bilingual publication with an annual circulation of 85,000 copies, with 38,000 direct-mailed in 2010. Also, a new section was introduced in April 2010 called, “In Our Own Words: Reflections of Youth” to showcase the talent of our local youth, where middle school & high school students can submit their articles, poems, artwork or photography to be printed in the newsletter and posted to our website.
- Maintain a state-of-the-art website www.mosquefoundation.org
- Organize visitor orientations for hundreds of students, church-goers, reporters, dignitaries and politicians (12 groups of 15 or more people each and 54 individuals served in 2010).
- Cultivate a media outreach program through press releases and press conferences as needed, and meetings with reporters and editorial boards.
- Update our community on pivotal events through mail, email, text messages and robot-call.

Various other events took place over the course of the year such as:

- Mosque Foundation Annual Family Picnic held in June at Swallow Cliff Woods. Scores of families enjoyed good food and entertainment, which included face painting, pony rides, jumpers and slides, as well as a boys 3-on-3 Basketball Tournament.
- Approximately 1,970 Muslim women and children enjoyed the annual trip to Deep River Water Park in Indiana organized by Al-Siddiq Weekend School.
- The Mosque Foundation Convert Support Group held its first Crafting Workshop for women in January of 2010. Whether it's a spare-time hobby or simply a form of relaxation, crafting has always been popular among women. Also, The Convert Support Group sponsored an Eid Family Potluck Party on the first day of each Eid at the MFCC for converts and their families. About 80 men, women and children attended the celebrations.
- Multiple Community BBQ Days held throughout the summer.
- The Annual Fundraising Dinner held in March 2010 with more than 600 guests in attendance.

- The Mosque Foundation periodically hosts various visiting dignitaries and international delegations, such as the Pakistani delegation sponsored by the US Department of State in May 2010, and the Bosnian and Turkish delegation in November 2010.
- MFCC Boys Basketball team won first place in the Islamic Center of Detroit tournament in April 2010.
- The Mosque Foundation invited ISNA Youth Programming and Services Director Iyad Alnacheh to lead its Annual Board Retreat in February 2010 to explore strategic directions to address youth development in our community.
- Many of the Mosque Foundation staff and Board of Directors attended a three-day seminar hosted by the FBI in March 2010. The CREST program is a shorter version of the Citizen's Academy, which gives business & media executives, religious, civic & community leaders a chance to get an inside look at the FBI. At the end of the training, participants received graduation certificates from Chicago Special Agent in Charge, Robert Grant.
- Our Imams delivered numerous lectures and presentations at different institutions and universities, including DePaul, Loyola, UIC and many others.
- Continuous participation at Department of Homeland Security roundtable meetings held quarterly.

Activism

The Mosque Foundation has proven itself as a forerunner of progress on the American Muslim landscape, through its civic involvement and activism on multiple levels. It has initiated and led various endeavors toward the realization of tangible goals in the arenas of politics, the environment, and social justice. Samples of these efforts include:



- Member of the Council of Islamic Organizations of Greater Chicago (CIOGC)
- Member of United Power for Action and Justice
- Participant with the Council on American Islamic Relations (CAIR- Chicago)
- Participant with the Illinois Coalition for Immigrant and Refugee Rights (ICIRR)
- Participated in the CIOGC-sponsored "Illinois Muslim Action Day" in Springfield to advocate the introduction of the Arabic language into public schools.

- The Mosque Foundation in partnership with the Council of Islamic Organizations of Greater Chicago, CAIR-Chicago, and the Illinois Coalition for Immigrant and Refugee Rights conducted another successful election cycle of the New Americans Democracy Project, a non-partisan voter registration program, and the Get Out the Vote campaign on the southwest side. Non-partisan efforts by mosques and other Islamic organizations registered 2,000 new voters and mobilized thousands more to the polls.



Interfaith Initiatives

Interfaith activities are not new to the Mosque Foundation; community members have been consistently participating in such endeavors for more than 20 years. The Mosque has partnered in interfaith initiatives with local and statewide organizations that promote social justice, equality and peace. Samples of such efforts include:

- Active participant in Catholic Theological Union programs
- Represented on the board of Cardinal Bernadine International Center
- Member of the Council of Arab Religious Leaders of Chicago
- Held the 9th annual Women's Interfaith Potluck Dinner to build bridges among different ethnicities and faiths.
- The Annual Interfaith Iftar on August 24, 2010, which was a successful event with guests from various faith communities, local governments, as well as civic and community leaders. Community Service and Friendship Awards were presented during the program.





■ | Mosque Foundation Community Center 2010 Report

The year 2010 was a very busy year for the MFCC, with hundreds of community members moving through our doors. With the addition of new programs and initiatives, the MFCC has something to offer for girls and boys, youth and adults. The MFCC offers spiritual, educational and athletic programming, while also providing opportunities for entertainment, civil engagement, and leadership development. Hundreds of community members benefited, and continue to benefit, from MFCC's programs weekly. Such programs include:

- The afterschool youth (boys and girls) programs, with more than 500 per week
- Weekend school (86 students)
- Summer camps (95 kids)
- Soccer camp for boys (42 participants)
- Martial arts classes (32 participants)
- Special Ramadan Quran Competition and basic knowledge competition (120 participants)
- Summer BBQ days for the community (hundreds participated)
- Annual neighborhood cleanup day (65 participants)
- Open house (60 attended)
- Weekly classes and halaqas (60 youth)
- Workshops, health screening, community breakfasts, and blood drives (16 events)
- MFCC partnered with the Census department as a testing center, training center and a recruiting center for job seekers.

| Al-Siddiq Weekend & Summer Schools Report of 2010

Al-Siddiq School

Al-Siddiq School aims to provide quality Islamic education. Qualified teachers have earned a bachelor's degree or above, coupled with experience in Islamic education. Annual workshops provide the teachers with training to improve and update their performance. In the beginning of the 2007, Al-Siddiq School started preparing and producing its own curriculum. Two books were published, and the third book is in the process. Some of the highlights include:

- Serves more than 700 students
- Established more than 20 years ago
- Begins each school day with Quran and dua'a
- Lunch Committee provides hot meals
- Younger students pray jama'a in school, and older students pray in the Mosque
- Active Mother's Club

The Activity Committee plans special events such as the mock Hajj program, Eid parties, field trips, and many competitions. Other activities include:

- Salah party for students to celebrate the age of starting salah in a motivational way.
- MAP (Muslim and proud) is a monthly activity for kids ages 9-12
- Open House
- Social & Fundraising Events
- Talent Project

Summer Qur'an School

Mosque Foundation Summer Qur'an School enrolled 138 students in the summer of 2010. The theme was 2010. Along with moral development, the students increase their attachment to the Qur'an by reading, memorizing and understanding each individual verse. Along with a rigorous education program, the summer camp offers its students a variety of field trips, outdoor activities, and islamically themed projects. The six-week program is offered for the low fee of \$150, as all teachers and staff members are volunteers. The Summer Qur'an School's main goal is to strengthen the relationship between the students and their parents, the mosque and the community.

| The Mosque Foundation's Food Pantry Report of 2010

We are approaching the 6th anniversary of the Mosque Foundation Food Pantry. We continue to serve the community weekly, Mondays from 10 am-1 pm. During 2010, we have served more than 10,000 families, both Muslims and non-Muslims. Our pantry has no geographical boundaries; we even serve Iraqi refugees living in Rogers Park and the suburbs of West Chicago. Each Monday morning, produce is picked up from the Chicago Food Depository to distribute to families we serve.

The Greater Chicago Food Depository remains our primary source of food. We are recipients of USDA food products, which are provided at no cost to qualifying members. We also enjoy support from the community at large, both Muslim and non-Muslim, in various forms. The Food Pantry has approximately 25 volunteers who are dedicated to the smooth and efficient operation of the organization, from the unloading and



loading of the trucks, to the maintenance of the flow of food on Mondays, to the preparation of the individual bags of food every Sunday. We also support young students who perform their community service hours at our establishment, offering them a Muslim outlet to contribute their time. The Mosque Foundation Food Pantry also became a part of a network of faith-based pantries across the south suburban area of Chicago.

Women's Role at the Mosque Foundation 2010 Report

The Mosque Foundation flourishes through the work implemented day in and day out by committed volunteers and employees. Women play a major role in leading and assisting with different events throughout the year to save time and money, and most importantly, to give dawah and build close relationships with the worshippers. One example is a group of women who consistently visit the sick or families of deceased community members to show their support and give their condolences on behalf of the Mosque Foundation. Also, the women take part in volunteering for events of the Mosque Foundation and the neighboring Muslim organizations.

Main Events and Programs include:



- Friday prayer sandwich preparation and sales
- Ramadan (Taraweeh)
- Salat Al-Eid
- Monthly Programs (Arabic & English)
- Trainings & Workshops
- Annual Fundraising Dinner

Sisters also have a comprehensive program of lectures and halaqas that appeal to a diverse group of women of various ethnicities:

- Fiqh Class 1 hour before Jummah Prayer
- Friday Evening Lecture at 7:00pm in Arabic
- Friday Halaqa after Isha for girls 16- 30 years old in English
- Sunday Lecture at 11:00am in English
- Sunday Lecture at 12:00pm in Spanish
- Wednesday Lecture at 10:00am in Urdu
- Tuesday Tajweed Class at 10:00am
- Tuesday Lecture at 12:00pm in Arabic
- Wednesday Lecture at 5:00pm in Arabic
- The First Saturday of every month, "Meet Your Imam," event for teenage girls with Sr. Um Baraa

The sisters' contributions are vital to the efficiency and success of the Mosque Foundation. They work tirelessly and constantly perfect their work, seeking nothing but the pleasure from their Lord. May Allah (SWT) reward them for their donated time, money and energy.

Meet the People Behind Our Organization

Board of Directors

Hussein Ata	Mohammed Mowla	Habes Abdallah	Rafeeq A. Jaber
Oussama Jammal	Dahoud A. Shalabi	Hadia Hijazi	Salem Akhras
Wisam Zegar	Abdallah Zain-Edin	Kamal Eldeirawi	Talal Sunbulli
Mohammad Z. Sahloul	Abdallah M. Shuaibi	Khalida Baste	Zafar Ahmed
Jamal M. Said	Abdullah A. Abdullah	Mohamed Aduib	
Mubarak Amine	Fahim Aref	Mohammed Hussien	
Samer Shalabi	Ghassan Abdallah	Mousa Ayyash	

Executive Committee

Hussein Ata, President
 Oussama Jammal, VP1
 Wisam Zegar, VP2
 Mohammad Z. Sahloul, Ex-Officio
 Mubarak Amine, Secretary
 Samer Shalabi, Treasurer,
 Mohammed Mowla, Co-Treasurer
 Dahoud A. Shalabi, Member-at-Large

Full-Time Staff

Sh. Jamal Said, Imam & Director, since 1985
 Sh. Kifah Mustapha, Imam & Associate Director, since 2002
 Tareq Abu-Ammer, Building Manager, since 1991
 Husam Elayyan, Assistant Building Manager, since 2005
 Abdel Baset Hamayel, MFCC Director, since 2007
 Amneh Nakhleh, Custodian, since 2000
 Connie Martin, Administrative Assistant, since 2005
 Lena Tlieb, Operations Assistant, since 2010
 Fatima Nassar, Custodian, since 2010

Al-Siddiq School

Aisha Rahima, Principal
 Buthaina Zahdan, Assistant Principal

Food Pantry

Jeanean Othman, Manager

Board & Functional Committees

Committee	Chaired By
Board Committees	
Finance	Br. Samer Shalabi
Planning	Br. Hussein Ata
Constitutions & Policies	Br. Wisam Zegar
Membership	Br. Habes Abdallah
Nomination & Election	Br. Habes Abdallah
Functional Committees	Functional Committees
Endowment Fund	Br. Samer Shalabi
Programs & Sermons	Sh. Jamal Said
Youth Task Force	Br. Hussein Ata
Zakat	Sh. Jamal Said
Outreach & PR	Br. Oussama Jammal
Education & Schools	Br. Habes Abdallah
Social Services	Sr. Ahlam Jbara
Volunteer	Br. Mohammed Hussein
Interfaith	Sr. Dalila Benamear
Women	Sr. Aisheh Said
HR	Br. Mubarak Amine
IT	Br. Mubarak Amine
Convert Support Group	Sr. Nadine Boufath
Maintenance	Br. Salem Akhras
Publications	Br. Hussein Ata
Traffic & Order	Br. Fawzy Hasan
Itqan Initiative	Dr. Mohamad Chehade
Counseling & Arbitration	Sh. Jamal Said
Events	Br. Dahoud Shalabi
Public Health	Dr. Kamal Eldeirawi

Mosque Foundation Financial Committee Report

Alhamdulillah, our mosque continues to enjoy strong financial position evidenced by the following:

- Year over year donations (excluding Zakat and expansion) increased significantly by \$268k
- The mosque completed and paid all invoices related to the expansion project
- All loans were paid out in 2010
- Expenditures in 2010 were flat to prior year

Please find below the financial summary for 2010. Please feel free to ask any question concerning the amounts reported in this report.

We pray to Allah to accept your deeds and reward you for your generous donations for your mosque.

Mosque Foundation Financial Committee

(Sh. Jamal Said, Fahim Aref, Mubarak Amine, Mohammad Mowla, Samer Shalabi)

A. Financial Summary

	2009 (unaudited)		
	Receipts	Expenditures	Net
General	1,496,817	964,383	532,434
School	262,897	279,590	(16,693)
MFCC	104,416	278,950	(174,534)
Total	1,864,130	1,522,922	341,207
Expansion	451,793	979,048	(527,255)
Grand Total	2,315,923	2,501,971	(186,047)
Zakat	768,383	832,630	(64,247)

	2010 (unaudited)		
	Receipts	Expenditures	Net
	1,784,089	1,036,523	747,566
	275,870	247,821	28,049
	73,142	251,155	(178,013)
Total	2,133,101	1,535,499	597,601
	128,558	122,260	6,298
	2,261,658	1,657,759	603,899
Zakat	884,506	727,739	156,767

B. Financial Detail 2010

	General	School	MFCC	Expansion	Total
Receipts					
Newsletter Income	27,544	0	0	0	27,544
Bake proceeds	18,910	0	0	0	18,910
Bookstore	5,187	0	0	0	5,187
Community Activity Income	5,505	0	0	0	5,505
Donations	1,726,942	0	0	0	1,726,942
Expansion Fund	0	0	0	128,558	128,558
MF Community Center	0	0	73,142	0	73,142
Tuition & Fees	0	275,870	0	0	275,870
Total Receipts	1,784,088	275,870	73,142	128,558	2,261,658
Disbursements					
Automobile Expenses	2,204	0	0	0	2,204
Awards & Gifts	4,660	0	2,417	0	7,077
Bank Fees & Charges	16,488	0	0	45	16,533
Dues & Subscription	3,864	0	0	0	3,864
Event Contribution	7,033	0	2,720	0	9,753
Expansion Project	18,961	0	0	122,215	141,176
Food Meals/Fundraising Dinner	20,358	0	0	0	20,358
Insurance	28,728	0	7,127	0	35,855
Labor & Outside Services	2,369	0	8,765	0	11,134
Licenses & Fees	300	0	0	0	300
Miscellaneous	15,803	0	499	0	16,302
Postage & Delivery	8,483	0	0	0	8,483
Printing	88,970	300	1,125	0	90,395
Professional Services	118,106	2,988	4,300	0	125,395
Rent	35,048	81,101	500	0	116,649
Repairs & Maintenance	62,820	1,349	16,981	0	81,150
Supplies	53,435	11,622	6,456	0	71,512
Utilities	83,310	836	21,803	0	105,950
Wages & Benefits	465,582	149,625	178,462	0	793,669
Total Disbursements	1,036,523	247,821	251,155	122,260	1,657,759
Net Surplus(Deficit)	747,565	28,049	-178,013	6,298	603,899





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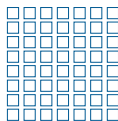
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