

Exhibit 58

The Honorable Richard A. Jones

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

ABDIQAFAR WAGAFE, *et al.*,

Plaintiffs,

v.

DONALD TRUMP, President of the United States, *et al.*,

Defendants.

No. 2:17-cv-00094-RAJ

**DEFENDANTS' THIRD SET OF
SUPPLEMENTAL INITIAL
DISCLOSURES**

Defendants hereby supplement and amend their Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1)(A) and 26(e)(1)(A) as stated herein in the paragraphs below. Defendants expressly reserve and maintain any and all objections as to privilege, competency, relevancy, or admissibility with respect to any of the persons, documents, or other information described herein. These disclosures are based on information reasonably available to Defendants as of the date these disclosures are served. By making these disclosures, Defendants do not represent that they are identifying every document, tangible thing, or witness possibly relevant to this action. Defendants reserve the right to further supplement and/or amend these disclosures as appropriate during the course of this action as necessary and permitted by Fed. R. Civ. P. 26(e)(1)(A).

I. Supplements to Initial Disclosures. In addition to persons identified in Defendants' Initial Disclosures and its First and Second Sets of Supplemental Initial Disclosures, the

1 Defendants believe the following individuals are likely to have discoverable information that
2 Defendants may use to support their claims or defenses (other than solely for impeachment):

- 3 a. Russell Webb
4 Section Chief (National Security)
5 Fraud Detection and National Security (FDNS) Division
6 National Benefits Center, Field Operations Directorate
7 U.S. Citizenship and Immigration Services
8 Lee's Summit, MO
9 c/o Defendants' counsel of record

7 Mr. Webb is likely to have discoverable information that the Defendants may use to
8 support their defenses or address Plaintiffs' claims on the following subjects: (1) The USCIS'
9 National Benefits Center (NBC), its staff operations, and the NBC's and his roles in
10 implementing the CARRP policy, including efforts to improve effectiveness and efficiency in the
11 processing of applications through the CARRP. (2) Subjects addressed or associated with
12 documents produced in this litigation concerning the NBC for which Mr. Webb, the NBC, or
13 others from the NBC are identified as authors, addressees or recipients.

- 14 b. Jeffrey Buchholz
15 Immigration Services Officer III
16 National Security Section, FDNS Division
17 National Benefits Center, Field Operations Directorate
18 U.S. Citizenship and Immigration Services
19 Lee's Summit, MO
20 c/o Defendants' counsel of record

18 Mr. Buchholz is likely to have discoverable information that the Defendants may use to
19 support their defenses or address Plaintiffs' claims on the following subjects: (1) The USCIS'
20 NBC, its staff operations, and the NBC's and his roles in implementing the CARRP policy,
21 including his specialized and technical assistance and experience. (2) Subjects addressed or
22 associated with documents produced in this litigation concerning the NBC for which Mr.
23 Buchholz, the NBC, or others from the NBC are identified as authors, addressees or recipients.

1 c. Tammy Duvall
Immigration Services Officer II
2 National Benefits Center, Field Operations Directorate
U.S. Citizenship and Immigration Services
3 Lee's Summit, MO
c/o Defendants' counsel of record
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5 Ms. Duvall is likely to have discoverable information that the Defendants may use to
6 support their defenses or address Plaintiffs' claims on the following subjects: The USCIS' NBC,
7 its staff operations, and the NBC's and her roles in implementing the CARRP policy, particularly
8 those based on her own experience processing individual cases at the NBC.

9 **II. Amendments to Prior Initial Disclosures and Supplements.**

10 a. Amendment to Persons Previously Designated.

11 1. Christopher Heffron—Designated in Initial Disclosures, I.a.

12 As Plaintiffs were notified, via e-mail on October 25, 2019, Defendants hereby amend
13 their Initial Disclosures to withdraw Christopher Heffron as a person from whom they may offer
14 testimony in support of their defenses or in response to Plaintiffs' claims (other than solely for
15 impeachment). Mr. Heffron's position has changed, and he no longer has duties focused on the
16 issues relevant to this litigation. Instead, other persons listed in previous disclosures have more
17 current and relevant information on the subjects Mr. Heffron was designated to cover.

18 2. Matthew Emrich—Designated in First Set of Supplemental Initial
Disclosures, I.d.

19 Defendants hereby amend their First Set of Supplemental Initial Disclosures with regard
20 to the subject areas disclosed for Matthew Emrich to include the additional subject of "internal
21 USCIS data provided to Plaintiffs in this litigation" to the subject areas about which Mr. Emrich
22 likely has discoverable information Defendants may use in support of their defenses and to
23 address Plaintiffs' claims.

1 3. Daniel Renaud—Designated in First Set of Supplemental Initial
2 Disclosures, I.i.

3 Defendants hereby amend their First Set of Supplemental Initial Disclosures with regard
4 to the subject areas disclosed for Daniel Renaud to include the additional subject of “internal
5 USCIS data provided to Plaintiffs in this litigation” as a subject area about which Mr. Renaud
6 likely has discoverable information Defendants may use in support of their defenses and to
7 address Plaintiffs’ claims.

8 4. Kevin Quinn—Designated in First Set of Supplemental Initial Disclosures, I.h.

9 Defendants hereby amend their First Set of Supplemental Initial Disclosures with regard
10 to the subject areas disclosed for Kevin Quinn to include the additional subject of “use of the
11 Fraud Detection and National Security Data System (FDNS-DS) by FDNS officers, including
12 limitations of the system and how it is relied upon” as a subject area about which Mr. Quinn
13 likely has discoverable information Defendants may use in support of their defenses and to
14 address Plaintiffs’ claims.

15 b. Amendment to Documents Previously Designated.

16 1. USCIS Data and/or Data Summaries/Compilations for Fiscal Year 2013 through
17 the first half of Fiscal Year 2019, Designated in Defendants’ First Set of
18 Supplemental Disclosures, II.g.

19 Defendants hereby amend their First Set of Supplemental Initial Disclosures to substitute
20 the accompanying data summaries/compilations of internal USCIS data provided with this
21 supplement for those previously provided. Since the original disclosure of these data
22 summaries/compilations to Plaintiffs in Defendants’ First Set of Supplemental Initial
23 Disclosures, Defendants have updated, corrected, and supplemented the data

1 summaries/compilations provided at that time. Accordingly, the accompanying data
2 summaries/compilations supersede those previously provided.

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1 Dated: November 29, 2019

Respectfully Submitted,

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3 Civil Division
U.S. Department of Justice

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/s/ Michelle R. Slack
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Counsel for Defendants

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CERTIFICATE OF SERVICE

I hereby certify that on November 29, 2019, I served the foregoing DEFENDANTS' THIRD SET OF SUPPLEMENTAL INITIAL DISCLOSURES and the herein referenced accompanying data summaries/compilations via email to counsel of record.

/s/Michelle R. Slack
MICHELLE R. SLACK

Counsel for Defendants

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