

# Exhibit 5

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

ADHAM AMIN HASSOUN,

Petitioner,

Case No. 1:19-cv-370-EAW

v.

JEFFREY SEARLS, in his official capacity  
as Acting Assistant Field Office Director and  
Administrator, Buffalo Federal Detention  
Center,

Respondent.

---

**RESPONDENT'S FIRST SET OF INTERROGATORIES TO PETITIONER**

Pursuant to 28 U.S.C. § 2241, Federal Rule of Civil Procedure 33 and the Court's order of December 20, 2019, Respondent Jeffrey Searls requests that Petitioner Adham Amin Hassoun respond to the following Interrogatories by the deadline specified by the Court.

**I. DEFINITIONS & INSTRUCTIONS**

1. This document incorporates by reference the definitions and rules of construction set forth in Rule 26 of the Local Rules of Civil Procedure for the Western District of New York.
2. In construing these Interrogatories and the definitions below:
  - a. Masculine, feminine, or neutral pronouns do not exclude other genders; and
  - b. The tense of a verb includes all other tenses, as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside its scope.

3. “INCLUDE” or “INCLUDING” means “include, but do not limit your response to,” “examples include” or “including, but not limited to.” “INCLUDE” or “INCLUDING” shall not be construed as a limitation.

4. “ALL” and “ANY”: The term “ALL” includes and encompass the words “each,” “every,” and “any.” “The word “any” includes “all.”

5. “YOU” and “YOUR” refer to Petitioner Adham Amin Hassoun, and his agents, guardians, employees, associates, investigators, attorneys, representatives, and all persons who act, or purport to act, on behalf of him or on behalf of his counsel.

6. Utilization of the spelling “Adham Amin Hassoun” shall also include any and all alternative spellings thereof.

## **II. INSTRUCTIONS**

In addition to those in the Federal Rules of Civil Procedure and Local Rules, the following instructions apply to these Interrogatories:

1. In responding to the Interrogatories set forth herein, YOU shall furnish all information that is known or available to YOU, regardless of whether the information is possessed directly by YOU or someone else.

2. If objection is made to any part of the Interrogatory, the reason(s) for the objections shall be stated specifically. If an Interrogatory cannot be complied with in full, YOU shall answer the Interrogatory to the extent possible, providing a written explanation of why full compliance is not possible. No answer is to be left blank.

3. The Federal Rules of Civil Procedure require YOUR compliance when YOU serve YOUR written responses to the Interrogatories. With respect to a written response, the requirements of Rule 33(b)(4) must be strictly followed so that Respondent can ascertain: (i) the

scope of each stated objection; (ii) which responses will be withheld on grounds of the stated objections; and (iii) which responses will be produced notwithstanding such objections.

Notwithstanding any objections, YOU must comply fully with the other parts of the request to which YOU do not object.

4. If, after exercising due diligence to do so, YOU cannot answer any one or any sub-part of these Interrogatories in full, explicitly so state, and state what YOU did in an attempt to secure the unknown information. Answer all other Interrogatories and sub-parts, and give any information in YOUR possession which may partially answer the Interrogatories or sub-part which YOU cannot answer fully or which may lead Respondent to discover the unknown information.

5. If, in responding to any of these Interrogatories, YOU perceive any ambiguity in construing either the Interrogatory or a definition or instruction relevant to it, YOU shall set forth the matter deemed ambiguous and the construction used in responding to the Interrogatory.

6. These Interrogatories are continuing in nature to the fullest extent permitted by the Federal Rules of Civil Procedure.

### **INTERROGATORIES**

1. Identify each person that YOU expect to call as a witness, and each person YOU may call as a witness if the need arises, at the evidentiary hearing to be set by the Court in this matter.

2. Identify each document or other exhibit that YOU expect to offer, and each document or other exhibit YOU may offer if the need arises, at the evidentiary hearing to be set by the Court in this matter.

Date: December 27, 2019

Respectfully submitted,

JAMES P. KENNEDY, JR  
United States Attorney  
Western District of New York

JOSEPH H. HUNT  
Assistant Attorney General  
Civil Division

DANIEL B. MOAR  
Assistant United States Attorney  
138 Delaware Avenue  
Buffalo, New York 14202  
Tel: (716) 843-5833  
Email: daniel.moar@usdoj.gov

WILLIAM C. PEACHEY  
Director, District Court Section  
Office of Immigration Litigation

TIMOTHY M. BELSAN  
Chief, National Security & Affirmative  
Litigation Unit  
District Court Section

ANTHONY D. BIANCO  
Senior Counsel for National Security  
National Security & Affirmative Litigation Unit  
District Court Section

*/s/ Steven A. Platt*

\_\_\_\_\_  
STEVEN A. PLATT  
Counsel for National Security  
National Security & Affirmative Litigation Unit  
District Court Section  
Office of Immigration Litigation  
Civil Division  
U.S. Department of Justice  
P.O. Box 868, Ben Franklin Station  
Washington, D.C. 20044-0868  
Tel: (202) 532-4074  
Email: steven.a.platt@usdoj.gov

*Attorneys for Respondent*