

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EASTERN DIVISION

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STANLEY BOIM, Individually)
and as Administrator of the)
Estate of DAVID BOIM,)
deceased, and JOYCE BOIM,)
)
Plaintiffs,)
)
vs.) Case No. 00C 2905
)
QURANIC LITERACY INSTITUTE,)
et al.,)
)
Defendants.)
_____)

DEPOSITION OF
OMAR AHMAD

Tuesday, May 27, 2003

REPORTED BY: ANA M. DUB, RMR, CRR, CSR 7445 (01-333979)

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A P P E A R A N C E S

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--oOo--

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Defendants.)
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--oOo--

BE IT REMEMBERED that, pursuant to Notice, and
on Tuesday, May 27, 2003, commencing at 9:06 a.m.
thereof, at the Law Offices of Shartsis, Friese &
Ginsburg LLP, One Maritime Plaza, San Francisco,
California, before me, Ana M. Dub, a Certified Shorthand
Reporter, Registered Merit Reporter, and Certified
Realtime Reporter, personally appeared

OMAR AHMAD

called as a witness by the Plaintiffs, who, having been
first duly sworn, was examined and testified as follows:

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P R O C E E D I N G S

THE VIDEOGRAPHER: Good morning.

Here begins Videotape No. 1 in the deposition of Omar Ahmad in the matter of Stanley Boim, et al., v. Quranic Literacy Institute, et al., at the United States District Court, Northern District of Illinois, Eastern Division, Civil Case No. 00C2905.

Today's date is May 26th, 2003.

MR. LANDES: 27th.

THE VIDEOGRAPHER: May 27th, 2003. Thank you.

The time on the video monitor is 9:06 a.m.

The video operator today is Gretchen Vogel, a notary public, contracted by LegaLink Video Solutions, San Francisco, California.

This video deposition is taking place at Shartsis, One Maritime Plaza, San Francisco, California, and was noticed by Wildman, Harrold, Allen & Dixon for the plaintiffs.

Counsel, would you please voice-identify yourselves and state whom you represent.

MR. LANDES: Stephen J. Landes and David Oppenheim for the plaintiffs.

MR. FENNERTY: James Fennerty -- that's F-e-n-n-e-r-t-y -- for the Islamic Association for Palestine, the American Muslim Society, and here on

1 behalf of Mr. Omar Ahmad.

2 THE VIDEOGRAPHER: Thank you.

3 The court reporter today is Ana Dub of
4 LegaLink San Francisco.

5 If the court reporter would please swear in
6 the witness.

7 OMAR AHMAD

8 sworn by the Certified Shorthand Reporter,

9 testified as follows:

10 EXAMINATION BY MR. LANDES

11 MR. LANDES: Q. Please state your name for
12 the record.

13 A. Omar Ahmad.

14 Q. How do you spell that?

15 A. O-m-a-r A-h-m-a-d.

16 Q. A-h-m-a-d?

17 A. (Witness nods head.)

18 Q. Mr. Ahmad, are you sometimes known by any
19 other names?

20 A. Not really, but people might -- people might
21 call me --

22 Q. Well --

23 A. -- different names.

24 Q. -- we had -- we've had testimony from other
25 witnesses; for example, Mr. Salah testified that he was

1 known, I think, by Abu Ahmed himself or some other
2 names. I think it's -- correct me if I'm wrong, but I
3 think it's not unusual for people of Islamic and Arabic
4 descent to be known by certain other names as well. Is
5 that true in your --

6 A. Yeah.

7 Q. -- case?

8 A. Not in my case, but this is true in general.

9 Q. Were you ever known by the name Omar Yehia?

10 A. Well, some people might call me that, but I've
11 always been Omar Ahmad.

12 Q. Okay. Have you ever been known by the name
13 Omar Yehia?

14 A. Well, I told you, some people call me that.
15 Some people might call me, because it's like one of my
16 middle names. So they might refer to that, because
17 Ahmad is very generic name.

18 Q. Right. And -- but if somebody said Omar
19 Yehia, you'd respond?

20 A. Not really.

21 Q. No?

22 A. No.

23 Q. Okay. What is your business or occupation?

24 A. I'm an engineer.

25 Q. And where are you employed?

1 A. At a Silicon Valley software company.

2 Q. And where is that located?

3 A. In the Silicon Valley, San Jose area.

4 Q. And what is your position there?

5 A. I am kind of an executive there.

6 Q. What kind?

7 A. President.

8 Q. I see. You are the president of that company?

9 A. Yes.

10 Q. What does that company do?

11 A. Software.

12 Q. Software design?

13 A. Software development, yes.

14 Q. Any particular field?

15 A. In the high-tech field.

16 Q. Any particular application?

17 A. Again, in content management.

18 Q. Content management?

19 A. Yeah.

20 Q. Where were you born?

21 A. I was born in Jordan.

22 Q. In which city?

23 A. I was born in a refugee camp near the city of

24 Amman.

25 Q. And would it be fair to say that you are

1 fluent in written and spoken Arabic?

2 A. Yes.

3 Q. Are you a United States citizen?

4 A. Yes.

5 Q. When did you come to the United States?

6 A. '78.

7 Q. And what did you do when you came here?

8 A. Student.

9 Q. Where were you a student?

10 A. Long Beach State.

11 Q. Long Beach State University?

12 A. Yes.

13 Q. In California?

14 A. Yes.

15 Q. And what course of study did you take there?

16 A. Engineering.

17 Q. Did you get a degree?

18 A. Yes.

19 Q. And what was that degree in?

20 A. Bachelor.

21 Q. Bachelor of science?

22 A. Yes.

23 Q. In what field?

24 A. Engineering.

25 Q. Which engineering?

1 A. Computer engineering.

2 Q. Computer engineering. And after you got your
3 bachelor's degree -- is that correct?

4 A. Yes.

5 Q. -- what did you do then?

6 A. I moved to -- I studied in Long Beach,
7 Los Angeles area. I moved to San Jose for a job.

8 Q. What job was that?

9 A. Engineering.

10 Q. With whom?

11 A. A company in the Valley.

12 Q. What was the name of the company? Do you
13 recall?

14 A. It's called Best Labs.

15 Q. And how long did you work there?

16 A. I worked there for less than a year.

17 Q. All right. And why don't you just -- so we
18 can cut down on the questions, if you could just give me
19 a synopsis of your work experience from the time you
20 graduated from college to the present day.

21 A. Well, I worked for four companies. One of
22 them for one year, another one for thirteen years; then
23 one year; then -- four companies. One year, thirteen
24 years, one year, three years.

25 Q. Let me be more specific. Why don't you

1 identify the companies you worked for.

2 A. I would rather not.

3 Q. Why?

4 A. Fear of intimidation and harassment.

5 MR. LANDES: Well, I don't think,
6 Mr. Fennerty, that that's a privilege that, you know,
7 the judge would go along with. And --

8 MR. FENNERTY: Hold on a second.

9 (Counsel confers privately with the witness.)

10 MR. LANDES: Q. Are you going to answer the
11 question?

12 A. I worked for a company called Advanced Micro
13 Devices, and I worked for a company called Fujitsu and
14 Actel.

15 Q. Sorry?

16 A. Actel, A-c-t-e-l.

17 Q. They're all software development companies?

18 A. Hardware and software.

19 Q. Hardware and software. Okay. And then at
20 what point did you decide to go off on your own?

21 A. Three years ago.

22 Q. And you started the company you're currently
23 the head of?

24 A. Yes.

25 Q. Are you active in any other companies?

1 A. No.

2 Q. Is this your full-time occupation?

3 A. Yes.

4 Q. When did you first become aware of this

5 lawsuit?

6 A. I really don't remember.

7 Q. Do you recall being served with the complaint

8 in this lawsuit?

9 A. You know, I got something in the mail, but I

10 don't remember when.

11 Q. All right. Would it be -- if I told you that

12 the lawsuit was filed in the year 2000, would that

13 refresh your recollection?

14 A. Could be. Must -- around that time.

15 Q. You received a copy of the complaint in the

16 mail; is that correct?

17 A. I think so, I did.

18 Q. And then did you go out and engage counsel to

19 represent you?

20 A. No.

21 Q. In the year 2000 -- let me strike that.

22 Are you aware who the defendants are in this

23 lawsuit?

24 A. Not for all of them, no.

25 Q. Are you aware that the American Muslim Society

1 is a defendant in this lawsuit?

2 A. Now I am aware, yeah.

3 Q. You're aware today?

4 A. Yeah.

5 Q. So the question I'd ask you is: Are you aware
6 today of who is in the lawsuit?

7 A. Not all of them.

8 Q. Well, why don't -- just so we make it easier
9 for the deposition then. You know, I don't want to keep
10 you here any longer --

11 A. Yeah.

12 Q. -- than you have to be or that you want to be
13 is probably not very long at all.

14 But the fact is I will give you the names of
15 the people who were sued just to make it easier for us
16 to ask the questions. Okay?

17 A. Mm-hmm.

18 Q. One of the defendants is the American Muslim
19 Society. Are you familiar with that organization?

20 A. Yes.

21 Q. All right. Another is the American Middle
22 Eastern League for Palestine.

23 A. Yes.

24 Q. Are you familiar with that organization?

25 A. Yes.

1 Q. Let me just -- just -- okay. Allow me to ask
2 the question before you answer so that we have a good
3 record of what's taking place.

4 Another defendant is the Islamic Association
5 for Palestine. Are you familiar with that organization?

6 A. Yes.

7 Q. Another defendant in this case is Omar Abu
8 Marzook, M-a-r-z-o-o-k. Have you ever heard of that
9 individual?

10 A. Not in the same name. I --

11 Q. Sorry. Omar Mousa Marzook. Sorry.

12 A. Again, can you repeat the name?

13 Q. Are you -- a gentleman named Mousa Abu
14 Marzook.

15 A. Yes.

16 Q. Another organization that is a defendant in
17 this case is the Holy Land Foundation.

18 A. Yes.

19 Q. Have you heard of that organization?

20 A. Yes.

21 Q. Another organization that is a defendant in
22 this case is the Quranic Literacy Institute. Have you
23 heard of that organization?

24 A. Yeah, I heard.

25 Q. And another individual who's a defendant in

1 this case is Mohammed Salah. Have you ever heard of
2 that individual?

3 A. I heard of him.

4 Q. At the time that this lawsuit was filed in the
5 year 2000, were you yourself in any leadership capacity
6 in the American Muslim Society?

7 A. No.

8 Q. Were you in any leadership capacity in the
9 American Middle Eastern League for Palestine in the year
10 2000?

11 A. Yes. I was on the board member.

12 Q. Sorry?

13 A. Board member.

14 Q. You were a board member. Were you in a
15 leadership or executive or board position with the
16 Islamic Association for Palestine in the year 2000?

17 A. No.

18 Q. Is it possible that you received the complaint
19 in this case in the year 2000 because of your position
20 as a director or executive at the American Middle
21 Eastern League for Palestine?

22 A. I think so, I was a director, not an
23 executive.

24 Q. Do you know who the executive was in the year
25 2000?

1 A. I don't recollect. I don't remember.

2 Q. We'll show you some papers later. Maybe

3 that'll --

4 A. Yeah.

5 Q. -- refresh your recollection.

6 Mr. Ahmad, aside from your business ventures,

7 it's correct, isn't it, that you have had and continue

8 to hold a variety of positions in, one would call,

9 not-for-profit public affairs organizations?

10 A. Yes.

11 Q. All right. Is one of those organizations

12 something called the Mosque Foundation?

13 A. No.

14 Q. Have you ever heard of something called the

15 Mosque Foundation?

16 A. I heard about it.

17 Q. Where did you hear about it?

18 A. I think it's in Chicago.

19 Q. All right. Do you -- do you have any idea

20 what that organization is?

21 A. I think it's a mosque.

22 Q. Just a single mosque?

23 A. Yeah, that's what I think. I don't -- I'm not

24 sure, but I think it's a mosque.

25 Q. Do you now or have you ever had any position

1 with an organization called UMAA, U-M-A-A?

2 A. No.

3 Q. Do you know what UMAA is?

4 A. I heard about it.

5 Q. What is it?

6 A. I think it's a civil rights organization in
7 Chicago.

8 Q. In Chicago. You've never been a member of
9 that organization?

10 A. No.

11 Q. Are you familiar with an organization called
12 C-A-I-R, CAIR?

13 A. Yes.

14 Q. What organization is that?

15 A. It's the Council on American Islamic
16 Relations.

17 Q. Sorry?

18 A. It's the Council on American Islamic
19 Relations, a civil rights organization in the U.S.,
20 based in Washington, D.C.

21 Q. Do you a hold a position in that organization?

22 A. Yes.

23 Q. What is that position?

24 A. I am the chairman of the board.

25 Q. Currently?

1 A. Yes.

2 Q. And for how long have you been the chairman of
3 the board?

4 A. Since the inception.

5 Q. And when was that?

6 A. '94.

7 Q. Have you ever had a position in an
8 organization called the Muslim Civil Rights Center?

9 A. No.

10 Q. Are you familiar with that organization?

11 A. No.

12 Q. Have you ever been a member of or held any
13 position in an organization called the Sunnyvale Mosque?

14 A. No.

15 Q. Are you a member of any particular mosque?

16 A. Oh, yes.

17 Q. And where is that?

18 A. In Santa Clara, California.

19 Q. What is the official name of that?

20 A. Muslim Community Association.

21 Q. Sorry?

22 A. Muslim Community Association of San Francisco
23 Bay Area.

24 Q. And it's a mosque based in Santa Clara?

25 A. Yes.

1 Q. Now, in connection -- well, let's just make
2 sure I understand.

3 The two organiza- -- the organizations you've
4 just identified, putting the defendants in this case
5 aside, aside from the American Middle Eastern League for
6 Palestine, in connection with your activities for CAIR,
7 isn't it the case that you do frequently take public
8 positions on behalf of that organization?

9 A. Yes.

10 Q. Have you ever taken a public position on
11 behalf of CAIR with respect to the arrest and
12 incarceration of Mohammed Salah?

13 A. No.

14 Q. Have you ever taken a public position or
15 expressed yourself publicly in connection with the
16 seizure of assets of the Holy Land Foundation?

17 A. Yes.

18 Q. What was the nature of that position?

19 A. Just asking the government for a free trial
20 and due -- open trial and due process.

21 Q. So in the nature of a public protest. Would
22 that be fair?

23 A. I would say just asking the government to have
24 a free trial for the Holy Land Foundation.

25 Q. Right. And did you organize your members to

1 also make that same request?

2 A. We asked our members to do the same, yes.

3 Q. And how do you go about asking your members to
4 do that?

5 A. We do that over the Internet, by our mailing
6 list, and by issuing what we call Action Alerts, any
7 news releases.

8 Q. How many people are involved in CAIR?

9 A. Many.

10 Q. I'm not going to ask you who they are, but
11 just to get a sense of the dimension of the
12 organization.

13 A. I mean, in terms -- can you be specific?

14 Q. Do you have -- well, do you have paid members?

15 A. Yes. Paid -- what do you mean "members"?

16 Q. Dues-paying members.

17 A. Yes.

18 Q. So it's a membership organization?

19 A. It's kind of semimembership organization, yes.
20 There is paid members, and there's volunteers, and
21 there's full-time staff.

22 Q. If I wanted to join the organization, I could
23 send in a membership check and assumedly --

24 A. Yes, become a member.

25 Q. Assumedly it's open to the public?

1 A. Yes.

2 Q. And how many public members do you have?

3 A. We have -- I really don't know exact number,
4 but above 20,000.

5 Q. So it's a substantial organization?

6 A. It's a huge organization. It's a big
7 organization.

8 Q. Let me just say, before we continue, that we
9 have to be mindful of the court reporter. She can only
10 take down one person at a time. I think --

11 A. Okay.

12 Q. -- both of us have a tendency to speak quickly
13 and probably not loudly enough. So why don't we try to
14 help her out and --

15 A. Okay.

16 Q. -- take turns.

17 And even though we're on tape, it's important
18 that you answer yes or no or some verbal answer as
19 opposed to shaking your head, because while we may have
20 it on tape, the court reporter won't have it on a
21 transcript.

22 And let me also say that if at any point you
23 don't understand my question, if it's vague, if you
24 don't know what I'm talking about, just feel free to ask
25 me to repeat, to clarify the question. I'll be happy to

1 do so. Otherwise, I'll assume that you understand the
2 question. Do you understand that?

3 A. Yes.

4 Q. At any point -- well, let me just say, so you
5 say that CAIR has some tens of thousands of members.

6 A. Yes.

7 Q. Actually, I've read somewhere -- I don't know
8 where -- that it's -- that CAIR prides itself as being
9 the largest Muslim civil rights organization in the
10 United States. Is that correct?

11 A. Yes.

12 Q. What's the next largest? Do you know?

13 A. I don't know.

14 Q. In your capacity at CAIR, did you take a
15 public position in connection with the seizure of assets
16 and the arrests of individuals in connection with the
17 Infocom case?

18 A. I don't remember.

19 Q. Are you familiar with the Infocom case?

20 A. Yes.

21 Q. Do you know an individual named Basman Elashi?

22 A. Yes.

23 Q. And you know that Basman Elashi was arrested
24 by the federal government in connection with an
25 indictment relating to Infocom; is that correct?

1 A. Yes.

2 Q. But you don't recall whether CAIR has taken a
3 public position in connection with that arrest and
4 forthcoming trial?

5 A. I really don't remember exactly, but we might
6 have, but I don't remember exactly.

7 Q. Doesn't strike you as something you recall
8 right now?

9 A. No. CAIR takes a lot of positions every day,
10 so we --

11 Q. Why is that?

12 A. Because it's an organization that's supposed
13 to -- you know, to advocate the cause of Muslims in this
14 country, so . . .

15 Q. And that's its job?

16 A. Its job is to do that. So we do that every
17 day, every week. But I don't necessarily remember every
18 stand we take on anything. It was a huge organization
19 with many offices.

20 Q. At the end of the day, though, as chairman, do
21 you have the ultimate authority to decide which
22 positions it's going to take?

23 A. I do, but I don't exercise that option because
24 I delegate it to the staff.

25 Q. But I would assume, then, if there was some

1 issue that the staff was in a position to question, they
2 would come to you and ask your permission?

3 A. Yes.

4 Q. But you don't recall whether you've taken a
5 position on the Infocom case?

6 A. I don't recall, but I can find out.

7 Q. Okay. Let me also add --

8 A. I mean, it's simple. Just go to our website,
9 and you'll find whether we took a position or not.

10 Q. Oh, fine. Thank you.

11 A. Simple.

12 Q. Do you know an individual named Sami Al-Arian?

13 A. Yes.

14 Q. Have you taken a position with respect to his
15 indictment and arrest?

16 A. I can't remember. I don't remember if we
17 took, but I would not be surprised if we took a
18 position. I think we did. I'm not sure, but I think we
19 did.

20 Q. Do you know whether CAIR has taken any
21 position in connection with this litigation, with the
22 Boim case?

23 A. I don't think so.

24 Q. You don't know?

25 A. No, I don't know.

1 Q. Okay. At any time during this deposition, if
2 there's something, you know, that you recall that you
3 may not have thought about before, just let me know.

4 A. Of course.

5 Q. It's common for people to have something on
6 the back of their mind and then they remember. Okay?

7 A. (Witness nods head.)

8 Q. Now, you said before, sir, that you were a
9 director of AMELP; is that correct?

10 A. Yes.

11 Q. And are you currently a director of AMELP?

12 A. No.

13 Q. Why is that?

14 A. Because I think the organization was shut down
15 sometime last year.

16 Q. Do you know that for sure?

17 A. Yes. At least I asked for it.

18 Q. Sorry?

19 A. I asked that to be shut down.

20 Q. You instructed that it be shut down?

21 A. No. I've asked others to say, you know, there
22 is no need for it, so we might as well shut it down.

23 Q. Did you have anything to do with shutting it
24 down?

25 A. Not really. I just recommended that to be

1 shut down and it was shut down.

2 Q. Who did you make that recommendation to?

3 A. I asked Zaher, Zaher. His name is Zaher.

4 Q. Z-a-h-e-r?

5 A. Salman. Yes.

6 Q. Is that a first name or last name?

7 A. No. First name.

8 Q. You got his last name?

9 A. I know him by Osama Ahmed. Same -- same

10 person. Osama Ahmed or Zaher, but I always call him

11 Osama, so . . .

12 Q. We've heard the name of a person called Osama

13 Ahmed --

14 A. That's it.

15 Q. -- in this case.

16 He's also known by the name Zaher?

17 A. Right.

18 Q. Some people do have more than one name?

19 A. Yes. No, I said so in the beginning.

20 Q. And that sometimes creates confusion on our

21 part just in terms of knowing that we're speaking about

22 the same person at the same time.

23 A. That's true.

24 Q. Okay?

25 At that point, you say last year, that would

1 be in the year 2002?

2 A. I think so, yes.

3 Q. All right. And what position did Omar Ahmad
4 have with AMELP at that time?

5 A. I was a board member.

6 Q. Do you recall, was it spring? Was it the
7 summer? Was it the fall?

8 A. I don't remember.

9 Q. I'm going to show you a document later that
10 indicates that in April of 2002, AMELP filed a tax
11 return for 2001. So would it be fair to say that you
12 probably asked him to do this after the tax return was
13 filed?

14 A. It was sometime in 2002, but I'm not sure
15 whether second half of the year. Most likely it's going
16 to be the second half, because I -- but I really don't
17 remember exactly when it was.

18 Q. Okay. At the time you asked him to close it
19 down, do you recall who the -- who all of the directors
20 were of AMELP at that time?

21 A. No.

22 Q. You used the word "close it down." Was there
23 an office?

24 A. No. Just close the paper. I mean, submit to
25 the state that this organization is no longer

1 functioning.

2 Q. Did you ever ascertain whether, in fact, it
3 was closed?

4 A. No.

5 Q. You just gave the instruction and expected it
6 be followed.

7 A. Well, you make it an instruction, but I just
8 recommended to him that it will be closed. I mean, you
9 making it an instruction. It's different than an
10 instruction. It's like an order. I'm not -- did not
11 give him an order or instruction. I just asked him, you
12 know, it's better to, you know, to shut down now or just
13 to file for a close of the organization and assume he
14 did, because it wasn't doing much.

15 Q. But what motivated you last year to close the
16 organization?

17 A. Well, I wasn't involved in it for about eight
18 years. I didn't do anything for eight years in the
19 organization, since 1994.

20 Q. Okay. Who was involved in the organization
21 from 1994 to 2002?

22 A. Probably -- I don't know. I wasn't involved
23 myself. So I was far away from it, so I really thought
24 it was closed down long time ago.

25 Q. In 1994, were you the president of the

1 organization?

2 A. 19 -- no.

3 Q. Were you ever the president of the
4 organization?

5 A. I think at some time I was, yeah, but I don't
6 remember --

7 Q. But you don't recall when?

8 A. I don't remember the time frame.

9 Q. Do you recall the name of any individual who
10 was at any time the president of AMELP?

11 A. I don't remember.

12 Q. So if I were to say to you that -- ask you
13 whether you currently have any duties at AMELP, your
14 answer would be no, because the organization doesn't
15 exist?

16 A. Yes.

17 Q. And that would be true since sometime last
18 year, 2002; is that correct?

19 A. Yes.

20 MR. LANDES: Let me hand you a document we'll
21 ask the court reporter to mark as Ahmad Exhibit No. 1.

22 (Whereupon, Plaintiffs' Exhibit 1 was marked
23 for identification.)

24 MR. LANDES: Q. This is a two-page document.
25 It does not appear to have any Bates stamp numbers on

1 it. It says "Articles of Incorporation" in the upper
2 right-hand corner; it says, "Filed in the Office of the
3 Secretary of State of Texas March 02, 1990"; and it says
4 the name of the corporation is the American Middle
5 Eastern League for Palestine. Do you see that, sir?

6 A. Yes.

7 Q. Now, does this appear to you to be the
8 articles of incorporation of the American Middle Eastern
9 League for Palestine?

10 A. It appears to be.

11 Q. And does this refresh your recollection in any
12 way as to when AMELP was formed?

13 A. It states here 1990, submitted 1990.

14 Q. Were you involved in the formation of this
15 organization?

16 A. No.

17 Q. So you joined it after it was formed?

18 A. Yes.

19 Q. Okay. In Article 6, it talks about three
20 directors. Do you see that?

21 A. Yes.

22 Q. One named Ahmed Agha, A-h-m-e-d, A-g-h-a. Do
23 you see that, sir?

24 A. Yes.

25 Q. Do you know that individual?

1 A. Yes.

2 Q. Were you ever involved in AMELP with him?

3 A. No.

4 Q. Do you know where I could find this man? Do
5 you know where he lives currently?

6 A. I haven't seen him in a while.

7 Q. How long?

8 A. Probably six, seven years.

9 Q. So you don't know where he is?

10 A. I don't. I assume in Oklahoma.

11 Q. Sorry?

12 A. Maybe he's -- check in Oklahoma.

13 Q. Well, I have that on the document. I just
14 wonder if you have any more current information.

15 A. No. I haven't seen him.

16 Q. The next person is Yasser K. Saleh Bushnaq.
17 Do you see that?

18 A. Yes.

19 Q. Do you know that individual?

20 A. Yes.

21 Q. Have you had any recent contact with him?

22 A. No.

23 Q. When's the last time you saw him, talked to
24 him?

25 A. Must be more than -- maybe four, five years.

1 Q. Was he involved in the affairs of AMELP
2 together with you?

3 A. Let me try to remember.
4 I really don't remember.

5 Q. You don't remember?

6 A. No.

7 Q. Have you had any dealings with Mr. Bushnaq in
8 connection with any of your activities on behalf of any
9 organization?

10 A. Yeah. I met with him in early '90s probably.
11 15 years ago, 14 years ago, something like that.

12 Q. Mr. Bushnaq at one time was an officer of the
13 Islamic Association for Palestine; isn't that correct?

14 A. I don't know.

15 Q. You don't remember?

16 A. I don't know.

17 Q. Okay. So you wouldn't know where I could find
18 Mr. Bushnaq now, do you?

19 A. I think he's in Washington, D.C.

20 Q. Okay. Washington, D.C., area?

21 A. Yes.

22 Q. Do you know what he does at the present time?

23 A. Few years back, I think he was heading an
24 organization or working in an organization Solidarity
25 International, something like that.

1 Q. What was that? Sorry.

2 A. Solidarity International.

3 Q. Solidarity International?

4 A. I think so, but I don't know whether it's

5 still in business or not. I have no idea.

6 Q. Did you have any dealings with that

7 organization?

8 A. No.

9 Q. What about Ismail Elbarasse? Do you see that

10 name?

11 A. Yes.

12 Q. Is that a person you know?

13 A. I met him, yes.

14 Q. When you say you met him, you just met him at

15 an occasion or --

16 A. Yeah, on occasions.

17 Q. Did you ever work with him together on any

18 organization?

19 A. No.

20 Q. Did you work with him on the affairs of AMELP?

21 A. I don't remember in the beginning. Maybe 15,

22 14 years ago, but not recent.

23 Q. How recent?

24 A. Not recent.

25 Q. Less than -- more than ten years?

1 A. More than ten years, yeah.

2 Q. Was Ismail Elbarasse ever involved in the
3 affairs of the Islamic Association for Palestine?

4 A. I don't know.

5 Q. You don't recall --

6 A. I don't know.

7 Q. -- or you just don't know?

8 A. No, I don't know.

9 Q. You've never worked with him on IAP matters?

10 A. I really don't remember, but not -- not in
11 between ten years. Something is -- if I did anything
12 with him, it must be more than ten years.

13 Q. Okay. But let me just say this. We --
14 Mr. Fennerty would agree that this case does involve
15 matters that took place in the early 1990s, between 1990
16 and 1996, for example.

17 A. Right.

18 Q. And the question is: During that period, do
19 you recall whether you were involved in political or
20 communal activities with Mr. Elbarasse?

21 A. I don't recall.

22 Q. What was the purpose of AMELP?

23 A. Educational.

24 Q. Educational to whom?

25 A. Yes. Educational to the American public about

1 the Middle Eastern issues.

2 Q. In particular which issues?

3 A. The Palestine and Israel conflict.

4 Q. And how did AMELP function? What did it do?

5 A. Lectures, seminars. I think that's all.

6 Q. Did it engage in addressing political people
7 in the United States?

8 A. I don't think so.

9 Q. Did it have any employees?

10 A. Yes.

11 Q. And who were those employees?

12 A. I really don't know. I don't remember who
13 were --

14 Q. Do you know --

15 A. -- the employees.

16 Q. Do you know where they were -- where AMELP's
17 headquarters was?

18 A. Texas; Dallas, Texas.

19 Q. Dallas, Texas.

20 A. Yes.

21 Q. Did they have an office?

22 A. See, I wasn't involved in the daily-to-day
23 affairs, so I wouldn't know that they had an office or
24 they shared an office with someone else. I wouldn't
25 know.

1 Q. I assume they had a business address.

2 A. They must have, yeah.

3 Q. All right. And my guess is it's somewhere in
4 Richardson, Texas.

5 A. Yes.

6 Q. And they had a mailing address? And --

7 THE COURT REPORTER: I'm sorry. What was the
8 answer?

9 THE WITNESS: No. He's just -- he's just
10 making the facts. I haven't said --

11 MR. LANDES: Q. Well, did they have a mailing
12 address?

13 A. They must have.

14 Q. All right. And did they have a particular
15 office where they conducted their business? Do you
16 know?

17 A. I don't know if they have an office under
18 their name or they had a shared office with someone
19 else.

20 Q. All right. But if they shared it or they had
21 it on their own, there was an office?

22 A. Yeah, there must be an office, yes.

23 Q. Did you ever visit that office?

24 A. Yeah, I think so, in the early '90s.

25 Q. For what purpose?

1 A. To see what they do and so on.

2 Q. Do you recall what you saw?

3 A. All they do is just organize lectures,
4 organize pamphlets, write information. So prob- -- you
5 know, prepare pamphlets, things like that.

6 Q. Okay. And do they hire people to prepare
7 those pamphlets and do that work?

8 A. I guess so. I think so. I'm not sure, but I
9 think they did.

10 Q. Did they have conventions?

11 A. No.

12 Q. Conferences?

13 A. No.

14 Q. So they would sponsor speakers to go to
15 different places?

16 A. Yes.

17 Q. Was the American Middle Eastern League for
18 Palestine ever known as the IAP Information Office, to
19 your knowledge?

20 A. I think in the early '90s, AM -- AMELP --
21 AMELP or AMELP was doing business as IAP Information
22 Office. For a period maybe less than two years.

23 Q. Was it ever doing business under the name
24 Islamic Association for Palestine in North America?

25 A. I am not sure. I don't know the exact naming,

1 but it was something to do with that, but I am not sure
2 of the exact names.

3 Q. Those are names that sound familiar to you?
4 In the context of having a relationship or being other
5 names for AMELP. That's my question.

6 A. I don't know.

7 Q. Did AMELP get involved in any fundraising
8 activities?

9 A. I think -- yeah, must have. They fundraise
10 for themselves, yes.

11 Q. To support their activities?

12 A. Yes.

13 Q. Did they distribute funds themselves to any
14 other organizations?

15 A. "Distribute" meaning what?

16 Q. Did they take money and give it -- aside from
17 their employees, did they themselves donate money or
18 distribute money to any other organizations?

19 A. I doubt if they donated any money because they
20 didn't have any to start with. But other organization,
21 if they did the printing, they would pay the printer
22 shop money. If they did any -- anybody who provided any
23 services, they must have paid the services.

24 Q. Okay. But aside from services, did they
25 direct charitable contributions to any other parties?

1 A. No.

2 Q. Did they give money to the Holy Land
3 Foundation?

4 A. I don't know, but I would be surprised if they
5 did because they didn't have money themselves.

6 Q. Did they receive money themselves from any
7 other organizations?

8 A. I don't know.

9 Q. Did they receive money from the American
10 Muslim Society?

11 A. I don't know.

12 Q. Who would know?

13 A. American Muslim Society if they gave them any
14 money.

15 Q. Okay. I can ask them. We asked Mr. Jaber
16 that question.

17 My question is: Who would I speak to if I
18 wanted to know how AMELP operated from the period of
19 1990 to 1996? Who would be the person most
20 knowledgeable about the affairs of the company during
21 that period?

22 A. Who would be? I think you would ask the
23 staff, if I remember who it be.

24 Probably the most knowledgeable person would
25 be Ghassan Dahduli.

1 Q. Ghassan Dahduli?

2 A. Yes.

3 Q. He's not in this country anymore; right?

4 A. Yes.

5 Q. Why do you say Ghassan Dahduli? Did he have a
6 position with the company?

7 A. I think so, yes. He was kind of involved in
8 it, in day-to-day efforts. He would know, you know, in
9 day-to-day efforts, what happened.

10 Q. Did Ghassan Dahduli consult with you when he
11 was running the day-to-day affairs of AMELP?

12 A. Not daily.

13 Q. Regularly?

14 A. Maybe quarterly or something like that. In
15 general directions. I would know general things, but I
16 wouldn't know the details.

17 Q. So you would say that Ghassan Dahduli would be
18 the most knowledgeable person?

19 A. I would say in that period, yes, before he
20 left. I think at the end he left -- I don't know.
21 Somewhere in mid-'90s he left the organization.

22 Q. Do you know where Mr. Dahduli is at the
23 present time?

24 A. I don't know.

25 Q. Do you know when he left the United States?

1 A. I don't know.

2 Q. Was it the past year?

3 A. I have no idea.

4 Q. Did he hold -- did Mr. Dahduli hold a specific
5 title at AMELP?

6 A. I don't know.

7 Q. What you're telling me is that you yourself
8 are not knowledgeable about the day-to-day or even
9 week-to-week affairs of AMELP from 1900 to 1996; is that
10 correct?

11 A. Well, I wasn't born in 1900, so . . .

12 Q. I'm sorry. 1990, sir.

13 A. 1990 to 1996, I wouldn't be involved in daily
14 affairs. I never lived in there. I always lived in
15 California. I never lived in Texas. So I wasn't
16 involved in day-to-day affairs.

17 Q. Did AMELP have a national function, though?

18 A. In terms of what? National function.

19 Q. Did it conduct activities outside of Texas?

20 A. Very limited. Wasn't like huge activities,
21 yes.

22 MR. LANDES: If at any time you need a break,
23 let me know.

24 THE WITNESS: Sure.

25 MR. LANDES: Have the court reporter mark this

1 next document as Ahmad Exhibit No. 2.

2 (Whereupon, Plaintiffs' Exhibit 2 was marked
3 for identification.)

4 MR. LANDES: Q. Have you seen this document
5 before, sir?

6 A. I don't remember.

7 Q. At any point did you ever receive a copy of
8 ans- -- of interrogatories and requests for production
9 of documents from the plaintiffs in this case?

10 A. No.

11 Q. At any point did you act and participate in
12 preparing responses to interrogatories or document
13 productions in this case?

14 A. No.

15 Q. Ask you to turn to page 5 and look at Question
16 No. 12. Question No. 12 says:

17 "Identify all persons consulted in the
18 preparation of the answers to this set of
19 interrogatories. Answer: Omar Ahmed [sic]."

20 Do you see that, sir?

21 A. Yes.

22 Q. Do you recall now preparing these answers?

23 A. No.

24 Q. Let me just go -- did you ever -- did anybody
25 ever ask you to sign interrogatory answers on behalf of

1 AMELP?

2 A. I don't remember.

3 Q. Did you have anything to do with engaging
4 counsel for AMELP in connection with this case?

5 A. Yeah, I did consult with Mr. Jim Fennerty.

6 Q. At what point? When did you first consult
7 with him?

8 A. I really don't remember, but sometime -- I
9 don't remember.

10 Q. Well, let me ask you this: Was it at or about
11 the time that the complaint was filed in the year 2000,
12 or is it more recently?

13 A. No. At that time. Not recent, no. Just
14 recent about -- I think we last talked about this case
15 when we closed down the organization. That's the last
16 time we talked. But before that -- must have been right
17 after the complaint was filed, but I don't remember
18 exactly when.

19 Q. And you hired Mr. Fennerty to represent the
20 company; is that correct?

21 A. Actually, he was hired by AMS, and we tagged
22 along.

23 Q. Do you know a lawyer by the name of Michael
24 E. Deutsch, D-e-u-t-s-c-h?

25 A. No.

1 Q. You see his signature's on page 10.

2 A. Yeah.

3 Q. Did you have anything to do with hiring
4 Mr. Deutsch?

5 A. Nope. First time I heard of this name.

6 Q. Now, let's go through these answers quickly,
7 and just go to the first page.

8 A. Yes.

9 Q. The first question is:

10 "Provide a brief narrative corporate history,
11 including but not limited to any mergers,
12 change of name, change of location and change
13 of purpose resulting in any material change
14 to the structure and/or mission of your
15 corporation."

16 Do you see the answer there? Take some time
17 to read it.

18 A. Okay.

19 Yes.

20 Q. Does it appear to you to be an accurate
21 statement?

22 A. Yes.

23 Q. Now, we just looked at the articles of
24 incorporation, and they said that the name of the
25 corporation was the American Middle Eastern League for

1 Palestine, which it says here apparently. But is it
2 correct that notwithstanding the name, they did business
3 under the title Islamic Association for Palestine? Is
4 that correct, in your recollection?

5 A. Yes, but I don't -- yeah, they did business as
6 Islamic Association for Palestine.

7 Q. All right. So -- and that creates some
8 confusion on our part. Is it true that sometimes AMELP
9 may have had the corporate name but used the name IAP in
10 doing business?

11 A. Be specific. What years?

12 Q. Well, say between 1990 and 1993, the early
13 '90s.

14 A. Yes, early '90s, I think, yeah, for one or two
15 years.

16 Q. But it says here that:

17 "In 1993 Defendant abandoned its assumed name
18 of Islamic Association for Palestine."

19 Do you see that?

20 A. Yes.

21 Q. And that's correct, as far as you know?

22 A. Yes.

23 Q. And when it gave its current address, at
24 888 South Greenville, # 307, Richardson, Texas, was that
25 a correct statement in December 2000, which is

1 apparently the date these answers were filed?

2 A. I don't know the exact address, but -- I
3 really don't know the address Greenville or Richardson.
4 I know Richardson, but I don't know Greenville.

5 Q. Now, in a separate filing, IAP gave its
6 address as 888 South Greenville. I can show that to
7 you. I'll show it to you later.

8 Does that make sense to you that they shared
9 an address and shared an office?

10 A. Yeah, they could. It's not a surprise.

11 Q. Now, the second question asks -- take a minute
12 to read that question. Please read 2 and the answer.

13 A. Number 2 only?

14 Q. Yes.

15 A. Yes.

16 Q. Take them one at a time.

17 A. Yeah.

18 Q. All right. Could you currently tell me the
19 answer to Question No. 2?

20 A. I'm sorry. Again?

21 Q. Question No. 2 is asking you to identify the
22 board members of AMELP from 1989 to date. Do you see
23 that?

24 A. Yes.

25 Q. That's what the question is; correct? Now,

1 you refused to answer that question. At least the
2 organization's attorney refused to answer that question.

3 My question to you is: Can you answer that
4 question now?

5 A. I really don't know. If I know, I would have
6 answered, but I don't remember who was there since 1989.

7 Q. Well, I think we just identified three people:
8 Mr. Agha, Mr. Bushnaq, and Mr. Elbarasse. And I think
9 you agreed that they were directors, at least three of
10 the directors, from 1989 to now; is that correct?

11 A. Well, I agreed they were in the paper.
12 Whether they're actual directors, they state there, I
13 have no idea.

14 Q. You were a director, I think you testified.
15 Is that correct?

16 A. I was a director sometime, but I wasn't from
17 the beginning.

18 Q. But we're asking at any time.

19 A. I wouldn't remember any name.

20 Q. No name aside from yourself?

21 A. I don't remember, no.

22 Q. Did you ever have board meetings?

23 A. Nope.

24 Q. Did you ever have them on the phone?

25 A. Nope.

1 Q. Did you ever --

2 A. I wasn't participating in them.

3 Q. So your testimony to me today is you cannot

4 tell me, aside from yourself, for sure who was a

5 director of this organization from 1989 to the year

6 2000; is that correct?

7 A. Yeah, I don't remember. But there must be a

8 paper that was filed with the state for change of names.

9 Q. Did --

10 A. I don't have it.

11 Q. Now, would it make sense to you that at some

12 point AMELP maintained records of who its directors

13 were?

14 A. Well, AMELP was bad; they didn't collect the

15 records in general. So they wouldn't have -- was not

16 good at collect the records in general: Minutes,

17 meetings, and so on. So it wasn't well-documented

18 organization from the beginning. So . . .

19 Q. Well, to the extent it had documents, who was

20 responsible for keeping the documents?

21 A. The staff of the organization.

22 Q. Who was in charge of the staff?

23 A. It was Ghassan.

24 Q. Ghassan Dahduli?

25 A. Dahduli, yes.

1 Q. So as far as you know, Ghassan Dahduli was the
2 person most knowledgeable about those documents?

3 A. I would say yes.

4 Q. I would assume -- I mean, you've had
5 experience in not-for-profit organizations -- that they
6 had minute books or some records. Is that correct?

7 A. I never -- not in AMELP. I haven't -- I
8 haven't seen a lot of documents there in the beginning.

9 Q. Have you seen any?

10 A. In the early '90s, it wasn't -- the culture
11 wasn't to document things. It was more of a, I would
12 say, revolving-door organization. Many people go in and
13 out. Every three months they change staff, they change
14 board of directors. So it wasn't well-kept documented
15 organization from the beginning.

16 And the tradition was oral tradition. People
17 just -- you know, they meet, they talk, and they just --
18 you know, they go. There wasn't a lot of documentation
19 there and so on.

20 Q. Do they have computers?

21 A. Yes, I think so.

22 Q. And --

23 A. In the beginning, yes.

24 Q. All right. Did the computers, to your
25 knowledge, have lists of people on them and documents of

1 the organization on them?

2 A. I think most of the computers were used to
3 publish pamphlets and for art design. That was the main
4 purpose of the computers at that time.

5 Q. All right. So let's go on to No. 3.

6 A. Okay.

7 Q. Please read to yourself Question No. 3 and the
8 answer.

9 A. Yes.

10 Q. Does this appear to you to be an accurate
11 statement?

12 A. As far as I know. AMELP was only incorporated
13 in Texas, yeah.

14 Q. All right. To your knowledge, did AMELP ever
15 have a written mission statement?

16 A. Yes. In the -- if I remember, in the article
17 of incorporation or the bylaws, one of those, it had a
18 mission statement.

19 Q. So you've seen the bylaws?

20 A. I've seen some bylaws sometime ago I remember.

21 Q. Well, we've never seen the bylaws, and we
22 asked for the bylaws. Do you know where I can get a
23 copy of the bylaws?

24 A. Maybe not the bylaws. Maybe it's the article
25 of incorporation where it has a mission statement or the

1 purpose of the organization.

2 Q. Well --

3 A. Let me see.

4 Q. -- take a look at the document we gave you as
5 Exhibit 1.

6 A. Yeah, which was Article 4. That's what I was
7 talking about.

8 Q. Okay.

9 A. Yeah, similar to Article 4. General public
10 study of the Middle East, promote cooperation among all
11 groups. General public study of the Middle East.

12 Q. All right. But beyond that, you recall no
13 other document?

14 A. No.

15 Q. Take a look now at Answer No.4.

16 A. Okay.

17 Q. Can you answer that Question no. 4 right now?

18 A. No. I don't know anything about the financial
19 resources.

20 Q. So you don't know where AMELP's money came
21 from at all?

22 A. Donation. Came in donation from individuals.

23 Q. All right.

24 A. Yes.

25 Q. That's the only thing you're familiar with?

1 A. Yes.

2 Q. Take a look at Question No. 5. I'll just say
3 that the answer to No. 5 is the same as No. 4, so you
4 don't have to spend a lot of time reading it.

5 A. Okay.

6 Q. Do you know the answer to that question?

7 A. No, I don't know all the individuals.

8 Q. So you don't know who was in charge of the
9 money?

10 A. In what time frame?

11 Q. Well, let's start from 1990 to 1996.

12 A. I can't remember. Must be the staff, the
13 employees of the organization; but who was from the
14 staff, I -- I don't remember the name of the persons who
15 were; but they're the one who's in charge of the -- you
16 know, the money, financial matters, and so on.

17 Q. And who was in charge of the staff?

18 A. Who was in charge of the staff early '90s? I
19 would say Ghassan Salah was -- Ghassan Dahduli was in
20 charge of the staff.

21 Q. I'm sorry. Did you just give me two names or
22 one name?

23 A. One name, Ghassan Dahduli. His name is
24 Ghassan Salah Dahduli, so I skip middle name.

25 Q. What was that middle name?

1 A. Salah, S-a-l-a-h. I think that's his middle
2 name.

3 Q. And after 1996, who was in charge?

4 A. See, I left right then. I wouldn't know who
5 was in charge after me. But my name stayed as a board
6 member. But I don't know who was in charge, but most
7 likely I would say it's either Osama Ahmed or Zaher
8 Osama, that person. Most likely that's it.

9 Q. If I wanted to talk to Osama Ahmed, where
10 could I find him? Do you know?

11 A. In Texas.

12 Q. Do you know where in Texas?

13 A. Richardson.

14 Q. Richardson. Have you spoken to him recently?

15 A. Not recently, no.

16 Q. How long ago?

17 A. At least -- let's see. I saw him in October
18 last year for about ten minutes. I remember that
19 because it was a function. But before that, I don't
20 remember.

21 Q. Why don't we skip to No. 7. I think you've
22 answered No. 6 --

23 A. Okay.

24 Q. -- unless there's something you want to -- why
25 don't you take a quick look at No. 6 and see if there's

1 anything you want to add.

2 A. Nope.

3 Q. Sorry. Was that an answer?

4 A. Nothing to add.

5 Q. Okay. Now take a look at No. 7.

6 A. Yes.

7 Q. Is that a correct answer, as far as you know?

8 A. Yes.

9 Q. All right. Take a look at No. 8.

10 A. Looks like the same answer. Okay. I read

11 No. 8.

12 Q. Do you know the answer to that question?

13 A. No.

14 Q. Do you know who would know the answer to that

15 question?

16 A. No, I wouldn't know.

17 Q. You wouldn't know?

18 A. No.

19 Q. Again, would it be possible that Ghassan

20 Dahduli would know the answer to that?

21 A. I doubt if anybody knows the answer since 1989

22 until today, because, you know, people came and go. So

23 he might have known certain years, but not the full 12,

24 13 -- you're asking about what? 14 years?

25 Q. Right.

1 A. Yeah. I doubt if anybody knows the answer for
2 14 years.

3 Q. Could you tell me who would know for certain
4 parts of those years?

5 A. Oh, Ghassan would know some part, yeah.

6 Q. Who would know the other parts?

7 A. Osama would know the later parts.

8 Q. Would it be fair to say that between Osama
9 Ahmed and Ghassan Dahduli, we could get a pretty
10 complete picture of the activities of AMELP?

11 A. No. I think you need to look who else was
12 employed by the organization in these years.

13 Q. Those are the two people you know?

14 A. Yeah, people I know, yeah.

15 Q. Now, you say Ghassan Dahduli was in charge at
16 least in the period of 1990 to 1996; is that correct?

17 A. Or before. I don't know what the end period,
18 but I know in the early '90s, yes.

19 Q. And when did Osama Ahmed become involved?

20 A. I'm not sure, but second half of the '90s, I
21 would say.

22 Q. And what about after the year 2000? Was Osama
23 Ahmed still involved?

24 A. I'm not sure.

25 Q. You testified earlier that you gave an

1 instruction or advice, I believe you called it --

2 A. Yes.

3 Q. -- last year, 2002, to close down the
4 organization. I don't recall, but to whom did you give
5 that instruction?

6 A. Oh, I was talking to Osama Ahmed.

7 Q. Osama Ahmed?

8 A. Yes.

9 Q. And did he agree with your instruction, as far
10 as you know?

11 A. Well, he think -- he thought he would, you
12 know, think about it.

13 Q. Did he say anything to you about the fact that
14 the organization was a defendant in a lawsuit and that
15 that would have some effect on the ability to close the
16 organization?

17 A. No. I knew that before, that the organization
18 was defendant in a lawsuit.

19 Q. All right. Did you feel that you were under
20 any obligation because you were a defendant in a lawsuit
21 to preserve the books and records of the company in
22 connection with closing it down so that it would be
23 available for the lawsuit?

24 A. Of course.

25 Q. And what steps did you see were taken to make

1 sure the documents were protected?

2 A. I wanted -- I asked -- by, you know, the
3 lawyers, they asked any document that we have to be
4 handed to the lawyer.

5 Q. And when did they ask you that?

6 A. No. I recommended that, that they should do
7 that, and I think they did.

8 Q. Did you do anything to make sure that they
9 followed that direction?

10 A. Other than talking to them?

11 Q. When you say "to them," who are you talking --
12 who --

13 A. To Osama. Other -- other than that, I never
14 give a visit or did anything in my hand myself, no,
15 because I didn't do anything in the past years anyway.

16 Q. Just to make sure that we understand who had
17 the responsibility here, and you're helping me, so just
18 go through it again.

19 A. Yeah.

20 Q. When you spoke to Osama Ahmed --

21 A. Yes.

22 Q. -- and suggested that the organization be
23 closed, is it your recollection that you told him that
24 there was a need to preserve and protect the books and
25 records of the organization because there was a lawsuit

1 pending?

2 A. I don't remember telling him at that time, but
3 that advice or that something came before, when the
4 lawsuit was filed; that we have to protect and make sure
5 that every document, anything that we have -- and even I
6 searched my home for anything that I might have, but it
7 was long time ago, so I couldn't find anything to hand
8 to the -- you know, to our lawyer so he can hand it to
9 you guys.

10 Q. All right. Do you recall receiving an
11 instruction from anyone to look for documents?

12 A. Yeah. Osama talked to me, yes. He said, and
13 I looked all over the place. I couldn't find anything.

14 Q. And did Osama say that he was looking for
15 documents?

16 A. Yes.

17 Q. And was it -- would it be fair to say that
18 Osama was the person in the organization responsible for
19 collecting the documents?

20 A. I would say yes.

21 Q. Did the pendency of the lawsuit have anything
22 to do with your decision to close the organization?

23 A. Well, you're making that -- so making --

24 Can you repeat the question again?

25 Q. Did the pendency of the lawsuit have anything

1 to do with your decision to advise that AMELP be closed
2 down?

3 A. No.

4 Q. Do you have any idea of what physical volume
5 of documents AMELP had at the time the lawsuit was
6 filed?

7 A. No, I don't have any idea.

8 Q. Would Osama Ahmed be the person to talk to
9 about that?

10 A. Yeah, I would say so.

11 Q. Did Osama Ahmed ever tell you that he
12 destroyed any documents because the lawsuit was pending?

13 A. Never.

14 Q. Go back to the interrogatory answers. We'll
15 try to go through this quickly. Have we looked at No. 8
16 yet? Do you recall?

17 A. I think we talked about it already.

18 Q. Okay. Can we go to No. 9, please?

19 A. Okay.

20 Q. Okay. You've had a lot of experience with
21 not-for-profit organizations, and you know that
22 ultimately each year you have to file a tax return; is
23 that correct?

24 A. Yes.

25 Q. And that tax return is based upon data that

1 the organization accumulates during the year?

2 A. Yes.

3 Q. And I think it's fair to say that this
4 question is basically asking for the backup information
5 for the tax returns.

6 A. Yes. So you're asking for the backup, not the
7 tax returns itself?

8 Q. That's correct.

9 A. Okay.

10 Q. Now, who is responsible for maintaining the
11 tax records and backup information for the tax returns
12 for the years 1989 to date?

13 A. I would say different people. I would not --
14 there was not one person responsible for all of this.

15 Q. Because I'm very puzzled. It says that the
16 defendant objects to this interrogatory as overbroad and
17 unduly burdensome, which suggests to me that it's
18 burdensome because there's so many documents that going
19 through them would take too much time and, therefore,
20 why go through the bother. Okay? But yet I'm finding
21 that nobody seems to have any documents. It's very
22 puzzling. Do you know the --

23 A. No.

24 Q. -- answer to that?

25 A. No, I don't think they're -- you say you

1 understood it that they're overburdened because of so
2 many documents. I think they're overburdened because
3 there is no backup documents that they can go back to.

4 Q. But as a director, wouldn't you be concerned
5 that if the internal revenue service came and asked for
6 the backup documents, that there'd be documentation for
7 the tax returns?

8 A. I would say for three years, yeah, two years'
9 backup, yeah, but not ten years.

10 Q. All right. We didn't get any for any of the
11 three years. So --

12 A. Last three years?

13 Q. We got -- as you'll see, all we received are
14 some front pages for some tax returns --

15 A. Tax returns?

16 Q. -- for this organization. Okay? But we did
17 not receive any backup information. We never received
18 any correspondence, any e-mails, anything else aside
19 from what's attached to these answers.

20 And my question for you: As a former director
21 of this organization, aren't you concerned that none of
22 this information could be found or produced?

23 A. I'm not concerned. This is a small
24 organization with a budget of less than -- I don't
25 know -- \$100,000 a year; and it wasn't doing much

1 anyway, so it's simple. It's like a, you know,
2 mom-and-pop shop. It's not a big organization that has
3 so much, you know, employees and revenues and
4 expenditures. It's very small.

5 Q. By way of comparison, say, to IAP, which was a
6 much larger organization; is that correct?

7 A. No. Either IAP is small. Both are small.

8 Q. IAP describes itself as the largest grassroots
9 organization for the Middle East; correct?

10 A. Compared to what? Relative to what?

11 Q. Well, it says it's --

12 A. You know, I could -- I could have I'm the
13 richest man here when I -- when I owe - when I have 40
14 bucks in my pocket because you guys have only 30
15 dollars. It's all relative. When you say the largest
16 Muslim organization, grassroot Muslim organization for
17 Palestine, because it's the only one. So it is the
18 largest by default. That doesn't mean it's the largest,
19 like, compared to 20 other organizations.

20 Q. Compared to CAIR, for example?

21 A. Oh, compared to -- CAIR is -- yeah, is much
22 larger, but you know, very small.

23 Q. Take a look at Question No. 10.

24 A. Okay.

25 Q. Do you have anything to add to 10?

1 A. I thought the organization was formed in 1990,
2 and you're asking 1989 statement?

3 Q. So then the answer for '89 would be nothing.
4 So the question then is from 1990.

5 Did the company -- did the organization, to
6 your recollection, ever have any budgets?

7 A. No budgets.

8 Q. Okay. Take a look at No. 11, where the
9 representation is that AMELP has published two
10 pamphlets: Understanding Islam and Twenty Basic Facts
11 Concerning Palestine.

12 Are you familiar with those two publications?

13 A. I've seen them, yeah.

14 Q. All right. Do you know where we could get
15 copies of them? Because they haven't been produced.

16 A. No, I don't know where you get a copy, because
17 they've been long time ago.

18 Q. You wouldn't happen to have a copy yourself?

19 A. No, no, I don't.

20 Q. All right. I want to go through this quickly.
21 Why don't you just take a look at 13, 14, 15, 16, all of
22 which has to do with the question of the transfer of
23 funds by AMELP outside the United States.

24 And I would say a summary question, based upon
25 all of these interrogatories, is to whether you are

1 aware of whether AMELP itself sent money to any
2 organizations or individuals outside the United States.

3 A. I'm not aware that AMELP give any money to
4 anybody outside at all.

5 Q. Did AMELP give any money to anyone in the
6 United States to be sent abroad?

7 A. I'm not aware of any.

8 Q. Did AMELP, for example, give any money to the
9 Holy Land or Occupied Land Foundation so that money
10 would be sent abroad?

11 A. No, I don't -- I doubt.

12 Q. You doubt it?

13 A. I doubt it. AMELP always in shortage of
14 funds. They always don't have the money to pay their
15 salaries. So they wouldn't be in any position to donate
16 any money to anybody.

17 Q. Would they be in a position, then, to
18 recommend to its membership, for example, to give money
19 to Occupied Land Fund or Holy Land Foundation if they
20 wanted to give money abroad?

21 A. No. They would recommend to people to give
22 money to them. I mean, that would be the first
23 priority, to AMELP, to survive --

24 Q. Do you know whether --

25 A. -- to pay the salaries.

1 Q. Do you know whether AMELP took the position
2 that in the event people came to them and said "We want
3 to give money to support institutions abroad," whether
4 they would recommend the Holy Land Foundation or
5 Occupied Land Foundation?

6 A. I'm not sure. I think what they did, they
7 took ads in the publication.

8 Q. Who's "they"?

9 A. The Holy Land. They made paid ads, you know,
10 for themselves to advertise their activities and so on.
11 But I'm not sure if they recommended officially to their
12 members to donate to Holy Land Foundation or anybody
13 else.

14 Q. Okay. Let's just go to the back of this
15 document --

16 A. Okay.

17 Q. -- and spend a few minutes. There's some
18 documents attached.

19 A. Mm-hmm. The tax returns?

20 Q. Well, let's take a look at this document.
21 It -- let's see. If you go to the end of the document
22 request, which is page 10, then there's a certificate of
23 incorporation and then there's the articles of
24 incorporation, which we've seen, and then there's an
25 assumed name certificate. Do you see that?

1 A. Yes, I see that. Page 13 on the top.

2 Q. Right, right. Page 13 of the --

3 A. Yeah.

4 Q. -- of the fax.

5 A. Yeah.

6 Q. Okay. You see that?

7 And does this -- take a minute to look at the

8 document and just to verify that this is consistent with

9 your recollections of how AMELP did business; namely,

10 using the assumed name Islamic Association for Palestine

11 in North America and there's something in -- IAP; paren,

12 IAP, closed paren. Do you see that?

13 A. Yes.

14 Q. And is this consistent with your recollection

15 as to how they operated?

16 A. Yes.

17 Q. Do you know whose signature this is when it

18 says "Signature of Officer"? Do you see that signature?

19 A. No, I can't tell.

20 Q. You don't know?

21 A. No.

22 Q. Take a look at the next page. It says 11 up

23 in the corner.

24 A. Okay.

25 Q. This is another statement of abandonment of

1 assumed business name. Do you see that?

2 A. Yes.

3 Q. Do you know who Yusuf Abdullah is?

4 A. I think he's a lawyer.

5 Q. Do you know him personally?

6 A. No, I don't know him, but I heard about him.

7 I heard that he's a lawyer.

8 Q. He's been the lawyer for AMELP?

9 A. No, I'm not sure, but I know he's a lawyer.

10 That's all I know.

11 Q. Okay. So here it suggests that there was yet

12 another name they used. Other than Islamic Association

13 for Palestine in North America, they used the name

14 Islamic Association for Palestine; is that correct?

15 A. Let me see.

16 So you're saying that the name "North America"

17 does not appear in the --

18 Q. Yes.

19 A. Yeah.

20 Q. And so it would be correct to say that

21 sometimes AMELP did business under the name Islamic

22 Association for Palestine in North America; it did

23 business under the name Islamic Association for

24 Palestine?

25 A. No. I think they're one and the same. Most

1 likely they're one and the same.

2 Q. Which is one and the same?

3 A. I -- they did business as Islamic Association
4 for Palestine. Whether they add "North America" or not
5 I think is a typo or misunderstanding or something.
6 That's my . . .

7 Q. Now, the back part of the document has a
8 number of tax returns.

9 A. Okay.

10 Q. See that Form 990s?

11 A. Okay.

12 Q. And they're Form 990s purportedly for AMELP
13 from the years 1992 through 1997.

14 A. Okay.

15 Q. Who was responsible for preparing the tax
16 returns in those years?

17 A. The best of my recollection, it must be
18 Ghassan Dahduli in the early years.

19 Q. Now, these tax returns only show the front
20 page of the tax return. Do you see that?

21 A. Yes.

22 Q. Have you seen not-for-profit organizations'
23 tax returns in the past?

24 A. Yes.

25 Q. And do you take a look at the CAIR tax return

1 when it's filed?

2 A. I don't, but I've seen them before.

3 Q. You've seen it; right?

4 A. Yeah. But I don't --

5 Q. Do you know why it is we only received the

6 first page of these documents and not the second page

7 and we did not receive any documents that were actually

8 signed by the person who filed the return on behalf of

9 AMELP?

10 A. I don't know.

11 Q. Do you know who the accountant was for AMELP

12 during that time?

13 A. I don't know.

14 Q. Do you know whether AMELP actually hired an

15 accountant to prepare its return or whether they did it

16 themselves?

17 A. No. I think they hired an accountant.

18 Q. All right. Take a look at the third page from

19 the end.

20 A. Mm-hmm.

21 Q. There's an application for an extension.

22 A. Right.

23 Q. And there's a name on the bottom --

24 A. Mm-hmm.

25 Q. -- of a Mohammed Azad, it seems.

1 A. Right.

2 Q. Do you know who that is?

3 A. I don't.

4 Q. Do you know whether he was a member or an
5 employee of AMELP?

6 A. No.

7 Q. Do you know whether he was the accountant for
8 AMELP?

9 A. I have no idea.

10 Q. Okay. Do you know whether he was a fil- --
11 Mr. Azad was affiliated in any way with IAP?

12 A. I don't know.

13 MR. LANDES: Do you want to take -- let's take
14 about five minutes, take a break.

15 THE WITNESS: Sure.

16 THE VIDEOGRAPHER: Going off the record. The
17 time is 10:24.

18 (Recess taken.)

19 THE VIDEOGRAPHER: Back on the record. The
20 time is 10:34.

21 MR. LANDES: All right. Let me hand you the
22 next exhibit, No. 3. This is a group exhibit.

23 (Whereupon, Plaintiffs' Exhibit 3 was marked
24 for identification.)

25 MR. LANDES: Q. These are three tax returns

1 for the years 1998, 2000, and 2001. We do not have the
2 return for 1999. I assume your answer will be to go
3 to -- ask Mr. Osama Ahmed, to get that from him. Would
4 that be correct?

5 A. Yeah, I guess so.

6 Q. Okay. Take a look at the return for 2000,
7 second page. There's an individual there, if you see a
8 list of officers, directors, key employees.

9 A. Mm-hmm.

10 Q. A Ghassan Hitto, H-i-t-t-o. Do you know
11 Mr. Hitto?

12 A. Yeah, I know him.

13 Q. And who is he?

14 A. He's a gentleman in Texas. He lives in Texas.

15 Q. Has he been active in AMELP, to your
16 knowledge?

17 A. Not very active, but he's there. Depends what
18 you mean by "active."

19 Q. Well, active enough to become a director.

20 A. Yeah, he's a --

21 Q. Do you know beyond being a director, just in
22 title, whether he's been engaged in conducting the
23 business of AMELP?

24 A. I don't know how engaged he is.

25 Q. Do you know whether Mr. Hitto is involved in

1 any organizations related to AMELP, such as IAP or AMS?
2 A. I don't know.
3 Q. Have you spoken with Mr. Hitto within the past
4 two years?
5 A. Yes.
6 Q. In what connection?
7 A. Connection to what we spoke to? Yeah, he was
8 doing a radio interview. He interviewed me over the
9 radio.
10 Q. Oh, so he's in the radio business?
11 A. No. As a volunteer job. He was doing, like,
12 a side job of a radio interview. So he interviewed me
13 once on the radio.
14 Q. For what type of program?
15 A. It was about -- it was about -- there was a
16 voter registration drive, and he was kind of an emcee
17 for it, and he did the program around that, to encourage
18 people to register to vote and so on.
19 Q. Did he interview you in English or in Arabic?
20 A. No. English.
21 Q. You see the name on line 42?
22 A. Yes.
23 Q. Can you read that?
24 A. I believe that's Z-a-h-e-r.
25 Q. And the second name?

1 A. Is it what? S-a -- S-a-c-m-a-n.

2 Q. Do you know the name?

3 A. I know the first one, Zaher. That's Osama.

4 Q. That's Osama?

5 A. Yes.

6 Q. So his -- okay. So his legal name then would

7 apparently be Zaher and Osama Ahmed his sort of more

8 familiar name?

9 A. Yes.

10 Q. You wouldn't know why the signature is blocked

11 out here?

12 A. No, I don't know. You mean signatures here?

13 Q. Yeah.

14 A. I don't know.

15 Q. All right. Turn to the next document, which

16 is the tax return for 2001. Do you see that?

17 A. Okay. Yes.

18 Q. Have you seen this document before?

19 A. No.

20 Q. All right. Does this document, which is dated

21 on the second page April 26, 2002, refresh your

22 recollection as to when you told Osama Ahmed that it

23 would be appropriate to close down the organization?

24 A. I don't know. I don't . . .

25 Q. Do you know an individual named Shukri

1 Abu Baker?

2 A. Yes.

3 Q. And who is Shukri Abu Baker?

4 A. He was the executive director of the Holy Land
5 Foundation.

6 Q. He was? Is he still?

7 A. Depends what you mean.

8 Q. Was he the last?

9 A. Yes.

10 Q. In other words, until the assets of the Holy
11 Land Foundation were seized, he was the executive
12 director of Holy Land Foundation?

13 A. Yes.

14 Q. And did you have occasion to work with him in
15 different activities in which you were involved?

16 A. Not to work with him, but you know, I know
17 him.

18 Q. Well, I mean, did you go to meetings with him?

19 A. Meetings?

20 Q. Let's just go back from 1990 to 19- --

21 A. Yeah, yeah. Could be at meeting.

22 Q. -- to 2003.

23 A. Yeah, yeah. Long time ago, yeah, we did
24 meetings together. You know, we know each other for
25 long time.

1 Q. Just in terms of your advocacy groups and
2 public affairs as opposed to business. I mean, this all
3 had to do with your work --

4 A. Yes, yes, yes.

5 Q. So would it be -- is he a person that you
6 believe has experience in various Arab and Islamic
7 organizations in the United States?

8 A. I think he has experience in the Holy Land
9 Foundation.

10 Q. Well, the Holy Land Foundation, you would
11 agree, was a major charitable organization --

12 A. Yes.

13 Q. -- correct?

14 A. Yes.

15 Q. And he was the executive director?

16 A. Yes.

17 Q. You know, we took Mr. Abu Baker's deposition
18 in this case.

19 A. Yes.

20 Q. And he testified that he said that AMELP was
21 an umbrella organization for IAP. Do you agree with
22 that statement?

23 A. No.

24 Q. Do you know --

25 A. Depends what you mean, "umbrella

1 organization." I think he probably means by doing
2 business as, which is he refers to the period of '91,
3 you know, '92, '93, when AMELP was doing business as
4 IAP. I think that's what he probably means.

5 Q. That was essentially the corporate
6 organization, and they --

7 A. Doing business as IAP, yes.

8 Q. So AMELP, during the period of 1990 to 1993,
9 was essentially the core corporate organization for IAP?
10 Do you think that's what he meant?

11 A. No. I think what he meant -- you can ask him
12 what he meant, but I would be --

13 Q. We did.

14 A. -- speculating.

15 I'm speculating that he's talking about when
16 AMELP was doing business as IAP, which is the documents
17 refer to. Probably he was talking about that time.

18 Q. Would you agree with that statement, that it
19 was some form of an umbrella organization?

20 A. No.

21 Q. How did AMELP fit within the structure of AMS,
22 IAP and itself?

23 A. AMELP was a tax-exempted organization, a
24 purely educational -- just mainly for educating the
25 public about the issue of Palestine. And I would say in

1 that capacity it was doing its job. You know, more
2 publishing pamphlets, and so on, and sponsoring
3 lectures. That's about it.

4 Q. We'll go in a minute to IAP, but it's correct,
5 isn't it, that at the same time, that there were three
6 organizations: AMS, IAP, and AMELP? Is that correct?

7 A. What time frame?

8 Q. Say between 1990 and 1996.

9 A. Yeah, I guess so.

10 Q. Did these organizations essentially divide up
11 work or have different responsibilities, in your
12 experience and understanding?

13 A. Well, they do different things.

14 Q. That's what I'm getting at.

15 A. They do different things.

16 Q. Okay. What did each do?

17 A. Well, AMELP was -- I know about AMELP, was
18 educational, publicity, basically sponsoring religious
19 lectures, education in mosques, and so on. That's my
20 understanding why AMELP was chartered to be, educate the
21 public in general and the Muslim public about the issue
22 of Palestine.

23 Q. But it had more of a religious orientation?

24 A. It has some, yeah, because some speeches were
25 delivered at mosques and, you know, sermon and so forth,

1 so on.

2 Q. Okay. And IAP, what was its responsibility?

3 A. More of advocacy. I think I would look at IAP
4 more of an advocacy group rather than purely
5 educational. So they did education, plus some advocacy.
6 They will take positions on issues, on matters that
7 AMELP might not want to take position on it because of
8 the tax-exemption status and other things.

9 Q. Would it be fair to say that in the years --
10 in the years of the early 1990s, that IAP fulfilled a
11 role that is somewhat similar to what CAIR does today?

12 A. No.

13 Q. How is it different?

14 A. Much different.

15 Q. In which way?

16 A. IAP was -- IAP was established in 1981.

17 Q. Okay.

18 A. And IAP -- I think the first incorporation of
19 IAP, if I remember correctly, was around the early '80s;
20 and it was supposed to educate the public about the
21 issue of Palestine, specifically about the issue of
22 Palestine and the atrocity that the Israel government
23 has committed in the Occupied Territories, killing
24 children, torturing women and roadblocks and stealing
25 land, and so on. That's what the mission of IAP from

1 1981.

2 So CAIR was more of a civil rights about
3 Muslims in America, so it deals with domestic issues.

4 Q. I see. But then vis-a-vis AMELP, IAP was more
5 of a public -- general public face?

6 A. I would -- it depends what you mean by "public
7 face."

8 Q. Well, to speak generally to beyond the Islamic
9 population, to speak generally to the United States
10 population with respect to issues concerning Palestine;
11 is that correct?

12 A. IAP was doing that, but it's taking stance.
13 AMELP was also trying to do that, but never fulfilled
14 its obligation to preach, you know, or to reach out
15 beyond the Muslim population.

16 Q. You just said that IAP was created in 1981; is
17 that correct?

18 A. Yes.

19 Q. I would assume that you were not involved in
20 the creation of IAP.

21 A. No.

22 Q. You were a student at the time?

23 A. Yes.

24 Q. Do you know who started IAP?

25 A. I have no idea, but it must be people who

1 were, I think, in Chicago in 1981 who started IAP.

2 Q. Have you ever had anybody tell you who started
3 IAP?

4 A. I don't remember, no.

5 Q. Did anybody ever tell you that Mr. Marzook
6 started IAP?

7 A. No. I doubt.

8 Q. Why do you doubt?

9 A. He wasn't here in 1981.

10 Q. So if somebody said that, you would doubt it
11 but you wouldn't know for sure?

12 A. No. Because he wasn't here in 1981. I know
13 for sure it was started in 1981.

14 Q. Okay. How do you know that?

15 A. Because someone told me that, and if you --
16 long time ago, about ten years ago, I remember reading
17 something about, you know, establish of IAP in 1981.

18 Q. Now --

19 A. And probably, if you go back to the record in
20 Chicago, you'll find some record of it, if you go in the
21 year 1981, yes.

22 Q. Has IAP ever been known by any other names?

23 A. Not that I know of.

24 Q. Does IAP have a name in Arabic?

25 A. Yes.

1 Q. And what is that?

2 A. Al-Ithad Al-Islami Lifilsteen.

3 Q. Do you want to try to spell that out

4 phonetically so the court reporter can take it down?

5 A. A-l --

6 Q. I'm sorry?

7 A. A-l-I-t-h-a-d.

8 Q. Okay.

9 A. Al-Islami, A-l-I-s-l-a-m-i.

10 Q. Okay.

11 A. L-i-f-i-l-s-t-e-e-n.

12 Q. Al-Ithad Islami Lifilsteen.

13 A. Got it.

14 Q. And let's see. It's I-t-h-a-d, Ithad, or

15 I-t-h --

16 A. A-l. It's A-l-I-t, Al-Ithad.

17 Q. A-l-i-t. So that -- what does "Al-Ithad"

18 mean? Association? Union?

19 A. Association. "Al-Ithad" means association;

20 and "Islami," Islamic; "Lifilsteen," Palestine. That's

21 what it means.

22 Q. So when people in the organization speak about

23 it, they probably use that name?

24 A. Yeah. They would say "Al-Ithad," yes.

25 MR. LANDES: Let me hand you a document just

1 to see if this squares with what you just told me. I'm
2 not -- I'm just trying to get at what we have records on
3 here.

4 THE WITNESS: Okay.

5 MR. LANDES: Ask that this be marked.

6 (Whereupon, Plaintiffs' Exhibit 4 was marked
7 for identification.)

8 THE WITNESS: Okay.

9 MR. LANDES: Q. All right. This document
10 says "Articles of Incorporation of Islamic Association
11 for Palestine," and it has the date 1986. And it says
12 in Article III:

13 "The name and address in the State of
14 California of this corporation's initial
15 agent for service is Ghassan Elashi"

16 Do you see that?

17 A. Yes.

18 Q. Now, do you think there was an organization
19 under the name Islamic Association for Palestine before
20 1986? Does this change your --

21 A. Yes.

22 Q. Okay. So this is a successor or renamed? Do
23 you know?

24 A. I don't know what you call it, but it's
25 like -- if we take IAP as a name, it's a generic name;

1 it's like a brand name. People might use it in
2 different surround. They can say, well, were to the IAP
3 or not IAP, and so on. So I -- but I know for sure that
4 IAP was established in 1981. That's something I
5 remember long time ago.

6 Q. Okay. And it has continued into existence
7 until now; is that correct?

8 A. The name?

9 Q. The organization.

10 A. The name, but not the organization.

11 Q. What's the difference?

12 A. The difference is big. You know, IAP could be
13 established under corporate. You know, this is one
14 instance of IAP name. And you know, they might close it
15 down, and someone else might start another organization,
16 call it IAP, the same name, but different corporate,
17 different books. That's my understanding. But the
18 name, they use the same name.

19 Q. Now, Mr. Jaber, you know Rafeeq Jaber?

20 A. Yes.

21 Q. He's somebody you know well, I believe.

22 A. I know him, yeah.

23 Q. And he is the current president of IAP; is
24 that correct?

25 A. Yes.

1 Q. And he gave his deposition, and he testified
2 that there's such a thing as the IAP National.

3 A. Mm-hmm.

4 Q. Is that correct, in your understanding?

5 A. Well, yeah, you could call it IAP National,
6 which is the name that people use. That's what it is.
7 Probably that's what he was referring to.

8 Q. Well, he testified -- and I could stand
9 corrected. I just read the transcript. I wasn't at the
10 deposition -- that he became head of the IAP National,
11 but prior to that, he was the head of the IAP in Chicago
12 and that they were somehow different organizations.

13 A. Yes, they are.

14 Q. How is that?

15 A. Because different books, different records,
16 different boards, but they might use the same name, IAP.

17 Q. But he seemed to testify that the National
18 sometimes moves from place to place.

19 A. Yeah, it could be.

20 Q. That prior to his becoming head of the
21 IAP National, it was located in Texas. As far as you
22 know, is that correct?

23 A. Yeah, I think so.

24 Q. And is it that IAP National that was started
25 in 1981?

1 A. I think so. IAP itself was started 19-, but I
2 doubt if the people who start 19-, if they knew national
3 and local. So they started IAP in 1981.

4 Q. And you were once the president of IAP; is
5 that correct?

6 A. By -- by being in AMELP and AMELP being doing
7 business, then I was de fact kind of a president of IAP,
8 by doing business as IAP, but I never was technically a
9 president of IAP as IAP.

10 Q. All right. When you were --

11 A. AMELP.

12 Q. AMELP.

13 A. Yes.

14 Q. You were also president of IAP?

15 A. No. When AMELP was doing business as IAP,
16 then I was kind of, you know, referred to as the
17 president of IAP because it was doing business as IAP.

18 Q. Okay. At the time that you were the president
19 of AMELP -- now, what years were you the president of

20 AMELP doing business as IAP?

21 A. '9- -- early '90s for one, two years maybe.

22 Q. Do you know specifically what years?

23 A. Until 1993. Probably '92, '93, somewhere in
24 there.

25 Q. Did it go into '94?

1 A. I'm not sure. I doubt, though.

2 Q. Mr. Jaber testified that he succeeded you in
3 1996.

4 A. No. I left probably -- yeah, there was nobody
5 probably from 1993 to '96 when Rafeeq Jaber took over.
6 That's why he succeeded me, but there was a gap.

7 Q. But did the organization have a continued
8 existence? It filed tax returns, we saw. Somebody was
9 doing this. Was Mr. Dahduli in charge?

10 A. Which organization?

11 Q. IAP.

12 A. Which IAP?

13 Q. That's the confusion. The National.

14 A. The National?

15 Q. Yes.

16 A. No. See, what happened is -- it's not
17 confusion. See, what happened, AMELP, A-M-E-L-P --

18 Q. Right.

19 A. -- was doing business as IAP.

20 Q. Right.

21 A. You saw the paper. In 1993 --

22 Q. Right.

23 A. -- AMELP was stopped doing business as IAP;
24 right? Then IAP National was ceased to exist.

25 I think what happened is the people in Dallas,

1 they started IAP Dallas or Texas or something, and there
2 was a vacuum for IAP National. There was no need to
3 have an organization to continue the work because AMELP
4 said, "I'm not going to do business as IAP any longer,"
5 and stayed as AMELP. And I stayed with AMELP as a board
6 member. So there is no confusion.

7 Q. All right. I think I understand it.

8 A. Yeah.

9 Q. So that if in 1992, if somebody went and said
10 "Who's the president of the Islamic Association for
11 Palestine?" they would say Omar Ahmad?

12 A. Yeah, some people might say that, yes.

13 Q. Would you have said it?

14 A. I would say I was the president or I was
15 member of AMELP, who was doing business as IAP.

16 Q. But your public and the public you were
17 addressing would have referred to what in a corporate
18 sense was AMELP as IAP during 1992 -- 1991, 1992, and
19 1993?

20 A. I wouldn't -- I am not sure of doing business
21 as. That means a corporate structure. You know,
22 corporate structure means officers, boards.

23 Q. No. I'm saying --

24 A. I know. It's like whether it's kind of a, you
25 know, common, people get to know. Yeah, they might

1 refer to me as the president of IAP at that time because
2 I was in AMELP and AMELP was doing business as IAP.

3 Q. All right. In the period 1993 to 1996, for
4 example, did IAP hold its conventions?

5 A. I don't know.

6 Q. You know what I'm talking about? IAP is known
7 for the fact that it has an annual convention.

8 A. Right.

9 Q. Mr. Fennerty, I think, has even spoken at that
10 annual convention.

11 A. Mm-hmm.

12 Q. And you've spoken at that annual convention.

13 A. No.

14 Q. But you've attended them?

15 A. I've attended them.

16 Q. Okay.

17 A. Long time.

18 Q. So when did those -- do you know when those
19 conventions started?

20 A. I don't know. Well before I got involved with
21 AMELP, A-M-E-L-P.

22 Q. When AMELP was doing business as IAP --

23 A. Yes.

24 Q. -- was it responsible for putting on the
25 conventions?

1 A. I think so, yeah, for the one year or two
2 years.

3 Q. So that was a time when you were --

4 A. Yeah.

5 Q. -- the head of AMELP --

6 A. AMELP.

7 Q. -- doing business as IAP?

8 A. Yes.

9 Q. If there was an IAP convention taking place
10 during that period of time, it would be fair to say that
11 that was a convention your organization that you headed
12 was putting on?

13 A. With cooperation with others. It wasn't
14 purely, you know, AMELP, but with cooperation of other
15 people and other chapters and -- you know.

16 Q. Well, but that's not unusual for a national
17 organization. But my question is: Ultimately, it was
18 under your watch or you were in charge? You were the
19 head of the organization that ultimately is responsible
20 for the conventions or other activities as well?

21 A. At that time frame, yes.

22 Q. Yes. Okay. That helps make it a little
23 clearer. You can understand that there could be some
24 confusion. You have different organizations doing
25 different names, and the names are always sort of the

1 same, and it moves from place to place.

2 A. That's normal. Look at American Airlines.

3 Who's the parent company of American Airlines?

4 Q. Right. Well, I'm not saying anything wrong

5 with that.

6 A. There's so many corporation in America who do

7 business as.

8 Q. Exactly.

9 A. Do you know who's Coke? You know, same idea.

10 Q. That's why we ask the questions, to try to --

11 to make sure that we're all speaking using the same

12 terms.

13 A. Yes.

14 Q. Okay. Now, you testified that you were head

15 of IAP by virtue of the fact that you were head of AMELP

16 when it was doing business as IAP.

17 Okay. Do you know the names of any of the

18 people who were presidents of IAP before you?

19 A. Before me?

20 Q. Who did you succeed as president?

21 A. No. I -- from AMELP, was Yasser Bushnaq.

22 Q. Right.

23 A. He was before me in AMELP.

24 Q. Okay. So Yasser Bushnaq --

25 A. Yes.

1 Q. -- was he the president of IAP because he was
2 the president of AMELP, just like you were?

3 A. I think so.

4 Q. Now, what about Ghassan Elashi? Was he the
5 president of IAP before Mr. Bushnaq?

6 A. I don't know.

7 Q. To your knowledge --

8 A. I wasn't involved at that time.

9 Q. To your knowledge, was Ghassan Elashi ever the
10 president of IAP?

11 A. I don't recall. I don't -- I wouldn't know.

12 Q. Was Basman Elashi ever the president of IAP?

13 A. I think after '93 or '94, at that time frame,
14 somewhere in there, he was the president of IAP.

15 Q. After you?

16 A. After -- IAP, I would say, Texas or something,
17 yeah.

18 Q. When you -- when you stopped being the
19 president of AMELP doing business as IAP, who was the
20 next president of what was recognized as the main IAP
21 organization?

22 A. See, after I left, all I remember is Rafeeq
23 Jaber is the -- was the president. But what time frame,
24 I'm not sure, what years. But he was the president.

25 Q. If I went through year to year, from 1981 to

1 today --

2 A. Yeah.

3 Q. -- could you tell me who the various
4 presidents of IAP were, if we just try to do it that
5 way, start 1981 and go to today?

6 A. I wouldn't know.

7 Q. All right. Any of those years aside from --
8 you said yourself, you were president 1991, about, to
9 1993 or about, could be a little bit 1990, could be a
10 little bit 1994; is that correct?

11 A. With regard to AMELP, yes.

12 Q. Right, doing business as IAP.

13 A. Yes.

14 Q. Well, let me -- maybe this -- when did you
15 start CAIR?

16 A. '94.

17 Q. Okay. Did you -- was that the next
18 organization after you finished at AMELP?

19 A. Yeah, with a break in between.

20 Q. How long a break? Do you remember?

21 A. Probably nine months or a year.

22 Q. Okay. Did you form CAIR with any of the
23 people who used to work on IAP?

24 A. Yes. I got one person, Nihad Awad.

25 Q. Sorry?

1 A. Nihad, N-a -- N-i-h-a-d, A-w-a-d.

2 Q. And he helped you form CAIR?

3 A. Yes.

4 Q. Prior to forming CAIR, was he with IAP?

5 A. I think he was in some capacity with IAP. I'm
6 not sure, but, yes.

7 Q. Do you know a Mr. Al-Hanooti? H -- A-l,
8 hyphen, H-a-n, double o, t-i?

9 A. Yes.

10 Q. And who is he?

11 A. He's a scholar in Washington, D.C., area.

12 Q. Was he ever the president of IAP?

13 A. I don't remember. He might have, but I don't
14 remember.

15 Q. When you say he's a scholar --

16 A. But he must be before '90s then, if he was.

17 Q. All right. So you don't know one way or the
18 other?

19 A. No, I'm not sure.

20 Q. When you say he's a scholar, does it mean --
21 is he a religious scholar?

22 A. Yes, he is a religious scholar.

23 Q. An Islamic scholar?

24 A. Yes.

25 Q. Does he have any other names?

1 A. His first name, Mohammed.

2 Q. Okay. In his capacity as a scholar, is he a
3 head of any organization?

4 A. I'm not aware of.

5 Q. Is he the head of any mosque?

6 A. H'm, I'm not sure if he's the head of any
7 mosque.

8 Q. Do you know an individual by the name of
9 Sheikh El Muthanna?

10 A. No.

11 Q. E-l, hyphen, M-u-t-h-a-n-n-a?

12 A. No.

13 Q. Have you ever heard of an Islamic Center in
14 Falls Church, Virginia?

15 A. Does it have any other name?

16 Q. Al-Hijra.

17 A. Oh, I see. Dar Al-Hijra.

18 Q. Sorry?

19 A. Yeah. It's call Dar, D-a-r A-l-H-i-j-r-a.

20 Q. Okay. That's a well-known mosque in Falls
21 Church?

22 A. Yes, it's well known.

23 Q. Do you know whether Mr. Hanooti's affiliated
24 with that mosque?

25 A. I think he was at one point.

1 Q. Was he the leader because he's a religious
2 scholar?

3 A. He's an imam. They call him imam.

4 Q. Oh, he was an imam?

5 A. Yeah. I think he was at some period of time,
6 but I'm not sure when. But I don't think currently he
7 is.

8 Q. Just to make sure I'm clear here, you said
9 that you were a president of IAP; that Mr. Bushnaq
10 preceded you?

11 A. Yes.

12 Q. And that Mr. Basman Elashi you believe came
13 after you?

14 A. I believe he came after me for IAP Dallas or
15 IAP Texas or something like that. But IAP National, my
16 best recollection, Rafeeq Jaber came after me.

17 Q. Okay. So that's a question, if we were to ask
18 Basman Elashi, if we were to ask him, he may be able to
19 fill that gap?

20 A. Yeah, he could.

21 Q. Okay. And you're not sure about Mr. Hanooti?

22 A. I'm not sure.

23 Q. Now, when you were the president of AMELP
24 doing business as IAP, where were the affairs of IAP
25 conducted? Did it have a headquarters? Did it have a

1 main office?

2 A. Yes. In Dallas, Texas.

3 Q. And you were living -- were you living in
4 California at the time?

5 A. Yes.

6 Q. So did you have to commute up and back to do
7 the work?

8 A. Sometimes. Once every two or three months.

9 Q. Okay. Now, when you were the president of
10 AMELP doing business as IAP, who were your other
11 directors? Do you recall?

12 A. I don't recall, no.

13 Q. Was Basman Elashi a director?

14 A. No, I don't think so.

15 Q. I think you said Mr. Awad was a director?

16 A. No, he wasn't a director.

17 Q. Was he an employee?

18 A. I'm not sure. He was affiliated with IAP, but
19 I'm not sure what was the capacity at that time.

20 Q. Mr. Bushnaq?

21 A. No. Bushnaq left.

22 Q. What about -- was Jaber a director of AMELP
23 doing business as IAP at the time you were the
24 president?

25 A. Jaber?

1 Q. Yes.

2 A. Rafeeq? No.

3 Q. As far as you know, when did Rafeeq Jaber
4 first become involved in IAP?

5 A. I would say '94 -- '93, '94, '95, in that time
6 frame.

7 Q. Was Mr. Elbarasse involved in IAP when you
8 were the president?

9 A. He wasn't actively involved. I think his name
10 was there, but he wasn't actively involved.

11 Q. Do you know what his -- what he was doing at
12 that time? Was he involved in any other organization?

13 A. I'm not sure. I don't know.

14 Q. What was the -- you testified earlier that IAP
15 was engaged in public advocacy. Is that correct?

16 A. Yes.

17 Q. Did it play any role in fundraising?

18 A. For itself, yes.

19 Q. Did it encourage people to give money to the
20 Holy Land Foundation or Occupied Land Fund?

21 A. I'm not sure.

22 Q. You don't recall?

23 A. No. I'm not sure if they did encourage
24 people, but they did advertise, again, for -- I would
25 say for HLF, through their means. They buy space in a

1 newspaper and so on. But whether they actively, you
2 know, did specifically say "Go and donate to the Holy
3 Land," I'm not sure if they did that.

4 MR. LANDES: All right. We're going to change
5 the tape right now.

6 THE VIDEOGRAPHER: This marks the end of
7 Videotape No. 1 in the deposition of Omar Ahmad.

8 Going off the record. The time is 11:08.

9 (Recess taken.)

10 (Record read.)

11 THE VIDEOGRAPHER: Back on the record. The
12 time is 11:17.

13 MR. LANDES: Q. Mr. Ahmad, do you know that
14 HLF and IAP actually were engaged in some joint venture
15 activity together, had contracts with each other?

16 A. I'm not sure. I don't know.

17 Q. So as far as you know, it didn't happen when
18 you were the president?

19 A. No. It could happen. I mean, it's not
20 something that is illegal to do. So it could happen.

21 Q. I didn't say it was illegal. I just --

22 A. No, I know. I mean, but I don't know. It's
23 been long time ago. So I'm not sure if it happened.

24 Q. Would it have been consistent with the outlook
25 of IAP to encourage people to donate to the Holy Land

1 Foundation?

2 A. I already answered that question.

3 Q. No, I don't think you answered that question.

4 A. Maybe clarify it then.

5 Q. All right. In your view, would it have been
6 consistent with the philosophy of IAP to encourage
7 people to donate to the Holy Land Foundation?

8 A. I guess so.

9 Q. Well, did IAP, when you were president, itself
10 send money to any organizations outside of the United
11 States?

12 A. No.

13 Q. So it wasn't the type of organization that
14 worked towards supporting institutions abroad?

15 A. No.

16 Q. Okay. Let's just -- something I should have
17 done before just so, again, that we're speaking in the
18 same terms.

19 A. Mm-hmm.

20 Q. Not an attempt to become political at all.

21 But if I use the word "Israel," let's assume I
22 mean Israel within the 1967 borders. Okay? And if I
23 say "Occupied Territories," I will mean Gaza and the
24 West Bank. Okay?

25 A. Would you include Jerusalem in it?

1 Q. I'll get to that. If I say "historic
2 Palestine," I mean the area covered by the British
3 Mandate.

4 A. Okay.

5 Q. Okay? And if I say "Jerusalem," I will say
6 the entire city of Jerusalem annexed by Israel since
7 1967; but if I say East Jerusalem, I'll mean that part
8 of Jerusalem that has a predominantly Arab population.

9 Do we understand the terms? I'm not trying to
10 be polemic here, but just so we're talking
11 geographically in the same -- in the same language.

12 A. Yes.

13 Q. Do we understand then?

14 A. Yes.

15 Q. Okay. So my question is: Was IAP itself
16 involved in any activities to send money in its name or
17 in its behalf to any organizations within Israel or the
18 Occupied Territories?

19 A. Absolutely not.

20 Let me clarify that. In terms of donation or
21 sponsoring organizations or giving anybody money other
22 than expenses. If someone, you know, bought a ticket
23 and you pay for a travel agent, I don't consider that
24 supporting our organization. It's just an expense that
25 has to be paid for a traveler, you know, for a ticket

1 travelers want.

2 Q. If somebody from the organization, from IAP,
3 was going to visit Israel, the Occupied Territories, IAP
4 would sometimes defray that expense; is that correct?

5 A. No, it's not the case. The case is when IAP
6 invites a speaker --

7 Q. Okay.

8 A. -- from overseas, they would pay his expense,
9 travel expense, to come to speak in the United States.

10 Q. Okay.

11 A. That's what it is.

12 Q. Did IAP have directors in common with the Holy
13 Land Foundation?

14 A. Not I'm aware of.

15 Q. To your knowledge, was Ghassan Elashi an
16 officer of the Holy Land Foundation?

17 A. Yes.

18 Q. And let me just say, is it correct, when I say
19 Holy Land Foundation -- isn't it true that the Holy Land
20 Foundation was previously known as the Occupied Land
21 Fund? Is that correct?

22 A. Yes.

23 Q. So again, so we understand each other, when I
24 say "Holy Land Foundation," I mean both the Holy Land
25 Foundation and when it was previously known as the

1 Occupied Land Fund.

2 A. Yes.

3 Q. Okay? So, to your knowledge, was Ghassan
4 Elashi an officer or director of the Holy Land
5 Foundation?

6 A. Yes.

7 Q. And was he also at some point an officer or
8 director of the Islamic Association for Palestine?

9 A. Not when -- not in the time I was involved at.

10 Q. Now, when you were the president of AMELP
11 doing business as the Islamic Association for Palestine,
12 did it have its Internet website or was that before
13 websites became common?

14 A. I'm not sure, but I thought websites came
15 1994, '95 time frame.

16 Q. So you don't recall being involved in
17 organizing the website?

18 A. No, I don't recall.

19 Q. Something you would have known about, given
20 your technical background, I assume.

21 A. Yeah. I don't recall, no.

22 Q. Were you involved in the negotiation at any
23 time of any agreements between IAP and Infocom?

24 A. No.

25 Q. Have you ever done business with Infocom?

1 A. No.

2 Q. How was IAP -- AMELP, doing business as IAP,
3 staffed at the time you were the president?

4 A. What do you mean?

5 Q. Did you have paid people working for IAP?

6 A. Yes.

7 Q. Do you remember who those individuals were,
8 what their names were?

9 A. Ghassan Dahduli was one of the individuals,
10 but I don't remember the rest.

11 Q. Okay. And he was paid, Ghassan?

12 A. Yes.

13 Q. Do you know how many years Ghassan Dahduli
14 worked for IAP?

15 A. I know the years I was involved in, which is
16 about two years, but I don't know beyond that.

17 Q. Now, it's correct that Ghassan Dahduli left
18 the United States?

19 A. Yes.

20 Q. He was never a United States citizen; is that
21 correct?

22 A. No.

23 Q. Do you -- are you aware of the circumstances
24 under which Ghassan Dahduli left the United States?

25 A. Not fully, but I am aware that a status

1 violation, a visa violation, or something like that, and
2 he left the United States.

3 Q. Do you know where he is right now?

4 A. I don't know.

5 Q. Have you heard any rumors to where he is right
6 now?

7 A. No, I don't take rumors.

8 Q. Aside from Ghassan Dahduli, you're saying you
9 can't identify any of the other paid staff members of
10 IAP from the time you were the president?

11 A. Not really. He was in charge of the office,
12 so he would have hired people as -- you know, I wouldn't
13 be knowing the individuals. Maybe I met them once or
14 twice, but I don't know them. And it's been, you know,
15 about what? 11 years ago, so . . .

16 Q. Would it be correct that Ghassan Dahduli was
17 responsible for maintaining the payroll records of IAP
18 at the time you were the president?

19 A. Yes.

20 Q. As far as you know --

21 A. Maybe directly or indirectly, but yes. Maybe
22 he hired someone to do them, but basically, the office
23 was in charge of the financial matters.

24 Q. Do you know roughly how many people were
25 employed by IAP at the time that you were the president?

1 A. Two, three.

2 Q. At the time you were the president, did IAP
3 have a regular program of making public pronouncements
4 on issues?

5 A. No. It was AMELP at that time, so it was
6 mostly educational.

7 Q. Was there an organization in 1991 to 1993, at
8 the time you were president of AMELP doing business as
9 IAP, was there some other organization under the name
10 IAP that at that time was making public pronouncements,
11 issuing Action Alerts, organizing demonstrations,
12 addressing the political process?

13 A. I don't think so.

14 Q. You don't know?

15 A. I don't think so. Most likely not, but I'm
16 not definitely sure.

17 Q. Okay. Now, you said that IAP has been in
18 business since 1981.

19 A. Yes.

20 Q. What was it doing from 1981 to 1993, as far as
21 you know?

22 A. You see, it was more a volunteer effort. A
23 few volunteers get together; they revive the name. Some
24 of them go outside the country; they finish their
25 studies. Mostly students. They finish their studies;

1 they go back home. Organization dies for a year or two.
2 Nothing happens. Then another student decide to, you
3 know, revive the name; they revive the name, and so on.

4 This is like -- it's not a -- it's not a
5 corporate that is -- you know, it has officers and
6 boards and, you know, that structure. It's more of a
7 volunteer -- student volunteer organization, that it
8 depends on the time and effort of the students to revive
9 and what to do with the organization.

10 So sometimes you'll find it disappears for two
11 years. Nothing happens; nobody knows what the
12 activities of the organization; there is no activities.
13 And then, you know, year later someone decides, well,
14 I'm going to start IAP. He doesn't know what happened
15 to the previous registration of IAP. He just go under
16 just IAP as a new organization. That's my understanding
17 what happens or at least my analysis of what -- what the
18 situation is; and it's because of all volunteers, all
19 students who come and go.

20 And that was probably the issue of what make
21 it a little bit confusing. It's an organization,
22 sometimes it's active; then it disappears and comes back
23 active and disappears. Depends on the activists and the
24 volunteers who work in that organization.

25 Q. Okay. Now, in the years 1991 to 1993, when

1 you were president of AMELP doing business as IAP, you
2 weren't a student?

3 A. No, I wasn't student.

4 Q. And you were --

5 A. But most -- most of the volunteers were
6 students. Most of the people in the office were
7 students.

8 Q. Were you --

9 A. 90 percent were students.

10 Q. Were you active in IAP in 1989 and 1990, for
11 example?

12 A. Active attending conferences, maybe emceeding a
13 program or something, but not active, you know, and so
14 on.

15 Q. It's my understanding that in the late '80s
16 and early '90s, IAP did put on fairly substantial
17 conferences. Is that your recollection?

18 A. Not substantial. Conferences, yes. Annual
19 conferences. They did conferences. Student
20 conferences, basically.

21 Q. All right. But those conferences frequently
22 invited guests from abroad to come and attend?

23 A. Yes.

24 Q. So let me -- logistically alone, it was a big
25 undertaking?

1 A. Simple, if you think about it.

2 Q. Well, everything sounds simple till you have
3 to do it yourself, so . . .

4 A. Well, you know, if you have students or -- you
5 know, they can do -- volunteer students, they can do the
6 work on their vacation, between breaks and, you know, in
7 the summer and in the Christmas time frame. So they can
8 work, you know, full -- two weeks, three weeks, fully
9 dedicated to put up a function, and it's all -- and the
10 students leave after that.

11 So that's why you don't find documentation of
12 it or very organized effort. It's more of, you know,
13 people get together. 20 students get together, decide
14 to make an event. They do the event. It sounds big.
15 And you know, that's what they do.

16 Q. All right. But in the period, say, of 1989 to
17 1993, say the four years before you became president --

18 A. Yes.

19 Q. -- were there any grownups involved in the
20 organization as opposed to not students?

21 A. Well, they are students, but they're grownups.
22 Students doesn't mean what? Elementary school students?

23 Q. I mean college students. It seems to be my --
24 correct me if I'm wrong. What your suggestion seems to
25 be, that the bulk of the work was done probably by

1 college students. Am I wrong?

2 A. Yes, college student, but it could be Ph.D.
3 students too.

4 Q. All right. But people who were students --

5 A. Yes.

6 Q. -- as opposed to people in the working world?

7 A. Yes. Most -- I would say 90 or 80 percent of
8 the activities were carried out by students.

9 Q. Were there, however, people who were not
10 students who were involved in the activities of IAP,
11 say, from 1989 to 1994?

12 A. Very small number.

13 Q. And do they essentially form sort of the
14 permanent backbone of the organization?

15 A. No.

16 Q. No? They changed --

17 A. No.

18 Q. -- too?

19 A. They change; also they become less active.
20 You know, they disappear. Their names stays on paper,
21 but they probably have not ever done anything with the
22 organization.

23 Q. Did IAP, aside from running conventions,
24 during the period of, say, 1981 to the present, as far
25 as you know, beyond the conventions, did they get

1 involved in what one would call writing opinion pieces,
2 journalistic-type press releases, public statements and
3 so on?

4 A. Yes, they did.

5 Q. Was that true in the '80s, as far as you know?

6 A. I'm not sure. I don't think the '80s, but I'm
7 not sure.

8 Q. Was it true in the late '80s?

9 A. Opinion pieces in major newspapers?

10 Q. Yes.

11 A. I doubt.

12 Q. What about in the local Arab press?

13 A. I doubt. I'm not sure what -- I mean, small
14 newspapers or something, yeah, but not major newspapers.
15 I doubt if they ever put a public opinion or an op ed in
16 a newspaper.

17 Q. Now, IAP has published a newspaper called
18 Al-Zaytouna; is that correct?

19 A. Yes.

20 Q. When did they first start publishing
21 Al-Zaytouna?

22 A. I'm not sure, but probably late '80s, early
23 '90s.

24 Q. Would you describe for us what Al-Zaytouna is.

25 A. It's a newspaper that carry the news --

1 carries the news about Palestine/Israel, Occupied
2 Territories, information about the community here,
3 activities of the community, what is happening. So it's
4 basically a community newspaper.

5 Q. How often is it published?

6 A. I'm not sure right now, because I don't follow
7 it right now, but it probably is monthly, bimonthly,
8 once every two months, things like that.

9 Q. Let's say the period from 1989 to 1994. Do
10 you know?

11 A. Probably monthly or biweekly. Could be --
12 yeah, biweekly or monthly. I'm not sure.

13 Q. And was there an editorial office for
14 Al-Zaytouna?

15 A. It was in the same office with IAP.

16 Q. Did they have an editor?

17 A. No, I doubt. I'm not sure.

18 Q. Was there a person in charge?

19 A. Yeah. Same -- same people who are in charge
20 of this, they are in charge of this.

21 Q. Was there one person or any people you can
22 identify in the years 1989 to 1996 who were responsible
23 for supervising the publication of Al-Zaytouna?

24 A. '96? No, I will not know until '96. Probably
25 some period of time. Maybe, I would say, the office

1 manager, which is Ghassan Dahduli, was responsible
2 somehow, through him or indirectly to publishing
3 Al-Zaytouna.

4 Q. Was there, in the period of 1989 to 1994, a
5 person who was the editor of Al-Zaytouna?

6 A. I'm not sure how they edit it, but there
7 was -- you know, Ghassan was in charge of the office,
8 and it came from that office.

9 Q. All right. At the time you were the president
10 of AMELP doing business as IAP, did you write articles
11 for Al-Zaytouna?

12 A. No.

13 Q. Did you make suggestions as to articles that
14 Al-Zaytouna should publish?

15 A. No. I wouldn't interfere in Zaytouna's
16 articles.

17 Q. Why? I mean, it was a publication of the
18 organization which you were the president.

19 A. My style is, you know, delegate the work to
20 them. And they are in the office, and I'm out here. I
21 can't be interfering with their daily work.

22 Q. I'm not asking daily. I mean, just in
23 general. Did you supervise Al-Zaytouna?

24 A. Not in the word what the "supervise" mean.
25 But in general direction, I would give general direction

1 to the whole organization, my opinion how things should
2 be done.

3 Q. Did you set the editorial policy of
4 Al-Zaytouna?

5 A. Did I set it?

6 Q. Yes.

7 A. No.

8 Q. Who set it?

9 A. Collective efforts with the people in the
10 office and outside people. They might, you know, have
11 opinion what Al-Zaytouna should be, people who writes in
12 Al-Zaytouna. Like, you know, people who are not even
13 affiliated with IAP or anybody, but they are journalist
14 background and so on, they might, you know, come and
15 give ideas and opinions how -- you know, what to write,
16 what not to write, and so on.

17 Q. All right. Let me just give an example.

18 A. Yes.

19 Q. So 1993, as I recall, was the -- was the Oslo
20 Accords in 1993?

21 A. Yes.

22 Q. Did Al-Zaytouna take a position about the Oslo
23 Accords?

24 A. I don't know.

25 Q. You don't know?

1 A. I don't remember.

2 Q. Do you remember them coming out in favor of
3 the Oslo Accords?

4 A. I doubt.

5 Q. You doubt it. Okay. I mean, there's nothing
6 wrong with that.

7 A. No, no. I doubt, of course.

8 Q. Okay. But my question is: Who would have
9 made that decision?

10 A. I think the mood of the country at that --
11 Palestinian community in America was against Oslo
12 Accord. So there's no decision to be made. You just
13 follow the mood of people, you know, in here who were
14 not happy with the Oslo Accord.

15 Q. So there was no single decision?

16 A. Yeah, it's not a single -- I would doubt if
17 there is a single decision to say, you know, go A, go B
18 direction. I would say the mood was against it. So
19 it's natural to be not approval of the Oslo Accords.

20 Q. So hypothetically, if somebody came to you and
21 said they wanted to write an article in favor of the
22 Oslo Accords or in favor of Yasir Arafat at that time,
23 would that have been a decision that some editorial
24 board would have to vet before an article would be
25 published?

1 A. No. Normally, we'll -- normally, they will
2 allow such an article to be there.

3 Q. Do you recall whether any such articles --

4 A. Might be, yeah.

5 Q. You don't recall?

6 A. I don't recall, but it might be, because, you
7 know, the idea was to encourage other opinions, even
8 though the opinion of the newspaper was against, but
9 let's see what the other side are saying, because they
10 always might call in and say, you know, "How come you're
11 not writing this and this?" We'll say, "Okay, submit an
12 article; we'll publish it."

13 Q. Do you know if anybody has a collection of
14 Al-Zaytounas from that period?

15 A. I doubt. I don't know. I don't know. I
16 doubt that.

17 Q. You don't have them?

18 A. No, I don't, definitely not.

19 Q. Do you know what the circulation of
20 Al-Zaytouna was from 1989 to 1993?

21 A. Not more than 2,000, 3,000, something like
22 that.

23 Q. And where was it distributed?

24 A. In the United States.

25 Q. How was it -- was it mailed?

1 A. Mailed. I think it was mailed.

2 Q. Was there a subscription price, or was it
3 given away? Was it put in food stores, for example?

4 A. Yeah. I think they were -- it was sold for,
5 like, 50 cents or something like that, but there was a
6 subscription. As far as I remember, there was a
7 subscription price.

8 Q. So it wasn't just a free give-away paper?

9 A. No, it wasn't. I doubt, no.

10 Q. Have you heard of a publication called the
11 Muslim World Monitor?

12 A. Yes.

13 Q. And what publication is that?

14 A. That's also a publication of IAP at that time,
15 or previous, prior to that time, there was a publication
16 called Muslim World Monitor in English that was
17 published.

18 Q. Was it published at the time that you were the
19 president of AMELP doing business as IAP?

20 A. I don't know. I don't remember, but it was
21 published around that time, but I'm not sure exact time.

22 Q. Was that an English publication?

23 A. English, yes, sir.

24 Q. Was that attempting to address an audience
25 that was different than Al-Zaytouna?

1 A. Yes. English-speaking people.

2 Q. So not necessarily Arab people?

3 A. Or children of Arab people, people who might

4 not understand Arabic.

5 Q. Maybe they could understand it, but couldn't

6 read it, so --

7 A. Yeah. They have to be able, ability to read

8 Arabic. Very few people. So there is an effort to

9 educate the non-Arabic-speaking people about the issues.

10 Q. Did the Muslim World Monitor publish English

11 translations of articles from Al-Zaytouna?

12 A. I don't know.

13 Q. Now, I've heard of an org- -- a publication

14 called Il-Afilistin.

15 A. No, I don't know.

16 Q. I-l-A-f-i-l-i-s-t-i-n. Have you heard of that

17 publication?

18 A. No.

19 Q. So as far as you know, that is not a

20 publication of the Islamic Association for Palestine?

21 A. If it was, it was before I was involved. If

22 it was, but I'm not sure. At that time I was involved,

23 I'm not sure.

24 Q. So you've had no contact with that --

25 A. No.

1 Q. -- publication?

2 A. Absolutely.

3 Q. You were never directly or indirectly
4 responsible for its publication?

5 A. No.

6 Q. Now, at the time that you were responsible as
7 the chairman of AMELP doing business as Islamic
8 Association for Palestine, did they produce videos?

9 A. Only the conference is videos.

10 Q. So would it be typical, after a conference, to
11 put a video together of the event of the conference?

12 A. Yes.

13 Q. And I assume the conferences lasted for
14 several days.

15 A. Yeah, one or two days.

16 Q. But the video wouldn't last for several days.
17 Actually, somebody had to edit down what took place at
18 the conference and turn it into a --

19 A. Yes.

20 Q. -- usable video?

21 A. Yes.

22 Q. Is that correct?

23 A. Yes.

24 Q. Okay. Do you recall who was responsible for
25 editing and publishing the videos, say, from 1989 to

1 1993?

2 A. Most likely the program committee of that
3 conference. Whoever the students who are running the
4 program, they will take it and they will edit it and
5 they will format it and make sure that it fits in the --
6 you know, in a two-hour tape or something. That's how
7 they do it.

8 Q. Did you have the responsibility to look at the
9 final draft of those tapes before they went out?

10 A. No.

11 Q. Did any of the directors have that
12 responsibility?

13 A. No.

14 Q. You talked about the conferences. Who was
15 responsible for putting together the agendas for these
16 conferences from 1989 to 1993?

17 A. Most likely program committee people. When
18 you assign a program committee of group, they say, you
19 know, they'll do the -- I think that's how it happens.

20 Q. Now, when you were the president of AMELP
21 doing business as IAP, did the committee consult with
22 you about their plans for a conference?

23 A. In general, general guidelines.

24 Q. Did they tell you, "We're thinking of inviting
25 so-and-so. What do you think? Do you have some

1 suggestions as who we should invite, who we should not
2 invite?" Things of that nature.

3 A. Normally, the guidelines is to invite
4 different opinion -- people with different opinions so
5 people can see the difference opinion. Invite someone
6 from this group or that group, represent the opinion of
7 this group or that group, and so on. That will be the
8 guideline.

9 Q. Do you have any specific recollections of how
10 this decision process actually was carried out?

11 A. I don't know. It's been a long time ago.

12 Q. Do you recall -- when you say "different
13 opinions," opinions about what?

14 A. About Palestine. About the issue of
15 Palestine.

16 Q. How --

17 A. Middle East issue. People who are pro, you
18 know, peace settlement; people who are opposed; people
19 who are pro this group or that group. So . . .

20 Q. Well, for example, what groups are you talking
21 about?

22 A. Like Fatah group, Yassir Arafat group. Fatah,
23 F-a-t-a-h --

24 Q. Yeah.

25 A. -- which is Yasir Arafat's group. Things like

1 that.

2 Q. Was it then the position of IAP at the time
3 you were president to bring in speakers from a variety
4 of groups?

5 A. Yes.

6 Q. In fact, did you bring in speakers who were
7 from Fatah when you were the president?

8 A. I remember -- not specifically, but I
9 remember, yes, we did.

10 Q. Do you remember specifically who?

11 A. Yeah, I remember one -- one individual who
12 came. His name Dr. Hatem Hussaini. He passed away
13 about five years ago.

14 Q. And did he come from overseas?

15 A. I'm not -- I think -- I'm not sure where he
16 came from, but I remember that person, individual,
17 because he passed away. So I remember; it's in my mind.

18 Q. Was it common for you to bring in speakers who
19 were affiliated with Hamas?

20 A. It's not common. But see, the problem is what
21 people find out, they don't know who's affiliated with
22 who. You could be carrying the opinions and advocating
23 the opinion of Hamas or other groups without being a
24 member. So you wouldn't know the -- you know, the
25 membership of these individuals. But what you know is,

1 you know, they might represent this idea or that idea or
2 that idea. So all depends on their opinion. That's how
3 they would be brought as such.

4 Q. All right. But, in other words, you would
5 bring in somebody with a Fatah opinion?

6 A. Yes.

7 Q. And would it be true that you'd bring in
8 somebody with a Hamas opinion?

9 A. I would say so, yeah.

10 Q. The Popular Front for the Liberation of
11 Palestine opinion?

12 A. Yeah. They would bring different opinions.

13 Q. Palestine Islamic Jihad opinion?

14 A. I'm not sure specifically, but different --
15 it's in the guidelines like that; but the specific,
16 whether they brought, whether they did not bring, I'm
17 not sure who came or who came not because it's been, you
18 know --

19 Q. Did you ever invite anybody, say, from Peace
20 Now! in Israel to come to speak at a convention? Just
21 to get a sense of the spectrum.

22 A. I think they were invited at one time, some
23 members of Peace Now! or other people. I'm not sure
24 their affiliation. But I remember sometime I met
25 Dr. Israel Shahaq from Israel, who came and spoke.

1 Q. I'm sorry. Did you get --

2 A. Israel, Israel Shahaq. He passed away too.

3 He's a chemist. S-h-a -- Shahaq, S-h-a --

4 Q. H-a-q probably.

5 A. Yeah, something like that.

6 Dr. Israel Shahaq, I remember meeting him one

7 time.

8 Q. Did he ever speak at a convention?

9 A. I'm not sure where he spoke, but it's been

10 long time ago. But I remember bringing Israelis who are

11 pro peace to conferences and functions in general.

12 Q. All right. Did you ever take the position, in

13 terms of any speaker that you invited to a convention

14 when you were the head of the organization, that: We

15 can't have this person; they're too extreme?

16 A. I don't remember, but . . .

17 Q. Are there files available that you know about

18 for any of these conventions, if I wanted to go back,

19 minutes or --

20 A. I doubt.

21 Q. -- transcripts of any sort like that?

22 A. I doubt. I think they've been gone long time

23 ago.

24 Q. Well, was there a policy? You know --

25 A. It's not the policy. Students will do the

1 conference, and once they wrap it up, they'll -- you
2 know, they'll -- it probably stays with them, and then
3 they move out. You know, it never -- there was no
4 documentation process for these things, and there's no
5 need for it. It wasn't, there is a need for it. This
6 wasn't an academic conference where papers presented and
7 so on. This was more of speeches, and just people
8 disappear after that.

9 Q. Have you heard of an organization called Aqsa
10 Video?

11 A. Aqsa Video. I think it was more of buy and
12 sell tapes within IAP. That's what my recollection.

13 Q. So Aqsa Video would be the publisher of the
14 tapes of the conference?

15 A. Not publisher. I would say they're seller,
16 seller of the tape. They are the one who, like, buy and
17 sell.

18 Q. Okay. So the actual editing of the tape and
19 putting it in final form, that was done by volunteers at
20 IAP?

21 A. Most likely, yes.

22 Q. And Aqsa Video, their job is to sell it?

23 A. Sell it, yes.

24 Q. I imagine -- I don't know this. I'm just
25 guessing -- that they maybe would put an ad in

1 Al-Zaytouna: If you want a copy of this year's
2 convention, send X amount of money to this address to
3 Aqsa Video, wherever?

4 A. I think so, yeah.

5 Q. Do you have any tapes of these conventions?

6 A. No.

7 Q. Do you know where I could get them?

8 A. I have no idea.

9 MR. FENNERTY: Local video store.

10 MR. LANDES: Q. Let me ask you, did you know
11 whether Infocom -- I think I asked you this before.
12 Infocom acted -- we've gotten this from some testimony
13 in this case -- acted as the host of the website for IAP
14 at some period. Do you know that as a fact?

15 A. I don't know that for a fact, but I wouldn't
16 be surprised. I mean, they are hosting company.
17 They -- you know, they host sites and so on.

18 Q. And they host a lot of sites of
19 Arab-speaking --

20 A. Yeah, a lot of them. Some organization they
21 used to host with them. Al-Jazeera was with them too.

22 Q. Do you know whether IAP was ever asked to
23 produce documents to a grand jury in connection with the
24 investigation of Infocom or HLF?

25 A. I don't know.

1 MR. LANDES: May be close to -- okay. If it's
2 all right, you want to break for lunch now?

3 MR. FENNERTY: Sure.

4 MR. LANDES: We're at a break point.

5 MR. FENNERTY: What time should we come back?

6 MR. LANDES: Huh?

7 MR. FENNERTY: What time should we come back?

8 MR. LANDES: Well, there's --

9 Go off the record.

10 THE VIDEOGRAPHER: Off the record. The time
11 is 11:48.

12 (Luncheon recess taken at 11:48 a.m.)

13 --oOo--

14 AFTERNOON SESSION 12:48 P.M.

15 THE VIDEOGRAPHER: Back on the record. The
16 time is 12:48.

17 MR. LANDES: Q. Mr. Ahmad, we're back from
18 lunch. You know you're still under oath?

19 A. Yes.

20 Q. You said before we broke for lunch that it was
21 your understanding that IAP publications would run
22 announcements for HLF. Do you recall saying that?

23 A. Yeah, advertisements.

24 Q. Was it the policy, as far as you know, of IAP
25 to only run announcements for HLF in the form of

1 advertisements?

2 A. No.

3 Q. Sorry?

4 A. I mean, for HLF only?

5 Q. Well, for HLF --

6 A. No. They run advertisement for a lot of
7 organizations.

8 Q. No. That they would only run announcements
9 for HLF in the form of advertisements, and not in any
10 other way.

11 A. I'm not sure.

12 Q. All right. When you were the president of
13 IAP -- okay? -- IAP had publications that advocated
14 donations to HLF; is that correct?

15 A. I don't know. I don't recall.

16 Q. You don't recall seeing anything published by
17 IAP at the time you were president that mentioned HLF?

18 A. There might be. There might be occasions that
19 they mentioned HLF, yes.

20 Q. Did you have a policy at IAP when you were
21 president that they would only --

22 A. I see, okay.

23 Q. -- mention HLF if they were getting paid to do
24 so?

25 A. I don't remember if we have a policy like

1 that.

2 Q. So it's possible that IAP publications would
3 mention HLF without being paid for doing so?

4 A. It's possible that they mention HLF and other
5 organizations without getting paid.

6 Q. Yeah, but I'm asking about HLF.

7 A. You know, it's possible that HLF might have a
8 program and they cover it in the news. They will say
9 HLF has this program and so many people attended, and so
10 on. It's like a community news item. They might have
11 done it that way.

12 But for the larger part, as a policy, IAP was
13 in the business of making money because it has to cover
14 its costs and the costs of production. So it was kind
15 of a general policy that they have to get paid from
16 anybody who uses the services of IAP.

17 Q. So if IAP would run a video and say "Donate
18 funds to HLF," that meant they were getting paid to make
19 that announcement?

20 A. In general, yes.

21 Q. Was it a policy?

22 A. Like I said, there's a policy for everybody,
23 that if you get services, you pay for them.

24 Q. But do you recall any written policy to that
25 effect?

1 A. There was no written policy, no. No written.

2 Q. And you wouldn't know where I could look for
3 records as to what HLF was paying IAP? At least from
4 the IAP side, you don't know where I could look?

5 A. Yeah, I don't know.

6 Q. Because one would assume, wouldn't you, that
7 if HLF was paying for the advertisement, there would be
8 some record of that?

9 A. Yeah, if the records are still around, you
10 would see it. But probably -- I don't know for the past
11 few years whether you -- you know, in the ledger,
12 checking accounts or something, that there is some
13 payments coming from multiple organization. You
14 probably see some of the paid advertisement payments.

15 Q. Now, we discussed before lunch about the IAP
16 conferences. Do you recall that?

17 A. Yes.

18 Q. Could you tell me whether you recall if you
19 were a regular attendee at those conferences in the late
20 1980s and early 1990s?

21 A. Not regular. I attended a few, yes.

22 Q. Do you specifically remember which conferences
23 you attended?

24 A. I don't specifically remember.

25 Q. Well, do you have anything that could be an

1 indication? I mean, do you remember going to a
2 conference in some year where a certain person spoke?
3 A. Yeah, I could. If a specific person was, you
4 know, of highly stature, someone --
5 Q. All right.
6 A. -- very well known, you know.
7 Q. For example, could you give me an example?
8 A. Who was there? I remember one big scholar who
9 came. Sheikh Yusuf Qaradawi one time spoke there.
10 Q. Sheikh who?
11 A. Yusuf, Y-o-u-s-e-f [sic], Qaradawi, K --
12 Q-a-r-d-a-w-i [sic].
13 Q. Do you recall where that was?
14 A. I don't remember. Somewhere in the Midwest.
15 Q. Okay. The IAP conventions would sometimes be
16 in different cities; is that --
17 A. Yes.
18 Q. Do you recall attending IAP conventions in any
19 specific cities?
20 A. I don't recall, no.
21 Q. Do you recall attending IAP conventions in
22 Chicago?
23 A. Chicago? Let me remember. I might have
24 attended one late '90s, one in Chicago.
25 Q. Did you ever attend an IAP convention in

1 Philadelphia?

2 A. I don't remember, no.

3 Q. Did you ever attend an IAP convention in
4 Kansas City?

5 A. I might have. I'm not sure. Somewhere in the
6 Midwest. I don't remember Oklahoma, was it Kansas City.
7 You know, around those states, but I don't -- exactly
8 where, I cannot remember.

9 Q. Do you recall when that Midwest conference
10 was?

11 A. Probably late '80s.

12 Q. Okay. So if there was a conference in Kansas
13 City in the late '80s, that could have been the one you
14 attended?

15 A. Could be.

16 Q. Do you recall attending any conferences in
17 St. Louis for IAP?

18 A. No, I don't remember.

19 Q. Now, Mr. Abu Baker testified that frequently
20 IAP would be engaged in joint ventures with HLF.

21 A. Okay.

22 Q. Do you recall, yourself, reviewing any joint
23 venture agreements with IAP and HLF?

24 A. Reviewing them, no, I don't recall reviewing
25 any agreements between HLF and IAP.

1 Q. Do you recall ever being advised that HLF and
2 IAP was going to enter into some kind of joint venture
3 agreement?

4 A. Not in the time I was involved, I don't recall
5 exactly that I was advised that there was in early '90s.

6 Q. All right. Did you know whether, in fact, at
7 any time HLF and IAP had joint ventures in connection
8 with IAP conventions or IAP publications?

9 A. I don't know.

10 Q. I guess if Mr. Abu Baker said so, there's a
11 good chance he'd be accurate because it would be his job
12 to know that for HLF?

13 A. Yeah. But remember, I only -- my limit was
14 '93. So it could have happened after '93, '94, you
15 know, to 2000. So six years.

16 Q. Okay.

17 A. Yeah.

18 Q. Have you had an ongoing business relationship
19 with HLF since you left IAP as an active participant?

20 A. No.

21 Q. Did HLF play any role in helping you start
22 CAIR?

23 A. No.

24 Q. Did they give you any money to help start
25 CAIR?

1 A. No.

2 Q. Did IAP give you any money to help start CAIR?

3 A. No.

4 Q. Did you get outside funding from anyone to
5 start CAIR?

6 A. Yeah.

7 Q. Any of the defendants?

8 A. Individuals -- no, none of the defendants.

9 Q. Any of the defendants?

10 A. None.

11 Q. Any of the principals or officers of any of
12 the defendants in this case?

13 A. No.

14 Q. Have you gotten contributions from HLF since
15 you started CAIR?

16 A. I don't know. I really don't know if we got
17 any contribution from HLF.

18 Q. Do you know who would know?

19 A. I doubt it if we got any, but I'm -- you know,
20 we -- as CAIR, we just open up our donation to people
21 who send in checks. So, you know, if someone send a
22 check, I'm not aware of, for \$25, 50 bucks, \$100. You
23 know, how would I know?

24 Q. Well, no. I mean, from an -- look, HLF's an
25 institution, and HLF, I think, unless you disagree with

1 it, takes the position that it's been the largest
2 charity --
3 A. Yes, it was.
4 Q. -- supporting Palestinian causes; is that
5 correct?
6 A. Right.
7 Q. And I think in some years they collected very
8 substantial amounts of money.
9 A. Yes.
10 Q. Is that correct? It's well known?
11 A. Well, it's published.
12 Q. Yes.
13 A. Yeah.
14 Q. And I guess my question for you is: Has HLF
15 helped you with any of your activities since you left
16 IAP in an active sense, as you've testified to at least,
17 since 1993 or 1994?
18 A. Help me? No.
19 Q. At the time that you were involved in the
20 activities of AMELP doing business as IAP, was Mohammed
21 Salah anyhow involved in your organization?
22 A. No, no.
23 Q. How long have you known Mohammed Salah?
24 A. Hardly. I never knew him before he was in
25 Israel.

1 Q. So you never knew him before he went off and
2 was arrested in 1993?

3 A. No, I never knew him.

4 Q. You never met him before then?

5 A. Never met him, no.

6 Q. Have you met him since?

7 A. I saw him once in Chicago, about three years
8 after he came back, in a mosque. So I introduced myself
9 to him and so on. But I never knew him before.

10 Q. Did you ever discuss this case with him?

11 A. No.

12 Q. So it would be your testimony, as far as you
13 know, that Mohammed Salah had no relationship with IAP,
14 to your knowledge?

15 A. Absolutely not.

16 Q. Did you ever hear Mohammed Salah speak at any
17 IAP convention?

18 A. No.

19 Q. To your knowledge, did IAP or AMELP ever
20 provide any financial support to benefit Mohammed Salah
21 or his family?

22 A. No.

23 Q. Now, it's the case, isn't it, that IAP engaged
24 in public advocacy on behalf of Mohammed Salah? Is that
25 correct?

1 A. I am not sure. Not in -- that I know of.

2 Q. All right. Now, you were the president of

3 AMELP doing business as IAP at the time Mohammed Salah

4 was arrested in Israel --

5 A. Right.

6 Q. -- is that correct?

7 A. Mm-hmm.

8 Q. Did you --

9 A. I am not sure, because I don't know when he

10 was arrested.

11 Q. He was arrested in January of 1993.

12 (Addressing Mr. Oppenheim:) Correct?

13 MR. OPPENHEIM: That is correct.

14 THE WITNESS: Okay.

15 MR. LANDES: Q. So you were president during

16 that period of time?

17 A. Yeah, a few months, yes.

18 Q. At least?

19 A. Yeah.

20 Q. We haven't been able to figure out how long;

21 correct?

22 A. Right.

23 Q. So when he was arrested, did AMELP doing

24 business as IAP undertake any campaign on his behalf?

25 A. I don't remember, and I don't think so.

1 Q. Why not? Wouldn't it seem to be the kind of
2 case that you'd get behind?

3 A. I don't remember, like I said. It's not
4 something that I do remember right now. I mean, I don't
5 even remember when he was arrested, to remember what did
6 we do for it.

7 Q. Do you recall the fact that he was arrested?
8 It was a cause celeb, wasn't it?

9 A. It was at that time, if I remember.

10 Q. Well, it's not every day that, at least from
11 the standpoint of the advocacy of the Palestinian cause,
12 that a United States citizen of Arab descent is arrested
13 in Israel.

14 A. Mm-hmm.

15 Q. Is that correct?

16 A. Yes.

17 Q. I could tell you personally, not having been
18 involved in this litigation or not being a politically
19 active person, but living in Chicago, that I recall it
20 was a very big deal in the newspaper when he was
21 arrested.

22 A. Most likely in Chicago, yes, yeah, but not in
23 different cities.

24 Q. All right.

25 A. I don't remember exactly what IAP did or

1 didn't do at that time. I really don't remember. And
2 if it was done anything, most likely it was local in the
3 Chicago area, because he was from there.

4 Q. All right. Now, did anybody ever tell you
5 about any activities that Mohammed Salah was planning to
6 conduct in Israel before he went there in 1993?

7 A. I never knew him before that.

8 Q. Well, did anybody make reference --

9 A. No.

10 Q. -- to you?

11 A. No.

12 Q. Did Mr. Elbarasse ever mention his name to
13 you?

14 A. Never.

15 Q. You were in regular contact with Mr. Elbarasse
16 in the early '90s?

17 A. No, not regular, no.

18 Q. But in contact with him?

19 A. Once or twice a year.

20 Q. He was director of AMELP, wasn't he?

21 A. Yeah, but wasn't particularly, wasn't activist
22 in the organization. He was not active in it. So it
23 wasn't regular contact with him on a regular basis. It
24 was not.

25 Q. Did Mr. Elbarasse ever tell you that he was

1 involved in matters with Mohammed Salah?

2 A. No.

3 Q. Not then? Not ever?

4 A. Never.

5 Q. To your knowledge, did IAP or AMELP doing
6 business as IAP ever receive any money from Mohammed
7 Salah?

8 A. From who?

9 Q. Mohammed Salah.

10 A. No. My knowledge, no.

11 Q. To your knowledge, was Mohammed Salah ever
12 employed by AMELP doing business as IAP or IAP in any of
13 its forms?

14 A. No.

15 Q. To your knowledge, did Mohammed Salah
16 participate in any events or activities sponsored by
17 AMELP doing business as IAP, or IAP?

18 A. I don't know. It could have been, you know,
19 local function I'm not aware of. I don't know.

20 Q. You're not aware of any IAP convention in
21 which Mohammed Salah was an actual participant. Is that
22 your testimony?

23 A. Yes. I'm not aware of, no.

24 Q. So you were never at a convention where he
25 spoke?

1 A. I never was at a convention where he spoke.

2 Q. Were you ever at a planning meeting where he

3 spoke?

4 A. Never. Not aware of.

5 Q. You testified before concerning Mr. Marzook.

6 A. Yes.

7 Q. Do you recall? Now, is it your testimony that

8 you've had no relationship with him?

9 A. No.

10 Q. Have you ever met him?

11 A. Yeah, I met him, yeah.

12 Q. And where did you meet him?

13 A. I met him in conferences, in mosques around.

14 He was living here in the '80s.

15 Q. Do you recall specifically when you met him?

16 A. Must be mid-'80s.

17 Q. Okay.

18 A. Yeah.

19 Q. At that time when you met him, were you active

20 in any political organizations?

21 A. No.

22 Q. Were you active in IAP?

23 A. No.

24 Q. Were you a member of IAP?

25 A. No.

1 Q. Were you a participant in IAP activities?

2 A. No.

3 Q. Were you -- you ever attend a convention of
4 IAP or any related organization where Abu Marzook spoke?

5 A. Not in -- when -- you're talking about time
6 frame when I met him; right?

7 Q. At any time.

8 A. Oh, at any time?

9 Q. Yeah.

10 A. Any time? I'm not sure, but I'm -- probably I
11 heard him one time in a conference, but I'm -- you know,
12 I can vaguely remember that he spoke at one conference
13 and I listened to him once.

14 Q. It would be correct to say that he was a
15 prominent participant in political activities in this
16 country?

17 A. No, it's not fair.

18 Q. No?

19 A. He was just a regular student.

20 Q. He was a student?

21 A. Yeah. He was a student here in the '80s.

22 Q. I guess we all were at one time, weren't we?

23 A. Yeah. I mean, he was a student. He wasn't
24 prominent at that time.

25 Q. When did he first become prominent, to your

1 knowledge?

2 A. I think in the mid-'90s. That's when, you
3 know, I think, things -- they went and I think he came
4 here and he was arrested. I think that's when he became
5 prominent.

6 Q. It was in 1995?

7 A. Somewhere in there, yeah, mid-'90s.

8 Q. So the time you heard him speak at a
9 convention obviously had to have been before 1995.

10 A. Yeah, much before, yeah.

11 Q. Because he was deported?

12 A. Yes.

13 Q. To your knowledge, was he ever a financial
14 contributor, directly or indirectly, to AMELP or to IAP?

15 A. He could have. I am not sure.

16 Q. I'm asking you whether you have any specific
17 knowledge.

18 A. Specific, no, but I -- you know.

19 Q. Well, anybody could have been; correct?

20 A. Yeah.

21 Q. Because you've testified that --

22 A. Yeah.

23 Q. I'm sorry. You testified that people were
24 free to contribute.

25 A. Yes.

1 Q. And I think you testified before that as far
2 as you know, Marzook was not an instigator in the
3 formation of IAP.

4 A. As far as I know, he was not, no.

5 Q. And has anybody ever told you that he was?

6 A. No.

7 Q. No one's ever told you?

8 A. That he was an instigator of establishing IAP?

9 Q. Yes.

10 A. No, nobody told me, but it's a fact. I mean,
11 a lot of people know that IAP was established in 1981,
12 before he even arrived to this country.

13 Q. Do you know whether Abu Marzook had any role
14 to play in the formation of the Occupied Land Fund?

15 A. I don't know.

16 MR. LANDES: I'm going to hand you a document
17 that was actually Exhibit 25 to the Jaber deposition.

18 MR. FENNERTY: Well, that's the one I don't
19 have.

20 MR. LANDES: See.

21 MR. FENNERTY: Now I get it.

22 MR. LANDES: But I'll have it marked, for the
23 purposes of this deposition, separately, please.

24 (Whereupon, Plaintiffs' Exhibit 5 was marked
25 for identification.)

1 MR. LANDES: Q. Have you seen this document
2 before?
3 A. No. First.
4 Q. Are you able to read this document?
5 A. Yes. It's in Arabic.
6 Q. Okay. Can you tell me what the title is at
7 the top?
8 A. "From the Activities of the Association."
9 Q. Do you know what association they're referring
10 to?
11 A. IAP, Islamic Association for Palestine.
12 Q. So you think this is a document that at least
13 appears to be on the stationery of the Islamic
14 Association for Palestine?
15 A. No.
16 Q. What is it?
17 A. Looks to me it's a report.
18 Q. A report?
19 A. It's a report from a newsletter.
20 Q. Okay.
21 A. Because it says that there is a report, and --
22 it's like a reporter writing a report about something
23 that happened.
24 Q. Okay.
25 A. That's what it is.

1 Q. Now, does the Islamic Association for
2 Palestine appear anywhere in this report?

3 A. In the -- in the text.

4 Q. Okay. And what does -- can you paraphrase
5 what it says?

6 A. Talks about Islamic Association for Palestine
7 making some activities in the year 1988, '89.

8 Q. Okay. Now, do you know whether Mousa Abu
9 Marzook is also referred to as Abu Omar Mousa? Do you
10 know that?

11 A. I don't know that.

12 Q. Did you ever know that he's known by that
13 name?

14 A. No. He has a son called Omar. His son is
15 Omar. So they probably -- you know, they say he's
16 father of so-and-so.

17 Q. But I think that if -- we could probably get
18 out some documents that show you that he's referred to
19 as Abu Mousa -- Abu Omar Mousa -- sorry -- Abu Omar.
20 That would be the father of Omar; right?

21 A. Yeah.

22 Q. He has a son Omar?

23 A. So someone might call him that way. See, it
24 depends how you get to know the person. In Arabic --

25 Q. If I have a son Joseph, they'd call me Abu

1 Joseph or Yusef; right?

2 A. Depends. No. If I -- let's say if I meet
3 you, when -- I'm sorry. I forgot your name.

4 Q. Steve.

5 A. Steve. Let's say I meet you as Steve.

6 Q. Yes.

7 A. So, you know, from now on, that's it. It will
8 come Steve, Steve.

9 Q. Yeah.

10 A. But let's say someone introduce you as Abu
11 Joseph --

12 Q. Yeah.

13 A. -- to me, and that's the way we started the
14 relationship, then it's -- from there, it's Abu Joseph.
15 That's -- in Arabic, that's how it is.

16 Q. Okay.

17 A. So if you know someone is Mousa, then most
18 likely you can refer to him as Mousa. If someone known
19 Ahmed or Abu Ahmed or something like that, that's how it
20 is.

21 Q. Is there references here to someone Abu Omar?

22 A. Well, I think you should have translated this.

23 Q. We will. We know enough about it, but I'm
24 just asking.

25 A. Yeah, I know, but you ask me a question, and

1 you become -- I become a translator. Maybe I --

2 Q. Well --

3 A. -- make a mistake in the translation.

4 Q. -- I'm not asking you to give me a literal

5 translation.

6 A. Yeah.

7 Q. Okay. There's a reference here, isn't there,

8 to a Shura Council? Isn't there?

9 A. Yes, looks like.

10 Q. And there's a reference to Marzook becoming

11 head of the Shura Council; is that correct?

12 A. I didn't read the whole thing, but it talks

13 about the Shura Council.

14 Q. What is a Shura Council?

15 A. It's like a consultive body. That's what

16 "shura" mean.

17 Q. Right.

18 A. Yeah.

19 Q. It's a form of a political type of system, or

20 is it religious? What is it?

21 A. Both. It could be anything. Shura, it means

22 a consultive. That means if we sit together in a

23 business --

24 Q. Right.

25 A. -- and we decide to do a venture and we -- you

1 know, we sit down and talk about it and exchange
2 opinions and so on, that's called shura. That's called,
3 you know, consultation with each other.

4 So consultive council, that means it's a
5 council where people get together and talk about certain
6 things and decide, you know, run opinions and so on.
7 More of an advisory role, I would say.

8 Q. Now, it's my understanding that this document
9 suggests -- I'm not asking you to translate it -- that
10 Marzook had a position as head of the Shura Council with
11 reference to IAP. And my question to you, sir, is
12 whether you have any independent knowledge of whether
13 this was the case.

14 A. No, I don't have any independent knowledge.
15 This thing happened '90- -- looks like from the date
16 it's February '89. I wasn't involved then.

17 Q. So would it be your testimony that when you
18 became head of AMELP doing business as IAP, was there a
19 Shura Council?

20 A. No, there was no Shura.

21 Q. Had you ever heard that there had been a Shura
22 Council?

23 A. I don't remember if someone told me there was
24 a Shura Council or anything. But must be -- this must
25 be dealing with a different era of IAP, before another

1 era started.

2 Q. Okay. But in the era --

3 A. That's what it looks like.

4 Q. -- of --

5 A. 1991, yeah.

6 Q. -- yourself --

7 A. There was --

8 Q. -- the Ahmad era --

9 A. No.

10 Q. In the Omar Ahmad era, there was no Shura
11 Council?

12 A. Well, I wouldn't call it Omar Ahmad's era. In
13 1991-1993, there was no -- this doesn't happen.

14 Q. So if he -- if Marzook had been involved --

15 A. It's before.

16 Q. -- it was not at the time you were involved?

17 A. Yes.

18 Q. But it's possible that he was involved?

19 A. In the past?

20 Q. Yes.

21 A. I mean, how would I know?

22 Q. You don't know?

23 A. No, I don't know.

24 Q. You say you've never seen this document?

25 A. No, I never seen it before.

1 Q. Have you -- you know, when we talked about the
2 defendants before, we mentioned -- forgot to mention
3 one, the United Association for Studies and Research,
4 UASR.

5 A. Yes.

6 Q. Have you ever heard of that organization?

7 A. Yes.

8 Q. And what is that organization?

9 A. It's a research, more of a one-man think tank.

10 Q. And who's the one man?

11 A. Dr. Ahmed Youssef.

12 Q. And where is he?

13 A. In Washington.

14 Q. Did UASR have any relationship with IAP at the
15 time you were the president?

16 A. No, not I remember.

17 Q. To your knowledge, did they ever have -- did
18 UASR ever have any common current or former officers or
19 directors with IAP?

20 A. I don't remember. I wouldn't know their
21 officers.

22 Q. Do you know when UASR was started?

23 A. Must be early '90s. I'm not sure, but
24 somewhere in the early '90s.

25 Q. Are you aware of any activities, events,

1 projects that were cosponsored by UASR and AMELP doing
2 business as IAP?

3 A. No, I'm not aware of any.

4 Q. Are you aware of any representatives of UASR
5 speaking at any IAP conventions?

6 A. Dr. Youssef is a well-known speaker. So he
7 could have spoken, I mean, in conferences and so on.

8 Q. Do you recall hearing him speak at such a
9 convention?

10 A. No, I don't recall.

11 Q. Did you have any contact with him ever?

12 A. Oh, I did, but in the past, not in recent.

13 Q. Well, how much in the past?

14 A. At least five years ago.

15 Q. Did you have contact with him when you were
16 the president of IAP?

17 A. Yeah. I met him couple of times, yeah. I
18 remember meeting him sometimes, yeah.

19 Q. Did you ever ask him to do anything for IAP?

20 A. No.

21 Q. To your knowledge, did Marzook have any
22 connection with UASR?

23 A. I don't know.

24 Q. You don't know one way or the other?

25 A. No, I don't know.

1 Q. Do you know whether Mohammed Salah had any
2 contact with UASR?

3 A. I don't know.

4 Q. You testified earlier that you were aware of
5 an organization called the Quranic Literacy Institute.

6 A. Yes.

7 Q. That's an organization based in Chicago?

8 A. Yes.

9 Q. When did you first become aware of the Quranic
10 Literacy Institute?

11 A. I think somewhere -- sometime in the '80, in
12 the '80s, where they were to translate the Koran into
13 English. This is when I heard -- I read their pamphlets
14 about their activities and so on.

15 Q. Do you know who the individuals are who've
16 been in charge of QLI?

17 A. I don't know.

18 Q. Do you know Ahmad Zaki Hammad?

19 A. I don't know him, but I heard of him.

20 Q. How did you hear of him?

21 A. He was -- he's a scholar, and he's, you know,
22 the imam of a mosque, I think, in Chicago long time ago.
23 And he was at one point the president of ISNA, I-S-N-A.
24 So I know of him that activity, but I don't know him
25 personally.

1 Q. Do you know someone named Amer Haleem?

2 A. No.

3 Q. Do you know -- he is the current, I guess,
4 supervisor of QLI. Do you know him in that context?

5 A. No, I don't know him at all.

6 Q. When you were the head of AMELP doing business
7 as IAP, did you have any relationship or cosponsorship
8 of any activities, events, or projects with QLI?

9 A. No.

10 Q. Do you know -- do you know Ibrahim Abusharif?

11 A. No.

12 Q. Have you ever heard the name Abusharif in
13 connection with QLI?

14 A. No. I heard Abusharif in other connections,
15 but not in QLI.

16 Q. Do you think it's a different Abusharif?

17 A. Must be.

18 Q. Well, which Abusharif --

19 A. Is that Bassam Abu Sharif?

20 Q. Sorry?

21 A. Bassam, B-a-s-s-a-m. He lives in Palestine.

22 Q. Okay. Have you ever heard of a woman named
23 Linda Abusharif?

24 A. You know, I heard the name, but I don't know
25 where. Linda Abusharif. I don't know where.

1 Q. Did you ever hear of a project that QLI was
2 involved in to build a large mosque in the Chicago area?

3 A. No.

4 Q. Have you ever heard of a project and whether
5 Zaki Hammad was involved in building a project in
6 Chicago?

7 A. No.

8 Q. Did anybody ever tell you that Mohammed Salah
9 was an employee of QLI?

10 A. No.

11 Q. So it would be your testimony that aside from
12 hearing about QLI, you, either in your personal or
13 professional -- when I say "professional," in terms of
14 your community activities -- have had no dealings with
15 QLI?

16 A. No.

17 Q. Is that correct?

18 A. Yes, that's correct. I never -- I don't know.

19 Q. Have you given any more thought to who any
20 other directors or officers of AMELP may have been?

21 A. Not really. I can't remember anybody.

22 Q. Except for the names we've mentioned so far?

23 A. No, I didn't mention any. These guys, I don't
24 know if they -- whether they were still there or not. I
25 have to . . .

1 Q. You mentioned Osama Ahmed.

2 A. Osama, he was, but he was not a board member.

3 I don't think he was a board member.

4 Q. Okay. We mentioned Ghassan Dahduli.

5 A. Most likely Ghassan was a board member.

6 Q. And we mentioned Hitto.

7 A. Hitto, yes. Well, I saw him in here.

8 Q. Which -- okay. Do you have any other

9 individuals?

10 A. No.

11 Q. During the time that you were the president of

12 AMELP doing business as IAP, were you aware of an

13 organization called the American Muslim Society?

14 A. AMS.

15 Q. Yes.

16 A. Well, I came to be aware of it around '93, '94

17 time frame.

18 Q. Was there a relationship between AMELP and

19 AMS?

20 A. No, no relationship.

21 Q. What was your understanding of what AMS's

22 business was?

23 A. Advocacy, information, education. That's what

24 my understanding was. And it was established in Chicago

25 by Rafeeq and Sabri Samirah.

1 Q. Sorry?

2 A. By Rafeeq Jaber. They are the ones who -- he
3 is the one who founded AMS.

4 Q. Okay. Was AMS itself sometimes known as the
5 Islamic Association for Palestine?

6 A. I think after -- I don't know -- '93, '94 time
7 frame, it probably assumed the name IAP, or Islamic
8 Association for Palestine.

9 MR. LANDES: Let me hand you an exhibit, ask
10 that it be marked as Exhibit No. . . .

11 (Whereupon, Plaintiffs' Exhibit 6 was marked
12 for identification.)

13 MR. LANDES: Q. These are checks -- copies of
14 checks that were produced by the American Muslim
15 Society, a/k/a IAP. Do you see that?

16 A. Yes.

17 Q. It's two pages. One -- the first page in the
18 exhibit is IAP 02912, and the second page is IAP 03077.
19 Do you see that?

20 A. Yes.

21 Q. Okay. Now, you see the first check on the
22 first page, in the upper left-hand corner, it's to IAP
23 for what appears to be \$2,500.

24 A. Yes, I see the check.

25 Q. All right. The one right next to it on the

1 right is a check to AMEL, which I assume is AMELP --

2 A. Right.

3 Q. -- for \$5,000.

4 A. Yes.

5 Q. And if you look at the last page of this group

6 exhibit, you see a check to AMEL for \$1,000.

7 A. Yes.

8 Q. Do you have any knowledge as to why AMS was

9 sending money to IAP or AMEL?

10 A. This all happened '97. I wasn't involved in

11 the details. But in general, probably in exchange for

12 services.

13 Q. So these organizations would do things for

14 each other?

15 A. Yes.

16 Q. Okay. When you were the president, did they

17 do things for each other?

18 A. There wasn't no -- AMS wasn't there at that

19 time.

20 Q. No. I think AMS was, I think the testimony

21 was, started in 1993.

22 A. '4. But we haven't done anything with AMS at

23 that time. But normally, there's other organization,

24 you might do services together, yes. I mean, not

25 necessarily AMS.

1 Q. Did you ever learn that for some period of
2 time in '96, '97, that AMS was making regular monthly
3 payments of approximately \$5,000 to AMELP?

4 A. Nope. I am not aware of it.

5 Q. Let me just say, you know, your name was on
6 the tax returns, so I was just curious. We can spend
7 the time, but you'll tell me you didn't write the check.
8 So I don't want to spend a lot of time on it.

9 A. I didn't write the check. I don't know the
10 details.

11 Q. But did anybody ever disclose to you that
12 AMELP was receiving regular monthly payments of fairly
13 even amounts, \$5,000 usually, from AMS?

14 A. I'm not -- I wasn't aware of it.

15 Q. Okay. So you wouldn't be aware as to why they
16 were giving them the money?

17 A. No.

18 Q. Are you aware of what services AMELP may have
19 been providing for AMS in 1996 and 1997?

20 A. I am not. I can't tell you. I wouldn't know.

21 Q. You don't know?

22 A. No.

23 Q. Do you know who would know?

24 A. I would say --

25 Q. Osama?

1 A. Yeah, Osama would know, yeah.

2 Q. At the time that you were the president of
3 AMELP doing business as Islamic Association for
4 Palestine, did the organization receive, directly or
5 indirectly, any support from people outside the United
6 States?

7 A. Can you repeat it? I wasn't paying attention
8 in the beginning.

9 MR. LANDES: Sorry.

10 Do you want to repeat the question?

11 (Record read.)

12 THE WITNESS: I wouldn't know. I don't
13 remember. But generally speaking, all our support was
14 from the United States, within the United States.

15 MR. LANDES: Q. Well, you said you don't know
16 or you don't recall. Which one is it?

17 A. Both.

18 Q. Okay.

19 A. I don't recall. I really don't recall that we
20 received \$100 from someone who was living overseas.

21 Q. All right.

22 A. How would I know?

23 Q. Okay. Do you recall -- would you have been in
24 a position to know whether AMELP doing business as IAP,
25 when you were the president, received donations from any

1 individual in excess of \$10,000?

2 A. Not necessarily. I wouldn't know. I
3 wouldn't -- you know, you have to remember, I wasn't a
4 full-time person within IAP or AMELP. I have my own
5 job. So I wouldn't be involved in day-to-day affairs,
6 and I would know three months, you know, what's going
7 on, and that's it.

8 Q. Okay.

9 A. But not necessarily knowing the details of who
10 paid and what the donation came and who give the
11 donation and so on. There is people in the office who
12 will take care of that. There is executive director or
13 someone who's managing the office, office manager, who
14 would have -- you know, they will take care of the
15 business.

16 Q. You testified a number of times that AMELP was
17 not an organization that had substantial amounts of
18 funds; correct?

19 A. Yeah. Especially in the last six, seven years
20 or more.

21 Q. But the years when you were the president.

22 A. Yeah, substantially, I wouldn't -- I would say
23 it always was in shortage of funds.

24 Q. But what was the average budget, the average
25 in-and-out in the years you were president? Do you

1 recall? A million? 2 million? 500,000?

2 A. No, no, no, no. It was much less.

3 Q. Sorry?

4 A. Much less than that.

5 Q. How much?

6 A. Probably 100K, 200K, somewhere in there, or
7 50K. You know, it wasn't in millions.

8 Q. Did you worry about the fact that there was no
9 money coming in?

10 A. Yeah.

11 Q. Okay. So if somebody came and gave you what
12 would be in relative terms a substantial donation, would
13 it be customary for them to call you, as the head, and
14 say, "Look, we did very well. We got a big donation
15 from Mr. X or Mrs. Y"?

16 A. Unless someone probably knew someone who pops
17 up from nowhere and he send, you know, a 10-, 20,000
18 dollar donation, that would raise a flag; but if someone
19 was known and in the community, they receive funds from
20 him in the past, they probably would not call me.

21 Q. Well, would you feel that you were in a
22 position to thank the person for the donation?

23 A. Like I said, if someone -- let's say Steve
24 decided to donate to IAP all of a sudden, and we never
25 got Steve --

1 Q. Or Jim.

2 A. No, Steve.

3 -- and we never seen Steve in our records
4 before, that would raise a flag. Who's they? We should
5 thank him. You know, we should know who's this person.

6 But if someone like Jim was normally donating,
7 you know, would not raise a flag. I don't have to worry
8 about it.

9 Q. So we'll let the record show that Jim --

10 A. Regularly donated.

11 Q. -- regularly donating.

12 A. Yeah.

13 Q. But putting that aside, I'll go back and ask
14 the question again.

15 To your knowledge, did AMELP doing business as
16 IAP, having said what you've just testified to, receive
17 donations from people living outside the United States,
18 either directly or indirectly?

19 A. I don't recall.

20 Q. And you don't know if there are in existence
21 today any records that would show who the donors were?

22 A. No, I don't.

23 Q. And I assume at some point there were records
24 of who the donors were.

25 A. Probably every year, yeah, they would have

1 records, but --

2 Q. You had to issue receipts?

3 A. Yeah. Yeah, probably.

4 Q. Did AMELP -- I mean, you testified that it was
5 a loose organization, but did it have any policies about
6 maintaining documents?

7 A. Maintain documents? There's not much
8 documents to maintain anyway. I mean, there -- it
9 wasn't like a corporate office where 20 employees. You
10 know, it's one or two employees. So what do you expect?

11 One or two employees, they're not going to set
12 out half of their time documenting what they have done
13 in the other 50 percent of their time. It's natural
14 that they will spend less time documenting what they
15 have done and even keeping track of what's going on in
16 the organization. This is normal with a small -- very
17 small organizations.

18 So it wasn't a policy that we don't keep
19 documents, but also it wasn't an emphasis that you must
20 keep documents and you must document every step of the
21 way because of lack of resources.

22 Q. All right. Did AMELP doing business as IAP
23 have a bank account when you were the president?

24 A. Yes.

25 Q. Do you know where -- which bank?

1 A. I don't know, no.

2 Q. Okay. But wouldn't it be normal for, at a
3 minimum, for any organization to maintain copies of its
4 bank records?

5 A. Yeah, for certain years, yes.

6 Q. All right. So you, I assume, at some point,
7 as the head of the organization, would say -- and it
8 seems quite elementary to me -- we have to keep our bank
9 records; we have to keep our canceled checks; we have to
10 keep receipts we sent to donors. Anything that would
11 have a tax sensitivity would seem to be a normal
12 practice to keep.

13 A. I would say yes, normal, but for certain
14 years. I would say, you know, for three years, yes, but
15 more than that, you don't need it.

16 Q. Did you have a policy that said after three
17 years get rid of it?

18 A. It wasn't a policy, but it was when knowing
19 that you keep them for certain time, which is, you know,
20 most likely the accountant will tell you it's going to
21 be three years and, you know, get the record or
22 something.

23 Q. So that would mean, at least at a minimum --
24 right? -- when this discovery was filed in this case in
25 2000, at a minimum there should have been banking

1 records going back to 1997?

2 A. I guess so. If they kept -- if they kept the
3 records for two, three years, they should have, you
4 know, bank records for the last three years.

5 Q. Okay. But no matter what you say about the
6 fact that you were distant, right, you were still on the
7 books as a director?

8 A. Yes.

9 Q. Right. And if -- you know, I'm not your
10 lawyer, but it would seem to me that if the government
11 came one day and said "We want to check your records.
12 Where are they?" and they said, "Well, we tossed them,"
13 that you would have been on the hook as a director
14 potentially.

15 A. Yeah.

16 Q. So with that, you know, can you have any
17 explanation, all right, as to why we have not received
18 from AMELP any banking records that are responsive to
19 the discovery that we sent out in the year 2000?
20 Because they should have been there at least going back
21 to '97.

22 A. I wasn't involved in the preparation for the
23 discovery, documents or anything. So I wouldn't know
24 what documents they have, what documents they -- you
25 know, but my understanding, they sent everything that

1 they have or they're supposed to have. So --

2 Q. What's the basis of that understanding?

3 A. Just I was told by, you know, Osama and that
4 when they were discovered, they said that "We can give
5 everything." So I assume they did.

6 Q. When did you have that conversation with
7 Osama?

8 A. About when -- h'm, I don't remember.

9 Q. Well, was it about the time the complaint was
10 filed or --

11 A. No. After, of course.

12 Q. Now, let's just talk about a few --

13 A. Yeah.

14 Q. -- events that have happened in this case.

15 As you may know, the case was filed, and
16 certain of the defendants filed a motion to dismiss, and
17 the judge ruled against the motion to dismiss, and that
18 was in the fall of 2000, as I recall.

19 And then the case went up on appeal, and it
20 was argued in the Court of Appeals in September 2001,
21 and then the decision came down from the Court of
22 Appeals in May, I think, May or June of 2002, and then
23 the case -- we got back into court and, actually, we
24 became involved sometime in the fall of 2002, and we
25 renewed the discovery demands. So it's possible that at

1 that point somebody may have come back to you, come back
2 to the organization and said, "Where are the documents?"

3 Okay. And with that history, okay, does any
4 of that refresh your recollection as to when you may
5 have had the conversation with Osama asking him about
6 the documents?

7 A. It does not, no.

8 Q. So you're telling me again Osama's the person
9 to ask?

10 A. I would say so. He's in the office, and he's
11 the one responsible the documents.

12 Q. What does he do now? Do you know?

13 A. I don't know.

14 Q. Is he still involved in IAP?

15 A. I have no idea.

16 Q. Aside from the money that it had in its bank
17 account, did AMELP doing business as IAP -- we'll just
18 cover this quickly -- have any other assets?

19 A. No.

20 Q. It owned no real estate?

21 A. Nothing.

22 Q. It owned no securities?

23 A. No. It's always on the run.

24 Q. Okay.

25 A. Shortage of money, you think you can own real

1 estate?

2 Q. Well, QLI, as it turned out, owned very
3 substantial real estate, and they're in the business of
4 producing -- translating Koranic literature. So it's
5 not a far-fetched question. All right? And as you may
6 know, QLI right now doesn't have control over its
7 assets. So the question isn't as strange as it sounds.

8 So your testimony is that AMELP --

9 A. Never had anything.

10 Q. -- never had any assets?

11 A. No.

12 MR. LANDES: Hand you a document and ask it be
13 marked as Exhibit 7.

14 (Whereupon, Plaintiffs' Exhibit 7 was marked
15 for identification.)

16 (Witness confers privately with his counsel.)

17 MR. LANDES: Q. All right. Have you seen
18 this document before?

19 A. No.

20 Q. Can you tell, is there a name to this
21 document?

22 A. Looks like "to Palestine" or something,
23 Il-Afilistin.

24 Q. This is Il-A -- remember we asked you before
25 whether you ever heard of a publication --

1 A. Yeah.

2 Q. -- called Il-Afilistin?

3 A. You guys have more documents than IAP's have.

4 Q. Well, you know --

5 A. You're asking IAP for documents?

6 Q. It's remark- --

7 A. I never seen this one.

8 Q. It's remarkable, isn't it, that we ask them

9 for their documents and we have them and they don't?

10 A. It is.

11 Q. It is, isn't it?

12 A. It tells you a lot about the people who

13 prepared the documents.

14 Q. And who -- do you know whose -- just

15 curious -- whose picture this is on the cover?

16 A. This is -- it's not clear, but I think it's

17 some scholar who passed away in Afghanistan. His name

18 is Abdullah Azzam.

19 Q. So this is Il-Afilistin; right?

20 A. Yes.

21 Q. Okay. Now --

22 A. 1989.

23 Q. Now, right up here on the top, right, going

24 across the top, that's what it says?

25 A. Yes.

1 Q. What does it say under Il-Afilistin?
2 A. Exactly under?
3 Q. Yeah.
4 A. It says Islamic political Palestinian and it's
5 comprehensive.
6 Q. Okay.
7 A. Literally translated.
8 Q. So having seen this document, it doesn't
9 refresh any recollection on your part that the Islamic
10 Association for Palestine published such a magazine.
11 If you'd turn to the second page of the
12 document, there appears to be a table of contents of
13 some sort.
14 A. Yes.
15 Q. And if you look in the middle column, on the
16 left side, that appears to be the Islamic Association
17 for Palestine logo; is that correct?
18 A. Yes.
19 Q. And in fact -- and if you go to that second
20 page, it has an IAP post-office box Worth, Illinois. Do
21 you see that?
22 A. Yes, I see it.
23 Q. All right. So looking at this document, it
24 would appear to be a document that -- a magazine that
25 was published by IAP?

1 A. It seems to me.

2 Q. Yeah. Turn -- there's no page numbers that
3 are that visible, but if you go in to about the 15th
4 page --

5 A. The word "circles" are or --

6 Q. No.

7 A. Further?

8 Q. I'm not going to have you translate all that,
9 because that's not your job in the case.

10 I'm making reference to a document -- there is
11 a picture of an individual with a beard, and then there
12 is a document that says "Islamic Association for
13 Palestine."

14 A. Yeah, yeah. This one?

15 Q. Yes, this one.

16 A. Yes.

17 Q. Okay. There's no page number here, so why
18 don't you -- I don't know how we're going to identify
19 this.

20 A. Actually, there is a page number. 27.

21 Q. Sorry?

22 A. There is a page number, 27.

23 Q. 27?

24 A. Yeah, in the right --

25 Q. Is that on the --

1 A. In Arabic, the right-hand side corner.

2 Q. The right-hand side, under --

3 A. Yeah.

4 Q. -- the picture of this --

5 A. No. There is two -- that's 26.

6 Q. Uh-huh.

7 A. And the second side is 27.

8 Q. Oh, I see.

9 A. See, there's two numbers?

10 Q. Yeah.

11 A. There's 26 on this side and 27 on this side.

12 Q. And that's directly under the document that

13 says at the top "Islamic Association for Palestine"?

14 A. Yes.

15 Q. And then at the bottom it says "Occupied Land

16 Fund." Do you see that?

17 A. Yes.

18 Q. Does this appear to you to be an

19 advertisement?

20 A. I don't know what it is. It could be a --

21 it's not part of the -- it's not an article, but it

22 could be -- seems to me a statement or an advertisement.

23 It could be an advertisement.

24 Q. But it's encouraging people to contribute to

25 the Occupied Land Fund, isn't it?

1 A. Yeah. It says that in the last paragraph,
2 yes.

3 Q. So you don't recall ever seeing any other
4 issues of Il-Afilistin?

5 A. No.

6 MR. FENNERTY: Any other issues? Oh, besides
7 the one he saw today?

8 MR. LANDES: Right.

9 All right. You can put this aside.

10 Q. I asked you before, sir, whether you attended
11 various conferences. Do you recall? Do you recall
12 attending an IAP conference in 1994 in California?

13 A. No, I don't remember.

14 Q. Do you recall IAP ever having a conference in
15 California? After all, you live here.

16 A. It wasn't in this area.

17 Q. Southern California?

18 A. If it had -- if they did, I am sure there was
19 no conference in this area. So I'm sure.

20 Q. Have you ever attended a conference sponsored
21 by IAP in which Shukri Abu Baker spoke?

22 A. No, I don't remember.

23 Q. So your testimony is you don't remember?

24 A. No, I don't remember.

25 Q. Do you ever recall receiving a report that

1 Shukri Abu Baker spoke at an IAP convention?

2 A. No.

3 Q. Did you ever attend an IAP conference in which
4 any other representative of the Holy Land Foundation or
5 Occupied Land Fund spoke?

6 A. Yeah. I would say Shukri spoke some -- I
7 heard him some other conferences.

8 Q. But were they related to IAP?

9 A. Maybe. Maybe one or two in the late '90s,
10 mid -- you know, second half of '90s. Maybe I remember
11 he was in an IAP conference. But other conferences too.
12 I heard him in some other conferences too.

13 Q. Whose conferences?

14 A. Other, you know, mosque speech functions and
15 so on. I heard him before.

16 Q. Did you ever hear Shukri Abu Baker introduced
17 at any conference as a senior vice president of Hamas?

18 A. That's a joke.

19 Q. Why is it a joke?

20 A. Because it's not true.

21 Q. I just asked the question. Did you ever hear
22 anybody describe him as being --

23 A. No --

24 Q. -- affiliated with Hamas?

25 A. -- I never heard him.

1 Q. You say it's not true. How do you know it's
2 not true?

3 A. Because it's not true. I know that.

4 Q. Well, I mean, the question is: You can say
5 you don't know it to be a fact, but how do you know it's
6 not true? You say you don't know, but how do you know
7 it's not true? Are you familiar with who all the
8 officers or affiliates of Hamas are?

9 A. No. I know Shukri, and I know Shukri has
10 nothing to do with Hamas.

11 Q. That's just based on your personal knowledge?

12 A. Yes.

13 Q. Has Shukri ever told you that he's not
14 affiliated with Hamas?

15 A. Yes, he told me.

16 Q. What was the occasion in which he told you?

17 A. Late '90s. You know, we talked about it, and
18 he said he has nothing to do with Hamas.

19 Q. Is that because somebody raised the question
20 publicly?

21 A. No. He told me, you know, some -- you know,
22 some people raise the question publicly about him, and
23 he said he has nothing to do with Hamas.

24 Q. Was that a private conversation just between
25 the two of you?

1 A. Yeah. Some other people were in the room.

2 Q. Can you tell me where that was?

3 A. I don't remember, but must be in Dallas or in
4 Washington, somewhere in there.

5 Q. Do you recall who else was present when you
6 had that meeting?

7 A. I don't remember, no.

8 Q. Was it other members of IAP?

9 A. No. It was long ago. You know, I left IAP
10 long after that. But I'm positive he told me that,
11 because he says, you know, there is an allegation to
12 that. So I remember that very clearly. But where and
13 when and who was there, I can't remember.

14 Q. But you've never heard -- aside from
15 allegations, you've never heard in a meeting of any
16 Islamic or Arabic or Arab-related organization
17 Mr. Abu Baker being introduced as having an affiliation
18 with Hamas?

19 A. Never.

20 Q. You testified before that -- I believe you
21 said -- was it bin Youssef who was the person with UASR?

22 A. I'm sorry?

23 Q. Was it Ahmed bin Youssef?

24 A. Yes, Ahmed Youssef.

25 Q. Okay. And he spoke at IAP conventions?

1 A. I think he did.

2 Q. Were you at the IAP convention he spoke at in
3 1996?

4 A. No.

5 Q. 2001?

6 A. No.

7 Q. 2002?

8 A. No.

9 Q. Do you know someone named Abdel Sattar Qassim?

10 A. I heard of him, but I don't know him. I heard
11 of his name.

12 Q. What have you heard about him?

13 A. He's a professor in a university somewhere in
14 West Bank. That's all I heard, but I never met him or
15 listened to him.

16 Q. Did you ever hear him speak at an IAP
17 convention?

18 A. No.

19 Q. Did you ever hear him speak at the 1996
20 convention?

21 A. No. I wasn't there, so . . .

22 Q. Were you at the 2000 convention?

23 A. No, I wasn't there.

24 Q. Do you know Ashraf Al-Nubani?

25 A. Yeah, I know Ashraf, yes.

1 Q. He's a lawyer in this case.

2 A. Yeah, I know Ashraf.

3 Q. Have you ever heard him speak at an IAP
4 convention?

5 A. No.

6 Q. I'll ask you again. Did you ever hear
7 Mr. Marzook speak at the 1990 convention?

8 A. I don't recall. I don't remember if I heard
9 him. I heard him at some other events, but where, I
10 can't remember.

11 Q. It could have been an IAP convention?

12 A. Could have been, yeah.

13 Q. Do you know who Nadia Elashi is?

14 A. I think that's his wife.

15 Q. All right. Did you ever hear her speak at an
16 IAP convention?

17 A. No.

18 Q. Do you know her?

19 A. No, not personally, but I know it's his wife.

20 Q. You know who she is?

21 A. Yeah.

22 Q. Did you ever hear Mr. Fennerty speak at an IAP
23 convention?

24 A. Not really, no. I did not attend many of the
25 IAP conventions lately.

1 Q. Mr. Jaber testified that he attended
2 conventions. Do you ever recall attending any
3 conventions of IAP with him?

4 A. I'm sorry?

5 Q. Did you ever go to any conventions with
6 Mr. Jaber?

7 A. Other than IAP, or IAP?

8 Q. IAP.

9 A. Oh, IAP. Maybe once. Once -- I don't
10 remember when, but once I remember that -- we were in a
11 convention together, but I don't remember whether it's
12 IAP or someone else's. But it could be once.

13 Q. Is Mr. Jaber involved in CAIR?

14 A. No.

15 MR. LANDES: Why don't you give us five
16 minutes?

17 THE WITNESS: Sure.

18 THE VIDEOGRAPHER: Off the record. The time
19 is 1:53.

20 (Break in proceedings.)

21 THE VIDEOGRAPHER: Back on the record. The
22 time is 1:54.

23 This marks the end of Videotape No. 2 in the
24 deposition of Omar Ahmad. The time -- going off the
25 record. The time is 1:54.

1 (Recess taken.)

2 THE VIDEOGRAPHER: Back on the record.

3 This marks the beginning of Videotape No. 3 in
4 the deposition of Omar Ahmad. The time is 2:01.

5 MR. LANDES: Q. Mr. Ahmad, I think I asked
6 you before whether you attended the 1989 convention of
7 IAP, and I believe your testimony was you weren't sure.

8 A. Yes.

9 Q. All right. I'm going to show you a videotape
10 that purports to be a videotape summarizing the events
11 at the 1989 IAP convention. Okay?

12 Now, I believe you also testified that it was
13 the custom of IAP to produce videos of its various
14 conventions, essentially providing highlights or
15 summaries of what took place at that convention; is that
16 correct?

17 A. Yes.

18 Q. Okay. I'm going to ask you if -- as we go
19 through this, if you recall, based upon looking at this
20 video, whether, in fact, you attended that convention;
21 and also ask you, as we go through the video, to attempt
22 to identify for us certain individuals who appear and if
23 you know who they are. Okay?

24 A. Okay.

25 Q. Okay. First of all, are you familiar with

1 this opening screen?

2 A. No.

3 Q. Do you know what it says?

4 A. I know what it says.

5 Q. Could you tell us?

6 A. It says that stop or warning, copyright, copy
7 of this film is prohibited until you get written
8 permission from the International Company for Education
9 and Video.

10 Q. Does it give --

11 A. Who is International --

12 Q. Does it give the name of the author there?

13 A. No.

14 MR. LANDES: Why don't you go to the next
15 stop.

16 THE WITNESS: International Company?

17 MR. OPPENHEIM: Do you want me to stop at
18 each --

19 THE WITNESS: No, that's all right.

20 MR. LANDES: Just go up.

21 (Discussion off the record.)

22 MR. FENNERTY: What year is it? Does it say
23 any year?

24 THE WITNESS: It doesn't say year.

25 MR. LANDES: Q. Okay. Now, here we have a

1 sign that has a typical religious beginning. This is
2 common in Islamic practice, isn't it?

3 A. Yes.

4 Q. And that is an invocation of the deity at the
5 beginning of the program, is that correct, or the
6 prophet? And then we see -- is that correct?

7 A. What is it?

8 Q. That it's customary at the beginning of such a
9 tape or a book to have some religious invocation?

10 A. You mean about this or the previous one?

11 Q. The previous one.

12 A. Yes.

13 Q. And now we move on to the next one. It says:
14 "Prepared" -- I'm sorry -- "Produced by
15 Educational Video International for the
16 Islamic Association for Palestine."

17 Do you see that?

18 A. Yes.

19 Q. The misspelling of "association." So this is
20 a suggestion that this video was produced by IAP?

21 A. No. It says "Produced by Educational Video."

22 Q. For the Islamic Association of Palestine?

23 A. Yeah. Someone did it for someone. So they
24 produced it, and -- for the other party. That's what
25 it means.

1 Q. And I think it's consistent with your
2 testimony before that the organization didn't really
3 produce it, but they hired some contractor to do it for
4 them?

5 A. Or volunteers, yeah.

6 Q. Is that correct?

7 A. Yeah.

8 Q. Okay. And it shows a copyright date of 1990,
9 which would suggest that likely this was a convention in
10 1989 or 1990. Would that be correct? Well, is it the
11 practice to produce these videos shortly after the
12 conventions?

13 A. Well, there could be delay too. I mean, these
14 guys are not very prompt, you know.

15 Q. But generally?

16 A. Generally, yeah, but I mean, I wouldn't -- I
17 wouldn't know, tell you the truth.

18 Q. Okay. All right. Here is a logo with a green
19 background. Do you know whose logo that is?

20 A. It says on it. This is the International
21 Company --

22 Q. Okay.

23 A. -- for Education, which is the one name in
24 English. This just in Arabic.

25 MR. LANDES: Okay. Thank you.

1 (Counsel confers privately with the witness.)

2 MR. LANDES: What? Is it stuck?

3 MR. OPPENHEIM: It won't let me play it. See
4 if I can skip ahead manually.

5 Okay. Now it's playing. It's getting back to
6 the . . .

7 MR. LANDES: Q. Is this -- can you tell me
8 what's on that sign?

9 A. A verse from the Koran.

10 MR. LANDES: Okay. What is the time on that?

11 MR. OPPENHEIM: It's 1:20.

12 MR. LANDES: At 1:20. Let's go to 1:48.

13 MR. OPPENHEIM: 1:48.

14 MR. LANDES: Q. Okay. Is that -- now, is
15 this the logo --

16 (Addressing Mr. Oppenheim:) At what time?

17 MR. OPPENHEIM: 1:53, actually.

18 MR. LANDES: Q. At 1:53 on the tape, is this
19 the logo of the Islamic Association for Palestine?

20 A. Yes.

21 Q. And could you tell me what's written on top of
22 it?

23 A. The name in Arabic.

24 Q. Okay. Now, here's --

25 (Addressing Mr. Oppenheim:) What is it?

1 1:54?

2 MR. OPPENHEIM: 2:00.

3 MR. LANDES: 2:00.

4 Q. This is a different logo. Can you tell me
5 what this logo says?

6 A. It says, "Palestine Islam from river to the
7 sea."

8 Q. Do you know what river to the sea they're
9 talking about?

10 A. I'm not sure.

11 Q. Would it be the Jordan River to the
12 Mediterranean Sea, in your experience?

13 A. Could be, yeah.

14 Q. Can you think of any other river or sea that
15 would be applicable to a convention like that?

16 A. I wouldn't know.

17 Q. Have you ever seen this logo before?

18 A. No.

19 Q. This is the first time you've ever seen it,
20 sitting here in this room?

21 A. No. I don't remember if I seen it, but I
22 don't -- it's not a logo. It's just a writing.

23 Q. Okay. Have you ever --

24 A. I don't see it as a logo. It's not a logo.

25 Q. All right. Have you ever heard that

1 expression before?

2 A. Yeah, I have heard it before.

3 Q. And in fact, it's a political expression?

4 A. It is, yeah.

5 Q. And expresses the notion, doesn't it, that
6 there should be one Arab or Islamic state in historic
7 Palestine?

8 A. That's one interpretation, but it could mean
9 many other things.

10 Q. What is your interpretation?

11 A. That means Muslims should be in Palestine, in
12 historical Palestine. They should not -- it seems to me
13 also that refugees should go back to their homeland and
14 Muslims should be in Tel Aviv and other cities where
15 they came from.

16 Q. Does it suggest who would have the political
17 control in the red shaded area?

18 A. I'm sorry?

19 Q. You see a map.

20 A. Yes. That's a map of historical Palestine.

21 Q. And to you, then, the suggestion of this
22 phrase is invocation of the right of return and only
23 that?

24 A. To me, yes, but someone could interpret it
25 like what you did. But to me, it means that Muslims

1 should go back to Palestine.

2 Q. And it says nothing about the possibility of
3 the political organization that would take place after
4 that in historic Palestine?

5 A. No, it doesn't mean that.

6 Q. Have you ever seen that phrase used before at
7 IAP conventions?

8 A. I don't remember, but it might be used. It's
9 a popular phrase, so, you know, many people could have
10 used it.

11 Q. Well, have you seen this before in any IAP
12 publications or videos?

13 A. It could be in publication I've seen.
14 Probably I've seen it once or twice, yeah.

15 Q. Publications about the time that were you
16 active at IAP, just to make sure it's the time that you
17 would be most familiar?

18 A. I don't remember that far, but I've seen it
19 many times enough. So I only know where I've seen it,
20 but I've seen it many times.

21 Q. Do you know what that is?

22 A. It just says the second conference of IAP.

23 Q. Second conference?

24 A. Yes.

25 Q. Does it give a date?

1 A. No.

2 MR. LANDES: Wait. Go back a little bit.

3 There's a date there.

4 THE WITNESS: Yeah.

5 MR. LANDES: Doesn't like going back?

6 MR. OPPENHEIM: Yeah. Oh, that can't be

7 right.

8 THE WITNESS: It says Kansas City, but I

9 didn't get the date.

10 MR. LANDES: Q. Okay.

11 A. Yeah.

12 Q. Do you see the date there?

13 A. Yes. '89.

14 Q. 1989?

15 A. Yes.

16 Q. Does it give the calendar date?

17 A. Yes. It says December 1989 to --

18 December 27th to 30th.

19 Q. All right. So it's likely then that this is a

20 video of the 1989 conference.

21 A. Right. Looks like it, yeah.

22 Q. All right. Do you know who this is?

23 A. This is the one I talked about, Yusuf

24 Qaradawi.

25 Q. Sorry?

1 A. This is the one I mentioned, I said popular
2 and I remember seeing him. That's him, Yusuf Qaradawi.

3 Q. You want to spell that for the court reporter?

4 A. Yusuf, W- -- Y-o-u -- Y-u-s-u-f; Qaradawi,
5 Q-a-r-d-a-w-i [sic]. I hope I spelled it the same
6 before.

7 Q. We'll catch it -- you'll have an opportunity
8 to look at the transcript later. You can make the
9 correction.

10 A. Okay.

11 Q. Do you know with whom he is associated?

12 A. He's one of the number-one scholar in the
13 Muslim world today.

14 Q. Okay. And was he -- where does he reside?

15 A. Qatar.

16 Q. In Qatar?

17 A. Yes.

18 Q. So he was brought in specially for this
19 convention?

20 A. Not special- -- I think most likely -- he
21 wouldn't come to a small convention like this, but
22 probably he was on a tour and then, you know, he was
23 asked to speak at that convention.

24 Q. So you took advantage of the fact he was in
25 the United States to bring him to the convention?

1 A. I think so. That's what they did.

2 Q. Did you have anything to do with bringing him?

3 A. No. I wish.

4 Q. Have you ever met him?

5 A. I met him at that conference.

6 Q. So that now refreshes your recollection --

7 A. Yeah.

8 Q. -- that you --

9 A. No, I remember I meeting that person, but I

10 didn't know what year. But see, this scholar is very --

11 number-one scholar in the Muslim world today.

12 Q. So would that, just to make sure I'm clear,

13 refresh your recollection that you were at that

14 convention?

15 A. It could be, yeah. If he only attended that

16 convention, then, yeah, I met him there.

17 Q. And that's his name there?

18 A. Yes, sir.

19 MR. LANDES: Any sound?

20 MR. OPPENHEIM: Yeah, I'm hoping it will come.

21 THE WITNESS: Probably.

22 (Discussion off the record.)

23 MR. LANDES: Can we go off the record?

24 THE VIDEOGRAPHER: Off the record. The time

25 is 2:15.

1 (Break in proceedings.)
2 THE VIDEOGRAPHER: Back on the record. The
3 time is 2:22.
4 MR. LANDES: Q. All right. Is this an
5 introduction that we just heard, or is that --
6 A. Yeah, his name.
7 MR. LANDES: Okay. Stop.
8 MR. OPPENHEIM: It'll come back, or not.
9 MR. FENNERTY: Technology. Is that a
10 different guy?
11 MR. LANDES: Yes.
12 Q. Do you know who this --
13 (Addressing Mr. Oppenheim:) We're at what
14 time?
15 MR. OPPENHEIM: We're at 5:02 here.
16 MR. LANDES: Q. Do you know who this
17 individual is?
18 A. This is Abdullah Azzam.
19 Q. Sorry?
20 A. The same picture, the one who was in the
21 magazine, Abdullah Azzam.
22 Q. And what is his position?
23 A. I don't know.
24 Q. Do you recall hearing him speak?
25 A. No.

1 MR. LANDES: So -- go to the next one.

2 MR. OPPENHEIM: We didn't go back to the last
3 one.

4 MR. LANDES: Q. So you're saying that's the
5 individual who was identified on that picture of
6 Il-Afilistin?

7 A. Yes.

8 MR. OPPENHEIM: Shall I go back to the last
9 one, the one I skipped by?

10 MR. LANDES: Did we skip one?

11 MR. OPPENHEIM: I think I skipped one.

12 MR. LANDES: Then go back.

13 (Counsel confers privately with the witness.)

14 MR. LANDES: Okay. Stop.

15 Q. Do you know who this is?

16 A. I know who he is, but I don't remember hearing
17 him at that conference.

18 Q. Well, who is he?

19 A. He's Dr. Rachid Ghannoushi, Tunisian. He
20 lives in London, I think.

21 Q. Okay. Could you --

22 A. Rachid, R-a-c-h-i-d; Ghannoushi,
23 G-h-a-n-n-o-s-h-i [sic], I think.

24 Q. Do you know what position he occupies?

25 A. I don't know.

1 MR. FENNERTY: What's the time?

2 MR. OPPENHEIM: 3:07.

3 MR. LANDES: Okay. The next one is at what

4 time?

5 MR. OPPENHEIM: This one's 3:13.

6 MR. LANDES: Q. At 3:13, do you know who this

7 individual is?

8 A. I'm in a dilemma here, because the names are

9 there, so I'm reading the names.

10 Q. Okay.

11 A. So should I read you the names, or would I

12 know them prior to these names?

13 Q. You know, you can tell us both, in fact.

14 A. Yeah.

15 Q. If you read the name, what does the name say?

16 A. The name says Khaled Abu Omeiran. Khaled Abu

17 Omeiran, O-m-e-i-r-a-n, I think.

18 Q. And do you know what position he occupies?

19 A. I don't know him.

20 Q. And you don't recall him speaking?

21 A. No, I don't.

22 Q. Do you know whether he's a person that's local

23 in the United States or --

24 A. No. I doubt.

25 Q. Just from the dress, you would think?

1 A. Yeah, I would say he's from the Middle East.

2 Q. All right. Next, who's that?

3 A. It says he's Dr. Ghazi, G-h-a-z-i, Rabaheh,

4 R-a-b-a-h-e-h.

5 Q. E-s?

6 A. E-h, both.

7 Q. E-h, Rabeh.

8 A. Rabaheh.

9 Q. Rabaheh. Okay. And do you know who he is?

10 A. I think he's a political science professor or

11 something. That's my recollection. I don't know. I

12 think I read the book for him some time ago.

13 Q. Is he in the United States?

14 A. No.

15 MR. LANDES: Play it. Can we hear him

16 speaking or what?

17 Q. There's a song -- there's a song in the

18 background. Is that a song that you're familiar with?

19 A. No.

20 Q. And who is the next person at --

21 (Addressing Mr. Oppenheim:) The time?

22 A. This is Dr. Hatem Hussaini.

23 MR. OPPENHEIM: 3:27.

24 MR. LANDES: 3:27?

25 THE WITNESS: This is the one who passed away,

1 I think. He was . . .

2 MR. LANDES: Q. Okay. Next?

3 A. It says that he's a member of the Palestine
4 National Council.

5 Q. And who is this?

6 A. It says Dr. Faiz Azzam, but I don't know him.

7 MR. OPPENHEIM: 3:41.

8 MR. LANDES: Q. Could you spell that?
9 Faisel, F-a-i-s-e-l. The last name?

10 A. F-a -- F-a-i-z, Faiz, I think the first name.
11 Azzam, A-z-z-a-m.

12 Q. All right. Now, do you recall at this
13 convention that you had a speaker who appeared with his
14 head totally covered?

15 A. Yeah, I recall something like that, yeah.

16 Q. Do you know who that speaker was?

17 A. No, I don't.

18 Q. Was it common to have speakers --

19 A. No.

20 Q. -- come with their heads covered?

21 A. No, it wasn't common. It was weird.

22 Q. Did you hear him speak?

23 A. I don't remember. I really don't -- probably
24 I heard him, but I wasn't -- I don't recall what he
25 said, but I heard what he said. I think I heard.

1 MR. FENNERTY: What's the time?

2 MR. OPPENHEIM: 3:45.

3 MR. LANDES: Q. Did you have any specific
4 knowledge as to why this person spoke with his head
5 covered?

6 A. I think -- I think what happened -- it says
7 that he's a visitor from the Occupied Territories. So
8 those visitors, they fear their family being tortured or
9 killed by the Israeli soldiers if they found out that
10 they talk about the atrocity that they're facing in
11 Palestine. And most likely they would like their
12 identity to remain, you know, covered so they can go
13 back without fearing being arrested at the airport
14 there. I think that's what it was. Because it's common
15 that Israel will arrest Palestinians who speak on
16 their -- you know, for the human rights violation or
17 other things, and they will be arrested at the airports
18 when they go back.

19 So most likely that's what the guy wanted to
20 do, but it wasn't common.

21 Q. So you wouldn't know who this was?

22 A. I wouldn't know.

23 Q. And I guess if we asked the organizers of that
24 convention, they probably would know?

25 A. Most likely not.

1 Q. But you got what? A guest came, an
2 unidentified guest?

3 A. See what happen is in these conferences, in
4 these events, someone can come and say, "You know, I
5 have a visitor from" -- you know, one even from the
6 attendees. They say, "I have a visitor who wants to
7 address the crowd. Would you allow?"

8 Say, "Yeah, I will allow a visitor to speak."

9 And then, you know, they will have their own,
10 and they bring him in, and they speak.

11 So it's not necessarily that the organizer
12 brought him, of the conference. So it could be, you
13 know, coming from an individual who attended the
14 conference. It could be a friend of his. It could be a
15 relative. It could be someone who knew this individual.

16 MR. LANDES: What's the time on that?

17 MR. OPPENHEIM: It's 3:45.

18 MR. LANDES: 3:45. Okay. Wait now.

19 Q. Can you hear what he's saying?

20 A. I can't.

21 MR. LANDES: Go back.

22 Q. I just want to see if he's talking about
23 something that you would think would suggest he needed
24 to be hooded.

25 A. It says, "Visitor from Occupied Territory who

1 represent Hamas."

2 MR. LANDES: Let's go forward now.

3 MR. OPPENHEIM: Yeah, it is.

4 (Discussion off the record.)

5 MR. LANDES: Q. Who is this?

6 A. I don't know.

7 MR. FENNERTY: It's twins; right?

8 MR. LANDES: It appears to be twins, and you

9 know, we didn't edit this tape, but for some reason he's

10 there as a twin.

11 Q. But you don't know who this is?

12 A. No.

13 MR. FENNERTY: What's the time?

14 MR. OPPENHEIM: It's 5:23.

15 MR. LANDES: Stop.

16 All right. Now, we see two copies apparently

17 what appears to be a poster or a banner of some sort,

18 and I think we made --

19 We have stills of that, don't we?

20 MR. OPPENHEIM: Yes.

21 MR. LANDES: Ask this be marked as Exhibit 8.

22 (Whereupon, Plaintiffs' Exhibit 8 was marked

23 for identification.)

24 MR. LANDES: Q. Have you seen this before?

25 A. Yeah, I don't remember. Before, I don't

1 remember. Now, I see it, but I don't remember.

2 Q. Do you know what it is?

3 A. I think it's a banner.

4 Q. And whose banner is it?

5 A. Well, in that tape, it's a banner behind the
6 speakers.

7 Q. All right. Is it a banner that mentions which
8 organizations are involved in sponsoring the activity?

9 A. Yeah. In Arabic it says IAP.

10 Q. Where is that?

11 A. In the left-hand corner.

12 Q. At the left hand, at the bottom?

13 A. Yeah.

14 Q. And what does it say in the left-hand corner
15 on the right?

16 A. I can't read it. The conference, but I can't
17 see the -- I don't know the rest. It says the word
18 "conference," but the rest, I don't see. In this area;
19 right?

20 Q. And the logo that covers the picture of
21 historic Palestine is the same logo that we made
22 reference to before; is that correct?

23 A. Yes.

24 Q. And the IAP logo, where is that? Is that at
25 the lower left-hand corner?

1 A. I don't see IAP.

2 Q. Where is the IAP?

3 A. It says here just the word "IAP" here.

4 Q. Is there any reference to the word Hamas in
5 this?

6 A. No.

7 (Discussion off the record.)

8 MR. FENNERTY: What's the time on the banner?

9 MR. OPPENHEIM: What did you say?

10 MR. FENNERTY: I want the time on the banner.

11 MR. OPPENHEIM: 5:24.

12 MR. LANDES: Q. Do you know who that speaker
13 is?

14 A. No.

15 MR. LANDES: We'll get it translated later on.
16 Just go to the song.

17 Q. Do you want to just translate what he just
18 said at the end there?

19 A. In general, he's attacking the Arab leaders.

20 Q. Would he be attacking Arafat?

21 A. Without specific. He didn't mention any name,
22 but he's talking about the Arab leaders.

23 MR. LANDES: Where are we at?

24 MR. OPPENHEIM: We are at -- 55:31 is where I
25 started at.

1 MR. LANDES: Q. Okay. At 55:31, I think it's
2 fair to say the speaker is beginning a song; correct?
3 A. It seems to be a song, yeah.
4 Q. Is this a well-known song?
5 A. I never heard that before.
6 Q. Do you know what the refrain is?
7 A. I think he's saying that -- about secularism.
8 He's talking about secularism and stuff like that.
9 Q. Did he just say something to the effect "from
10 river to the sea, Islamic Palestine"? Correct?
11 A. He repeated what's written on the banner.
12 MR. LANDES: Stop.
13 Q. What was -- just a reference of Hamas; is that
14 correct?
15 A. Yeah.
16 Q. And what was he saying?
17 A. He's saying the leader of Hamas or something.
18 Q. What? Want to play it back?
19 A. Yeah. I think he said leader of Hamas coming
20 in or something like that. That's what he said.
21 MR. OPPENHEIM: Return?
22 MR. LANDES: No. Go ahead.
23 Q. Is he making a reference or a call for Jihad
24 there?
25 A. No.

1 Q. What is he saying?

2 A. He's saying someone came to our conference.

3 Q. Okay. And what is that?

4 A. He's praising people.

5 Q. Who?

6 A. Praising the Hamas people.

7 Q. He's praising the Hamas martyrs?

8 A. No, not martyrs.

9 Q. Just Hamas people in general?

10 A. Yeah.

11 Q. He just made reference to grab your

12 Kalashnikov; correct?

13 A. I think he's talking about the stones.

14 Q. Sorry?

15 A. The stones. He's talking about stones and

16 Kalashnikov. How the stones became the Kalashnikovs.

17 Q. Became the Kalashnikovs.

18 A. So, you know, I think what he's referring to,

19 he's referring to the intifada.

20 Q. Because this was in the first intifada.

21 A. Yeah, where people throwing stones at the

22 Israelis. So he's saying that the stones are good, as

23 good as the weapons.

24 Q. Now, having seen this, do you recall the

25 speaker?

1 A. No.

2 Q. Strikes me as kind of riveting. You don't
3 remember him?

4 A. No.

5 Q. Is it unusual to have people leading singing
6 at these events?

7 A. Unusual. It's more of a poetry, singing, you
8 know, together.

9 Most of these things are not taken seriously,
10 by the way. I mean, those speeches and type of singing
11 is more of rhetoric.

12 Q. What's that?

13 A. More of a just emotional -- you know, like
14 "Praise the Lord," you know, things like that. When you
15 say them, people don't take them literally. They take
16 them of, you know, just to feel good that day. He wants
17 to make you feel good and so on. It's not like -- you
18 don't specifically read what he's saying, because what
19 he's saying sometimes doesn't make sense.

20 Q. Why doesn't it make sense?

21 A. Because, you know, it's not applicable. He's
22 just singing something, you know, in the past. He's
23 putting -- he's talking like -- just what I heard here,
24 he's talking about secularism. He's talking about some
25 criticism of the Arab leaders. He's talking about Islam

1 being under attack. He's talking about Palestine. He's
2 talking about -- you know, it's like things which, you
3 know, he connects one word from here and he makes a song
4 or he makes it sound like it's something to -- you know,
5 in general, you don't make it -- you don't take it
6 literally, what he's saying; because if you add it up,
7 it doesn't make sense. If you say what did he say about
8 this topic or this topic or this topic, it doesn't make
9 sense. But it's more of, I would say -- in Arabic
10 speeches, what they call khoutba or something.

11 Q. How do you say that word?

12 A. Khoutba, k-h-o-u-t-b-a, where it's like using
13 rhetoric.

14 Q. Sorry?

15 A. Rhetoric.

16 MR. FENNERTY: Rhetoric, he said.

17 MR. LANDES: Q. Rhetoric.

18 A. Using rhetoric so to make the people feel good
19 in the stage. It's like, you know, make them feel good.

20 So the singing, he probably speaks some poetry
21 with it. He mixes poetry. He talks about something a
22 thousand years ago, something connected to something
23 happening today. He might talk in the future 1000 years
24 ago -- and 1000 years ahead, and he mixes it up. And
25 these guys are good in language. They are good how

1 connect these things.

2 So it's not like a lecture or something that
3 you take seriously. This is what the guy said. I know
4 what you're getting into. But it's not -- people who
5 attend there, they don't take it that way.

6 Q. They view it as just some card cultural thing?

7 A. Yeah, it's a card cultural. It's just he
8 spoke and he gone. If you ask someone what did he
9 remember, he probably wouldn't remember a word. He
10 wouldn't even know how to memorize what he said, because
11 this is very poetic speeches, very difficult to memorize
12 or to understand what they're saying.

13 Q. Does he have a particular goal?

14 A. No goal, no. The goal is to make people feel
15 good.

16 Q. Make people feel good. This is a subject
17 that's feel-good type of a thing?

18 A. Yeah, those kind of things, yeah. Make people
19 in the audience, they feel good that, you know, there is
20 something, we chatted together, we sang together a song.

21 Q. It's uplifted?

22 A. Yeah, kind of uplifting, things like that.
23 They use it for emotion things.

24 Q. Would it be common to have more than one
25 person do that at a convention of this sort?

1 A. Yeah, it could be, yeah, common. Many people
2 do that. I mean, most of the religious scholars, they
3 have this ability of talking. And even as today, if you
4 get Muslim religious scholars, one of the biggest issue
5 between the West understanding the Muslim scholars is
6 they don't understand the context they talking to. So
7 if you hear them, you feel, wow, this launching Jihad
8 and they're doing this and this and this; while if you
9 ask the people who are listening to them, they would not
10 interpret it that way. You know, they might say things
11 that people just immediately dismiss because of the
12 context and the way they speak things and the history of
13 the -- you know, the tradition how to say things.

14 People used to give speeches for an hour of --
15 you know, and the point was how to not mention the
16 letter "M" in the speech. And the speech would have
17 meaning and would have political meanings, but it has no
18 effect. But the power was of the language. They want
19 to show off their power of language.

20 So most of the speeches in these conferences,
21 I would say, is like -- is not something you take away:
22 This is what the guy said, and this is the points they
23 raise and so on. It's most of, you know, religious
24 person. He's speaking, you know, in generality. You
25 have to understand exactly what they mean, and you have

1 to clarify from them the specific statements. When they
2 said this, what does it mean and so on.

3 And you know, that's one of the issues we're
4 dealing with as of today after September 11 as Muslims
5 in this country, where we have to refine the messages
6 and say, look, that's not what they meant. And you have
7 to really quiz them to find out that's not what they
8 really mean.

9 I mean, I can give you examples where people
10 might, you know, say things against Jews, for example,
11 and -- or Christians, and it looks like it's very, you
12 know, negative; but yet his neighbor is a Christian and
13 he have dinner with him and they visit together.

14 And you ask him "Why, you know, you speaking
15 against Christian?"

16 "Oh, no, no, I'm not speaking about my
17 neighbors and the people who are good."

18 "Then who you are speaking against?"

19 "Well, I'm speaking about the people who
20 attack us, the people who kill people, and so on."

21 "So why don't you say so?"

22 "Well, people understand I don't mean the
23 peaceful people."

24 Those, you see -- then you tell them, "No, no,
25 but that's not how it's being understood in the West.

1 If someone in the West listen to you, he thinks you're
2 attacking everybody, and you should not use this
3 language. You have to understand the context of how
4 people understand your speech outside your mosque or
5 your area, because people misunderstand one thing and
6 they might" -- "you know, outside they might think
7 something else."

8 And most of these speeches is very similar to
9 that.

10 Q. So was any part of the speech attacking anyone
11 in particular, in your view?

12 A. No. They -- I think he criticized the Arab
13 leaders. But he would go to them, and they would not
14 talk to him, because it wasn't like, you know, for us
15 criticizing. He was just saying, you know, they should
16 have done a better job ruling the country, you know,
17 which is -- anybody could say. That's what he
18 criticized the Arab leaders specifically.

19 Q. Would it be fair to say that part of his
20 performance was to extol Hamas?

21 A. What do you mean, "extol"?

22 Q. To put them at a high level, to give them
23 credit, to suggest that they're worthy.

24 A. No, he did not mention the organization many
25 times. He was, you know, saying in passing. He was

1 making a song about them, but that's about it.

2 But I would say, in general, they might do
3 that. I mean, that's not -- nothing not normal. But in
4 my view, these things are -- they have to be taken of
5 context what was said then and what he mean and how --
6 what is -- you know, how is the setting when people talk
7 about these things?

8 I mean, you could have -- you know, if you
9 analyze every word of what they say and you take them
10 word by word and at the end you put it together, you
11 probably find nothing in there you could be have -- you
12 know, he's talking from the East to the West. And you
13 say where is -- you know, what is the message? But
14 there's so many talks and messages, and that's why I
15 think you should not take -- these things should not be
16 taken as is. They should be taken with understanding
17 how people understand these functions.

18 And it's very important people, you know, when
19 you analyze these things, to see how the audience react
20 and what they take away from these functions.

21 Q. So in order to find out what the audience took
22 away, what would we have to do? How would we know? Who
23 would be in a position to tell us?

24 A. It's like research. You have to put someone
25 who understand, you know, who will analyze what the

1 speeches, current speeches -- not necessarily this only
2 conference, but other things too -- and what does it --
3 how does it translate and the context they speak with?

4 I mean, especially from Arabic, which is
5 things that don't exist in English, I mean, you have to
6 translate them back. I have a hard time explaining to
7 people, when someone said something in Arabic, how --
8 what does it mean in English.

9 Like many examples, you know, I always give an
10 example. I could say we are -- you know, there is men
11 in this room, right, while there is two woman here. And
12 someone might say, well, you know, gender bias and so
13 on. But in Arabic language, you count the number of
14 people. If the male -- or the dominant is one more or
15 two more, you could say you describe everybody by that
16 title. If there is four woman and three men, you could
17 say there is woman in that room. You don't have to say
18 woman and men.

19 But you know, these things have to be, you
20 know, researched, and I wouldn't know how to go about
21 it. But it should not be taken literally, this is what
22 was said; that means they told them do this and they
23 immediately went and did this and so on. You know what
24 I mean?

25 Q. Did it suggest that certain organizations or

1 certain individuals are worthy of support? Did you at
2 least come away with that? Is there some common
3 denominator that you could say comes through this
4 speech, that everybody understood that there were
5 certain ideas or certain programs that were being
6 supported?

7 A. Well, certain ideas, yes. Certain ideas, I
8 would say yes, which is basically support Islam, be a
9 good Muslim, support the cause of Islam, whatever it is.

10 And you know, like the title, I take away from
11 it something that, you know, that Muslims should be in
12 Palestine, historical Palestine. They should go back to
13 their land. But someone else might come and take away
14 from it, you know, something else. And you could --
15 someone who wants to have ill intention, you could take
16 away from it that Muslims want to put Jews in the sea
17 because they want pure Islam because -- there's no word
18 "pure," but they could add it underneath the title, and
19 that's what it means. So they want to kick out
20 Christians and Muslims out -- and Jews out of Palestine.
21 Someone could misinterpret that to be.

22 But to me, if you quiz the people who came up
23 with that title, "What do you want to do with the" --
24 you know, "what Christians will have a role in Islam
25 Palestine?" they will say "Absolutely."

1 "Then why it doesn't say that in the banner?"

2 "Well, you know, it's understood. Well, they
3 are there. They've been there for thousands of years.

4 Of course they will have a role."

5 "Would Jews have a role?"

6 "Yeah. Where they will go, they will have a
7 role."

8 But it means -- if you dig deep, it means that
9 Muslims should go back to their homeland, which is
10 basically the right of return. And that's what they are
11 talking about. And that's, I would say, the message
12 that I got away from it or I will get away -- take way.

13 Q. Would the message you got essentially mean the
14 end of the State of Israel as a political entity?

15 A. No.

16 Q. That's possible under this scenario?

17 A. No, not the message I took away. The message
18 I took away is that right -- basically, today's term
19 "right of return." That's what it means. That's the
20 message I took away from this banner.

21 Q. Then or now? Hearing it now or hearing it in
22 19- --

23 A. No, no. Then and now. Then and now. My
24 understanding, that's what the message is, that we
25 should go back -- the people should go back to their

1 villages that were, you know, expelled from in 1948.

2 That's like me. I want to go back to my village.

3 Q. Okay. And so that's how you -- that's what
4 you take away from this?

5 A. That's what I take away from this conference.

6 Q. But other people could take away the message
7 that's different? That's what you just said?

8 A. No. I would say in the time -- in the banner,
9 you could take away -- if someone have ill intention or
10 someone wants to say this is a bad event, he could
11 because of the banner. But if you ask the people,
12 audience, "What do you take away? What do you take away
13 from the conference?" everybody might take away
14 different things. But in general, this is the kind of
15 message I think people want to -- you know, they
16 advocate, because if you quiz them down one by one,
17 you'll end up to the understanding that I just told you
18 about.

19 Q. But you've never done that study?

20 A. I did some with some people, yes, I did.

21 Q. And do you have -- did you do a formal study?

22 A. Not formal, no.

23 Q. That's just your impression?

24 A. No, not impression. I did with people. I sat
25 with people who are scholars who speak, and their speech

1 might be interpret -- misinterpreted certain things.

2 And I come down and say, "Okay. Let's take it
3 one at a time. You said this. What does it mean?"

4 And he tells me what does it mean.
5 Specifically on this issue or the issue of Palestine and
6 Muslims in Palestine.

7 And I say, "Okay. When you say you want
8 Palestine a Muslim state or something, do you mean that
9 Christians will not have a role?"

10 Say, "No, no. Christian would have."

11 "Jews would not?"

12 "Oh, no. Jews will have."

13 "Then what does it" --

14 At the end of the day, either he's talking
15 about -- when the bottom of it, either he's talking
16 about a multinationalist, a multiethnic state where
17 Jews, Christian, Muslims live side by side in kind of a
18 state, or he's talking about people going back to their
19 homeland and living there, or he's talking about --
20 that even at the extreme of it, they're talking about
21 Muslims replacing Israel. But at the same time, Jews
22 will stay living there as citizens of the country, and
23 they will have the rights like Muslims.

24 That's -- you know, so --

25 Q. But they already have --

1 A. -- I did that quiz with people. I did it many
2 times.

3 And at the end of the time, at the end of day
4 will come out to be similar to the middle. They will
5 come out and say no. What do I do with the Christians
6 in Palestine? They're fighting, they're struggling just
7 like the Muslims in Palestine, and they're also
8 struggling like everybody else. It's not fair, and they
9 will defend their right, and so on, even though in the
10 beginning of their speech, they will never talk about
11 that because that's not in their context.

12 They're talking to 99 percent Muslims or
13 100 percent Muslims. They don't have to mention others
14 because they're not there. But once you put them in an
15 audience where Christians and Jews and nonbelievers in
16 the audience and they ask them specifically, they will
17 adjust their speech.

18 Q. So that would be after the speech?

19 A. No. I mean, that's --

20 Q. What you're saying is it's sort of a gloss or
21 an interpretation to the speech, but not literally what
22 the speech said?

23 A. Yeah. I would say that's what I will take
24 away from it.

25 (Discussion off the record.)

1 MR. LANDES: Q. Okay. Is that the same
2 person we saw before at the time?

3 (Addressing Mr. Oppenheim:) Go back.

4 A. The one who was before?

5 Q. The hooded person.

6 A. I don't know.

7 Q. And there's a flag he's carrying?

8 A. Yeah, I think so.

9 Q. Can you tell what flag that is?

10 A. Palestinian flag. I think it has the red and
11 green. I can't see it very well. It has red and --
12 yeah, it's the Palestinian flag.

13 Q. Do you know the name of the person who's
14 standing with the hooded --

15 A. No.

16 Q. Does this refresh your recollection what was
17 the subject of the speech?

18 A. I can't recall what he said, but he's reading
19 verses from the Koran.

20 (Discussion off the record.)

21 MR. LANDES: We're on the second tape now;
22 right?

23 MR. OPPENHEIM: Yes. This is the very end.

24 MR. LANDES: Q. There are two disks. This is
25 the end of the second disk. Same speaker, apparently,

1 that we had before.

2 A. Yeah.

3 Q. The gentleman who loved the singing.

4 A. Must be edited or something. Did you guys

5 edit the tape?

6 Q. Do you know who this is?

7 A. No.

8 MR. LANDES: This is at what point?

9 MR. OPPENHEIM: It's supposed to be going

10 to -- okay.

11 MR. FENNERTY: What's the time?

12 MR. OPPENHEIM: 54:18.

13 MR. LANDES: Q. Do you know this person at

14 54:18?

15 A. No.

16 Q. Do you know the song they're singing here?

17 A. No.

18 Q. Do you know what it says?

19 A. I can't understand what they're saying.

20 MR. OPPENHEIM: It cuts off.

21 MR. LANDES: H'm?

22 MR. OPPENHEIM: It cuts off before it gets to

23 the solicitation.

24 MR. LANDES: Does it?

25 MR. OPPENHEIM: Yeah. Must have made a

1 mistake in the copying.

2 MR. LANDES: All right. I think that's all we
3 have with this.

4 MR. OPPENHEIM: I think so.

5 MR. LANDES: Q. Do you recall at this
6 convention whether any solicitations were made for the
7 Holy Land Foundation, the Occupied Land Fund?

8 A. I don't recall, no.

9 MR. LANDES: Let's take a five-minute break.

10 THE VIDEOGRAPHER: Going off the record. The
11 time is 3:02.

12 (Recess taken.)

13 THE VIDEOGRAPHER: Back on the record. The
14 time is 3:13.

15 MR. LANDES: Q. Mr. Ahmad, did you attend a
16 meeting in 1993 in Philadelphia that was attended, among
17 others, by Shukri Abu Baker, Ghassan Elashi, Haitham
18 Maghawri, Abdelhaleem Hassan Ashqar, and others?

19 A. I don't remember.

20 Q. Have you ever heard of something called the
21 Watson report?

22 A. Watson report? No.

23 Q. Have you ever heard of the lawsuit brought --
24 well, let me strike that question.

25 You're aware, aren't you, that the government

1 has seized the various assets of the Holy Land
2 Foundation?

3 A. Yes.

4 Q. Okay. And are you aware that there's
5 litigation pending in the District of Columbia
6 concerning that seizure?

7 A. Yes.

8 Q. Are you aware of a report that was filed by
9 Dale L. Watson, the assistant director of the
10 counterterrorism division of the Office of Foreign
11 Assets Control of the Department of the Treasury? It
12 was filed on November 5, 2001. It was made public in
13 connection with the Holy Land Foundation litigation.

14 A. I don't know.

15 Q. Okay. Let me ask you this. I'll ask you
16 again, according to the Watson report, FBI surveillance
17 in 1993 of a meeting on October 1st to October 3, 1993
18 took place with respect to an investigation of one
19 Abdelhaleem Hassan Ashqar. Do you know who Abdelhaleem
20 Hassan Ashqar is?

21 A. I do.

22 Q. Who is he?

23 A. He's a gentleman that lives in Washington,
24 D.C.

25 Q. And do you know what position he holds?

1 A. I don't know.

2 Q. Have you ever met him?

3 A. I met him, yeah.

4 Q. And when did you meet him?

5 A. Probably mid-'90s. Around the year before

6 that, you know. Begin probably '93, '94, somewhere in

7 there.

8 Q. Did you ever go to a conference with him?

9 A. A conference?

10 Q. Or a meeting with other people.

11 A. I don't recall.

12 Q. Did you ever attend a meeting in which there

13 was a discussion of how Islamic organizations in the

14 United States would respond to the signing of the Oslo

15 Accords and the establishment of the Palestine Self-Rule

16 Authority?

17 A. There were multiple meetings. Probably been

18 many, discussing, you know, strategies and what to do

19 and so on.

20 Q. Did you attend a meeting -- and I'll ask you

21 again -- among whom the participants were Ashqar, Akram

22 Karubi, Mohammed Al-Hanooti, Ismail Elbarasse, Moin

23 Kamal, Mohammed Shabib, Shukri Abu Baker, Ghassan

24 Elashi, and Haitham Maghawri?

25 A. I don't remember, but if you refresh -- you

1 know, there is a meeting, why don't you go into the
2 meeting if there is something there? But I don't
3 remember exactly that day, that meeting, or what
4 happened there.

5 MR. LANDES: Okay. I'm going to hand you --
6 Ask this be marked as Exhibit 9.

7 (Whereupon, Plaintiffs' Exhibit 9 was marked
8 for identification.)

9 MR. LANDES: Q. This document is actually a
10 matter of public record.

11 A. Okay.

12 Q. Have you seen this document before?

13 A. No.

14 Q. Take a look at what is page 2, Document
15 No. 1399.

16 A. Page 2?

17 Q. Yes. It says "Date: October 1, '93." It

18 says "Omar LNU," which means last name unknown, "Room
19 307."

20 Just take a look at the first five lines, six
21 lines.

22 A. Okay.

23 Q. Does that refresh your recollection as to any
24 meeting you may have attended?

25 A. No.

1 Q. Sorry?

2 A. It does not, no.

3 Q. Okay. Turn to page 69.

4 A. Okay.

5 Q. Take a look at the bottom of the page, in
6 bold.

7 A. Okay.

8 Q. Now, you told me earlier that one way of
9 referring to you is by Omar Yehia; is that correct?

10 A. Yeah, some people might call me that, yeah.

11 Q. Okay. Did you make the statement, in words to
12 this -- either these words or words similar to this, at
13 any time?

14 A. I don't recall. I don't remember.

15 Q. So is it your testimony here today that you
16 don't recall attending a meeting in Philadelphia with
17 all of these individuals present?

18 A. I don't, no.

19 Q. Is it your testimony you did not attend that
20 meeting?

21 A. No. I don't recall. I don't know if I did.

22 Q. How could we find out? Do you have a calendar
23 that you keep?

24 A. I do keep, but not that far, to '93. I do
25 keep like, you know, two years, something like that, but

1 not that far.

2 Q. So you would say to me, one way or the
3 other -- we can go through this and ask you again
4 whether you're the Omar who's referred to in this
5 document. And this is a conference that took place
6 apparently over a number of days, apparently,
7 unbeknownst to its participants, was the subject of
8 electronic eavesdropping by some government authority.
9 And you know, I'm willing to give you as much time as
10 you need to go through this document and see if it
11 refreshes your recollection as to whether or not you
12 attended this meeting.

13 I would say to you that given the detailed
14 nature of this transcript, I would think that you'd be
15 capable of answering the question whether or not you
16 attended this meeting, given the detail and given the
17 people that were involved and the subjects that were
18 discussed.

19 MR. FENNERTY: It's 74 pages.

20 THE WITNESS: H'm?

21 MR. FENNERTY: It's 74 pages.

22 THE WITNESS: Yeah.

23 I really don't remember. I can't recall
24 attending this meeting.

25 MR. LANDES: Q. Can you tell me absolutely

1 that the Omar that they're referring to here is not you?

2 A. No, I can't tell you whether yes or no,
3 because I don't remember.

4 Q. Has the government ever contacted you with
5 reference to this meeting?

6 A. No.

7 Q. Have any of the participants, whose names I
8 mentioned were referenced here, ever contacted you with
9 respect to any investigation of that meeting?

10 A. No.

11 Q. Sorry?

12 A. No.

13 Q. You told me before, when we began the
14 deposition, that the word "ithad" is -- somewhere --
15 Islamic Association for Palestine?

16 A. Yes.

17 Q. If someone used the word "Islamic Union of
18 Palestine" translating "ithad," would that be a
19 necessarily erroneous translation?

20 A. I think so.

21 Q. But are they close?

22 A. They're close, but we normally wouldn't call
23 ithad union. I wouldn't. I would say association more
24 appropriate.

25 Q. More appropriate?

1 A. Yeah.

2 Q. But it's not out of the question to
3 mistranslate it "union"?

4 A. From -- depends who mistranslate.

5 Q. Say someone maybe not as familiar with Arabic
6 as you.

7 A. Yeah, there could be.

8 Q. Turn to page 12.

9 A. Okay.

10 Q. Now, you testified earlier that in 1993, or
11 abouts, you were the president of AMELP doing business
12 as the --

13 A. Yes.

14 Q. -- Islamic Association for Palestine.

15 Now, according to this document, at the top of
16 page 12, there's apparently a summary -- it's not a
17 verbatim -- of statements Abdelhaleem Ashqar made in
18 which he said to the effect that the union and the
19 fund -- and I believe that the fund is a charitable
20 organization they're talking about, I think the Holy
21 Land Foundation -- was the sponsor of the meeting.

22 Do you recall whether IAP sponsored a meeting
23 of these individuals in Philadelphia in 1993? Does that
24 refresh your recollection?

25 A. No, I don't -- I don't recall, no. Nope.

1 Q. Take a look at page 14 --

2 A. 14?

3 Q. -- which is 1411, Bates stamp.

4 A. Uh-huh.

5 Q. And it says at the top "Personal Assessment."

6 That's probably the assessment of the intelligence

7 analyst who looked at these tape recordings. In

8 paragraph 1 he says:

9 "I believe that all participants in the

10 meeting are Hamas members or at least Hamas

11 supporters. Their major functions in this

12 Country is to help Hamas, financially and

13 politically."

14 Now, I believe you testified earlier that you

15 knew many of these individuals who were purportedly at

16 this meeting; correct?

17 A. Not many.

18 Q. Well, some?

19 A. One or two.

20 Q. You said that you know Ashqar.

21 A. Yeah.

22 Q. Did you know Ashqar in '93?

23 A. Yes.

24 Q. Did you know Ashqar in '93 to be either a

25 member or a supporter of Hamas?

1 A. No.

2 Q. You say no. Did you know Karubi?

3 A. Yes.

4 Q. Did you know him in 1993?

5 A. Yes.

6 Q. Did you go to any meetings with him in 1993?

7 A. No.

8 Q. No?

9 A. I don't remember.

10 Q. You don't remember?

11 A. No, I don't remember going to . . .

12 Q. Did you know Akram Karubi to be either a

13 supporter or a member or liaison for Hamas?

14 A. No.

15 Q. You don't know one way or the other?

16 A. No, I don't know whether he was a member of

17 Hamas or --

18 Q. You'd have to ask him?

19 A. Yeah, ask him, yeah.

20 Q. But he never told you?

21 A. No, he never told me.

22 Q. What about -- you mentioned before that you

23 knew Mohammed Al-Hanooti; correct?

24 A. Yes.

25 Q. All right. Did you know him in 1993?

1 A. Yes.

2 Q. Did you know him in 1993 to be a member or
3 supporter or activist on behalf of Hamas?

4 A. No, he never told me so.

5 Q. Never told you so?

6 A. No.

7 Q. What about Ismail Elbarasse? I believe you
8 testified that you knew him.

9 A. Yes.

10 Q. Did Mr. Elbarasse ever tell you that he was a
11 supporter, activist, or member of Hamas?

12 A. No.

13 Q. Did Mr. Elbarasse ever tell you that he had
14 financial dealings with Marzook?

15 A. No.

16 Q. Did you know that he did?

17 A. I did afterwards.

18 Q. How did you find out?

19 A. In the news, when Mohammed Salah was arrested
20 and so on, I read in the news that he has some dealing
21 with.

22 Q. So you only through third parties?

23 A. Yeah, third parties. I don't know --

24 Q. And so you know that there's evidence that
25 Ismail Elbarasse supplied funds to Mohammed Salah?

1 A. I know from newspaper reports, indirectly,
2 third party; but I don't know -- he never told me. We
3 never discussed this subject at all.

4 Q. You never discussed it with him?

5 A. No.

6 Q. So you have no reason, one way or the other,
7 to know whether he was affiliated in any way with Hamas;
8 is that correct?

9 A. Yes. I have no way of --

10 Q. You can't say yes? You can't say no?

11 A. Yeah. But he never told me he was.

12 Q. Any reason to believe that he was?

13 A. No.

14 Q. Do you know Moin Kamal Mohammed Shabib?

15 A. No. I don't remember.

16 Q. You never met him?

17 A. Never. I don't remember this name.

18 Q. So you don't know whether you met him or not?

19 A. I don't remember, no.

20 Q. Now, you said -- we've asked you about Shukri
21 Abu Baker, and you've told me that as far as you know,
22 he had no affiliation with Hamas?

23 A. Yes.

24 Q. I think you testified that he told you so.

25 A. Yes.

1 Q. Has any little bit that you've seen in this
2 document caused you to change your mind?

3 A. Well, looking at it, this document might be
4 edited, might be tampered with and mistranslated.

5 So when the assessment of the translator says
6 they're Hamas members or at least Hamas supporters, so
7 at least there is a confusion in his -- whoever
8 translated this that who he's talking about, right,
9 whether Hamas members or at least Hamas supporters.

10 And what does it mean "supporters"? That's,
11 quote/unquote, supporters; right? It depends what the
12 translator said about supporters. So it could mean
13 anybody in this meeting was a Hamas member, he should
14 have said did they ever say in the meeting they're Hamas
15 members? That's one thing. Did they ever say in the
16 meeting they're -- you know, they're supporters of
17 Hamas? Do they support the agenda of Hamas? Do they
18 support the ideas of Hamas? I would classify them
19 different things. You know? I mean, someone could --
20 you know, in this country could believe whatever they
21 want, you know?

22 Q. That's true. But my question is whether
23 Mr. Abu Baker ever expressed to you anything in the
24 range from being an actual member of Hamas to a
25 supporter of the program of Hamas.

1 A. Actually, he never told me that he's a member
2 of Hamas. He never told me he's a supporter. He told
3 me many times he's not supporting Hamas.

4 Q. Did he ever tell you he supported the
5 political program of Hamas?

6 A. He told me he doesn't support Hamas at all.
7 Many times he told me that.

8 Q. Let me ask you this. You raised various
9 possibilities. Do you know whether, in fact, Hamas is a
10 membership organization and people are actually members?

11 A. My understanding is not, is not a membership
12 organization, at least outside Palestine.

13 Q. How about within?

14 A. Within, I don't know; but I know outside, my
15 understanding is not a membership. They don't have
16 members outside.

17 Q. So there's not a membership card? You don't
18 pay dues?

19 A. No, it's not a members at all, whether you pay
20 dues or not.

21 Q. Okay. But if you were, for example, in the
22 military part of Hamas and you were in one of the Hamas
23 brigades, would that, in your mind, mean you were a
24 member of Hamas?

25 A. Inside Palestine, I think there is Hamas

1 members and so on; but outside of Palestine, there is
2 not. Well, that's my understanding.

3 Q. You don't know one way or the other?

4 A. No. I read some -- you know, some pamphlets,
5 some news reports. I know of some issues with them
6 having members outside Palestine. That will create a
7 problem for them.

8 So my understanding from their writing in
9 Arabic newspaper that I read some time ago, that they
10 elected not to have members outside because didn't want
11 to have any conflict with any Arab government from the
12 outside. So they elected to stay within Palestine and
13 ask people to sympathize with them or support as
14 supporters, but not as part of the organization. That's
15 my understanding.

16 Q. Marzook lived in the United States, didn't he?

17 A. Yes.

18 Q. And didn't Marzook say that he was a political
19 leader of Hamas?

20 A. Not in -- after he left the United States, but
21 not when he was here, he wasn't -- I don't think he was
22 involved with Hamas from the beginning. That's my
23 understanding.

24 Q. So you don't know when he joined?

25 A. I don't know when. But my understanding is

1 when he left this country, he became, you know, involved
2 with Hamas, but not before that. That's my
3 understanding.

4 Q. Do you know whether Mohammed Salah was ever a
5 member of Hamas?

6 A. I don't know Mohammed Salah at all. I don't
7 know.

8 Q. Let's go on to Haitham Maghawri.

9 A. Yes.

10 Q. Do you know him?

11 A. Haitham. Yes, I know him, yeah.

12 Q. Did you know him in 1993?

13 A. I don't remember when, but I know him, yes.

14 Q. And do you know him to be the executive
15 director of the Holy Land Foundation?

16 A. Yes.

17 Q. Is it possible that you did know him in 1993?

18 A. Yes.

19 Q. My understanding is he came to the United
20 States in 1990?

21 A. I don't know.

22 Q. Did you ever know Haitham Maghawri to be
23 either a member, supporter, or advocate for Hamas?

24 A. No.

25 Q. One way or the other, either way?

1 A. No. Actually, I know for sure that the people
2 in the Holy Land never were Hamas members or supporters;
3 and even to me privately, they were criticizing in a
4 length -- I'm under oath right now and I know what I'm
5 saying -- Hamas and criticizing. They want to -- you
6 know, they don't want to become associated with anything
7 because of too much attacks against them, and so on,
8 and, you know, there is rumors and so on. That's why
9 they told me many times, in private and in setting, that
10 they have nothing to do with Hamas.

11 Q. Who told you that?

12 A. Haitham and Shukri.

13 Q. Both?

14 A. Yes.

15 Q. Do you know when they told you that?

16 A. Many times in the '90s, you know, second half
17 of the '90s.

18 Q. Not in the first half of the '90s?

19 A. Well, it wasn't an issue then. I wouldn't --
20 it wasn't issue then. But I think -- they never told me
21 they were, but they always told me that they were not.

22 Q. It's true, isn't it, that in 1995 President
23 Clinton designated Hamas to be a specially designated
24 terrorist organization --

25 A. Yes.

1 Q. -- isn't that correct?

2 Now, did that have an effect on any
3 organizations that you were familiar with?

4 A. Not directly, didn't have any effect on the
5 organizations. I think it probably made people more
6 aware of what they're doing and their speeches and talks
7 and so on.

8 Q. As far as you know, did the Islamic
9 Association for Palestine after '95 refuse to invite any
10 speakers with Hamas affiliations to come to their
11 conventions because of the president's executive order?

12 A. I wasn't involved after that. I don't know
13 for sure.

14 Q. Are you aware whether HLF took any steps to
15 make sure after 1995 that the funds that they were
16 allocating to Israel and the Occupied Territories did
17 not go to Hamas-related institutions?

18 A. I think they did. I think they did many --
19 you know, they make sure that it never went and never
20 go. So they did not -- they never told me that it used
21 to be and now they stop. But I think they were very
22 careful of not, you know, giving any funds to anybody
23 else but legitimate organizations in the Occupied
24 Territories.

25 Q. Did they ever explain to you how they went

1 about making that decision, how they ascertained that?

2 A. I don't know.

3 Q. So you're just -- so what's the basis of your
4 belief?

5 A. They just -- they just said so. And also, I
6 heard -- I travel around, and I heard a lot of people
7 from the Occupied Territories complaining about the Holy
8 Land, saying they don't support, you know, Hamas and
9 they don't support Muslims. And people who are Islamic
10 favor, they support everybody; they're equal, and so on.

11 And that give me the leverage. I can witness
12 that they never -- I heard from a lot of people from
13 there who saying that they don't give to specific group.
14 They give to a lot of people, and they give to --
15 general to the Palestinian people.

16 Q. Do you know whether Ghassan Elashi was ever a
17 member or supporter of Hamas?

18 A. I don't know.

19 Q. You knew him in 1993?

20 A. Yeah, I knew him.

21 Q. Now, did you ever hear of Hamas being referred
22 by the word "Samah," which is Hamas spelled backwards?

23 A. Yeah, I heard this from some people. It's
24 like a joke.

25 Q. And what's the joke?

1 A. It's like, you know, you don't want to say
2 " Hamas," you say " Samah," which is very similar.
3 Q. Is that --
4 A. And people make jokes about it.
5 Q. All right. So that's not unusual?
6 A. No, it's not.
7 Q. You've heard it before?
8 A. Yeah, I heard it before, yeah.
9 Q. Did you ever attend any meetings of other
10 people involved in Islamic or Arabic, Arab institutions
11 or political groups that were working towards a strategy
12 to undermine the Self-Rule Authority in the Occupied
13 Territories after 1993?
14 A. I don't know.
15 Q. You don't know?
16 A. I don't remember attending a meeting with Arab
17 institutions.
18 Q. Individuals.
19 A. Individuals, to undermine -- no.
20 Q. For a plan to see what could be done to
21 undermine the Self-Rule Authority.
22 A. How could we undermine it from America?
23 Q. I'm not asking that.
24 A. No.
25 Q. I'm asking whether you were --

1 A. No.

2 Q. -- involved in any plans to do that.

3 A. No.

4 Q. Did you take a public position with respect to
5 the Oslo Accords?

6 A. Personally?

7 Q. Yes.

8 A. Yes. I was opposed to it.

9 Q. You were opposed to it?

10 A. Yeah.

11 Q. Did the Islamic Association for Palestine take
12 a public position with respect to the Oslo Accords?

13 A. I think we answered this before. I think they
14 did. I think you asked me the same question before.

15 Q. I may have.

16 A. I think they did after '93.

17 Q. Do you remember, was it shortly after the
18 Accords were publicized --

19 A. Yeah.

20 Q. -- in the fall of 1993?

21 A. Yeah, most likely, yes.

22 Q. And it was opposed?

23 A. Yes.

24 Q. And to your knowledge, did IAP undertake any
25 political program to be active against the Accords?

1 A. No.

2 Q. Do you know anybody by the name of Abdel
3 Jaber, first two names?

4 A. That's one name, actually. Normally, it's one
5 name, but I don't know.

6 Q. Do you -- strike that.

7 Turn to page 48.

8 A. Okay.

9 Q. Do you see at the top of the page it says:

10 "Mr. Abdul Rahman, last name unknown, made the
11 following comments"

12 And there's something in bold print to the
13 effect of supporting Jihad and the occupied lands and
14 focusing on the support of people involved in Jihad.

15 A. Yeah, I see the statement.

16 Q. Does this cause you to recall whether you
17 attended this meeting?

18 A. Oh, this is a generic statement. You know, it
19 depends what you mean by "Jihad."

20 Q. Well, I know that's a big subject, but my
21 question is whether --

22 A. No, it doesn't. It does not --

23 Q. It doesn't help you?

24 A. It does not help me remember attending the
25 meeting.

1 Q. Okay. Turn to page 51.

2 A. Okay.

3 Q. It says:

4 "Date: 10/2/93: Continuation of the Third
5 Session."

6 And if you look at the third paragraph from
7 the bottom, it says:

8 "A question was directed to Omar relating to
9 the actions that are illegal and which can
10 result, if the Union followed it, lead to its
11 closure."

12 And then it said:

13 "Omar said two things you can't do, to involve
14 the Union in any illegal financial matters,
15 or if the Union received any instructions
16 from abroad."

17 Did you make that statement?

18 A. I don't remember, but it's true.

19 Q. I'm not asking if it's true. But my question
20 is: Did you make the statement in these words or words
21 to this effect at a meeting on October 2nd, 1993 in
22 Philadelphia?

23 A. I don't remember. You're talking about
24 something happened nine and a half years ago. Okay?

25 Q. Well, let me ask you. Was it common for you

1 to go to meetings that would have all of these people at
2 it at the same time?

3 A. Yeah, common. I attend meeting every other
4 weekend with people. I mean, I attend meetings, you
5 know, to discuss elections; I attend meetings to discuss
6 voter registration. You know, I just, you know, go to
7 these meetings. It's not something that once in a blue
8 moon.

9 Q. So you're saying it's possible, but you just
10 don't remember?

11 A. Mm-hmm.

12 Q. Have you ever heard of the term "movement" --

13 A. Yes.

14 Q. -- when describing --

15 A. Yes.

16 Q. What is the movement?

17 A. "Movement" is a term that could be ascribed
18 or, you know, describing like more of people who are
19 trying to make a change. That's what I think the
20 movement refer to. And it could refer to Islamic
21 movement. It could be to Islamic movements in certain
22 countries, in a region. You know, it has a lot of -- a
23 lot of meanings when you say "movement." You have to
24 take the context of the words and see what the movement
25 mean.

1 Q. Have you ever heard the movement referred to
2 as Hamas is the movement?

3 A. No, not Hamas, no.

4 Q. So that wouldn't be the movement?

5 A. No, I doubt if they use the word "movement"
6 for -- to describe Hamas, because it has a name.

7 Normally, movement is something that you don't
8 have -- you know, you don't have a name. Like you could
9 say -- you know, normally, you could say in Egypt,
10 Islamic movement, which is, you know, everybody who is
11 having the same ideas. The same ideas between them,
12 whether individuals or groups, organized or not
13 organized, you could call them a movement. They're
14 trying to do something.

15 Q. Take a look at page 62.

16 A. Okay.

17 Q. You see in bold it says:

18 "It was mentioned that their institutions,
19 such as the Fund and the Union, were
20 established in the first place to provide
21 assistance to the Movement inside the
22 Occupied Territories and they should not
23 deviate from this objective."

24 Now, to take your definition of "movement,"
25 would that be a fair characterization of why the Islamic

1 Association for Palestine was established?

2 A. No. This is a wrong statement.

3 Q. Why is it wrong?

4 A. Because IAP was established in 1981, before
5 any movement in Palestine was in existence. So how
6 could you say this organization were established to
7 support something that wasn't there at that time?

8 Q. All right. But you testified earlier that the
9 Islamic Association for Palestine was in business, was
10 out of business, had different leaders, so on and so
11 forth. So my question then will be if at any point,
12 say, within -- well, at or about 1993, was a purpose of
13 the Islamic Association for Palestine to provide
14 assistance to the movement inside the Occupied
15 Territories?

16 A. No. It wasn't the purpose of IAP to provide
17 assistance to anybody outside the United States.

18 Q. Was it to provide political assistance?

19 A. No.

20 Q. Assistance not in a financial sense, but in an
21 organizing or political sense?

22 A. No. Solely -- the IAP was established -- as
23 far as I know, its mission is to educate and to advocate
24 the issue of Palestine in the United States and to help
25 itself empower the community here and protect the

1 community here.

2 Q. The community in the United States?

3 A. Yes.

4 Q. And it had no connection with what --
5 specifically to help any factions or any groups within
6 the Occupied Territories?

7 A. Not to help. They can't help anyway.

8 Q. Well, they can help politically, can't they?

9 A. They can't help politically. How would they
10 help politically?

11 Q. You just said that you're advocating here.

12 A. Yeah.

13 Q. So --

14 A. No. Advocating here, the cause in United
15 States, as citizens in this country, that's what I think
16 the mission was and to help people understand the issue
17 better and to, you know, educate them about the issue of
18 Palestine.

19 Q. Okay. But you just said that you testified
20 that the Islamic Association for Palestine took a public
21 position against the Oslo Accords.

22 A. Yes.

23 Q. Okay. So isn't the Islamic Association for
24 Palestine taking a position with respect to activities
25 and politics and developments within the Occupied

1 Territories?

2 A. No.

3 Q. No?

4 A. No. The Oslo Accord affected many countries.
5 Even Jordan was against the Oslo Accord, you know.

6 So it's a regional; it's an international
7 event. It's not something that relate to one group or
8 another group in the Occupied Territory. Yes, they are
9 directly involved, but I am directly involved from it as
10 a person here. So I am representing myself, not someone
11 else, when I oppose the Oslo Accord.

12 It did not mention the right of return.
13 That's why I'm upset. As a Palestinian whose, you know,
14 his parents came from Palestine, it took away my right
15 and the right of many Palestinians who live in United
16 States to go back to their villages and towns. And
17 that's why I oppose it, because it's my interest, not
18 the interest of someone else.

19 Q. All right. But it had the effect, didn't it,
20 of taking, at least, sides within the Palestine -- the
21 community within the Occupied Territories?
22 Essentially --

23 A. It doesn't matter.

24 Q. -- it was opposed to the position that the PLO
25 took?

1 A. It doesn't matter. There's many in the PLO
2 who are against it.

3 I mean, it doesn't really matter what happens
4 over there. What matters is: What is the interest of
5 the people who are living here in regard to the issue of
6 Palestine? Right now, even if all the movements --
7 Hamas and Islamic Jihad and PLO -- agreed to a
8 settlement with Israel without right of return, I
9 wouldn't be happy, because that's my own right. I want
10 to have my whole right. So I would oppose it, saying I
11 need my rights. If they give me my rights, I'm happy.

12 Q. You would advocate that position?

13 A. Yes.

14 Q. And you'd support politically those, I assume,
15 who support your position?

16 A. Not necessarily. I support politically the
17 people who I feel they can advocate right for the
18 position, not necessarily they agree with me, because
19 sometimes the people who agree with me might damage the
20 cause more than the people who don't agree with me. So
21 I select and I make sure that who I support.

22 And on another note here, it doesn't mean that
23 someone in any meeting said something, that everybody
24 agrees to it. I mean, if you read -- I read some of
25 this, scan over the documents here, you know, some

1 statements, there is conflicting. You write one guy
2 said this; the other guy said this. So it's more of
3 someone, his opinion of what happened. It doesn't mean
4 that's the truth.

5 Q. That's true. But the real question is: Were
6 you there?

7 A. I don't remember. I told you. But I can
8 analyze it for you and tell you whether I'm there or
9 not.

10 Q. Sorry?

11 A. I can analyze this thing and tell you what I
12 think of it.

13 Q. Well, you know, you can do that at the
14 appropriate time, or you can call an expert witness.

15 My question is that we have here a very
16 detailed document -- okay? -- that at least purports to
17 be -- and I can't -- I haven't listened to the tapes,
18 but it purports to be both analysis and data of a
19 meeting that took place in Philadelphia that makes
20 reference to a person named Omar who appears to be
21 affiliated, in the highest level, with what is the --
22 logically the Islamic Association for Palestine. Right?
23 And you're Omar, and you testified that in 1993 you were
24 the president of Islamic Association for Palestine.

25 And my simple question is whether you remember

1 being at that meeting, whether you were there.

2 A. I don't remember.

3 Q. And with also the caveat that there's specific
4 reference to that same individual being named Omar
5 Yehia, which you said is another one of your names.

6 A. I don't remember being there.

7 Q. Okay. Let me ask you this: Is there any way
8 you can check receipts or flight information or
9 tickets -- I mean, I understand it's ten years ago --
10 that could tell you whether you were there, or is that
11 all destroyed, gone?

12 A. I don't keep records for ten years. If I keep
13 record for ten, I will be much more organized.

14 Q. It's suggested in this report, on pages 71 and
15 72, that a conference of prominent Muslim scholars from
16 Islamic countries be invited to attend a conference in
17 the United States to take a unified Islamic position
18 relating to the Accord.

19 A. Okay.

20 Q. Do you recall whether in 1993 or 1994 you
21 played any role in convening a conference of Islamic
22 scholars to deal with the subject of the Oslo Accords,
23 the Self-Rule Authority, and ongoing activities in the
24 Occupied Territories?

25 A. No.

1 Q. You didn't?

2 A. No.

3 MR. LANDES: Hand you the next document and
4 ask it be marked as No. 10, I believe.

5 (Whereupon, Plaintiffs' Exhibit 10 was marked
6 for identification.)

7 MR. LANDES: Q. This is a document in Arabic,
8 Bates stamped 1506 through 1511. Have you seen this
9 document before?

10 A. No.

11 Q. Is this another issue of Il-Afilistin?

12 A. I can't tell, because it could be, you know,
13 cut and paste.

14 Q. All right. But assuming it's not a cut and
15 paste, what does it say at the top?

16 A. It says Il-Afilistin.

17 Q. All right. And it has the Islamic Association
18 for Palestine logo on it; is that correct?

19 A. In the right-hand side, yes.

20 Q. Okay. And does it have a date?

21 A. December '88.

22 Q. What is the subject of this document?

23 A. It says that -- they said in the Islamic --
24 I'm sorry -- in -- whatever they say on Palestinian
25 state, like sayings about the Palestinian state.

1 Q. That's the title?

2 A. That's where -- that's one of the titles. The
3 other one is visit to families of martyrs.

4 Q. Any of this document, does it make reference
5 to the Hamas view --

6 A. No.

7 Q. -- of Palestine?

8 A. This one?

9 Q. The pages and such.

10 A. No, wait. This is a cut-and-paste job here,
11 because this title -- this front page has nothing --
12 whatever the content here has nothing to do what's
13 inside.

14 Q. Okay. How do you --

15 A. So basically --

16 Q. How do you know that?

17 A. Because it says here, you know, they said in
18 the Palestine state, but there is nothing here about
19 that topic.

20 Q. So what is the next topic?

21 A. It has some statements from -- I think from --
22 it's a letter to the Palestine National Council from
23 Hamas. That's what it says here.

24 Q. A letter from Hamas?

25 A. To the Palestine National Council. Letter.

1 Q. It's a letter?

2 A. Yeah. So has nothing to do with what's in the
3 top.

4 Q. Okay. And what's the subject of the letter?
5 Is it a political statement?

6 A. Yeah, it looks like it's a political -- no.
7 It says that something to the history. There's at least
8 one -- it's just an explanation of what happened in
9 Palestine in 19 -- 1850 or 1870, 1947. I see dates like
10 U.N. resolutions. Like I think it talks about the
11 historical aspect in Palestine.

12 Q. Okay. And at the end, on page 1511, it seems
13 to have a signature.

14 A. Yeah. It says -- just typed. You talking
15 about this signature here?

16 Q. Yeah.

17 A. It says Hamas, the Islamic Movement
18 Resistance.

19 Q. Islamic Resistance Movement is --

20 A. Yes.

21 Q. -- actually the translation of Hamas, which is
22 essentially an acronym; is that correct?

23 A. That's true.

24 Q. Hamas is an acronym for the Islamic Resistance
25 Movement?

1 A. Right.

2 Q. So putting -- you disagree about whether the
3 first page belongs on the document, but putting the
4 first page aside, would the other pages be a statement
5 from Hamas?

6 A. Yes. But it doesn't say who produced it.

7 Q. I'm not asking you that. Okay? I'm just
8 asking: Does it, on its face, appear to be a political
9 statement of Hamas?

10 A. On its face, yes, but I have to read it to
11 understand whether they issued the statement or someone
12 made it up. You never know.

13 Q. Have you ever seen this before?

14 A. No.

15 Q. You've never seen this document, this
16 statement?

17 A. No, never.

18 Q. And you see on the bottom there's a reference
19 at the last page to the Occupied Land Fund.

20 A. Yes.

21 Q. All right. So given the front page -- I know
22 you disagree about -- and the back page, it would appear
23 that this is a publication of the Islamic Association
24 for Palestine which contains the Hamas statement and an
25 advertisement for the Occupied Land Fund.

1 A. No.

2 Q. Is that correct?

3 A. It's not, no.

4 Q. Why not?

5 A. Because, first of all, this page doesn't
6 belong to the document. Okay? And if you look inside,
7 there is no reference to Islamic Association for
8 Palestine in this document at all, whether it's in print
9 or in anything. And this is -- basically, anybody could
10 have taken this and put "Occupied Land Fund" as
11 underneath it.

12 Q. So your answer is you assume this is a
13 cut-and-paste job?

14 A. I think so, it's a cut-and-paste job.

15 Q. Is that because you know that the Islamic
16 Association for Palestine was not in the business of
17 publishing statements by Hamas?

18 A. No.

19 Q. Is that how you know it?

20 A. No. Because I look at the document.

21 Q. Well, let me ask you this: Was the Islamic
22 Association for Palestine at any time involved in
23 issuing statements, communiques, or other documents on
24 behalf of Hamas?

25 A. Not on behalf. What they do is they probably

1 transmit. Like a document I will publish, they
2 probably, you know, republished it or they put it
3 somewhere in their publication. They might do that.
4 Because it's an information office, after all, so they
5 propagate information, they transmit information about
6 what's happening in the world. Not only for Hamas, for
7 others too.

8 Q. All right. But one of the things they did was
9 publish information that came from Hamas?

10 A. Republished, I would say.

11 Q. All right. Now, we saw a copy of Il-Afilistin
12 before. It had many pages.

13 A. Yes.

14 Q. It's possible, isn't it, this is just a
15 reprint of an article from Il-Afilistin?

16 A. I'm not an expert, but the other one had page
17 numbers to it; right? This one doesn't have any page
18 numbers. You know, doesn't seem that it has a page
19 number. And also, you look at it, when I looked at the
20 other magazine, the other magazine was sideways,
21 horizontal. This one vertically.

22 Q. Well, you know, that can simply be the size
23 and how it was copied. So we don't know the answer.

24 A. Well --

25 Q. But you're saying you never saw this before?

1 A. No, I never saw this before, and I think it's
2 a cut-and-paste job.

3 Q. But you do acknowledge that the Islamic
4 Association for Palestine did produce Hamas documents
5 and publish them?

6 A. Not produce. Reprint. Whatever -- whenever
7 something comes in the news, they print it, you know,
8 whatever from Hamas or someone else. They used to do
9 that. There's a newspaper. They have -- they're
10 information office. They're in the business of
11 broadcasting statements and --

12 Q. Did they do that when you were the president
13 of the organization?

14 A. I don't remember.

15 MR. LANDES: Hand you the next document, ask
16 it be marked as Exhibit 11.

17 (Whereupon, Plaintiffs' Exhibit 11 was marked
18 for identification.)

19 THE WITNESS: Okay.

20 MR. LANDES: Q. Have you seen this document
21 before?

22 A. No.

23 Q. What is the title of this document? Can you
24 tell from the cover?

25 A. It's a document about Hamas.

1 Q. A document about Hamas. Is it an introduction
2 to Hamas, or is it a publication to Hamas?

3 A. I don't know.

4 Q. You'll note on the -- on the last -- second --
5 the last three pages, they're all references to the
6 Islamic Association for Palestine. Do you see that?

7 A. Okay.

8 Q. Now, if you look to the third page from the
9 end, it gives a whole variety of locations for the
10 Islamic Association for Palestine: Tucson; Culver City,
11 California; Plainfield, Indiana. Are these all offices
12 that IAP had at some time?

13 A. I don't know. I wasn't involved.

14 Q. Before your time?

15 A. Yeah. I have no idea about this.

16 (Counsel confers privately with the witness.)

17 MR. FENNERTY: Counsel, is there a year on
18 that?

19 MR. LANDES: Q. Can you see a year?

20 A. It says '88.

21 Q. 1988?

22 A. Yeah. I have no idea where these offices are.

23 Q. Did anybody ever tell you that the Islamic
24 Association for Palestine, or members of the
25 organization, were involved in the actual drafting of

1 the charter of Hamas?

2 A. No.

3 Q. Have you ever heard that?

4 A. No, I never heard it. I don't believe it.

5 Q. You don't believe it? You don't know one way
6 or the other?

7 A. No, I don't believe it, and I never heard it.

8 Q. Never heard that?

9 A. That's a joke.

10 Q. You don't know one way or the other?

11 A. I'm positive. They can't be.

12 Q. Why do you say that?

13 A. Just, it's not what they do.

14 Q. So you're denying it?

15 A. Yeah.

16 MR. LANDES: I'll give you the next document,
17 No. 12. It's a group exhibit of two documents.
18 (Whereupon, Plaintiffs' Exhibit 12 was marked
19 for identification.)
20 THE WITNESS: Okay.
21 MR. LANDES: Q. Have you seen this document
22 before?

23 A. No.

24 Q. The first two pages are in English.

25 A. Yes.

1 Q. And it says at the top:

2 "Communique No. 36, 2nd Year of Intifada."

3 Now, are you aware of any series of
4 communiques that the Islamic Association for Palestine
5 produced?

6 A. No.

7 Q. Would the second year of the intifada be
8 approximately 1987, 1988?

9 A. I think so.

10 Q. This was not at a time that you were active?

11 A. No, I wasn't aware. I wasn't there.

12 Q. Just go back again. You've been sitting here.
13 Do you have any recollection of who was in charge of IAP
14 in 1987 and 1988?

15 A. I have no idea.

16 Q. Well, let's take a look at the second page.
17 It talks about, thirdly, acts of resistance, and it
18 talks about dates in 1989. So it would probably be that
19 this document was issued in 1989.

20 A. Looks like it, yeah, from the date.

21 Q. Right. And at the bottom it says:

22 "The Islamic Resistance Movement (Hamas)
23 Palestine."

24 Do you see that?

25 A. Yes.

1 Q. It is dated 25 February 1989. So would you
2 agree that this appears to be a Hamas communique that's
3 being published by the Islamic Association for
4 Palestine?

5 A. I don't know. I wouldn't know. I don't know
6 what the circumstances, what this.

7 Q. Are the last two pages essentially a
8 translation of the first document?

9 A. No, doesn't look like it.

10 Q. No. Seems to be something else?

11 A. Seems to be, yeah.

12 Q. All right. Does it have a date on it?

13 A. No, doesn't have a -- no, it has January 1989.

14 Q. So this is obviously earlier?

15 A. Seems to me, yeah.

16 Q. And isn't this also signed -- isn't it signed
17 in Arabic by Hamas at the bottom of the second page?

18 A. Looks like it, yeah.

19 Q. And at the top of the page, it's under the
20 letterhead of Islamic Association for Palestine; isn't
21 that correct?

22 A. Well, it seems -- appears to be. Could be
23 cut-and-paste job, but anybody could --

24 Q. From what you see in front of you?

25 A. Yeah, could be. Someone could, you know,

1 bring the two together.

2 Q. Because you can't imagine that they would
3 publish a Hamas document? Is that what you're saying?
4 Or just you think it's a cut-and-paste job?

5 A. I wouldn't know what they did in '88, '89.

6 MR. FENNERTY: Before you go on to the next
7 document, can I get a drink of water?

8 MR. LANDES: Sure.

9 THE VIDEOGRAPHER: I've got to change the
10 tape.

11 MR. LANDES: Change. We'll go probably
12 another half-hour.

13 THE VIDEOGRAPHER: Going off the record. This
14 marks the end of Videotape No. 3 in the deposition of
15 Omar Ahmad. Going off the record. The time is 4:10.

16 (Recess taken.)

17 THE VIDEOGRAPHER: Back on the record.

18 This marks the beginning of Videotape No. 4 in
19 the deposition of Omar Ahmad. The time is 4:16.

20 MR. LANDES: Q. Have you ever had any contact
21 with an individual known as Yassin Kadi?

22 A. No.

23 Q. Have you ever heard of him?

24 A. No.

25 Q. Have you ever heard of an entity called the

1 Kadi Muwaffaq Designated Fund?

2 A. No.

3 Q. Have you ever had any contact with the Saar
4 Foundation?

5 A. No.

6 Q. Have you heard of the Saar Foundation?

7 A. I heard about them.

8 Q. What is the Saar Foundation?

9 A. I think it's an organization in Washington,
10 D.C., or Virginia. I knew about them when they were
11 raided by the FBI.

12 Q. But you've never had any direct contact with
13 them?

14 A. Not direct, no.

15 Q. Indirect?

16 A. Not even indirect. I probably know the
17 individuals, met them once or twice, but not -- I mean,
18 I don't know -- I don't have a relationship with them.

19 Q. Have you or any organization you've ever been
20 affiliated with ever received any funding from the Saar
21 Foundation or any of its affiliates?

22 A. Not that I remember, no.

23 Q. Have you ever heard of an organization called
24 Amtrax, A-m-t-r-a-x, Holdings Limited?

25 A. Never, no.

1 Q. To your knowledge, has AMELP or IAP ever
2 received any funds from Amtrax Holding Limited?

3 A. No. Never heard of this organization.

4 Q. Have you ever had any contact with Abed
5 Al-Aziz Rantissi?

6 A. No.

7 Q. Do you know who he is?

8 A. Yes.

9 Q. Have you ever had any contact with Sheikh
10 Ahmed Yassin?

11 A. No.

12 Q. Do you know who he is?

13 A. Yes.

14 Q. Never met him?

15 A. Never met him.

16 Q. Have you ever had any contact with Odel
17 Rahman. I'm sorry. Odel Rahman.

18 A. I don't know him.

19 Q. Have you ever had any contact with Nasser
20 Al-Khatib?

21 A. No.

22 Q. We've heard the name Mohammad Al-Khatib
23 affiliated with Islamic Association for Palestine. Is
24 that name familiar to you?

25 A. No.

1 Q. We've heard Mohammad Al-Khatib is a principal
2 in AMS. Does that refresh your recollection?

3 A. No. All I know, probably someone named
4 Mohammad Al-Khatib in Chicago.

5 Q. It could be the AMS person?

6 A. Yeah, could be the same one.

7 Q. But you've had no contact with him?

8 A. No.

9 Q. Nasser Al-Khatib has been described as an
10 associate of Marzook's. But you've had no contact with
11 him?

12 A. No.

13 Q. Have you ever had any contact with an
14 individual named Mohammad Kazim or Qasm?

15 A. No, never heard of him.

16 Q. You mentioned before Haitham Maghawri.

17 A. Yes.

18 MR. LANDES: That's H-a-i-t-h-a-m, capital
19 M-a-g-h-a-w-r-i.

20 Q. What was your connection with him?

21 A. He was with the Holy Land Foundation.

22 Q. Have you ever had any contact with an
23 individual named Mohammed El-Mezain?

24 A. Yes.

25 Q. Who is he?

1 A. He was also the Holy Land Foundation.

2 Q. Has he ever had any role in IAP?

3 A. No.

4 Q. Is Mohammed El-Mezain -- as far as you know,
5 have you ever heard of him under the name Ibrahim
6 Mahmoud Muzayyin?

7 A. No.

8 Q. Have you ever had any contact with an
9 individual named Kifah Mustapha?

10 A. No.

11 Q. Have you ever had contact with an individual
12 in any way named Mohammad Al-Hassan?

13 A. No.

14 Q. Have you had contact with an individual named
15 Sabri Ibrahim Samirah?

16 A. Yeah, I know him.

17 Q. Who is he?

18 A. He was with AMS, with Rafeeq Jaber, and he
19 lives in Chicago. He used to live in Chicago.

20 Q. And he's the person who wasn't allowed back in
21 the United States --

22 A. I think so.

23 Q. -- this past winter; right?

24 A. Yeah, he was deceived.

25 Q. And CAIR, I assume, publicized that case?

1 A. I think we did something about it, yeah. I
2 don't exactly remember, but we did something about his
3 case.

4 Q. Okay. When you were active in AMELP and IAP,
5 was Mr. Samirah active with you?

6 A. No.

7 Q. So you never had any contact with him in that
8 context?

9 A. No.

10 Q. So what was your contact with him?

11 A. He came after. I knew him from Chicago with
12 Rafeeq.

13 Q. You mentioned Nihad Awad. That's one of the
14 individuals with whom you formed CAIR; is that correct?

15 A. Yes.

16 Q. And you have regular contact with him now?

17 A. Yes.

18 Q. And he's active in CAIR?

19 A. Yes.

20 Q. That's his job?

21 A. Yes.

22 Q. Do you know someone named Ahmed bin Youssef?

23 A. We talked about him, yes.

24 Q. U.S.A. -- UASR; correct?

25 A. Yeah, we did talk about it.

1 Q. Do you know anyone named Anisa Abdel Fattah,
2 also known as Caroline Keeble?
3 A. No.
4 Q. Are you now and have you ever been a member of
5 Hamas?
6 A. No.
7 Q. Have you ever played any role in the
8 activities of Hamas?
9 A. No.
10 Q. Have you ever advocated on behalf of Hamas?
11 A. Nope.
12 Q. Do you support Hamas?
13 A. It depends. Qualify "support."
14 Q. What is the qualification? Not tough enough?
15 A. H'm?
16 Q. What's the qualification?
17 A. No. Qualify what does "support" mean.
18 Q. Well, do you advocate their political line?
19 A. No.
20 Q. Have you ever taken a position with respect to
21 their, what they call, "martyrdom attacks"?
22 A. No.
23 Q. Ever expressed your view one way or the other?
24 A. We did as CAIR. We did express our views in
25 regard to the attacks.

1 Q. And what views did you express?

2 A. We did not agree with them.

3 Q. You publicly said that?

4 A. Yes.

5 Q. Is that limited to inside Israel or both

6 Israel and the Occupied Territories?

7 A. No. I think in general. It was in general.

8 We did -- we did in CAIR condemn one of the attacks or

9 the attacks on civilians.

10 Q. Do you take that position generally or just

11 with respect to certain attacks?

12 A. No, generally. We generally take -- we are

13 opposed to those attacks.

14 Q. And that's in your publications?

15 A. Yes.

16 Q. If I looked on your website, I could find

17 that?

18 A. Yes. I'm surprised you didn't look yet.

19 Q. Well, it's a big website. Do you -- did you

20 support the creation of Hamas?

21 A. No.

22 Q. Do you know any individuals who are members of

23 Hamas?

24 A. No.

25 Q. Do you know of any organizations in the United

1 States that are affiliated with Hamas?

2 A. No.

3 Q. What is your understanding of the Hamas
4 political program?

5 A. H'm. Will be difficult. My understanding
6 probably would be different than someone else's
7 understanding.

8 Q. I didn't ask somebody else. I'm asking you.

9 A. I think -- I think Hamas political program,
10 they want Palestinian state in the -- based on 242 and
11 338.

12 Q. You believe that?

13 A. Yes.

14 Q. So that would be a two-state solution?

15 A. I think so.

16 Q. Who in Hamas has ever advocated that position?

17 A. Ahmed Yassim, the leader of Hamas. He said he
18 he will accept a Palestinian state in the West Bank and
19 Gaza, pre-'67 borders.

20 Q. As a resolution of the outstanding
21 difficulties?

22 A. Yes.

23 Q. Combined with the right of return?

24 A. I don't know if he mentioned the right of
25 return, but I would -- I would say probably, but I don't

1 remember if he mentioned that. But I know, my reading
2 of -- over the years of their statements, and so on, in
3 the Occupied Territories, that they would accept such a
4 solution. It's public. I mean, it's not -- but it's
5 never publicized in this country, though.

6 Q. But it's publicized in Israel and the Occupied
7 Territories?

8 A. Yes. But of course, you know, here, they want
9 to see them as extremists. So if they say we accept
10 something like this, they'll look moderate. And it goes
11 against the views of many in this country.

12 Q. All right. At the same time, at any point did
13 you learn that Hamas has been involved in perpetrating
14 violent acts in Israel, Gaza, and the West Bank?

15 A. I'm sorry?

16 Q. At any point did you learn that Hamas was
17 involved in perpetrating violent acts in Israel, Gaza,
18 and the West Bank?

19 A. You're asking when did I know or what I know?

20 Q. At any point.

21 A. From the news. I mean, you hear the news
22 every other day, and you see what happens there.

23 Q. So Hamas takes credit for violent acts that
24 take place?

25 A. No, I don't know if Hamas takes credit. The

1 media says Hamas did this and this.

2 Q. So you doubt --

3 A. No, I wouldn't know. I mean, I just -- the
4 media. I don't have access to anybody else other than
5 the regular media. So you hear CNN, that's it.

6 Q. That's because you have no contact directly
7 with Hamas yourself?

8 A. Yeah, I have no contact.

9 Q. So you wouldn't know from Hamas whether, in
10 fact, they per- --

11 A. Yeah.

12 Q. So you wouldn't know yourself whether Hamas
13 perpetrates any of these acts?

14 A. I don't understand the question.

15 Q. You have no personal knowledge as to whether
16 Hamas, in fact, takes -- performs what they call
17 martyrdom operations in the West Bank, Gaza, or Israel?

18 A. Other than the media sources, like public
19 media?

20 Q. Right.

21 A. No.

22 Q. Do you have any reason to doubt, when they
23 make a public statement, that, in fact, they supported
24 or instigated or carried out what they call martyrdom
25 operations?

1 A. No.

2 Q. Okay. At any point have you learned that, at
3 least in part, Hamas funds its activities by raising
4 money in the United States?

5 A. No.

6 Q. You don't know that they do?

7 A. No.

8 Q. You have no knowledge of that whatsoever?

9 A. No.

10 Q. Do you agree that Hamas sends members and
11 representatives to the United States to raise funds and
12 otherwise attempt to gain support for its activities?

13 A. I don't know.

14 Q. You don't know that?

15 A. No.

16 Q. So you've never heard anybody come -- all the
17 contacts you've had as an active member of the Islamic
18 community, and no one's ever come to you and said,
19 "We're from Hamas," or somebody here is in here in the
20 mosque or some other location from Hamas trying to raise
21 money?

22 A. Never.

23 Q. No one's ever told you that?

24 A. Never happened.

25 Q. Okay. So would you agree that Hamas is

1 involved in violent acts?

2 A. Well, it depends. How do you define --
3 violent act which means?

4 Q. Suicide bombing.

5 A. Yeah, they are involved in it.

6 Q. And do you agree that Hamas instigates and
7 conducts operations that are dangerous to human life?

8 A. I'm not -- whatever the media says, but I'm
9 not -- I don't have knowledge, firsthand knowledge of
10 what happens over there.

11 Q. So --

12 A. I really don't know.

13 Q. You don't know?

14 A. No.

15 Q. So if Hamas takes credit for blowing up a
16 hotel in Atanya, you wouldn't know whether it's them or
17 not? That could just be a false media report?

18 A. No. I would listen to the media. I wouldn't
19 know -- you're asking me whether they're involved in --
20 you know, in this and this. Personal knowledge, I have
21 no idea of knowing other than what you and I know from
22 the media. That's it.

23 Q. So you would agree that the media at least
24 reports that Hamas takes on these --

25 A. Yes.

1 Q. -- activities; right?

2 A. Yeah.

3 Q. So if somebody were to come to you and say,
4 "Look, I'd like you to give money to support Hamas,"
5 would you believe that there's some risk that those
6 funds could be used to support violent acts?

7 A. It never happened. So why would I answer
8 hypothetical question?

9 Q. Well, it's not that hypothetical. I mean,
10 based upon what you know, if somebody came to you and
11 said, "I'm a representative of Hamas. We need to raise
12 money," would you be worried that those funds would go
13 in order to support violent activity?

14 MR. FENNERTY: Are you assuming he would give
15 money to Hamas?

16 MR. LANDES: No. I'm asking if he understood
17 what the question would be and what the possibilities
18 would be from that request if, in fact, he answered yes.

19 THE WITNESS: I really don't know what you're
20 asking.

21 MR. LANDES: Q. You don't know?

22 A. No, I really don't understand your question or
23 what's behind your question.

24 Q. Well, I'm just trying to understand your
25 perception. If someone -- you're -- I think you've

1 testified enough to know that you're very knowledgeable
2 about activities in the United States involving the
3 Islamic community, activities that take place in Israel
4 and the Occupied Territories.

5 My question to you is: If somebody came to
6 you and said, "Omar Ahmad, I come from Jenin, and I'm
7 raising money for Hamas," would you think that by
8 responding positively and giving money, you would be
9 taking on the risk of supporting an organization that
10 conducts violent acts?

11 A. No. No, because there could be some --
12 they -- you know, my understanding of what happens,
13 these people do so many different things. They could
14 sponsor a clinic. They could, you know, a doctor who
15 wants, you know, to treat kids with cancer. And if he
16 comes -- if they come and ask -- someone comes and ask
17 for cancer treatment program, I would -- you know, I
18 would have to trust and say that goes money for the
19 cancer treatment program or for children, orphans or
20 this and this and that. I would not assume that if
21 someone comes in, immediately it goes to violent acts.
22 I wouldn't assume that.

23 Q. Well, you said if the person asked you for a
24 cancer center. My question was if they said, "We need
25 money for Hamas," period.

1 A. You're asking me a hypothetical nobody asks me
2 ever, and I don't know enough to tell you what the
3 possibility of that money going to violent act or not.
4 I really don't know Hamas inside. I don't know what
5 they do. I don't know what their structure is. So it
6 will be stupid for me to try to speculate what will be
7 the outcome of any donation if someone comes in that
8 specific. I wouldn't know.

9 Q. Okay. So you would need more information?

10 A. I would need more information, yes.

11 Q. Did you ever learn that Hamas took credit for
12 murdering David Boim?

13 A. I don't know.

14 Q. Did you ever learn that Hamas planned
15 operations in the area of Beit El in May of 1996?

16 A. I don't know.

17 Q. Sorry?

18 A. I don't know.

19 Q. Well, did you ever learn this? Did anybody
20 ever tell you this?

21 A. No.

22 Q. Did you ever learn that Hamas planned
23 operations in the West Bank in the years 1992 to 1996?

24 A. I don't know.

25 Q. Did you ever learn that Hamas planned

1 operations that ultimately killed United States citizens
2 in Israel, the West Bank, and Gaza?

3 A. I don't know.

4 Q. You don't know whether they did or they
5 didn't?

6 A. I don't know.

7 Q. You have no knowledge?

8 A. No knowledge.

9 Q. Did you ever learn that in order to conduct
10 military operations or what they call martyrdom
11 operations, Hamas needed financial support to purchase
12 weapons, vehicles, and equipment?

13 A. I don't know.

14 Q. At any time did you provide any organizational
15 or financial assistance to any person you knew or
16 suspected was a member of Hamas?

17 A. No.

18 Q. Have you ever heard of an organization called
19 the Palestine Islamic Jihad?

20 A. I heard about them.

21 Q. At any time did you provide any organizational
22 or financial assistance to any person you knew or
23 suspected was a member of the Palestine Islamic Jihad?

24 A. No.

25 Q. Are you aware of any relationship between the

1 Palestine Islamic Jihad and Hamas?

2 A. No.

3 Q. I think you mentioned before that you've met
4 Sami Amin Al-Arian; is that correct?

5 A. Yes.

6 Q. Have you ever participated in any of his
7 fundraising activities?

8 A. No.

9 Q. Have you had any contact with the WISE
10 Foundation?

11 A. No.

12 Q. Have you had any contact with any organization
13 affiliated with Mr. Al-Arian?

14 A. No.

15 Q. I think you answered before that CAIR did
16 advocate in favor of Mr. Arian after he was arrested. I
17 think you said seeking a fair trial; is that correct?

18 A. I think so. I'm not sure, but I think so.
19 You can check it on our website.

20 Q. Have you ever had any contact with an
21 individual known as Fathi Shiqaqi?

22 A. No.

23 Q. Have you ever heard of that person? A person,
24 I think, on the West Bank.

25 A. He's in the West Bank?

1 Q. I don't think he's alive anymore, but --
2 A. No, I don't remember.
3 Q. Have you ever had any contact with Ramadan
4 Abdullah Shallah?
5 A. No.
6 Q. Do you know who he is?
7 A. I think he's in some leadership position with
8 the Islamic Jihad, but I'm not sure where he is and what
9 does he do.
10 Q. Have you ever had any contact with Ghassan
11 Zayed Ballut?
12 A. No.
13 Q. Do you know who he is?
14 A. No.
15 Q. Have you ever had any contact with Hatim Naji
16 Fariz?
17 A. No.
18 Q. Have you had any contact with Sameeh
19 Hammoudeh?
20 A. No.
21 Q. Have you had any contact with Ayman
22 al-Zawahiri?
23 A. No.
24 Q. Ever met him?
25 A. No.

1 Q. Have you ever heard of an organization called
2 the Islamic Concern Project or Islamic Committee for
3 Palestine?

4 A. No.

5 Q. So you never attended any of their meetings?

6 A. Never, no.

7 MR. LANDES: All right. I think we're almost
8 done. Just give us five minutes. We'll go through
9 the outline.

10 THE VIDEOGRAPHER: Going off the record. The
11 time is 4:36.

12 (Recess taken.)

13 THE VIDEOGRAPHER: Back on the record. The
14 time is 4:37.

15 MR. LANDES: Q. You know, I have read things
16 about you on the Web, because you are a prominent
17 person, and I just want to ask you one question, at
18 least.

19 Have you taken the position that Islam should
20 become the dominant religion in the United States?

21 A. Never.

22 Q. Never made that statement?

23 A. Never.

24 Q. You know which statement I'm referring to?

25 A. Of course, yeah. I've been attacked with that

1 statement from Daniel Pipes and some right-wing
2 Christians.

3 The statement -- first of all, the statement,
4 they said it's quotation. It never was a direct
5 quotation. It's a paraphrase with a reporter.

6 So I took issue with the Fremont August, the
7 one who published the article, but it was -- supposedly
8 the article was written 1998.

9 So, actually, I just receive a call from a
10 reporter. I want to clarification from them. My own
11 view of what I said, not the paraphrase of the reporter.
12 But I never said that statement.

13 Q. What did you say? In words to that effect?

14 A. No, I never said something like that. Someone
15 made it up. I mean, things -- I talked to her. She
16 said, "That's what I understood. That's my
17 understanding."

18 I said, "I never used these words."

19 She said, "Well, I know you never used them,
20 but that's what I understood."

21 So she write them there by mistake, I think.
22 She mis- -- I think she misunderstood what happened.

23 MR. LANDES: I have no further questions.

24 Do you have any questions?

25 MR. FENNERTY: No. We'll reserve signature.

1 MR. LANDES: That's the end of the deposition.

2 THE VIDEOGRAPHER: This marks the end of
3 Videotape No. 4 in the deposition of Omar Ahmad.

4 The original videotapes will be retained by
5 Video Solutions, at 50 First Street, San Francisco,
6 California.

7 Going off the record. The time is 4:38.

8 (Whereupon, Plaintiffs' Exhibit 13-A and 13-B
9 were marked for identification.)

10 (Whereupon, the deposition was adjourned at
11 4:38 p.m.)

12 --oOo--

13 I declare under penalty of perjury the
14 foregoing is true and correct. Subscribed at
15 _____, California, this ____ day of
16 _____, 2003.

17 _____
18 Omar Ahmad

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CERTIFICATE OF REPORTER

I, ANA M. DUB, a Certified Shorthand Reporter, Registered Merit Reporter, and Certified Realtime Reporter, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said deposition was taken down in shorthand by me, a disinterested person, at the time and place therein stated, and that the testimony of the said witness was thereafter reduced to typewriting, by computer, under my direction and supervision;

That before completion of the deposition, review of the transcript [X] was [] was not requested. If requested, any changes made by the deponent (and provided to the reporter) during the period allowed are appended hereto.

I further certify that I am not of counsel or attorney for either or any of the parties to the said deposition, nor in any way interested in the event of this cause, and that I am not related to any of the parties thereto.

DATED: June 10, 2003.

ANA M. DUB, RMR, CRR, CSR No. 7445

June 10, 2003

Omar Ahmad
c/o James R. Fennerty, Attorney At Law
36 S. Wabash, Suite 1310
Chicago, Illinois 60603

Re: Stanley Boim V. Quranic Literacy Institute, et al.,

Dear Mr. Ahmad:

Please be advised that the original transcript of your deposition taken May 27, 2003, in the above-entitled matter is available for reading and signing. The original transcript will be held at the offices of:

Legalink San Francisco
601 Van Ness Avenue, Suite 2052
San Francisco, CA 94102
(415) 359-2040

for thirty (30) days in accordance with Federal Rules of Civil Procedure Section 30(e). If you do not sign your deposition within 30 days, it may be used as fully as though signed.

If you are represented by counsel in this matter, you may wish to ask your attorney how to proceed. If you are not represented by counsel and wish to review your transcript, please contact our office for a mutually convenient appointment to review your deposition.

Thank you for your cooperation in this matter.

Sincerely yours,

Ana M. Dub, RMR, CRR, CSR No. 7445

cc: Original transcript
Stephen J. Landes, Attorney at Law
David M. Oppenheim, Attorney at Law
James R. Fennerty, Attorney at Law

