

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

USAMA JAMIL HAMAMA, et al.,

Petitioners and Plaintiffs,

v.

REBECCA ADDUCCI, et al.,

Respondents and Defendants.

Case No. 2:17-cv-11910
Hon. Mark A. Goldsmith
Mag. David R. Grand
Class Action

**STIPULATED ORDER LIFTING THE PRELIMINARY INJUNCTION
(ECF 87) FOR ALI JAFFAR SALEH AL BAZOONI**

Undersigned counsel stipulate and agree that this Court issue and enter this Order lifting the stay of enforcement of removal for Ali Jaffar Saleh Al Bazooni, only.

The bases for the order are as follows:

1. As of June 24, 2017, Mr. Al Bazooni, an Iraqi national, had an order of removal from the United States by the Immigration Court.

2. Since on or about June 15, 2017, Mr. Al Bazooni has been detained by ICE.

3. Mr. Al Bazooni has consulted with counsel about his prospects for immigration relief, his rights under the Preliminary Injunction in this case, and his

prospects for relief from detention. The declaration of Sarah Paoletti, a lawyer who provided consultation on these matters, is attached as Exhibit A.

4. Mr. Al Bazooni's signed waiver, by which he seeks prompt removal to Iraq, is attached as Exhibit B.

5. The parties believe that Mr. Al Bazooni's waiver is knowing and voluntary, and provides an appropriate basis for this Court to lift the Preliminary Injunction as to him, only.

Therefore undersigned counsel stipulate and agree and the Court hereby orders the following:

It is ORDERED that the stay of the enforcement of removal be lifted for Ali Jaffar Saleh Al Bazooni. Therefore, ICE may effectuate his order of removal.

SO ORDERED.

Dated: March 7, 2018
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 7, 2018.

s/Karri Sandusky
Case Manager

SO STIPULATED.

Date: March 7, 2018

/s/ Miriam J. Aukerman (with consent)

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EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
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DECLARATION OF SARAH H. PAOLETTI

I, Sarah H. Paoletti, make this statement under the penalties of perjury of the laws of the United States and if called to testify I could and would do so competently based upon my personal knowledge as follows:

1. I am a lawyer admitted to practice in the state of Pennsylvania, New Jersey and the District of Columbia. I have substantial experience in the area of immigration law.
2. On January 12, 2018, I agreed that the Transnational Legal Clinic at the University of Pennsylvania School of Law, which I direct, would assist in this litigation by providing pro bono counsel to Ali Jaffar Saleh Al Bazooni, an immigration detainee housed in York County Jail, in York, Pennsylvania.
3. I did not agree to represent Mr. Al Bazooni in his immigration case or in federal litigation. Rather, my purpose was to explain to him the options available to him, under immigration law and procedure and the ongoing federal case, Hamama v. Adducci.
4. Mr. Al Bazooni is an Iraqi national, with a final order of removal that existed on June 24, 2017. Therefore, it is my understanding that he is a putative class member in the Hamama litigation, temporarily protected from removal by the Preliminary Injunction granted in that case on July 24, 2017. His [REDACTED]
5. Mr. Al Bazooni had expressed interest in waiving coverage by the Preliminary Injunction and seeking prompt removal to Iraq. The meeting I had with him was to provide assurance that any such waiver was knowing and voluntary.
6. Myself, and the two law student representatives with the Transnational Legal Clinic, Linda Hsu and Andrew Hirschel, met with Mr. Al Bazooni on January 23, 2018, February 1, 2018, and February 9, 2018 at the detention facility already mentioned, and also conducted two video-conference calls. We spoke for a total of approximately 5

hours. We explained to him the motion to reopen process, and his prospects for success in such a motion, along with the possibility of prolonged detention and the potential routes out of detention short of removal.

7. We communicated in English, a language Mr. Al Bazooni seemed to understand well. I believe that our communication with Mr. Al Bazooni was effective.
8. On the basis of our conversations with Mr. Al Bazooni, considering the information we conveyed and his responses to us, I believe that he wishes to be promptly removed to Iraq, and that this waiver of the protections provided by the Hamama Preliminary Injunction is both knowing and voluntary.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

Executed this 20 day of February, 2018 in Philadelphia, PA.

Signature

_____

EXHIBIT B

**DETAINEE STIPULATION TO
PROMPT REMOVAL TO IRAQ**

I wish to be removed to Iraq as promptly as possible, and stipulate that the Preliminary Injunction in *Hamama v. Adducci*, 17-cv-11910 (E.D. Mich.), will no longer prevent that removal.

I make this stipulation knowingly and voluntarily, understanding that it will be introduced in federal court and that it waives my rights under the existing Preliminary Injunction, and will lead to my removal.

I have not been pressured or coerced in any way by ICE or other detention staff or officers.

Ali Taffar Saleh Al. Bazooni
Print Detainee Name


A Number

ALIBAZOONI;
Detainee Signature

2/9/2018
Date

DO NOT WRITE BELOW THIS LINE - FOR ERO USE ONLY

Print Name and Title of ERO Officer Accepting Request

Date