

EXHIBIT H

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

- - - - -x

THE UNITED STATES OF
AMERICA,

Plaintiff,

vs.

No. 18-264

THE STATE OF CALIFORNIA;
EDMUND GERALD BROWN, JR.,
Governor of California, in
his Official Capacity; AND
XAVIER BECERRA, Attorney
General of California, in
his Official Capacity,,

Defendants.

- - - - -x

VIDEOTAPED DEPOSITION OF: TODD A. HOFFMAN

DATE: Thursday, April 12, 2018

TIME: 9:23 a.m.

LOCATION: Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C.

REPORTED BY: Denise M. Brunet, RPR
Reporter/Notary

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A P P E A R A N C E S

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ALSO PRESENT: Julie A.G. Koller
Louisa Slocum
Liana G.T. Wolf
Dan Reidy, Videographer

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C O N T E N T S

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(*Exhibits attached to the transcript.)

1 there a detainer that was placed on the file?

2 A I'm sure there was, yes. I don't know
3 if I have that information or not, but we would
4 serve a detainer in that type of case. Yeah. I
5 know we issued a detainer for this case.

6 Q But those are not in the documents that
7 you were just reviewing, correct?

8 A You did not give me those documents. I
9 don't think you gave me the detainer with this
10 case.

11 Q I would just represent for the record
12 that I'm just giving you the documents --

13 A Yes.

14 Q -- that were given to us today.

15 So when did you receive -- or who
16 received this anonymous tip?

17 A I'm not sure who received the anonymous
18 tip. I mean, again, in my experience, I can only
19 assume that it was the information -- we put the
20 contact number on the detainer and an individual
21 made that call based on having that information to
22 let us know that this individual is going to be
23 released in the coming hours.

24 Q So did the anonymous caller make the
25 call the same day as the date of release?

1 A I do not know.

2 Q Was the anonymous tip made to the field
3 office?

4 A I don't know who received the anonymous
5 tip. I imagine it would be our admissibility
6 enforcement unit. That should be the contact
7 number. It typically wouldn't be to our field
8 office. If they use the number on the detainer,
9 it would be to the actionable office.

10 Q And did someone in CBP eventually pick
11 up the individual?

12 A Yes. We waited in the parking lot. I
13 believe two officers had to wait in the parking
14 lot for four to five hours or so until this
15 individual was released.

16 Q And then once the individual went into
17 CBP's custody, then this individual was returned
18 to Mexico?

19 A Yes. I'm sure we took him back to the
20 port of entry and then completed the case file and
21 then repatriated him back to Mexico.

22 MR. SHERMAN: I'm going to identify as
23 Exhibit 14, also confidential, this document. And
24 this is Bates numbers 18 through 23.

25 (Hoffman Confidential Deposition

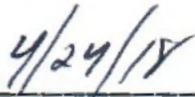
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ACKNOWLEDGMENT OF DEPONENT

I hereby declare under penalty of perjury that I have read the foregoing transcript of my deposition and except for any corrections or changes noted on the errata sheet, I hereby subscribe to the transcript as an accurate record of the statements made by me.



TODD A. HOFFMAN



DATE

E R R A T A S H E E T

IN RE: U.S.A. vs. STATE OF CALIFORNIA

DATE: 4/12/2018

PAGE LINE CORRECTION AND REASON

5	<u>18</u>	<u>25</u>	"emigration" should say "immigrations" (incorrect word)
6	<u>21</u>	<u>20</u>	remove "not" (typographical error)
7	<u>23</u>	<u>19</u>	change "with warrant" to "the warrant" (typographical error)
8	<u>26</u>	<u>5</u>	change to "a lot of our data comes from TECS" (typographical error)
10	<u>26</u>	<u>5, 7</u>	change "TEC" to "TECS" (misspelled acronym)
11	<u>27</u>	<u>21</u>	change "with" to "within" (typographical error)
12	<u>32</u>	<u>22</u>	change "and" to "as" (typographical error)
13	<u>34</u>	<u>6</u>	change "issue" to "instance" (typographical error)
14	<u>39</u>	<u>8</u>	change "with" to "which" (typographical error)
15	<u>43</u>	<u>20</u>	change "annual" to "alien" (incorrect word)
16	<u>46</u>	<u>11</u>	change "it's" to "in" (typographical error)
17	<u>46</u>	<u>23</u>	change "turning" to "returning" (typographical error)
18	<u>46</u>	<u>25</u>	change "verse" to "view" (incorrect word)
19	<u>49</u>	<u>2</u>	change "might" to "my" (typographical error)
20	<u>49</u>	<u>9</u>	change "Archives" to "Misports" (incorrect word)
21	<u>50</u>	<u>6</u>	remove "of" (typographical error)
22	<u>51</u>	<u>11</u>	change "under" to "from" (incorrect word)

4/27/18

T.A.H.-3

(DATE)

TODD A. HOFFMAN

1 ERRATA SHEET CONTINUED

2 IN RE: U.S.A. vs. STATE OF CALIFORNIA

3 DATE: 4/12/2018

4 PAGE LINE CORRECTION AND REASON

5	<u>54</u>	<u>7</u>	<u>change "why" to "white" (typographical error)</u>
6	<u>60</u>	<u>16</u>	<u>change "and" to "as" (typographical error)</u>
7	<u>61</u>	<u>23</u>	<u>change "this" to "the" (typographical error)</u>
8	<u>64</u>	<u>11</u>	<u>change "pangas" to "pangas" (spelling error)</u>
9	<u>68</u>	<u>18</u>	<u>change "through" to "to" (typographical error)</u>
10	<u>71</u>	<u>25</u>	<u>change "in" to "on" (typographical error)</u>
11	<u>76</u>	<u>19</u>	<u>change "airlines" to "airports" (typographical error)</u> <small>incorrect word</small>
12	<u>87</u>	<u>18</u>	<u>change "themselves" to "themselves" (typographical error)</u>
13	<u>94</u>	<u>6</u>	<u>change "removable" to "removal" (incorrect word)</u>
14	<u>94</u>	<u>16</u>	<u>add "is" after second "this" (typographical error)</u>
15	<u>100</u>	<u>14</u>	<u>change "is" to "as" (typographical error)</u>
16	<u>100</u>	<u>24</u>	<u>change "with" to "as a" (typographical error)</u>
17	<u>101</u>	<u>5</u>	<u>change "threat" to "threats" (typographical error)</u>
18	<u>101</u>	<u>25</u>	<u>change "their" to "the" (typographical error)</u>
19	<u>102</u>	<u>7</u>	<u>change "important" to "informed" (incorrect word)</u>

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4/24/18

(DATE)

TODD A. HOFFMAN