

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

STATE OF HAWAII and ISMAIL)	Case No. CV 17-00050 DKW-KSC
ELSHIKH,)	
)	DECLARATION OF
Plaintiffs,)	ANTON A. WARE
)	
v.)	
)	
DONALD J. TRUMP, in his official)	
capacity as President of the United)	
States; U.S. DEPARTMENT OF)	
HOMELAND SECURITY; JOHN F.)	
KELLY, in his official capacity as)	
Secretary of Homeland Security;)	
U.S. DEPARTMENT OF STATE;)	
REX TILLERSON, in his official)	
capacity as Secretary of State; and the)	
UNITED STATES OF AMERICA,)	
)	
Defendants.)	
_____)	

DECLARATION OF ANTON A. WARE

I, Anton A. Ware, hereby declare as follows based on personal knowledge.

1. I am over the age of eighteen and competent to testify.
2. I am an attorney at Arnold & Porter Kaye Scholer LLP

representing *amici curiae*, supporting Plaintiffs in this matter, Muslim Advocates, American Muslim Health Professionals, Muppies, Inc., and the National Arab American Medical Association.

3. Attached hereto as **Exhibit 1** is a true and correct copy of a printout of a press release published by the presidential campaign website of Donald J. Trump on December 7, 2015, titled “Donald J. Trump Statement on Preventing Muslim Immigration.”

4. Attached hereto as **Exhibit 2** is a true and correct copy of a printout of the transcript of an interview by Anderson Cooper with Donald J. Trump that aired on March 9, 2016 on Anderson Cooper 360 Degrees and published by CNN.

5. Attached hereto as **Exhibit 3** is a true and correct copy of a printout of a news article published by Slate on January 29, 2017, titled “Rudy Giuliani Admits Trump Asked How to Implement a Muslim Ban Legally.”

6. Attached hereto as **Exhibit 4** is a true and correct copy of a printout of the transcript of an interview given by Stephen Miller to Fox News on February 21, 2017.

7. Attached hereto as **Exhibit 5** is a true and correct copy of a printout of a news article published by the Washington Post on February 28, 2017, titled “Suspect in Kansas bar shooting of Indians apparently thought they were Iranians.”

8. Attached hereto as **Exhibit 6** is a true and correct copy of a printout of a news article published by the Seattle Times on March 4, 2017, titled

“Sikh man in Kent says he was told, ‘Go back to your own country’ before he was shot.”

9. Attached hereto as **Exhibit 7** is a true and correct copy of a printout of a news article published by the Washington Post on March 12, 2017, titled “A man assumed a store’s Indian owners were Muslim. So he tried to burn it down, police say.”

10. Attached hereto as **Exhibit 8** is a true and correct copy of a printout of a news article published by the Washington Post on March 12, 2017, titled “Go back to your country, terrorist’: Man accused of attacking restaurant employee with a pipe.”

11. Attached hereto as **Exhibit 9** is a true and correct copy of a printout of a news article published by CNN on March 2, 2017, titled “Spate of mosque fires stretches across the country.”

12. Attached hereto as **Exhibit 10** is a true and correct copy of a printout of a news article published by Politico on November 18, 2015, titled “Trump: ‘Absolutely no choice’ but to close mosques.”

13. Attached hereto as **Exhibit 11** is a true and correct copy of a printout of a news article published by the Bridge Initiative at Georgetown University on December 7, 2015, titled “Trump Calls for Ban on Muslims, Cites Deeply Flawed Poll.”

14. Attached hereto as **Exhibit 12** is a true and correct copy of a printout of the transcript of the March 10, 2016 Republican Candidates Debate in Miami, Florida, published by the American Presidency Project.

15. Attached hereto as **Exhibit 13** is a true and correct copy of a printout of a news article published by Politico on June 13, 2016, titled “Transcript: Donald Trump’s national security speech,” containing the transcript of then-candidate Mr. Trump’s June 13 speech on national security and terrorism in the wake of the Orlando massacre.

16. Attached hereto as **Exhibit 14** is a true and correct copy of a printout of the transcript of an interview by Lesley Stahl with Donald J. Trump that aired on July 17, 2016 on 60 Minutes and published by CBS.

17. Attached hereto as **Exhibit 15** is a true and correct copy of a printout of the transcript of an interview by Chuck Todd with Donald J. Trump that aired on July 24, 2016 on Meet the Press and published by NBC.

18. Attached hereto as **Exhibit 16** is a true and correct copy of a printout of the transcript of the October 9, 2016 Presidential Debate in Miami, Florida published by the American Presidency Project.

19. Attached hereto as **Exhibit 17** is a true and correct copy of a printout of the transcript of an interview by David Brody with Donald J. Trump that was published on January 27, 2017 by the Christian Broadcasting Network.

20. Attached hereto as **Exhibit 18** is a true and correct copy of a printout of a news article published by MetroNews on January 29, 2017, titled “Trump remains defiant over Muslim ban in tweet.”

21. Attached hereto as **Exhibit 19** is a true and correct copy of a printout of a research report published by the Pew Research Center on October 5, 2016, titled “U.S. admits record number of Muslim refugees in 2016.”

22. Attached hereto as **Exhibit 20** is a true and correct copy of a printout of a Twitter post posted by Mr. Trump on his personal Twitter account at 2:32 PM on December 7, 2015.

23. Attached hereto as **Exhibit 21** is a true and correct copy of a printout of a pair of Twitter posts posted by Mr. Trump on his personal Twitter account at 5:12 AM and 1:44 PM on February 4, 2017.

24. Attached hereto as **Exhibit 22** is a true and correct copy of a printout of a Twitter post posted by Mr. Trump on his personal Twitter account at 3:35 PM on February 9, 2017.

25. Attached hereto as **Exhibit 23** is a true and correct copy of a printout of a news article published by CBS News on February 21, 2017, titled “Sean Spicer press conference – live updates.”

26. Attached hereto as **Exhibit 24** is a true and correct copy of a printout of a news article published by the Washington Post on February 11, 2017, titled “Stephen Miller: a key engineer for Trump’s ‘America first’ agenda.”

27. Attached hereto as **Exhibit 25** is a true and correct copy of a printout of a news article published by CNN on February 15, 2017, titled “In college, Trump aide Stephen Miller led controversial ‘Terrorism Awareness Project’ warning of ‘Islamofascism.’”

28. Attached hereto as **Exhibit 26** is a true and correct copy of a printout of a table published by the Pew Forum titled “Religious Composition by Country.”

29. Attached hereto as **Exhibit 27** is a true and correct copy of a printout of a report published by the U.S. Department of State in 2015, titled “Terrorist Safe Havens (Update to 7120 Report).”

30. Attached hereto as **Exhibit 28** is a true and correct copy of a printout of a leaked memorandum written by the U.S. Department of Homeland Security, titled “Citizenship Likely an Unreliable Indicator of Terrorist Threat to the United States,” as published by the Associated Press.

31. Attached hereto as **Exhibit 29** is a true and correct copy of a printout of a press release published by the U.S. Department of Justice dated

January 29, 2013, titled “Former Iraqi Terrorists Living in Kentucky Sentenced for Terrorist Activities.”

32. Attached hereto as **Exhibit 30** is a true and correct copy of a printout of an article published by the Cato Institute on September 13, 2016, titled “Terrorism and Immigration: A Risk Analysis.”

33. Attached hereto as **Exhibit 31** is a true and correct copy of a printout of an article published by Lawfare on February 7, 2017, titled “It’s Not Foreigners Who are Plotting Here: What the Data Really Show.”

34. Attached hereto as **Exhibit 32** is a true and correct copy of a printout of an article published by the Brennan Center for Justice at New York University School of Law on February 17, 2017, titled “What the Data Tells Us About Immigration and Terrorism.”

35. Attached hereto as **Exhibit 33** is a true and correct copy of a printout of a letter to Mr. Trump, dated March 10, 2017, and signed by over 100 former U.S. government officials, including Former Secretaries of State John Kerry and Madeleine Albright, Former Secretary of Homeland Security Janet Napolitano, and Former National Security Advisor Susan Rice.

36. Attached hereto as **Exhibit 34** is a true and correct copy of a printout of a news article published by CNN dated March 1, 2017, titled “Trump delays new travel ban after well-reviewed speech.”

37. Attached hereto as **Exhibit 35** is a true and correct copy of a printout of a news article published the Los Angeles Times on January 27, 2017, titled “Families hoping to make the U.S. their home scramble to rearrange their lives.”

38. Attached hereto as **Exhibit 36** is a true and correct copy of a printout of a news article published by Think Progress on January 30, 2017, titled “Trump’s Muslim ban is tearing apart families.”

39. Attached hereto as **Exhibit 37** is a true and correct copy of a printout of a news article published by ABC News Radio on January 31, 2017, titled “Children and Refugees Who Planned Medical Care in the US Stuck After Trump Executive Order.”

40. Attached hereto as **Exhibit 38** is a true and correct copy of a printout of a news article from the New York Times on February 6, 2017, titled “Trump’s Travel Ban, Aimed at Terrorists, Has Blocked Doctors.”

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 14 day of March, 2017.



ANTON A. WARE