

# SUB-EXHIBIT

## A

DECLARATION OF AHILAN T.  
ARULANANTHAM

## Ahilan T. Arulanantham

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### Education

**Yale Law School**, New Haven, CT. (J.D., June 1999)

Senior Editor, *Yale Law Journal*

Submissions Editor, *Yale Journal of Human Rights and Development*

Lowenstein Human Rights Project: Sri Lanka

*Honors*: Cullen Prize (1997), Best Paper by a First-year student

Lemkin Prize (1999), Best Paper in International Human Rights

Thomas Tang Moot Court: Winner, Northeast Region; Runner-Up, National Competition

**Oxford University**, U.K. (2nd B.A., *1st Class*, Philosophy, Politics, and Economics, June 1996)

*Honors*: Marshall Scholar (Fall 1994 - Summer 1996)

Fairbrother Prize (1996), Best Philosophy Paper, Lincoln College

**Georgetown University**, Washington D.C. (B.A., *summa cum laude*, Philosophy, June 1994)

*Honors*: Winner, National Debate Tournament 1992, Runner-Up 1993

Ryan Award (1994), Outstanding Philosophy Major

Phi Beta Kappa

### Experience

June 2004-  
Present

**ACLU of Southern California**, (Deputy Legal Director), Los Angeles, CA

**ACLU Immigrants' Rights Project**, (Senior Staff Attorney) (2012-present)

Supervise team of attorneys and other advocates, with focus on national security and immigrants' rights advocacy and litigation. Lead counsel in several complex cases.

*Awards*: *California Lawyer* "Immigration Lawyer of the Year," 2007, 2014

*Daily Journal* "Top 100 Attorneys in California," 2007-09, 2012-14

*National Lawyers' Guild Levy Award*, Outstanding Achievement in Immigrants' Rights, 2008; *Southern California Chapter Award*, 2014

*American Immigration Lawyers' Association*, Arthur Helton Human Rights Award, 2010; Jack Wasserman Litigation Award, 2014

Spring 2010

**Lecturer in Law, University of Chicago Law School**

Taught seminar on preventive detention.

Sept. 2002-  
May 2004

**Federal Public Defender** (Assistant Federal Defender), El Paso, TX

Represented over 100 criminal defendants in federal court, primarily in immigration and drug cases. First or second chair in four jury trials, lead attorney in numerous sentencing hearings and other matters.

Sept. 2000-  
Sept. 2002

**ACLU Immigrants' Rights Project** (Equal Justice Works Fellow), New York, NY

Interviewed and represented detained refugees in immigration proceedings; research and drafting for litigation concerning detention and judicial review issues, including on *INS v. St. Cyr*. Documented detention practices and conditions after 9/11 for litigation and advocacy, including interviews with over 100 detainees immediately after 9/11/2001.

June 1999-  
June 2000

**The Honorable Stephen Reinhardt**, Ninth Circuit Court of Appeals (Law Clerk)

Worked on immigration, federal criminal, capital habeas, and other cases.

### Expert Testimony Before United States Congress

- May 2013      “*Building an Immigration System Worthy of American Values*,” Testimony to the United States Senate Judiciary Committee
- May 2011      “*Providing for the Detention of Dangerous Aliens*,” Testimony to the United States House of Representatives’ Subcommittee on Immigration Policy and Enforcement, House Judiciary Committee
- May 2005      “*Oversight Hearing on Amendments to the Material Support for Terrorism Laws*,” Testimony to Subcommittee on Crime, Terrorism and Homeland Security, House Judiciary Committee

### Selected Presentations

- Sept. 2013     “*Franco v. Holder: Towards Appointed Counsel in Some Removal Cases*,” Presentation at University of California, Irvine, School of Law
- June 2013     “*Drones and Due Process*,” Debate with John Yoo and Gregory McNeal, Federalist Society, Los Angeles Chapter
- Nov. 2012     “*Fazaga v. FBI: Surveillance and Secrets Under the Obama Administration*,” Presentation to Faculty Colloquium at Thomas Jefferson School of Law
- Sept. 2012     “*Tools to Advance Reform: California as a Case Study*,” Panelist, *Dialogues on Detention*, University of California, Irvine, (hosted by Human Rights First)

### Publications

“*Extending the Promise of Gideon: Immigration, Deportation, and the Right to Counsel*,” 39 ABA Human Rights No. 4 (2013) (Lucas Guttentag, Ahilan Arulanantham)

“*‘A Hungry Child Knows No Politics:’ A Proposal for Reform of the Laws Governing Humanitarian Relief and ‘Material Support’ of Terrorism*,” American Constitution Society Issue Brief, June 25, 2008

South Asia Human Rights Documentation Centre, “*Sri Lanka: The Human Rights Tasks Ahead*,” Human Rights Features (October 2002).

South Asia Human Rights Documentation Centre, “*Racial Discrimination: The Record of Sri Lanka*,” a Report for the World Conference Against Racism, Xenophobia and Related Intolerance (September 2001).

“*Restructured Safe Havens: A Proposal for Reform of the Refugee Protection System*,” 22 Human Rights Quarterly 1 (2000).

“*Breaking the Rules: Wittgenstein and Legal Realism*,” 107 Yale L.J. 1853 (1998).

### Significant Litigation

*Franco v. Holder*, --- F.Supp.2d ----, (C.D. Cal. April 23, 2013); (on summary judgment, ordering government to ensure legal representation for detainees with mental disabilities in removal proceedings); *Franco v. Napolitano*, 767 F.Supp.2d 1034 (C.D.Cal. 2010) (same for class representatives on preliminary injunction)

*Rodriguez v. Robbins*, 715 F.3d 1127 (9th Cir. 2013) (holding that immigration detainees held for six months while their cases remain pending are entitled to rigorous bond hearings); *Rodriguez v. Hayes*, 591 F.3d 1105 (9th Cir. 2010) (holding class certification warranted in action challenging prolonged immigration detention without bond hearings)

*Fazaga v. FBI*, 884 F.Supp.2d 1022, (C.D. Cal 2012) (holding that most claims challenging alleged unlawful FBI surveillance had to be dismissed under state secrets doctrine); 885 F.Supp.2d 978 (C.D. Cal. 2012) (declining to dismiss claims under Foreign Intelligence Surveillance Act)

*Islamic Shura Council v. FBI*, 278 F.R.D. 538 (C.D. Cal. 2011) (granting motion for sanctions under Rule 11 against federal government for lying to court pursuant to national security policy in FOIA cases), *rev'd*, 2013 U.S. App. LEXIS 15652 (9th Cir. July 31, 2013) (holding that government sufficiently corrected error so as to preclude sanctions)

*Latif v. Holder*, 2014 U.S. Dist. LEXIS 85450 (D. Ore. June 24, 2014) (summary judgment against federal government for operating No Fly List, holding that bar on commercial air travel impinged upon liberty interests protected by Due Process Clause and redress system was constitutionally deficient)

*Castellano, et al v. Napolitano*, CV 09-2281-PA-VBK (C.D. Cal. 2009) (class action challenge to detention conditions at ICE holding facility in Los Angeles) (settled with requirements to remedy violations)

*NLG v. Chertoff*, CV 08-1000-GW (Shx) (C.D. Cal. 2008) (challenge to government policy refusing to allow workers arrested in immigration raid to consult with counsel) (settlement repealed the policy)

*Cerezo v. Mukasey*, 512 F.3d 1163 (9th Cir. 2008) (reversing removal order against long-time lawful permanent resident for traffic-related offense)

*Diouf v. Chertoff*, CV 07-3977-TJH (C.D. Cal. 2007) (challenge to government's policy of forcibly drugging non-citizens prior to removal) (government repealed the policy)

*Hamdan v. Gonzales*, CV 05-5144-TJH (JWJ) (C.D. Cal. 2006) (challenge to government's detention of former employee of Holy Land Foundation for alleged material support to a terrorist organization) (petition granted, settlement permitted client to remain free)

*Nadarajah v. Gonzales*, 443 F.3d 1069 (9th Cir. 2006) (challenge to government's detention and attempted deportation of refugee accused of engaging in terrorist activity) (petition granted, asylum granted)

*Kar v. Bush, et al.*, CV 05-1348 (JR) (D.D.C. 2005) (habeas petition challenging U.S. military's detention without a hearing of a U.S. citizen accused of being an enemy combatant in Iraq) (dismissed as moot after client's release and return to the United States)