

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ANGE SAMMA *et al.*, on behalf of
themselves and others similarly situated,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
DEFENSE *et al.*,

Defendants.

Civil Action No. 20-CV-1104 (PLF)

DECLARATION OF DANIELLE QUAIL

I, Danielle Quail, hereby declare as follows:

1. I am a paralegal at the law firm Cascadia Cross Border Law Group (“Cascadia”) in Anchorage, Alaska.
2. As a paralegal, I am responsible for assisting our firm’s attorneys with research, client correspondence, and locating the proper channels of authority for N-426 certification for our military clients, as well as gathering the necessary information and documentation needed to finalize our client’s applications before they are submitted to U.S. Citizenship and Immigration Services (“USCIS”).
3. On July 7, 2021, I contacted the Office of the Staff Judge Advocate (“OSJA”) at Fort Leonard Wood, Missouri by telephone and spoke with Emily Pearson, a civilian employee in that office. I stated that I was a paralegal with Cascadia and was assisting Attorney Margaret Stock to obtain a certification of honorable service (“N-426 certification”) for Zhen Pang, a client of Cascadia. Ms. Pearson stated she would transfer my call to Robert Michael, a paralegal in OSJA. She also instructed me to ask Mr. Michael “who to contact about getting the N-426 certified.” I

then spoke with Mr. Michael and asked again for assistance in obtaining Mr. Pang's N-426 certification. Mr. Michael stated that he did not know what the N-426 certification was and asked me to email him exactly what I was requesting. Mr. Michael then emailed me to initiate correspondence.

4. Later that day, I sent the follow-up email to Mr. Michael. In that email, I stated again that I was a paralegal with Cascadia and was assisting Attorney Stock with obtaining an N-426 certification for our client Mr. Pang. I explained that Mr. Pang, who enlisted in the United States Army through the Military Accessions Vital to the National Interest ("MAVNI") recruitment program, had shipped to basic training on or around June 21 or June 22, 2021. I also explained that Mr. Pang's wife had provided Cascadia with Mr. Pang's mailing address and shared that address, which included Mr. Pang's company at basic training. I attached Mr. Pang's N-426 to my email. I asked for assistance in forwarding Mr. Pang's N-426 form to a Colonel, *i.e.* an officer of O-6 pay grade, who was able to certify Mr. Pang's N-426 form in a timely manner. Finally, I provided brief instructions for certifying Mr. Pang's N-426 form. Attached as Exhibit A is a true and correct copy of this email.

5. Later that day, Mr. Michael responded to my email. Mr. Michael stated that my request was a legal assistance matter, and that Ms. Pearson was the appropriate point of contact. *See* Exhibit A.

6. On July 8, 2021, I received an email from Ms. Pearson, instructing me to call her. Attached as Exhibit B is a true and correct copy of this e-mail.

7. That day, at or about 8 a.m., I called Ms. Pearson. During the call, Ms. Pearson stated that each time OSJA has forwarded an N-426 form for certification to the Battalions, the O-6 officer in the relevant Battalion has refused to certify the form. Ms. Pearson further stated that

the O-6 officers in the Battalions are commonly telling service members that they must wait until they arrive at their first duty station to obtain their N-426 certifications.

8. During the call, Ms. Pearson also stated that the O-6 officers in the Battalions have incorrectly asserted that the O-6 officer in OSJA can certify N-426 forms. Ms. Pearson stated that the OSJA O-6 officer does not have that ability.

9. During the call, Ms. Pearson also stated that they used to have a MAVNI office to handle these kinds of issues. She stated that Fort Leonard Wood has a lot of soldiers falling into this category and that, in her opinion, the MAVNI office should be restored.

10. During the call, Ms. Pearson provided me with Mr. Pang's Battalion phone number and asked me to contact that number directly and ask for Mr. Pang's N-426 certification.

11. Attached as Exhibit C is a true and correct copy of my email to Margaret Stock following my telephone call with Ms. Pearson, memorializing our conversation.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 16, 2021

A handwritten signature in cursive script that reads "Danielle Quail". The signature is written in black ink and is positioned above a horizontal line.

Danielle Quail