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8 *Attorney for Petitioner-Plaintiff*

9 UNITED STATES DISTRICT COURT
10
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12
13 WESTERN DIVISION

14 HAI CHIEU DAM, aka Derrick Dam,
15 Petitioner-Plaintiff,

16 v.

17 Timothy ROBBINS, et al.,
18 Respondents-Defendants.

Case No. 2:25-cv-08133-
JWH-MAA

**DECLARATION OF KARI
HONG RE SERVICE OF
TRO ON OPPOSING
PARTY**

1 I, Kari Hong, hereby declare as follows:

2 1. I am an Appellate Attorney at the Florence Immigrant & Refugee Rights
3 Project, which is located at P.O. Box 86299, Tucson, AZ 85754. I have personal
4 knowledge of the matters stated herein because I am Mr. Dam's attorney in the
5 instant matter.

6 2. On September 9, 2025, the Court issued an order directing me to serve
7 Respondents with process and with Petitioner's Ex Part Application for
8 Temporary Restraining Order by Wednesday, September 10, 2025 at 12:00 noon,
9 and within 24 hours, to file proof of these efforts with this Court. I am filing this
10 declaration to confirm that I have effectuated service and process.

11 3. Pursuant to Local Rule 4-4 and Appendix C, on August 28, 2025, I
12 exchanged emails with Attorney Daniel Beck, Chief of Complex and Defensive
13 Litigation for the United States Attorney's Office for the Central District of
14 California. I informed Attorney Beck of my intent to file a Petition for Writ of
15 Habeas Corpus with the Court on August 28, 2025 or August 29, 2025 and stated
16 that I would email him copies of the action once I filed it with the Court.

17 4. We also discussed that because no Court action is needed over the holiday
18 weekend, that I would not file any request for a Temporary Restraining Order
19 until after the holiday weekend.

20 5. On August 30, 2028, at 7:08 a.m. PST, I filed the habeas petition and
21 exhibits with the Court. On August 30, 2028, at 7:18 am, I emailed copies of the
22 habeas and exhibits to Attorney Beck.

23 6. Pursuant to Appendix C, the filing of the habeas petition opened a case that
24 "specifies the U.S. Attorney's Office as a 'Notice Only Party' to the court's Case
25 Management and Electronic Case Filing System (CM/ECF). The U.S. Attooney's
26 Office will thereby received electronic notice of all case filings and activity,
27 including the case initiating documents, to any e-mail accounts specified by the
28 office in the 'Notice Only' designation." Appendix C(1)(A).

1 7. On September 2, 2028, I emailed Attorney Beck and informed him of my
2 intent to file the TRO with the Court on September 3, 2028. On September 3,
3 2028, at 3:22 pm, Attorney Beck kindly confirmed receipt of the email.

4 8. On September 3, 2025, at 8:17 am, I filed on the Court's docket the TRO
5 and exhibits with the Court. On September 3, 2025, at 9:20 am, I emailed
6 Attorney Beck a copy of the TRO and exhibits. A 9:48 am, Attorney Beck
7 confirmed in an email receipt and stated that he intended to file an objection to the
8 length of the TRO and ask for a briefing schedule to be set. To date, the AUSA
9 office has not filed an objection to the TRO.

10 9. On September 8, 2025, at 8:18 am, the Court issued an order, directing me
11 to confirm service and process with the Court and for the AUSA to file its
12 response to the TRO by September 15, 2025 at noon.

13 10. Accordingly to my reading of Appendix C, "the Court order [that] will fix
14 the time by which response must be made" is one that "[t]he U.S. Attorney's
15 Office agrees that the entry of the order to reponse on the docket by the clerk
16 complies with the requirement of service of the petition on the respondent, the
17 U.S. Attorney's Office, or other appropriate office and will accept service of the
18 same." Appendix C.

19 11. To confirm that my understanding that the process of the habeas and TRO
20 has been accepted and completed, I emailed Attorney Beck on September 9, 2025
21 at 7:46 am to confirm that his office had received my prior emails from August 30
22 and September 3 in which I had sent the habeas and TRO. I also stated that under
23 my reading of Appendix C, I believe that I had effectuated service and process but
24 asked if there were other steps I should undertake.

25 12. Attorney Beck replied, and in my good faith reading of his answer,
26 confirmed that under Appendix C, the magistrate order effectuates service.
27 Attorney Beck further directed me to Federal Rule 4(i) and provided me with the
28 address for service by certified mail and also recommended that I email ECF-

1 stamped copies of the TRO by email. Attorney Beck also confirmed that an
2 AUSA attorney had been assigned to the case and Attorney Beck assumed that the
3 attorney would be responding to the court order in a timely manner.

4 13. Although in good faith, I believe that the prior email and magistrate order
5 effectuated service, out of the abundance of caution, I emailed Attorney Beck
6 conformed copies of the TRO and exhibits and sent this email at 1:05 pm on
7 September 10, 2025. If this email was late, I apologize to the Court and ask for
8 leave to permit late filing by 65 minutes. The delay arose from me being out of
9 the office between the emails and emailing the conformed copies as quickly as I
10 could.

11 14. In addition, on September 10, 2025, I printed out and sent paper copies of
12 the TRO by certified mail to the Civil Process Clerk, United States Attorney's
13 Office, Central District of California, 300 N. Los Angeles St, Ste 7516, Los
14 Angeles, CA 90012. On September 10, 2025, I dropped off the mailing and paid
15 the full postage to the postal clerk. I am attaching proof of the certified mailing.

16 15. When I returned from the post office, between 3 pm and 4 pm, I had
17 intended to email a copy of the certified mailing to Attorney Beck as I told him
18 that I would. When preparing this declaration, I discovered that I did not have a
19 copy of any outgoing email in my Sent email folder. At 11:08 am, on September
20 11, 2025, I sent an email to Attorney Beck. I explained that I had intended to
21 email me yesterday and just discovered that I did not have an email in my
22 outgoing mail box. At the same time, I had sent two emails to a colleague, and
23 even though only one showed as having been sent, she confirmed both were sent.
24 I explained to Attorney Beck, that if he had received my email yesterday, the
25 receipt was identical to that one.

26 16. In good faith, I believe that I have effectuated service of the TRO and
27 habeas. If I am mistaken in my understanding of the relevant rules or procedures,
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1 I respectfully ask for the Court to provide me with an opportunity to cure any
2 deficiency.

3 I declare under penalty of perjury that the foregoing statement is true and correct to
4 the best of my own personal knowledge. Executed this 11th day of September,
5 2025 at Missoula, MT..

6 /s/ Kari Hong
7 Kari Hong
8 Declarant
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