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16
17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**
19 **WESTERN DIVISION (LOS ANGELES)**

21 ANDREW MASON DVASH-
BANKS AND E.J. D.-B.,

22 Plaintiffs,

23 v.

24 THE UNITED STATES
25 DEPARTMENT OF STATE,
and THE HONORABLE
26 MICHAEL R. POMPEO,
Secretary of State,

27 Defendants.
28

Case No. 2:18-cv-00523-JFW-(JCx)

**EXCERPTS FROM THE
DEPOSITION OF PAUL PEEK,
DEFENDANTS' 30(b)(6)
DESIGNEE, IN SUPPORT OF
PLAINTIFFS' REPLY IN
FURTHER SUPPORT OF THEIR
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Judge: Hon. John F. Walter
Hearing Date: February 4, 2019
Courtroom: 7A

1 Pursuant to Part 4(b) of the Court's Scheduling and Case Management
2 Order (DKT 52), entered on August 21, 2018, attached hereto are excerpts from
3 the deposition of Paul Peek submitted in support of Plaintiffs' Reply in Further
4 Support of their Motion for Partial Summary Judgment.

5 Dated: January 22, 2019 Respectfully submitted,

6 By: /s/ Alexa M. Lawson-Remer
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Attorneys for Plaintiffs

Paul Peek

12/20/2018

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6 Q And did you review any materials during
7 that meeting?

8 A Yeah. The totality of what was in the
9 binder.

10 Q By the binder you're referring to the
11 binder of materials that Defendants' counsel
12 provided just before we went on the record this
13 morning; is that right?

14 A Yes.

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25 Q Isn't that the principal reason why the

1 State Department wants to be sure there is a
2 biological relationship between the U.S. citizen
3 parent and a child?

4 A No.

5 Q What's the principal reason?

6 A Because the department believes that is
7 what the law requires.

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2 Q Okay. Is -- does the State Department
3 agree that Andrew Dvash-Banks sufficiently
4 demonstrated to the Toronto consulate that he met
5 the residency requirements of section 301?

6 A I believe that he did, yes.

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3 Q Sure. I'm just trying to understand
4 whether any aspect of the State Department's
5 interest in sustaining its interpretation of
6 section 301 is rooted in an effort to prevent fraud?

7 A No.

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4 Q Yes. At the time that the State
5 Department sent this letter, Exhibit 27, did the
6 State Department have an expectation that if the
7 Dvash-Banks family applied for a Certificate of
8 Citizenship for E.J., that USCIS would grant that
9 application?

10 A It was certainly within the realm of
11 possibility.

Paul Peek

12/20/2018

12 Q But did it have an expectation that it
13 would be granted?

14 A I don't know that it would be accurate to
15 say that we had an expectation.

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3 MR. EDELMAN: We have no further
4 questions at this time. Thank you, Mr. Peek, for
5 your attention and patience.

6 EXAMINATION BY COUNSEL ON BEHALF OF DEFENDANTS
7 BY MS. ANDRAPALLIYAL:

8 Q I have a few questions for you, Mr. Peek.

16 Q And if you added up all of the time you
17 spent preparing for today's deposition, how many
18 hours would you calculate that to be?

19 A Maybe 20.

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18 MS. ANDRAPALLIYAL: We have no more
19 further questions. Thank you, Mr. Peek.