

OFFICE OF THE ATTORNEY GENERAL
COMMONWEALTH OF VIRGINIA
202 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219



CID NO. 1-AMP

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

**TO: AJP Educational Foundation d/b/a American Muslims for Palestine
6404 Seven Corners Place, Suite N
Falls Church, Virginia 22044-2034**

CIVIL INVESTIGATIVE DEMAND

The Attorney General of the Commonwealth of Virginia under the authority conferred upon him by § 57-59(C) of the Virginia Solicitation of Contributions ("VSOC") law, Virginia Code §§ 57-48 to 57-69, commands your production of the information and documents described here to the Office of the Attorney General, 202 North Ninth Street, Richmond, Virginia 23219, by the means specified here by 4:00 p.m. on **December 1, 2023**.

This Civil Investigative Demand ("CID") is issued in connection with an investigation by the Attorney General into possible violations by the AJP Educational Foundation d/b/a American Muslims for Palestine ("AMP") of the VSOC law, including Virginia Code §§ 57-49 and 57-57(K), (L), (N), and (R) in connection with the solicitation of charitable contributions. Based on information provided to our Office and our own investigation, we have reason to believe that AMP may have solicited charitable contributions in the Commonwealth without first having been registered with the Commissioner of the Virginia Department of Agriculture and Consumer Services, employed misrepresentations in connection with the solicitation of charitable contributions, permitted the use of funds raised in a charitable solicitation for purposes other than the solicited purpose, and knowingly used or permitted the use of funds raised by a solicitation of contributions to provide support to terrorists, terrorist organizations, terrorist activities, or family

members of terrorists.

Please refer any questions you may have about this CID to Mark S. Kubiak, Senior Assistant Attorney General, Consumer Protection Section, 202 North Ninth Street, Richmond, Virginia 23219, (804) 786-7364.

This CID is issued at Richmond, Virginia, this 27th day of October, 2023.



RICHARD S. SCHWEIKER, JR.
CHIEF/SENIOR ASSISTANT ATTORNEY GENERAL
CONSUMER PROTECTION SECTION

cc: Ashraf W. Nubani
Registered Agent
5025 Backlick Road, Suite B
Annandale, Virginia 22003-6044

ATTACHMENT
INSTRUCTIONS

1. Unless otherwise indicated, each paragraph of this CID relates to the period from November 29, 2016 through the present date. Any documents prepared during this time period, or before this time period but which relate thereto, are also to be produced.
2. The Interrogatories set forth herein shall be answered separately and fully in writing, under oath, by an officer, manager, or agent of AMP who shall furnish all information as is available to AJP Educational Foundation d/b/a American Muslims for Palestine.
3. Attached as Appendix 1 are special instructions for electronically produced or stored materials.
4. If any document requested was, but is no longer in your possession, subject to your control, or in existence, state for each such document:
 - (a) the type of document;
 - (b) whether it is missing, lost, has been destroyed, or has been transferred to the possession, custody, or control of other persons;
 - (c) the circumstances surrounding, and the authorization for, the disposition described in (b) above;
 - (d) the date or approximate date of the disposition described in (b) above;
 - (e) the identity of all persons having knowledge of the circumstances described in (c) above; and
 - (f) the identity of all persons having knowledge of the document's contents.
5. With respect to each document produced, identify the person producing the document and the paragraph number of the request in response to which such production is being made.

6. All uses of the conjunctive should be interpreted as including the disjunctive and vice versa in order to bring within the scope of this CID any information or documents that might otherwise be construed to be outside of its scope.

7. Words in the singular should be read to include the plural and vice versa.

8. Each document request contemplates production of the entire document without abbreviation or deletion.

9. If you have a document retention/destruction program, you are asked to suspend it immediately. Regardless of whether you have a document retention/destruction program, you should take precautions to ensure that no documents called for by this CID are inadvertently or intentionally destroyed.

10. Optional methods of compliance.

A. This CID requires the personal appearance of a representative of the company when you produce the documents herein described. The purpose of the appearance is to testify under oath as to the fact and manner of compliance herewith. At your option, you may substitute the filing of an affidavit for the personal appearance. Such affidavit must set forth the matter contained in the form affidavit delivered herewith. Any alteration of the form except to complete it as indicated may be treated as a refusal to comply with this CID and result in action by this Office pursuant to *Virginia Code* §§ 59.1-9.10 and 57-59(C). **If you elect to exercise this option, please notify the Office of the Attorney General no later than seven (7) days prior to the time you are required to appear.**

B. This CID also requires generally the production of original documents. At your option, you may substitute a readable duplicate of an original writing, if you identify it as a duplicate and if you agree without qualification that thereafter, at anytime during the course of this investigation or

any litigation arising therefrom, the original document will be delivered for inspection by the Attorney General within five (5) days after receipt by you or your attorney of a demand therefor.

DEFINITIONS

1. "Documents" include all representations of words, letters, symbols, numbers, or figures, whether (i) printed or inscribed on a tangible medium or (ii) stored in an electronic or other medium and retrievable in a perceivable form.

2. "AJP Educational Foundation d/b/a American Muslims for Palestine" and "AMP" means AJP Educational Foundation d/b/a American Muslims for Palestine and its officers, directors, employees, agents, affiliates, or other representatives.

3. "You" means the entity to which this CID is addressed and your officers, directors, employees, agents, affiliates, or other representatives.

4. "Terrorist" and "terrorist organizations" means any person, organization, group, or conspiracy who assists or has assisted terrorist organizations, as provided in 18 U.S.C. § 2339B, or who commits or attempts to commit acts of terrorism, as defined in Virginia Code § 18.2-46.4.

DOCUMENTS TO BE PRODUCED

1. All documents submitted to the Office of Charitable and Regulatory Programs ("OCRCP") in the Virginia Department of Agriculture and Consumer Services, including all registration applications, amendments, registration statements, forms, or renewals from you.

2. Documents sufficient to show your legal identity and organization, including articles of incorporation or organization, articles of reinstatement, bylaws, operating agreements, standing rules of your board of directors, and all amendments to those items.

3. Documents sufficient to identify the members of your board of directors, including their position/title, and dates they served as board members of your organization.

4. All meeting minutes and agendas for any meeting of your board of directors, or any subcommittee of the board.

5. Documents sufficient to identify all of your employees, including their position/title and time periods employed.

6. All Internal Revenue Service forms filed by you during the relevant time period, including IRS Forms W-2, Forms W-3, Forms 990, Forms 1023, Forms 1096, and Forms 1099. This request also includes all filed IRS Forms 990-EZ.

7. Documents sufficient to identify each accountant with financial, accounting, or tax expertise, with whom you have consulted about your financial affairs.

8. All audits, financial reviews, or other finance statements prepared by or on behalf of your organization.

9. Documents sufficient to show any periodic budget, general ledger, profit and loss statement, balance sheet, or other financial reporting document for you.

10. Documents relating to any checking, depository, savings, investment, credit card, debit card, charge card, loan, or other financial account in any bank, credit union, or other institution or service (including person-to-person (P2P) electronic funds transfer accounts (e.g. PayPal, Venmo, CashApp)) held in your name or otherwise holding funds on behalf of you, including the following:

- a. account applications and related documents;
- b. signature cards;
- c. monthly statements;
- d. general ledgers;

- e. canceled checks or carbon copies of such checks including front and back detail;
- f. check registers;
- g. savings account registers;
- h. deposit slips and deposit items to which those slips relate;
- i. records of transfer of funds by wire or collection;
- j. documents relating to safe deposit boxes;
- k. credit card processing agreements;
- l. applications for purchase of manager's checks, cashier's checks, and/or treasurer's checks, together with the copies of the checks that were purchased.

11. Documents sufficient to show all ATM withdrawals and cash advances, the purposes for which each such withdrawal was made, the person who made the withdrawal or sought the cash advance, and the person who authorized it, as well as all supporting Documents relating to such withdrawals.

12. Documents sufficient to identify any person to whom you pay rent or otherwise reimburse for the use of office space or other space utilized by you and to show how the amount of rent or other reimbursement is calculated.

13. All documents, including email, referring or relating to your hiring, retention, evaluation, or termination of any professional solicitor to solicit on behalf of you, specifically including both internal communications about the professional solicitor and communications with the fundraiser itself.

14. All documents reflecting communications by and between you and any professional solicitor or other person that has solicited charitable contributions on behalf of you.

15. All contracts or other Documents reflecting agreements related to the provision of fundraising services to you by third parties, including professional solicitors, professional fundraising counsels, caging companies, list management companies, and list brokers.

16. All grants and contributions received and held by you each year.

17. Copies of all charitable solicitation materials including but not limited to flyers, brochures, mailers, script or text for online advertising, training materials, handouts, guides, telephone scripts, direct mail pieces, newspaper advertisements, solicitations or other advertisements on television or radio, electronic mail, short message service ("SMS") or text messages, social media websites, your websites, and other online environments.

18. All solicitations used in connection with seeking charitable contributions to you that were used by a third party on your behalf, including but not limited to flyers, brochures, mailers, script or text for online advertising, training materials, handouts, guides, telephone scripts, direct mail pieces, newspaper advertisements, solicitations or other advertisements on television or radio, electronic mail, SMS or text messages, social media websites, your websites, and other online environments.

19. Documents sufficient to show for each fundraising or educational event or conference sponsored or organized by or on behalf of you, including:

- a. the date(s) and location(s) of the event;
- b. agendas;
- c. the participants in the event, including speakers;
- d. any sponsors of the event;

- e. the nature and purpose of the event and how it relates to your mission;
- f. the manner in which charitable contributions to you were collected in association with the event;
- g. the amount of charitable contributions collected at or as a result of the event;
- h. the net revenue or loss to you as a result of the event;
- i. the nature of and any revenue attributed to program services associated with the event;
- j. the identity of your employee(s) participating in or responsible for the event;
- k. all advertising or marketing about the event; and
- l. all documents reflecting claims made by or about the fundraising or educational event on any third-party website through which you make representations about its program services, solicit or accept Charitable Contributions, or seek third parties to solicit Charitable Contributions on your behalf (e.g., websites such as Facebook, Instagram, Twitter, Pinterest, GoFundMe, Causes, Crowdrise, etc.).

20. All documents reflecting claims made by or about you on any third-party website through which you make representations about your program services, solicit or accept charitable contributions, or seek third parties to solicit charitable contributions on your behalf (e.g., websites such as Facebook, Instagram, Twitter, Pinterest, GoFundMe, Causes, Crowdrise, etc.).

21. All donor lists, including list-servs and email groups.

22. All documents pertaining to grants and other assistance given to domestic organizations and governments according to your Form 990 responses for each year in Part IX, Line 1, including the recipients of those funds.

23. All documents pertaining to grants and other assistance given to individuals according to your Form 990 responses for each year in Part IX, Line 2, including the recipients of those funds.

24. All documents pertaining to funds used for Lobbying according to your Form 990 responses for each year in Part IX, Line 11(d), including the recipients of those funds.

25. All documents pertaining to funds used for Other according to your Form 990 responses for each year in Part IX, Line 11(g), including the recipients of those funds.

26. All documents pertaining to Advertising and promotion according to your Form 990 responses for each year in Part IX, Line 12, including the recipients of those funds.

27. All documents pertaining to funds used for Occupancy according to your Form 990 responses for each year in Part IX, Line 16, including the recipients of those funds.

28. All documents pertaining to funds used for Travel according to your Form 990 responses for each year in Part IX, Line 17, including the recipients of those funds.

29. All documents pertaining to funds used for Conferences, conventions, and meetings according to your Form 990 responses for each year in Part IX, Line 19, including the recipients of those funds.

30. All documents pertaining to funds used for Other expenses according to your Form 990 responses for each year in Part IX, Line 24, including the recipients of those funds.

31. All documents concerning policies or practices of your organization with respect to the storage, location, preservation, retention, destruction, disposal, or retention of documents responsive to these requests, and if such policies or practices have changed over time, documents sufficient to identify each such change.

INTERROGATORIES

1. Have you provided any funds or permitted the use of funds raised by a solicitation or by contribution to benefit or provide support, directly or indirectly, in cash or in kind, to terrorists, terrorist organizations, terrorist activities or to family members of any terrorist, including the organization known as HAMAS that was designated as a foreign terrorist organization by the United States Department of State in 1997?

2. Have you registered as a charitable organization with the Office of Charitable and Regulatory Programs ("OCR") in the Virginia Department of Agriculture and Consumer Services? If not, state the reasons for not doing so.

3. For all periods that you have been in operation, state the correct legal name of your organization and all other assumed names under which you do or have done business and the time period(s) during which each assumed name has been in use, including:

- a. the relationship between AJP Educational Foundation and American Muslims for Palestine, Inc.;
- b. the relationship between AJP Educational Foundation and American Muslims for Palestine; and
- c. the relationship between AJP Educational Foundation and AJP Action.

4. Identify all affiliated organizations of AMP.

5. Identify your purpose for raising charitable contributions.

6. Identify all financial institutions where you hold funds.

7. Identify all entities and persons (including, companies, nonprofits, and student organizations) to which you have disbursed money, and the amount of money disbursed to each entity or person.

8. Identify the service name, URL, and server (i.e., IP address) of each website, social media account, or other electronic or digital interface owned or used by you to communicate with donors and prospective donors, to make representations about program services, or to solicit or accept charitable contributions.

9. For Line 24 in your 2018 Form 990, identify by describing the nature of the expense, the recipients of the funds, and the amount of funds disbursed to each recipient, each of the itemized expenses listed.

10. List every lawsuit filed against you, and for each suit, state:

- a. the parties;
- b. case number and court where filed;
- c. date filed and date of disposition;
- d. the identity of any employee, officer, or director who was deposed in connection with the lawsuit; and
- e. any final disposition.

11. Identify each proceeding (including investigations, subpoenas, civil investigative demands, other formal or informal requests for information, inquiries, actions, and arbitrations) with any governmental entity, to which you or any officer or director of you was a subject or party.

For each proceeding:

- a. Identify the parties and their counsel;
- b. state the date each proceeding commenced and ended (provide estimates if exact dates are unknown); and
- c. state how the proceeding was resolved, if it is not pending.

12. Identify each person answering these Interrogatories, collecting and compiling

documents requested in the Requests for Production, or otherwise supplying information requested in this CID or assisting in any way with the preparation of the answers to this CID.

APPENDIX 1:
SPECIAL INSTRUCTIONS FOR
ELECTRONICALLY PRODUCED OR STORED MATERIAL

1. All document data in electronic format must be scanned and confirmed free of computer viruses and provided with passwords necessary to access them.
2. Produce documents in the order in which you maintained them in your files, in copies of their original file folders, labeled with the folder's original file labels.
3. All attachments to responsive documents shall be produced attached to the responsive documents.
4. Provide a key to all abbreviations used in the documents and attach the key to the appropriate documents.
5. No portion of any document shall be masked and the entire document shall be produced.
6. If a document is responsive to more than one request, it shall be clearly marked to so indicate.
7. Indicate the Request(s) to which each document or answer responds in a metadata field titled "RequestNo."
8. Documents produced electronically and electronically stored information shall be produced in accordance with the following instructions:
 - a. **Image Files:** Any documents produced in response to this Request should be provided as a multi-page PDF file with embedded text and 8.5 x 11 inch page size that reflects how the source document would have appeared if printed, and which are named for the Bates number of first page of the document.
 - b. **Text Files:** Document level text files containing extracted text or OCR should be provided for each document produced and named for the Bates number of first page of the document. To the extent that extracted text does not exist, the images should be run through Optical Character Recognition (OCR) so that they are fully searchable.
 - c. **Load Files:** Load files shall be produced with each production of documents with extracted metadata for each document (objective coding) included in the load file. The data file shall include the fields and type of content set forth below. Objective Coding shall be labeled and produced on Production Media in accordance with the provisions set forth above.

- i. The data load file should contain all of the metadata fields (both system and application—see list below) from the original Native documents with an extension .CSV or .TXT for loading into the review platform.
 - ii. The load file of extracted metadata should be delimited with ASCII 020 for the comma character and ASCII 254 for the quote character. All values in a multi-value field shall be separated by a semi-colon ASCII 059. The use of commas and quotes as delimiters is not acceptable.
 - iii. The header row for the load files should contain the metadata field names which are listed below.
 - iv. The image load file should contain an extension .OPT or .LFP.
- d. **Document Unitization:** The boundaries of a document shall be based upon the smallest physical binding (*i.e.*, staple, paper clip, binder clip, etc.) associated with that document. In the event there is a series of loose pages that have no small physical bindings, the document boundary shall be based upon the largest physical binding (*i.e.*, folder, redwell, binder, etc.). The boundaries of the parent/child attachment relationship shall be based upon the largest physical binding (*i.e.*, binder clip, folder, redwell, etc.) associated with that family of documents. The document boundaries and corresponding parent/attachment relationships shall be provided in the load files furnished with each production.
- e. **Bates Numbering:** Each page of a produced document shall have a legible, unique page identifier (Bates number) electronically branded onto the image at a location that does not obliterate, conceal, or interfere with any information from the source document. In order to ensure that the Bates numbers do not obscure portions of the documents, the images may be proportionally reduced to create a larger margin in which the Bates number may be branded. There shall be no other legend or stamp placed on the document image, except those sections of a document that are redacted to eliminate material protected from disclosure by the attorney-client or work product privileges shall have the legend "REDACTED" placed in the location where the redaction(s) occurred or shall otherwise note the location and/or location of the information for which such protections are claimed. If you have previously produced documents, begin the Bates number for subsequent productions with the Bates number following the Bates number of the last document page produced.
- f. **File Naming Conventions:** Each PDF file shall be named with the unique Bates Number on the first page of the multi-page PDF file ending with a ".PDF" extension. Each document shall be named with a unique document identifier. Attachments shall have their own unique document identifiers.
- g. **Production Media:** All documents should be produced on CD-ROM, DVD, or external hard drive with standard Windows PC compatible interface (the production media). Each piece of production media shall identify a production

volume number corresponding to the production "wave" the documents on the production media are associated with (e.g., "V001," "V002"), as well as the volume of the material in that production wave (e.g., "-001," "-002"). For example, if the first production wave comprises document images on three hard drives, each hard drive shall be labeled in the following manner: "V001-001," "V001-002," and "V001-003." Additional information shall be identified on the physical production media including: (i) text referencing that it was produced in CID No. 1-AMP, (ii) the producing party's name, (iii) the production date, and (iv) the Bates number range of the documents contained on the production media.

- h. **Native Format for Excel and Access Databases:** To the extent that requested documents exist in Excel or another spreadsheet program, produce the document in its native format. To the extent that the document format constitutes a database created or maintained in Access or another software program, produce the document in its native format. If the database is based upon proprietary software, produce whatever keys and instructions are necessary to review it. A single page PDF image placeholder should be provided for each document provided in native format. Each PDF placeholder shall contain the phrase "DOCUMENT PRODUCED IN NATIVE FORMAT" and contain the Bates number corresponding to the native file.
- i. **PowerPoint Presentations:** Presentations should be produced in full slide image format along with speaker notes (which should follow the full images of the slides) with related searchable text, metadata, and bibliographic information. Presentations should also be produced in native format (e.g., as .PPT files). The linked native file name should also match the BegDoc with the appropriate file extension.
- j. **Audio and Video Data:** These specifications do not address the production of audio/video data. Care must be taken to ensure that all responsive audio and video data and their metadata are preserved. These data types may be stored in audio or video recordings, voicemail text messaging, and related/similar technologies.
- k. **Production Exception Handling:** Any documents produced which cannot be converted to a PDF image due to a processing error must be reported along with the corresponding Bates number. Once an exception report for production is received, counsel for the State may request to see the native file for that exception.

9. Hard copies of documents to be produced in response to this Request shall be produced in the following electronic format:

- a. Create electronic copies of the documents and produce them in accordance with the procedures described below, provided that you retain the originals from which the electronic copies were made until the final disposition of the matter;

- b. Include a load file with corresponding information, including the following data fields: BegDoc, EndDoc, Custodian, DocTitle, Filename, and Request No.;
- c. The Custodian field in the load file should contain the identify the custodian or location from which the hard copy document was taken; and
- d. The Request No. field should contain the number of the Request(s) to which the document is responsive.

10. For all documents produced, provide the following metadata fields:

REQUIRED METADATA FIELDS	
FIELD NAME	FIELD DESCRIPTION
BEGDOC	Beginning Bates number (production number)
ENDDOC	End Bates number (production number)
BEGATTACH	First Bates number of family range (i.e., Bates number of the first page)
ENDATTACH	Last Bates number of family range (i.e., Bates number of the last page of the last attachment)
ATTCOUNT	Number of attachments to an email
ATTACH	Populate parent records with original filenames of all attached records, separated by semi-colons
CUSTODIAN	Name of person from whose files the document is produced
AUTHOR	Author of the e-doc or attachment
RECIPIENTS	Recipients of e-doc
FROM	Sender of email
TO	Recipient of email
CC	Additional recipients of email
BCC	Blind additional recipients of email
FILESIZE	Size of the file
PGCOUNT	Number of pages in the e-doc
DATERECD	(mm/dd/yyyy) Date email was received
TIMERECD	Time email was received
DATESENT	(mm/dd/yyyy) Date sent
TIMESENT	Time sent
CRTDATE	(mm/dd/yyyy) Date created
CRTTIME	Time created
LASTMODDATE	(mm/dd/yyyy) Date last modified
LASTMODTIME	Time last modified
TITLE	Title field value extracted from the metadata of the native file
MODBY	Name of person(s) who modified e-doc
SUBJECT	The value in the subject field of and e-doc or e-attachment
FILENAME	The full name of the native file.
FILE EXT	The extension of the file
MDSHASH	MD5 Hash Value created during processing
FULLPATH	File source path for all electronically collected documents, which includes location, folder name, file name, and file source extension
RECORDTYPE	Should contain the value of email, e-doc or e-attachment

APPLICATION	Name of the application used to open the file
VOLUME	Production volume number (e.g., V001, V002 etc.)
COMMENT	Values extracted from comments metadata field
ENTRYID	Unique identifier of emails in mail stores
ATTLIST	List of each attribute on a previous defined element definition within a DTD
FAMILYDATE	(mm/dd/yyyy) Date value of parent file (email or e-doc)
REQUESTNO	Multi-entry field
NATIVELINK	The full path to the produced native on the production deliverable
TEXTPATH	The full path to the produced text files on the production deliverable