

Khadijah Smith
3/11/2014

Page 1

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

THE MUSLIMS OF AMERICA INC.,

Plaintiff,

-against-

Case No.:
3:13-CV-0169
(TJM/DEP)

MARTIN J. MAWYER, PATTI A. PIERUCCI and
CHRISTIAN ACTION NETWORK,

Defendants.

Videotaped Deposition of
KHADIJAH SMITH,
held pursuant to Notice, at the Marriott Hotel,
3801 Vestal Parkway E., Vestal, New York,
commencing at 2:32 p.m., Tuesday, March 11, 2014,
before Brenda J. O'Connor-Marello, CSR, a Certified
Shorthand Reporter and Notary Public in and for the
State of New York.

Khadijah Smith
3/11/2014

Page 2

1 A P P E A R A N C E S

2 APPEARING FOR THE PLAINTIFF(S):

3 TAHIRAH AMATUL-WADUD, ESQ.
4 10 Center Street, Number 306
5 Chicopee, Massachusetts 01013
6 e: tahirah@attorneytahirah.com
7 p: 413-474-6038

8 TAHIRAH H. CLARK, ESQ.
9 P.O. Box 223
10 Deposit, New York 13754
11 Attorneys for Plaintiffs
12 e: tahirah.clarkesq@gmail.com
13 p: 607-205-8825

10

11

12 APPEARING FOR THE DEFENDANT(S):

13

14 CARROLL, UCKER & HEMMER, LLC
15 71 N. High Street, Suite 301
16 Worthington, Ohio 43085
17 BY: DAVID W. T. CARROLL, ESQ.
18 Attorneys for Defendants
19 e: dcarroll@cuhlaw.com
20 p: 614-547-0350

17

18

19 ALSO PRESENT:

20

21 Cory Lange and Colton Ott - Videographers
22 Martin Mawyer, Defendant

22

23

24

25

Khadijah Smith
3/11/2014

Page 3

1 F E D E R A L S T I P U L A T I O N S

2

3

4 IT IS HEREBY STIPULATED AND AGREED by and
5 between the attorneys for the respective parties
6 hereto, that filing, sealing, and certifications
7 are hereby waived;

8

9 IT IS FURTHER STIPULATED AND AGREED that all
10 objections, except as to the form of the question,
11 shall be reserved to the time of the trial;

12

13 IT IS FURTHER STIPULATED AND AGREED that the
14 within Deposition may be signed before any Notary
15 Public with the same force and effect as though
16 subscribed and sworn to before this Court.

17

18

19

20

21

22

23

24

25

Khadijah Smith
3/11/2014

Page 4

1 MR. CARROLL: We had some exhibits
2 that were missing after yesterday, so we've
3 come to an agreement on how to handle that.

4 The court reporter has marked
5 Exhibit 1, which is the same as yesterday.

6 She's marked -- what we identified
7 today as Exhibit 5, she's marked it with an
8 additional exhibit marker for Exhibit 2,
9 because it was Exhibit 2 yesterday.

10 And what we identified as Exhibit 4
11 today has been marked with an additional
12 exhibit marker, Exhibit 3, which it was
13 Exhibit 3 yesterday.

14 And we've come to an agreement on
15 that that's the way we'll handle that; is
16 that right, Ms. Amatul-Wadud?

17 MS. AMATUL-WADUD: Yes, it is.

18 KHADIJAH SMITH,
19 called as the witness, hereinbefore named, being
20 first duly cautioned and sworn or affirmed by
21 BRENDA J. O'CONNOR-MARELLO, a Certified Court
22 Reporter and Notary Public in and for the State of
23 New York, Qualified in Saratoga County, herein to
24 tell the truth, the whole truth, and nothing but
25 the truth, was examined and testified as follows:

Khadijah Smith
3/11/2014

Page 5

1 EXAMINATION

2 BY MR. CARROLL:

3 Q Would you state your name and address for the
4 record, please?

5 A Khadija Smith, 2732 Roods Creek Road, Box
6 Number 6, Hancock, New York 13783.

7 Q And what is the --

8 You sat here through the depositions of
9 Mr. Adams and Mr. Abdul-Haqq; is that right?

10 A Um-hum. Yes.

11 Q And that was what I was going to mention to you,
12 that when -- there are certain things that you
13 need to do during a deposition.

14 Yes or no is necessary rather than uh-uh
15 and um-hum that we do in normal conversation and
16 it's important that the answers be audible.

17 Also, as you understand, that the purpose
18 of a deposition is, among other things, so we can
19 find out what your testimony would be at the trial
20 of this case.

21 A Um-hum. Yes.

22 Q And to that end, it's important that you
23 understand the questions that I ask you. If I ask
24 a question that you do not understand, will you
25 stop me so that I can explain it?

Khadijah Smith
3/11/2014

Page 6

1 A Yes.

2 Q I'll ask you to speak up a little more --

3 A Yes.

4 Q -- because --

5 I also want to be fair with you. If I ask
6 you any question that you feel is unfair, would
7 you stop me so I can rephrase it?

8 A Yes.

9 Q Now, what is your date of birth, please?

10 A [REDACTED].

11 Q Where were you born?

12 A Philadelphia.

13 Q What was your birth name?

14 A Khadija Smith.

15 No. Khadija Wormley, W-O-R-M-L-E-Y.

16 Q Ms. Smith, what is your education?

17 A High school graduate and some college credits. I
18 didn't complete college. And that's pretty much
19 it.

20 Q Where did you go to high school?

21 A Where did I go to high school? New York City.

22 Q And where did you go to college?

23 A Springfield Technical Community College.

24 Q What were you studying there?

25 A Computer data processing.

Khadijah Smith
3/11/2014

Page 7

1 Q And you were born in [REDACTED].

2 When did you graduate from high school?

3 A 1986, '87. I was. Eighty-six.

4 Q Tell me about your employment history since then.

5 A When I was younger, like teenage, I used to work
6 as a personal-care assistant.

7 And then I taught school, kindergarten, for
8 a few years.

9 And then I worked for an insurance company,
10 AIG Insurance agent.

11 That's just pretty much it. I volunteer a
12 lot.

13 Q Did you have any kind of certification to teach in
14 kindergarten?

15 A No, not -- no. I didn't go and get a teacher
16 certificate, no. I started home-schooling my own
17 kindergarten child, so I had some other kids.

18 Q Now, do you live in Islamberg in Hancock, New
19 York?

20 A Yes, I do.

21 Q When did you move there?

22 A 1990. Yup. In 1990.

23 Q What caused you to move there?

24 A I wanted to. I wanted to leave the city. The
25 city was very wild. There was a lot of shootings.

Khadijah Smith
3/11/2014

Page 8

1 And I lived in a good neighborhood, but in the
2 surrounding areas, it was very bad as far as a
3 place to raise your children. So I moved from
4 there and moved Upstate New York for a more
5 peaceful environment to raise my children.

6 Q I understand that you became --

7 Well, let's see. You were there from 1990
8 until 1997.

9 Did you know Jamil Haqq?

10 A Yes, I did.

11 Q You've heard the testimony about Jamil Haqq today
12 and yesterday from Mr. Abdul-Haqq and from
13 Mr. Adams.

14 Do you disagree with any of the testimony
15 that they gave about Mr. Jamil Haqq?

16 A Meaning?

17 Q Anything that they said.

18 Did anything strike you as wrong when they
19 were testifying?

20 A No.

21 Q There was a discussion about Mr. Haqq and bringing
22 in people involved in criminal activities.

23 Do you remember that testimony?

24 A Yes.

25 Q Do you know anything about that?

Khadijah Smith
3/11/2014

Page 9

1 A I can't say, per se, because you would have to
2 know him to even understand. But basically, he --
3 he lives -- he was more of a recluse. He lived a
4 reclusive life there in Islamberg.

5 Even though he was an administrator in our
6 area, it was almost as if he lived a double life.
7 He would put on one face for the people, but you
8 never even saw him, really.

9 He's -- I can tell you in the time that I
10 lived there up until him passing, I might have
11 seen him outside, like, sitting on his porch maybe
12 five times. He basically stayed hidden, stayed
13 away from the people. And so that's basically how
14 he lived his life.

15 So you can understand that about him, you
16 can understand everything else, because even when
17 he -- you know, how they mentioned the visitors?
18 Yes, he did have visitors come up, but I never met
19 any of those visitors. I would see sometimes
20 people come up and visit him, but they didn't
21 interact with the general community ever. They
22 never interacted with the community. They would
23 go see him, and then they would leave. They
24 weren't -- I can't even say, well, they were part
25 of our community.

Khadijah Smith
3/11/2014

Page 10

1 I never seen him at prayers. I never seen
2 him at jumu'ah, which is our -- I guess Christians
3 would say Sunday is their day of sabbath. It's
4 not our sabbath, but it's the day of our -- you
5 know, for us, it's a big thing, going to the
6 masjid, having our prayers and our functions there
7 and jumu'ah on Fridays. They never participated.
8 I didn't see them at any of our eids, none of our
9 functions. So it was essentially very separate,
10 the way those people that would come. I couldn't
11 even tell you their names. If I see some of them,
12 I could say, oh, you know, I recognize that face,
13 or whatever, but they didn't interact generally in
14 the community.

15 Q Did you ever see the -- the -- what has been
16 described by Sheikh Gilani as him taking deep
17 breaths, closing his eyes, and going through
18 physical changes before speaking to people as if
19 he were Sheikh Gilani?

20 A Not me. I wasn't around -- I didn't -- I didn't
21 visit his home. I didn't go see him. So, no.

22 Q You weren't in the administrative group at that
23 point?

24 A No.

25 Q Now, what do you know of the investigation of

Khadijah Smith
3/11/2014

Page 11

1 Jamil Haqq?

2 A Can you say that again?

3 Q Well, apparently, there was an investigation of
4 Jamil Haqq and his activities and his bringing
5 Ikhwanul Muslimun into the village and into --
6 into MOA.

7 Do you know anything about the
8 investigation?

9 A Honestly, prior to the investigation, I never even
10 realized that's what that was. I never even
11 realized that's like -- those people, like what
12 they were. I never even realized that those or
13 anything, because like I said, they never interact
14 with the general community at all.

15 So what I know of the investigation, a lot
16 of it is hearsay, but then a lot of it is some
17 things that people used -- that you say, okay, I
18 trust that person's opinion, or whatever, is that
19 I could understand -- I could see him living that
20 type of life because how there was really a
21 standoffish as far as our -- I say our community.
22 There was just no interaction as far as how we did
23 things or whatever. So when you would hear -- I
24 would see some things that I felt was strange.
25 And also, as a community member, hey, you know,

Khadijah Smith
3/11/2014

Page 12

1 you're an administrator, but you don't really
2 interact with us.

3 So I do know there was an investigation
4 launched into his activities. And I know that as
5 community members, as we had -- we had a general
6 consensus that no one could speak to him after it
7 was all found out or whatever. No one interacted
8 with him, spoke with him.

9 He was allowed to stay there as an act of
10 mercy. Of course, he was a para -- he was
11 paralyzed. Where would he go? He had been in the
12 village for some years, but he wasn't allowed,
13 even up to his death bed, for anyone to interact
14 with him because no one wanted to be a part of
15 him, nor his activities.

16 Q Who conducted the investigation?

17 A I'm not exactly sure of all who because I wasn't
18 involved, but I do know that one of the major
19 administrators, which was Atiq Shahid, was
20 involved in dealing with that.

21 Q Was he the lead in doing that, or do you know?

22 A I don't know.

23 Q By the way, you were born a Muslim; right?

24 A Yes.

25 Q I assume by the name --

Khadijah Smith
3/11/2014

Page 13

1 A Yes.

2 Q Were you born into the Sufi?

3 Were your parents Sufi?

4 A Sufi is a discipline, but Sunni is what we all are
5 and what we still are. And Sufi is just a
6 discipline, but we're Sunni Muslim because Sunni
7 is you follow the way of the Holy Man Be, Holy
8 Prophet, so may peace and blessings be upon him.

9 Yes, I was.

10 Q I'm learning something new then.

11 Sufiism is a -- a way that's a part of
12 Sunni Islam?

13 A It is. With Sunni, that's the way of Islam,
14 period, true Islam. That's the way of true Islam.

15 And Sufiism is your discipline as far as
16 your spirituality, what you do for spiritual
17 growth. It could be more -- as easy -- easy way
18 to explain it to you is your prayers, how many
19 prayers you make, do you increase it, do you --
20 your study, your discipline in the way that you're
21 living. We're more disciplined than most Sunni
22 Muslims.

23 Q The Wahhabis are Sunni?

24 A No.

25 How can they be Sunni when, like I

Khadijah Smith
3/11/2014

Page 14

1 explained to you, Sunni is a way of the Holy Man
2 Be. They hate him. They hate his family. So
3 they can't be Sunni.

4 They may say they're Sunni, but that's not
5 their practice.

6 Q I see. They claim to be Sunni?

7 A Yes.

8 Q When did you learn about the Wahhabis?

9 A Over the years. I mean, you read books about them
10 online. Different things over the years, I've
11 come across. Studying, any time we're writing
12 articles, I might look up some things on them for
13 the newspaper, but...

14 Q Did you come to learn that Jamil Haqq was secretly
15 a Wahhabi?

16 A Yeah.

17 Q How did you learn that?

18 A I really can't recall because it was so long ago.
19 I can't recall how I came about knowing that, but
20 I do remember reading it in the Islamic Post.

21 I don't know if it was the late '90s, early
22 2000. I wasn't working on the Islamic Post then,
23 but it was mentioned in there about his activities
24 and some of the things he was involved in.

25 Q Now, when Mr. Adams came to Islamberg, at that

Khadijah Smith
3/11/2014

Page 15

1 point in time, did you have a position of any kind
2 of administrative authority?

3 A No.

4 I was always actively involved in the
5 community and our functions. And I'm a very good
6 cook, so on our holidays, major holidays, that's
7 what I did. That's how I participated, in those
8 types of things. Any type of events we were
9 having, I was very much involved in events
10 planning, things of that nature, but no
11 administrative capacity, no.

12 Q At some point you became a co-trustee of Muslims
13 of the Americas, Inc.

14 A Um-hum.

15 Q How did that come about?

16 A That happened about six years ago.

17 Prior to that time, I was assisting in
18 running the young ladies' camps and young men's
19 camps, but at that time, I was heavily involved in
20 helping out with those camps, the planning, the
21 teaching.

22 I taught cooking as well as I ran the
23 kitchen for the camp for the 30 days. So I was
24 heavily involved in doing those things. And then
25 just different work.

Khadijah Smith
3/11/2014

Page 16

1 So I think -- and then on -- for moving on
2 to that, and then I became an administrator of the
3 community.

4 Q Did you run any of the departments that Mr. Adams
5 has described?

6 A I've worked in them. Currently, I oversee most of
7 them. I might not directly, but I oversee --
8 oversee most of the departments.

9 Q Were you ever --

10 I was asking Mr. Adams, and he -- his
11 recollection seemed a little fuzzy on this point,
12 how the structure of similar to a town came about.

13 A Well, back in that time, when he came, it was a
14 lot of people, of course, were just finding this
15 out. They felt betrayed and they felt
16 uncomfortable. They just -- it was time for
17 something else to happen because they felt as
18 though here it is, this man lived here all this
19 time. And, of course, there's some things he may
20 have done to them and they're like, oh, now I
21 understand it, why these things may have happened.
22 So, of course, the people were looking for to be
23 more involved, no longer having an administrative
24 body that was secret, that you really didn't know
25 what was going on.

Khadijah Smith
3/11/2014

Page 17

1 And so around that time, we -- that's when
2 they began to meet with the community and have the
3 community become more involved.

4 Since that time, we've tried to get it more
5 structured. It's not 100 percent because it is a
6 work in progress, but just a lot of communities
7 have way more involvement in everything and have a
8 say. And because, yes, you may have your private
9 home there and you live there and you have your
10 home and, you know, you have your daily personal
11 activities, but as far as the community structure,
12 everyone, of course, wanted to have more say and
13 be more involved. So we could be transparent.
14 Everything is transparent. You know what your
15 administrators are doing. You know what --
16 basically, we're a close-knit community. You
17 know, you can't say you know what's going on in
18 your neighbor's home, but more comfortable about
19 whom you are living around.

20 Q And when did elections start?

21 A I can't recall exactly, because at first, I don't
22 think it was more of elections. It was just more
23 of a who do we discuss -- well, who do you think
24 would be good to do this or who wants to volunteer
25 for that?

Khadijah Smith
3/11/2014

Page 18

1 All of our work is basically a volunteer
2 basis, but I can't recall the exact date when we
3 started that more of a structural setup where we
4 elected the people. It was more of a conversation
5 in a community meeting: Hey, you know, we want to
6 do this or that, so who do you think would be the
7 best choice to do this or that thing, but not the
8 actual putting in a vote or whatever.

9 Q I was struck by the fact that all of the
10 communities kind of adopted this sort of structure
11 at about the same time, which suggests to me, was
12 Sheikh Gilani involved in that decision of
13 structure?

14 A Well, if you look at it, we're all one community.
15 We may live in different areas, like we have our
16 major properties, but then you have people that
17 live on the outskirts.

18 And if the people -- because he wasn't just
19 the administrator of Islamberg, administrative of
20 the entire community. So, yes, the communities
21 lived the way they lived, but the structure of the
22 community, the people, then if you're changing it
23 in one place, it should change -- you know, it
24 changes everywhere.

25 And you have the administrative body of the

Khadijah Smith
3/11/2014

Page 19

1 entire community sit and say, you know, hey, and
2 everyone has meetings and come up with an idea and
3 a plan to formulate to help and run our
4 communities better to function.

5 Q And so as I understand it from the previous
6 testimony, and I'm hoping you can confirm I've got
7 my understanding correct, that you have your
8 national board, of which you're a part, that
9 oversees the entire community, and each
10 geographic -- small geographic area part of the
11 community would have its town structure for their
12 individual governance.

13 Is that fair?

14 A Pretty much, so that no one person has the -- has
15 the say. It's a group effort and not leaving or
16 depending upon one person or two people.

17 The best decision is decisions that's made
18 when you sit down together and come to an
19 agreement. So that was the idea behind setting it
20 up in a more, you know, a more convenient and
21 working structure.

22 Q Was Sheikh Gilani involved in that decision?

23 A He's not involved --

24 The thing about Sheikh Gilani is that he's
25 our spiritual guider, our spiritual leader. So he

Khadijah Smith
3/11/2014

Page 20

1 doesn't deal with the day-to-day how you run the
2 communities unless it's something of the spiritual
3 aspect of it. But how we should live as a daily
4 community, no.

5 Daily, the way we live, we have an
6 agricultural department, we have a social services
7 department. We have a way to -- we have a ladies
8 auxiliary. We have the summer camps for the men
9 and the boys and the girls. There's winter camps.
10 Those are, like, daily ways to run the community.
11 It's not like he's personally involved in the
12 daily structure of that. But he can be
13 involved -- he is involved in the education of the
14 community, the spiritual education. Of course, I
15 wouldn't find myself qualified. I don't think
16 anyone here would find themselves qualified to teach
17 spiritual education without knowing yourself and
18 being taught.

19 Q I asked Mr. Adams, and he seemed to me a little
20 unclear on the chronology of the events that led
21 to the dissolution of Muslims of the Americas,
22 Inc.

23 Do you know when the search began to find
24 out what the corporate paperwork was?

25 A Well, I could remember being in the community

Khadijah Smith
3/11/2014

Page 21

1 meeting of sorts, and I can't recall the exact
2 word to word of the conversation, but the gist of
3 the conversation was we were speaking about our
4 just different parts of becoming more organized or
5 better organized community.

6 If we have 501(c)(3), how does it work for
7 us? We have it, but why isn't it ever used? Is
8 it possible that some of our -- some of our
9 buildings on my street or particularly -- someone
10 I remember -- I can't remember exactly who, but
11 someone said in the community meeting, Well, our
12 place of worship should at least be a writeoff in
13 taxes. Are we paying taxes for it?

14 So that's where it began, trying to find
15 out, okay, if we have 501(c)(3), where is it? How
16 can it be used? What are the laws on using this
17 501(c)(3)?

18 So that's where at that time, we asked a
19 few of the elders in the community about it. And
20 I remember them saying we do have it. And I think
21 we asked them at that time can they get -- do we
22 have a copy of the paperwork? And if I recall
23 correctly, they said they didn't have it, but will
24 work on getting a copy of the paperwork at that
25 time.

Khadijah Smith
3/11/2014

Page 22

1 I can't say exactly when. I know it wasn't
2 last year. Quite possibly, it could have been the
3 year before as far as time frame.

4 Q To me, Exhibit 2 suggests that it was probably
5 around 2011, because that's when there's -- that's
6 the date of the certification.

7 Would that be consistent with your
8 recollection?

9 A That could definitely be accurate because just
10 thinking back from that community meeting and just
11 last year, I can pretty much remember last year, I
12 don't think at that meeting, in particular, that
13 was mentioned or even begun was at that last
14 meeting, was at that particular meeting in last
15 year.

16 Q Have you met Sheikh Gilani?

17 A Yes.

18 Q When and where?

19 A I met him when he first came here years ago. I
20 was about nine years old.

21 And then from, like, 1997 up until now,
22 I've met him -- I can't really say how many times.
23 At least over five, six times.

24 Q I was interested in a Islamic Post article.

25 MS. AMATUL-WADUD: Thank you.

Khadijah Smith
3/11/2014

Page 23

1 Q I'm not going to mark this as an exhibit because I
2 don't think it really warrants that unless your
3 counsel says, but it refers to the "Greatest
4 miracle still shining in an American Muslim
5 village."

6 What is that?

7 A Could you rephrase that again?

8 Q What is this "Greatest miracle that's still
9 shining in the village"?

10 A It's Allah's name. It's Allah's name, which is
11 called Ismillah, the name of Allah.

12 And it's written clearly to this day, right
13 this moment, as of this morning, it's written
14 clearly. It's not written, it's not written like
15 someone wrote it or whatever. It's just there
16 inside of the masjid.

17 Q The article mentions -- does not mention Sheikh
18 Gilani by name, but refers to -- it says, "The
19 greatest miracle of all times has appeared as a
20 support and a karama of our imam of the American
21 Muslims, who's also known as Abu Father of the
22 American Muslims."

23 Is that any reference to Sheikh Gilani?

24 A Abu means father, yes.

25 Q What is a karama?

Khadijah Smith
3/11/2014

Page 24

1 A A miracle.

2 I would say -- I don't see --

3 In Arabic terms, you shouldn't just -- that
4 was just simple to say a miracle. It's more of a
5 blessed miracle, if you want to use proper
6 interpretation.

7 Q And then in the paragraph, it talks about, "Our
8 imam, who has been sent with signs" -- this is the
9 last paragraph on the second page -- "who has been
10 sent with signs along with rainbows that accompany
11 him has warned the American people to stop
12 worshiping Satan..."

13 Now, this is referring to "our imam" as
14 Sheikh Gilani?

15 A Yes.

16 Q "... and come back to the belief in the one
17 Almighty God, and as mentioned in the Old
18 Testament, follow 10 Commandments."

19 Then it says, "You are warned if you keep
20 on allowing and tolerating homosexuality and
21 worshiping Satan, your fate won't be different
22 from the people of Sodom and Gomorrah."

23 Does that sound like Sheikh Gilani?

24 A That's true.

25 Q And is that the philosophy that's followed in your

Khadijah Smith
3/11/2014

Page 25

1 community?

2 A Of course. Of course that's our philosophy.

3 It's the same philosophy that's followed in
4 Christianity or any other religion where it speaks
5 of Sodom and Gomorrah.

6 And the natural disaster, why they say
7 natural disasters, what it actually is the wrath
8 of God because of these things that continue to
9 happen in Sodom and Gomorrah is wrong.

10 Q And Islam does not approve of homosexual
11 behavior --

12 A No.

13 Q -- correct?

14 A Um-hum.

15 Q Is that correct?

16 A Yes. I'm sorry.

17 I don't think any religion approves of it.
18 I think that people have a need -- and I don't
19 even think, I know for sure, that people have made
20 it -- people who actually wants to follow -- want
21 to follow that way have made it to where in their
22 minds they can live with it.

23 My aunt is a Christian. And one day, I
24 went to visit with her. She does, you know, Bible
25 study. And there's actually a Bible that she has

Khadijah Smith
3/11/2014

Page 26

1 it e-mailed to her which actually they have
2 rewritten it and have taken out any reference to
3 Sodom and Gomorrah. So that's why I say that, you
4 know, that can be done. People will -- the author
5 can change things to their views or their facts.

6 Q I can tell you horror stories about that that you
7 and I would, I'm sure, agree on.

8 In the dissolution of Muslims of the
9 Americas, Inc., there's a reference to certain
10 real estate that was requested to be transferred
11 to The Muslims of America, Inc.

12 I guess the question is, and I asked
13 Mr. Adams this, but are there any other documents
14 of any kind or nature, aside from deeds
15 transferring the real estate, with respect to
16 transfers of property of any kind from Muslims of
17 the Americas, Inc., to The Muslims of America,
18 Inc.?

19 A Documents or items?

20 Q Are there any documents transferring, like,
21 personal property, anything like computers or
22 any -- any kind of personal property --

23 A No.

24 Q -- from Muslims of the Americas to The Muslims of
25 America, Inc.?

Khadijah Smith
3/11/2014

Page 27

1 A No.

2 Q Mr. Adams sounded kind of grim about the issue of
3 computers on the camp. And you studied computer
4 technology. I hope you have one to use from time
5 to time.

6 Ms. Smith, Mr. Abdul-Haqq recalled the
7 training that some of the women at Islamberg
8 received as depicted in a video on Ryan Morrow's
9 web site.

10 Are you familiar with the video I'm talking
11 about?

12 A I saw a clip of the video, yes.

13 Q Did you ever see that training taking place?

14 A Self -- we have self-defense classes, yes.

15 Q And it looked more like military-style training
16 than self-defense.

17 A That's in reference -- that's basically personal
18 opinion, but I know that I've actually taken
19 self-defense classes, as well as all the other
20 ladies did.

21 Q What kind of self-defense?

22 A I mean, I've taken silat, which is a form of
23 karate. I've learned how -- of course, we just
24 learned how to defend ourselves. Many ladies --
25 ladies do that all the time.

Khadijah Smith
3/11/2014

Page 28

1 That's not the only place I've taken
2 self-defense classes. Maybe about nine or 10
3 years ago, a form of self-defense class was
4 offered, I think somewhere in Kirkwood or
5 something. I took it through my job. About 30
6 ladies was there, some of my co-workers as well as
7 other ladies. And it was, again, a form of
8 karate.

9 Q Did you get firearms training?

10 A Briefly. Not from there, but brief firearms
11 training, not -- I don't know a whole lot about
12 guns. I know how to shoot a rifle, not even a
13 handgun. I know how to shoot a rifle, hunting
14 rifle, so yes.

15 Q Did you get firearms training at Islamberg?

16 A Yes.

17 Q Is there a shooting range there?

18 A No, there's not.

19 Q It's rural. And in rural areas, it's usually
20 pretty easy to set up a safe way to do that.

21 A Yeah. My neighbors do it. They have -- they have
22 rifles. And you hear shooting coming, you know,
23 from the different neighbors. They hunt. People
24 hunt. And you have a right to protect yourself.

25 Q Back in the early '90s, are you aware of any

Khadijah Smith
3/11/2014

Page 29

1 training for people to go outside the United
2 States?

3 A Absolutely not.

4 Q Any jihad training?

5 A It never happened.

6 Are you speaking of Islamberg?

7 Q In Islamberg.

8 A It never happened.

9 Q How many of the other communities have you
10 visited?

11 A All except for Odum. I've never been to Odum.
12 Odum, Georgia.

13 Q Your current duties with TMOA, how -- how do they
14 intersect with Mr. Adams?

15 A I basically do everything that he does. We run
16 the community.

17 We actually are in charge of seeing to the
18 well-being of each and every member of our
19 community, their spirituality, the way we live,
20 their -- make sure that they're fed and they are
21 clothed.

22 Even the people that live on their own,
23 just like any church or any other religious
24 organization, you look after the people, you look
25 after your members of the community. So we set up

Khadijah Smith
3/11/2014

Page 30

1 different programs for the education of our
2 children and our ladies as well as our men. That
3 keeps us busy. We have four programs a year, two
4 for men, two for ladies, which are our camps.
5 Just many entire aspects of camp.

6 Q Did you have any involvement in the investigation
7 performed with -- by Ms. Amatul Wadud?

8 A Yes.

9 Q What involvement did you have?

10 A In regards to?

11 Q In regards to the events leading to the decision
12 to dissolve Muslims of the Americas, Inc.?

13 A With Muhammad Hasib?

14 Are you saying in regards to Muhammad
15 Hasib?

16 Q Well, Ms. Amatul-Wadud had a letter to MOA members
17 in the Islamic Post in January or February 2013
18 that said that they commenced an investigation in
19 the fall of 2012 and concluded it today. I guess
20 that's whatever day it was written.

21 A Yes, I was involved.

22 Q I just want to know what your involvement was in
23 that investigation.

24 A Well, of course, once we -- I mentioned earlier
25 how it came up in the community meeting about how

Khadijah Smith
3/11/2014

Page 31

1 we can become more established and with our
2 501(c)(3). And then we never heard back from him
3 in particular about it because he had made mention
4 that we do have it, we have 501(c)(3).

5 And so I can't remember all exactly what
6 made us go back to him, but I do remember going
7 back to him and asking -- we called him to a
8 meeting and asked him, you know, "Do we have the
9 501(c)(3)?"

10 "Yes."

11 "Oh, we asked you before. Where's the
12 paper?" I said, "I personally asked you before,"
13 because I remember leaving that community meeting
14 and having a conversation with him about it.

15 And he said, "Oh, you know, well, I can --
16 I can get the information. I can pull it -- I'll
17 get it. I have it."

18 So in asking him that and requesting that
19 from him, he was unable to provide us the
20 information in the Muslims of America. It didn't
21 exist.

22 And I had actually went online. And I
23 can't recall the address at the moment,
24 something.gov, and you can actually put in a name
25 in an organization to see if that organization

Khadijah Smith
3/11/2014

Page 32

1 actually has -- if it's incorporated as well as if
2 it has 501(c)(3). And it didn't come up, Muslims
3 of America. So I let him know that. And I said
4 to him, you know, "I looked online and didn't see
5 it." And I even showed it to him.

6 So he's like, "Well, you know, actually" --
7 I think -- I'm not sure how -- I don't
8 think he admitted it. He was very strong opposing
9 admitting to that it was not MOA.

10 So then finally, he said -- he made a
11 reference that, "Well, it's MOA, but at the same
12 time, it's "-- I don't want to misconstrue his
13 words, but the gist of it was I don't remember if
14 he said it was partnered with, like it wasn't
15 totally transferred, it wasn't totally -- because
16 I kept asking, "Well, how is it in both names and
17 different things?"

18 So we didn't seem to have gotten a clear
19 answer from him, and so that's when we began to
20 launch our investigation, asking other elders of
21 the community as well as looking into the
22 paperwork ourselves.

23 Q The letter says that the office reviewed dozens of
24 public and scant internal records spanning 35
25 years.

Khadijah Smith
3/11/2014

Page 33

1 Can you tell me what records you assisted
2 in reviewing?

3 A Say that again. I'm sorry.

4 Q What records did you assist in reviewing?

5 A No. Read the --

6 Q Oh, sure.

7 It's in the first column. It says, "Our
8 office reviewed scant records spanning 35 years."

9 A Which paragraph?

10 MR. CARROLL: And I'm sorry, I have
11 another copy of this I can give you.

12 A Oh, I see.

13 MR. CARROLL: You've probably seen
14 this before.

15 A We spoke to community members who might have a
16 memory of it. And, you know, some would say, "Oh,
17 well, you know, I think we do have it because when
18 we would build things like the masjid or any type
19 of community structure, our hall, we had exempt
20 status at I think Lowe's, and it was under MOA."

21 And I was like, well, how -- I guess it has
22 to be. And that kind of threw us off in the
23 investigation, because in order to use a 501(c)(3)
24 status, you had to be able to -- they had to be
25 able to look it up somehow.

Khadijah Smith
3/11/2014

Page 34

1 But, of course, we spoke to different
2 community members as well, have they ever seen the
3 paperwork, what was said on it. And then we went
4 back to Muhammad Hasib and we were basically like,
5 you know, provide this information because we need
6 to see it. We need to see proof. And --

7 Q My question, though, is what documents did you
8 review?

9 A Review as far as?

10 Q Well, did you participate in the review of the
11 scant internal documents?

12 A That's what I was just telling you.

13 One of them was the fact that in speaking
14 with community members, it was being used, MOA, as
15 a 501(c)(3) was being used at Lowe's and maybe one
16 other place that sells supplies as far as
17 construction supplies for the masjid, for the
18 hall. And that's when we found -- we said, okay,
19 we see it here, it's being used here, this is the
20 paper trail, here are the receipts, but at the
21 same time, where is the official paperwork to have
22 gotten this started?

23 Q I see.

24 So you reviewed the receipts where tax
25 exemptions were taken, but you couldn't find a

Khadijah Smith
3/11/2014

Page 35

1 501(c)(3) approval letter?

2 A No.

3 Q Is that correct?

4 A No. It wasn't in the government system, and it
5 wasn't -- he didn't -- he wasn't providing it to
6 us.

7 Q So when you say, no, you're actually agreeing with
8 me, what I said; right?

9 You reviewed receipts where exemptions were
10 taken and used, but you could not find the
11 501(c)(3) approval letter; is that correct?

12 A No, we could not find the approval letter.

13 The only thing you can find was the fact
14 that Lowe's and the other construction place that
15 sells construction supplies had a 501(c)(3) number
16 for MOA.

17 Q There are references to interviews that were
18 conducted.

19 Did you participate in the interviews in
20 the investigation?

21 A Yes.

22 Q What interviews did you participate in?

23 A Speaking with some of the elders of the community,
24 because, really, that's the only people that know
25 the history as far as that 501(c)(3) coming about,

Khadijah Smith
3/11/2014

Page 36

1 but like I said, it was very closed. People
2 really never saw the paperwork. It was left in
3 his hands. And people would say, well, whenever
4 we asked him, he would say, "Oh, yeah, we have it.
5 Here's the number. This is the number." He would
6 rattle off the number and give it to people to go
7 buy the supplies for, like, the church or the
8 masjid or things of that nature.

9 Q What elders did you review -- did you interview?

10 A It wasn't -- well, I won't say -- it says
11 interview here, but it was more like casual
12 conversation, asking -- I asked Atiq Shahid was
13 one of them that I can for sure know and remember.
14 I certainly had a conversation with Atiq Shahid
15 about that.

16 Q The -- the letter says, "We interviewed more than
17 50 members, including elders, who had a strong
18 memory of the organization's history over the
19 decades."

20 Were you part of the team that was the "we"
21 doing the interviewing?

22 A Um-hum. I didn't interview everyone, but I did
23 sit in on conversations with different people, but
24 I can't recall everyone's names and who it was.

25 Q Were the interviews transcribed by notes of any

Khadijah Smith
3/11/2014

Page 37

1 kind?

2 A In regards to 501(c)(3)?

3 Q Well, in regard to the investigation?

4 A What our lawyer has and -- I can't say note for
5 note. Maybe a writing here, a writing there.

6 Q Did you keep notes of the interviews that you
7 participated in?

8 A No. I had a few -- I can't even say where it is.
9 I had a few things that I had written down,
10 questions to go back and ask him: Hey, you know,
11 you're saying this, but this is what people are
12 saying.

13 So it wasn't even a lengthy interview,
14 because by keep going back to him saying it's
15 still not coming and where's that paperwork that
16 we need, he finally just confessed, that he said,
17 "Well, actually, it's not in MOA's name. I was
18 supposed to change the paperwork over. I never
19 changed the paperwork over."

20 And then when he provided the paperwork was
21 when we discovered the whole issue with the
22 signatures.

23 Q And the "he" you're talking about is
24 Mr. Abdul-Haqq?

25 A Yes.

Khadijah Smith
3/11/2014

Page 38

1 Q Other than this letter, was there a report on the
2 conclusions of the investigation?

3 A A written report?

4 Q Yes.

5 A No. There was a verbal report, but not a written
6 report.

7 Q And may I assume that you agree with the
8 conclusions that Ms. Amatul-Wadud reports to her
9 members?

10 A Yes, that Muhammad Hasib Abdul-Haqq stole --
11 because that's essentially what he did, stole the
12 identity of Sheikh Gilani and forged his
13 signature.

14 MR. CARROLL: Let's go ahead and mark
15 this.

16 * * *

17 (Defendants' Exhibit 6 herein was
18 officially marked for identification.)

19 * * *

20 BY MR. CARROLL:

21 Q Ms. Smith, you're now being handed what has been
22 marked as Defendants' Exhibit 6.

23 Do you recognize Defendants' Exhibit 6 as
24 the written letter by Ms. Amatul-Wadud to the MOA
25 members about the investigation that was

Khadijah Smith
3/11/2014

Page 39

1 conducted?

2 A Yes.

3 Q And do you recall that it was published in the
4 Islamic Post?

5 A Yes.

6 Q And if I suggested to you that it was published
7 February 13th -- I'm sorry, February 2013, would
8 that be consistent with your recollection?

9 In fact, I'm handing you the original.

10 A Yes.

11 Q Islamic Post, February, Volume 1, 2013.

12 A Yes.

13 Q And you can see that the letter is right there.

14 Do you have any information that Martin
15 Mawyer, Christian Action Network, and Patti
16 Pierucci lacked a reasonable basis for believing
17 that there was terrorism involved in the history
18 of MOA?

19 A Yes. Yes.

20 Q I'm sorry?

21 A Yes.

22 Q What information do you have that they lacked a
23 reasonable basis?

24 A Well, their book. Their book is full of lies.

25 Their book is full of proven, proven lies. And,

Khadijah Smith
3/11/2014

Page 40

1 yeah, they lacked a reasonable basis.

2 And if they wanted the truth, if they
3 really wanted the truth, why didn't they come, why
4 didn't they request an interview, as many have
5 done and have not been denied.

6 Q Have -- you never invited Martin Mawyer to
7 Islamberg for -- to set him straight; correct?

8 A He never came to get the truth.

9 Q You never invited him to set him straight; is that
10 correct?

11 A We don't invite anyone to come get the truth. We
12 invite them to come and see how our community is.

13 Over the years, we have invited people to
14 come and partake in the community, but if someone
15 just blatantly outright writes untruths about you,
16 we say, hey, I mean, you never even came. He
17 never came. He never even made one phone call to
18 ask, "I'm getting this story or I saw this report.
19 Would you -- can I get you on record saying
20 anything? Is there any validity to it?" He just
21 basically went with hearsay and wrote his book.

22 Q And he wasn't the first, and Christian Action
23 Network wasn't the first, and Patti Pierucci
24 wasn't the first to believe publicly in writing
25 and otherwise that the Muslims of America was

Khadijah Smith
3/11/2014

Page 41

1 associated with terrorism; correct?

2 A Oh, God. Martin Mawyer spanned back so many years
3 about how he's always been writing something, I'm
4 not sure or can recall. Maybe some years ago, I
5 saw something, but to my knowledge of what I know,
6 he was the first to make reference to terror, that
7 we were a terrorist organization. And that's not
8 proven.

9 You're talking about people who are
10 doctors, lawyers, engineers, and you're calling
11 them terrorists without any proof.

12 In a church -- in your own church, if
13 someone -- if a member of your church goes and
14 they do something or whatever, you're not going to
15 say the entire church, or the Pope himself. Are
16 you going to blame it on the Pope? Oh, the Pope,
17 because he's the Pope and he's the spiritual
18 leader of these people, he runs a terrorist
19 organization? No. But he chose not to come seek
20 the truth, so yes, that is -- that's a big
21 problem. He came not to seek the truth.

22 Q Did you ever hear of Paul Williams?

23 A Yes, I heard of Paul Williams after Martin Mawyer.

24 Q But before Martin Mawyer, Paul Williams was
25 reporting that the village of Islamberg and other

Khadijah Smith
3/11/2014

Page 42

1 communities were training people for jihadist
2 activities?

3 A First, can you refresh my memory who Paul Williams
4 is?

5 Q He's an author.

6 A Out of where?

7 I'm not sure if he's out of Pennsylvania?

8 Q Pennsylvania.

9 A Yes.

10 And Arabiya, when they went to do an
11 interview with us, know what they did? They
12 actually went around to verify were these things
13 factual. They spoke to Paul. They spoke to the
14 local police department. They spoke to our
15 neighbors. They actually were interviewed. We
16 granted -- we didn't even know. When they got
17 there, they said, well, we're going to let you
18 guys know, you know, nice to meet you, and
19 whatever, after all the greetings and everything,
20 but we actually went around to verify these
21 things.

22 They heard the very same things. They
23 heard what Martin Mawyer, Paul, and all of them
24 were saying. They heard this. I don't know about
25 Martin back then, but Paul for sure.

Khadijah Smith
3/11/2014

Page 43

1 But what they did, they went and verified
2 the facts or verified the things that they said
3 that they heard before writing anything, before
4 writing it or before presenting it and doing a
5 film.

6 But that's not sensationalized. That's
7 not -- you know, that's not going to sell books.

8 Q Your basis for believing that Patti Pierucci and
9 Martin Mawyer lacked a reasonable basis for the
10 things they said is that you believe there are
11 things in the book that are untrue; is that
12 correct?

13 Is that --

14 A Yes, it is.

15 Q Is that the bottom line?

16 A Yes, it is.

17 Q Do you have any information that those things that
18 you are saying are in the book are untrue, that
19 the truthful information was presented to them
20 before the publication of the book?

21 A Who presented the truthful information?

22 Q I'm sorry?

23 A Who presented the truthful information?

24 Q That's what I'm asking you.

25 Do you have any information that anybody

Khadijah Smith
3/11/2014

Page 44

1 presented them with the truthful information of
2 the things in the book that you say are untrue?

3 A Well, they reference the beltway sniper; right?

4 They referenced the beltway sniper as a
5 part of our community. That's not true. And you
6 know it, and they know it. They know very well
7 that's not true, proven by police, by
8 investigators not true.

9 That first time we ever heard the reference
10 was from their book. It's not in any police
11 document. It's not in any other document. It
12 came from their book. It came from his web site.
13 It came from the things that he's been writing.

14 Martin Mawyer does not want the truth. If
15 Martin Mawyer wants the truth, why don't he simply
16 ask for it? Why don't he simply investigate it
17 and find out for sure before he attempts to ruin
18 people's lives?

19 Q And if there is documentation, for example, that
20 the public reports of the beltway sniper going to
21 Islamberg before Martin Mawyer published the book,
22 then your opinion would be incorrect about that
23 proving that -- that he didn't have a reasonable
24 basis?

25 A Say that again, that question again?

Khadijah Smith
3/11/2014

Page 45

1 Q It was a long question.

2 A Yes, it is.

3 Q If there are public reports before the publication
4 of the book to the effect that the beltway sniper
5 had gone to Islamberg, then your opinion about
6 Martin Mawyer's not having a reasonable basis for
7 that would be incorrect?

8 A No, it wouldn't. And I'm going to tell you why.

9 A public report could be something that
10 he's been doing. He could have possibly read it
11 somewhere that someone said it, and he's printing
12 it as factual.

13 My thing is did he actually go and
14 investigate? Did he go to the police? Did he
15 talk to the investigators of the incident and ask
16 for the truth?

17 He's not getting that information from the
18 FBI. He's not getting that information from the
19 police. He's getting it, perhaps -- who knows
20 where he's getting it from. Was he's making it
21 up, was he saw that someone else did it? That's
22 like telling a child, Oh, mom, I did this because
23 Harry did it. No.

24 Q In making your statement --

25 A It doesn't make it true. It doesn't make it

Khadijah Smith
3/11/2014

Page 46

1 factual.

2 So, no, I wouldn't say that.

3 Q In making your statements, have you checked the
4 footnotes in the book on that issue?

5 A I've checked -- beltway sniper is only one issue.
6 But he's very clever because he can make
7 reference. You're just --

8 First of all, anybody who have any sense
9 wouldn't believe that book, and that's the
10 majority of the people. If the FBI, who has sense
11 believed that book, they would have been
12 investigating.

13 They, themselves, come to Islamberg and
14 have been coming there for years, since I've been
15 living there. And in over 20 years, they haven't
16 found anything, but all of a sudden, Martin Mawyer
17 says it's a terror training camp? They walked
18 every inch of the land.

19 Q So your statement is --

20 A Ali, your informant; right? You say you have this
21 informant. If he informs and he said, oh, this
22 happened, this happened, this happened, blah,
23 blah, blah, where's the proof of that, number 1?

24 Number 2, if this happened, blah, blah,
25 blah, why didn't Martin Mawyer call and say, Hey,

Khadijah Smith
3/11/2014

Page 47

1 you got a docket number from Ali? He could have.
2 Ali harasses us still. He could have gotten a
3 number. He could have said, Hey, I've gotten this
4 information from this supposed member of your --
5 or ex-member of your community. He's saying "A",
6 "B", "C", and "D". Can we talk? Can we come up?

7 Q What do you mean Ali harasses your community
8 still?

9 A I'm just saying he is. He's harassing us. We
10 have to live every day with what he has done.

11 Every day see his ex-wife and live every
12 day with her and see how she has changed so much.
13 She's no longer the beautiful, innocent girl that
14 she was, but people -- like I said, it doesn't
15 sell books. It's not sensationalized.

16 Q Does Mr. Aziz contact your community?

17 A No. I'm talking about every day we have to
18 live -- we have to live in fear. Why? Because he
19 went and he spoke to you all. And Martin Mawyer,
20 he did whatever he wanted to do. And now people
21 are retaliating. People are coming to our
22 villages.

23 No one ever had to live in that manner
24 before, but when the book was written, if you
25 wanted to verify the truth, you should have done

Khadijah Smith
3/11/2014

Page 48

1 so, because you're affecting children. He's
2 affecting children. He's affecting ladies. He's
3 affecting innocent men, women, and children
4 without care, without regard, and that's not
5 Christian-like at all.

6 So he should have found out the truth
7 before he printed his book. We could have gave
8 him a lot to put in his book, the truth.

9 Q Are you aware that there is a 2006 report funded
10 by a grant from the United States Justice
11 Department and -- and prepared with the
12 participation of the United States Justice
13 Department individuals that identifies Islamberg
14 as a -- as a source of potential terror activity?

15 A Say that again.

16 Q Are you aware that there is a report prepared from
17 a grant by the United States Justice Department by
18 an independent contractor that identifies
19 Islamberg as a potential source for terrorist
20 activity?

21 A No. I know of --

22 Q Are you aware of the --

23 A Let me finish.

24 There's a report. And that, actually, like
25 you said, it has a footnote on it or addendum to

Khadijah Smith
3/11/2014

Page 49

1 it that it did not come from the FBI, but people
2 use it and say that, but it's just someone saying.

3 That if -- why don't you ask -- why don't
4 Martin Mawyer ask himself this question: If
5 there's any validity to these things, why have no
6 one been arrested?

7 And if we're a terror organization, why
8 haven't we been arrested? Why didn't he just do
9 something as simple as go to our electric company,
10 NYSEG, Hey, do you know these people up there?
11 Did you ever see anything?

12 We have the NYSEG workers come in every
13 day, all day, whenever they feel like it, reading
14 the meters. Our phone company; people who may --
15 people who have foundations done and excavation
16 done and houses built, people come in all day
17 long. No one -- and these people know us. Our
18 neighbors know us. No one can verify this story,
19 but yet, it keeps being said over and over again.

20 Q Are you aware that the FBI issued a report in 2002
21 reporting on the Albany office of the FBI saying
22 that there were -- they documented 10 murders, one
23 disappearance, three fire bombings, and one
24 attempted fire bombing, two explosive bombings,
25 and one attempted bombing?

Khadijah Smith
3/11/2014

Page 50

1 That's an FBI report.

2 A For who? For who?

3 Q MOA. Based upon information uncovered by Albany
4 Division.

5 A So if that's the truth, where's the arrests?

6 Q Hum?

7 A Where are the arrests? If that's a fact, where
8 are the arrests?

9 Q I think that -- isn't that the question Martin
10 Mawyer was asking?

11 A Yeah. Why don't you ask, where are the arrests?
12 Why haven't they arrested? If that's the truth
13 and it's factual, and your report is so factual,
14 why is there no arrests? Why hasn't anyone -- you
15 think if someone is doing a fire bombing or
16 they're committing murder, they haven't been
17 arrested? But at the same time, that's on an
18 individual. Would you do the same thing to the
19 Pope? Hey, Pope, such and such, such and such,
20 such and such of your community, of your church,
21 did "A", "B", "C", and "D". So that makes the
22 entire church a terrorist organization? No.

23 That's the thing: Martin Mawyer, Patti
24 Pierucci and the rest of them, Clarion Project,
25 they play on words, because if it is a fact and if

Khadijah Smith
3/11/2014

Page 51

1 it is true, prove it. Why hasn't it happened?

2 Why haven't there been any arrests?

3 Why haven't people went to jail for murder?

4 Murder is an offense. Murder is horrible.

5 Killing someone is horrible. Why are people

6 allowed to get away with murder, supposedly, in

7 Islamberg? It never happened.

8 Q Have you understood the questions I've asked you
9 here today?

10 A Yes, I have.

11 Q I've been fair with you here, haven't I?

12 A No.

13 Q In what way have I not been fair?

14 A Because your questions are baseless, and you know
15 that they're baseless.

16 Q What question --

17 A All of your -- most of your questions are
18 baseless.

19 Q What question did I ask you was unfair?

20 A The one -- the report. You're reading me a
21 report, but you're not showing me the report.
22 That's number 1.

23 You're making an accusation and you're
24 leaving it as that. I'm telling you it's not
25 true, and you say, Oh, well --

Khadijah Smith
3/11/2014

Page 52

1 Q I delivered a copy of that to your counsel.
2 Although, it's been on the internet recently. It
3 just came out.

4 A This says Fuqra, which we have nothing to do with.
5 And that's probably why there's been no arrests.

6 Q Keep on going.

7 * * *

8 (Pause for review of documents.)

9 * * *

10 MR. CARROLL: In any event, I'm
11 through with my questions for Ms. Smith.

12 MS. AMATUL-WADUD: I'll give her a
13 second to look at the document.

14 THE WITNESS: It says -- it keeps
15 saying Fuqra, Jumaat ul-Fuqra in Sweeny,
16 Texas.

17 You should pull the reports from the
18 police department down there that says all
19 of this is baseless.

20 This doesn't reference Islamberg. It
21 referenced Jamaat ul-Fuqra, Sweeny, Texas.
22 It says Houston knows. I still don't see a
23 reference to Islamberg. But even in
24 Houston, it was not a fact and it's been
25 proven.

Khadijah Smith
3/11/2014

Page 53

1 MR. CARROLL: Actually, it says
2 Albany Division.

3 THE WITNESS: It says, Albany
4 division, Houston. Right here.

5 It says, "Houston knows based upon
6 information uncovered by Albany Division."
7 That's what I'm saying.

8 MR. CARROLL: That's Albany, New
9 York.

10 THE WITNESS: I know. Albany, New
11 York, is referencing Sweeny, not Islamberg.
12 But even for Sweeny, it's not true.

13 MR. CARROLL: We're not going to
14 argue about this. You wanted to see the
15 document. I've given you the document.

16 THE WITNESS: Sweeny.

17 This is --

18 MR. CARROLL: We're off the record.

19 (Discussion off the record.)

20 MS. AMATUL-WADUD: I have no
21 questions.

22 MR. CARROLL: You want to advise the
23 witness with respect to reading and
24 signing?

25 MS. AMATUL-WADUD: Yes. She'll

Khadijah Smith
3/11/2014

Page 54

1 review and sign. She won't waive.

2 MR. CARROLL: I have this for you.

3 MS. AMATUL-WADUD: What's this?

4 MR. CARROLL: It's additional
5 documents. I mentioned on the phone with
6 the Court I would be bringing you some
7 additional documents.

8 MS. AMATUL-WADUD: Thank you.

9 * * *

10 (Whereupon, it is duly noted the
11 witness' signature is reserved.

12 Thereafter, the proceedings
13 concluded at 3:36 p.m.)

14 * * *

15

16

17

18

19

20

21

22

23

24

25

Khadijah Smith
3/11/2014

I N D E X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TO TESTIMONY

WITNESS

KHADIJAH SMITH

EXAMINATION BY

Mr. Carroll

PAGE

5

TO EXHIBITS (Attached)

MARKED FOR ID

DESCRIPTION

PAGE

Defendant's 6

Written letter by
Ms. Amatul-Wadud to the
MOA membership re:
investigation

38

INFORMATION/REQUESTS

Documents

Page

(No requests)

Marked Questions

Page/Line

(No marked questions)

Khadijah Smith
3/11/2014

CERTIFICATION

STATE OF NEW YORK)
COUNTY OF)

I, KHADIJAH SMITH, have read the foregoing record of my testimony taken at the time and place noted in the heading hereof, and I do hereby acknowledge it to be a true and correct transcript of the same.

KHADIJAH SMITH

Sworn to, before me, this _____ day
of _____, 20__.

Notary Public, State of New York.
Registration No.: _____.
Qualified in _____ County.
My commission expires _____.

Khadijah Smith
3/11/2014

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATION

I, BRENDA J. O'CONNOR-MARELLO, a
Certified Shorthand Reporter and Notary Public in
and for the State of New York, do hereby certify
that the foregoing record taken by me at the time
and place noted in the heading hereof is a true and
accurate transcript of the same, to the best of my
knowledge and belief.

BRENDA J. O'CONNOR-MARELLO, CSR
License No.: 001088-1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

CERTIFICATION

I, BRENDA J. O'CONNOR-MARELLO, a Certified Shorthand Reporter and Notary Public in and for the State of New York, do hereby certify that the foregoing record taken by me at the time and place noted in the heading hereof is a true and accurate transcript of the same, to the best of my knowledge and belief.



BRENDA J. O'CONNOR-MARELLO, CSR

License No.: 001088-1