

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS,  
VICTORIA DIVISION

STATE OF TEXAS,	)	
Plaintiff,	)	
v.	)	
UNITED STATES OF AMERICA, <i>et al.</i> ,	)	Case No. 6:21-cv-0003-DBT
Defendants,	)	
FIEL Houston, <i>et al.</i> ,	)	
Defendants-Intervenors,	)	

**DECLARATION OF LAWRENCE J. JOSEPH**

I, Lawrence J. Joseph, hereby declare and state as follows:

1. I am over the age of 21 years and competent to make this declaration pursuant to 28 U.S.C. § 1746. I have not been convicted of a felony or a crime of dishonesty.
2. I reside in McLean, Virginia.
3. In the above-captioned action, I am the counsel for movant and potential *amicus curiae* Immigration Reform Law Institute (“IRLI”).
4. In my capacity as IRLI’s counsel, on February 9, 2021, I visited the Department of Homeland Security (“DHS”) website, [dhs.gov](https://www.dhs.gov), from which I visited the press-release page of that website, where I located the page captioned “Acting Secretary of DHS Directs a Review of Immigration Enforcement Practices and Policies” and dated January 20, 2021, which announces release of the of the memorandum (the “January 20 Memorandum”) challenged in the above-captioned action. That page is available at <https://www.dhs.gov/news/2021/01/20/acting-secretary-dhs-directs-review-immigration-enforcement-practices-and-policies#> (last visited Feb. 9, 2021).
5. From the page for the press release for the January 20 Memorandum, I downloaded

a PDF copy of the January 20 Memorandum from a link that my internet browser identified as <https://www.dhs.gov/publication/memorandum-acting-secretary-pekoste-immigration-enforcement-policies> (last visited Feb. 9, 2021).

6. Using Adobe Acrobat Pro DC (version 2020.013.20074), I opened the PDF copy of the January 20 Memorandum that I downloaded on February 8, 2021 and viewed the document's "Properties" under the "File" menu. Those Properties indicate the document's author as "Olavarria, Esther M. EOP/WHO". I saved a screenshot of the Properties to PDF, a true and correct copy of the screenshot (rotated 90 degrees to fit the page) is attached hereto as Exhibit A.

7. Using Adobe Acrobat Pro DC (version 2020.013.20074), I opened the PDF copy of the January 20 Memorandum that I downloaded on February 9, 2021 and viewed the document's "Properties" under the "File" menu. Those Properties are completely blank. I saved a screenshot of the Properties to PDF, a true and correct copy of the screenshot (rotated 90 degrees to fit the page) is attached hereto as Exhibit B.

8. I noticed DHS's removal of the January 20 Memorandum's "Properties" because I attempted to create a single screenshot exhibit to match the date of the filing of this declaration and the accompanying Memorandum. The February 8 and February 9 copies of the January 20 Memorandum and the two screenshot exhibits to this declaration have remained in my exclusive possession and control from the time I downloaded or created them to the time I finalized this declaration for filing in the above-captioned action.

I declare under penalty of perjury that the foregoing is true and correct. and that, if called as a witness, I would be competent to testify thereto. Executed on this 9th day of February 2021.

/s/ Lawrence J. Joseph

Lawrence J. Joseph  
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Fax: 202-318-2254  
Email: [ljoseph@larryjoseph.com](mailto:ljoseph@larryjoseph.com)

**EXHIBIT A**

Document Properties

Description Security Fonts Initial View Custom Advanced

Description

File: Memo from DHS website

Title: Review of and Interim Revision to Civil Immigration Enforcement and Removal Policies and Procedures

Author: "Olavania, Esther M. EOP/WHO"

Subject:

Keywords:

Created: 1/20/2021 10:06:09 PM

Modified: 1/20/2021 10:17:10 PM

Application: Acrobat PDFMaker 20 For Word

Additional Metadata...

Advanced

PDF Producer: Adobe PDF Library 20.12.73

PDF Version: 1.6 (Acrobat 7.x)

Location: C:\Users\T-Surface\OneDrive\Desktop\45 Clients\RLV\Biden transition\Texas Agreement

File Size: 270.99 KB (277,494 Bytes)

Page Size: 8.50 x 11.00 in

Number of Pages: 5

Tagged PDF: Yes

Fast Web View: Yes

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MEMORANDUM F

Acting Director  
U.S. Immigration and Customs Enforcement  
Tracey Renaud

Commissioner  
Department of Homeland Security  
DC 20528  
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**EXHIBIT B**

# MEMORANDUM FOR:

**Tracey Renaud**  
Senior Official Performing the Duties of the Director  
U.S. Citizenship and Immigration Services

Document Properties

Description Security Fonts Initial View Custom Advanced

File: DHS Memo 2021-02-09

Title: \_\_\_\_\_

Author: \_\_\_\_\_

Subject: \_\_\_\_\_

Keywords: \_\_\_\_\_

Created: 2/9/2021 10:37:23 AM

Modified: \_\_\_\_\_

Application: PDFium

Additional Metadata...

Advanced

PDF Producer: PDFium

PDF Version: 1.7 (Acrobat 8.x)

Location: C:\Users\T-Surface\OneDrive\Desktop\45 Clients\RL\Biden transition\Texas Agreement

File Size: 267.62 KB (274,048 Bytes)

Page Size: 8.50 x 11.00 in

Number of Pages: 5

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