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Contact: David Yerushalmi, Esq. **For Immediate Release:** May 22, 2013
T: (646) 262-0500
E: dyerushalmi@americanfreedomlawcenter.org

“Muslim Mafia” Case Awaits Federal Judge’s Ruling as AFLC Files Motion for Summary Judgment

Washington, D.C. (May 22, 2013) — On Monday, the American Freedom Law Center (AFLC), a national, nonprofit Judeo-Christian law firm, filed its motion for summary judgment, accompanying memorandum of law, and dozens of supporting documents in the United States District Court for the District of Columbia in defense of the Center for Security Policy (CSP) and several of its employees, who were sued by the Council on American-Islamic Relations (CAIR) for working on a CSP documentary designed to expose CAIR’s Muslim Brotherhood-Hamas ties and other illegal activities.

In 2008, Dave Gaubatz, an experienced federal investigator, was hired as an independent contractor to put together a team of field researchers to assist in the documentary. As part of the field research, Dave Gaubatz trained his son, Chris Gaubatz, to work undercover as an intern with CAIR, which required Chris to wear an audio-video recorder on his clothing to obtain recordings of the routine activities of a CAIR intern. During this internship, it became clear that both a major fraud occurred within the organization and that CAIR officials were attempting to cover it up. (AFLC represents five former CAIR victims of that fraud in [a federal lawsuit](#) in the same court alleging fraud and a cover-up by CAIR. AFLC has filed a motion for summary judgment in that lawsuit as well and is expecting a ruling from the court very soon.)

After the field research for the documentary was completed, Dave Gaubatz published a book entitled, *Muslim Mafia: Inside the Secret Underworld that's Conspiring to Islamize America*, which was an exposé on CAIR. Shortly after the book was published, CAIR filed a lawsuit in federal court in Washington, D.C., against Dave and Chris Gaubatz. CAIR then amended its lawsuit to add CSP and several of its employees who were involved in the production of the documentary. CAIR’s lawsuit alleges violations of various federal wiretap and

hacking statutes as well as several common law torts, such as breach of fiduciary duty and trespass, among others.

The case has been ongoing for nearly four years, during which the federal court has criticized CAIR and its in-house legal counsel for their inability to both efficiently manage their litigation and to comply with court procedures. Furthermore, the court scolded CAIR's in-house lawyers for filing untimely and substantively deficient motions.

David Yerushalmi, AFLC Co-Founder and Senior Counsel, commented: "We expect the Court to rule in favor of our clients not because CAIR manifestly abused the legal process in this litigation, but because the facts uncovered in the litigation demonstrates that the documentary was undertaken legally and quite properly. It is no surprise that CAIR has failed to meet its burden of proof and provide any probative evidence of wrongdoing by our clients. Even more, the factual record in this case that we have built based upon AFLC's successful and extensive discovery of CAIR's inner workings, demonstrates not only that CAIR is a Muslim Brotherhood-Hamas front group, but that it is a tax cheat and has abused its 501(c)(3) status as an IRS recognized charitable entity."

Yerushalmi added, "It is fascinating to observe the juxtaposition of the IRS's willful blindness to avoid seeing CAIR's open and notorious abuse of the tax code while targeting conservative and pro-Israel groups. It makes you wonder who's minding the government store."

Late Monday, CAIR filed its cross-motion for summary judgment. Both parties have until June 17 to oppose the other side's motion, and then until June 26 to file replies in support of the original motion. Oral argument is not likely, and Federal Judge Colleen Kollar-Kotelly is expected to rule before the end of the year.

Robert Muise, AFLC Co-Founder and Senior Counsel, commented: "As argued in our memorandum of law, CAIR's lawsuit is nothing more than an effort to punish CSP and the Gaubatz's for exposing their dubious operations. The undercover documentary at issue here is a timeless form of journalism that is often employed to uncover corruption and other misdeeds."

CAIR, a self-described Muslim public interest law firm, was previously named as a Muslim Brotherhood-Hamas front group by the FBI and the U.S. Attorney's Office in the federal criminal trial and conviction of a terrorist funding cell organized around one of the largest Muslim charities, the Holy Land Foundation (HLF). HLF raised funds for violent jihad on behalf of Hamas, and top CAIR officials were part of the conspiracy. In addition, several of CAIR's top executives have been convicted of terror-related crimes. As a result, the FBI

publicly announced that it has terminated any outreach activities with the national organization, which bills itself as “America's largest Muslim civil liberties and advocacy organization.”

The *American Freedom Law Center* is a Judeo-Christian law firm that fights for faith and freedom. It accomplishes its mission through litigation, public policy initiatives, and related activities. It does not charge for its services. The Law Center is supported by contributions from individuals, corporations, and foundations, and is recognized by the IRS as a section 501(c)(3) organization. Visit us at www.americanfreedomlawcenter.org.

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