
EXHIBIT “E”

09F0CRO4

Hussain - cross

1 Q. Well, you don't need to read the statement. You just need
2 to tell us what that word is?

3 MR. RASKIN: Objection, your Honor.

4 THE COURT: Please. Please, please.

5 Q. And it says you were taken -- you said you were taken from
6 your home?

7 A. Yes, ma'am.

8 Q. On charges that I have kidnapped certain people, opponents
9 of the other party.

10 A. Yes, ma'am.

11 Q. That's what you said in your sworn statement.

12 A. Yes, ma'am.

13 Q. There is nothing in here about you, personally, having been
14 arrested for murder.

15 When was the first time you told somebody you were
16 arrested for murder?

17 THE COURT: You mean somebody in the United States
18 government?

19 MS. BRODY: An agent.

20 A. I told Agent Cole. I told the immigration officers, both
21 times. And I told my handlers in Albany, Agent Cole, too.

22 Q. You told Agent Cole?

23 A. Yes, sir -- yes, ma'am.

24 Q. You were not arrested until 2002, correct?

25 A. Yes.

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Hussain - cross

1 ma'am.

2 Q. And when you were interviewed by immigration, you had some
3 kind of business stationery, isn't that correct?4 A. I don't recall, ma'am, what I had. It was 17 years ago,
5 ma'am.

6 Q. Fifteen.

7 Now, shortly after -- let's go back a minute.

8 Your asylum application is not entirely true, is it,
9 Mr. Hussain?10 A. I don't know, ma'am. It was the lawyer who fill it up, so
11 I don't know.12 Q. No, it was your handwriting, Mr. Hussain. You said it was
13 your handwriting, didn't you?

14 A. Yes, ma'am.

15 Q. That was a lie, wasn't it. You didn't come here in 1994,
16 did you, Mr. Hussain?

17 A. I did come in 1994.

18 Q. You came here long before.

19 A. No, ma'am.

20 Q. Then how is it you have no recollection of when you went to
21 work, when you changed jobs, and no recollection of the process
22 of immigration, Mr. Hussain?

23 A. I said 1994; 1993, 1994. I made a mistake on 1993, ma'am.

24 THE COURT: You are not responding to the question.

25 THE WITNESS: Sorry. Give me -- can you repeat the

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Hussain - cross

1 question again, ma'am.

2 MS. BRODY: Can it be read back, please?

3 (Readback)

4 ~~A. I do have recollection that I came in 1994, ma'am. I made~~
5 a mistake on 1993.

6 Q. So you're saying the asylum application year is correct,
7 right?

8 A. Yes, ma'am.

9 Q. But a lot of the information is incorrect, correct?

10 A. Years is incorrect; yes, ma'am.

11 Q. And on the Getty application, you're saying that the years
12 that you were employed, that was incorrect, correct?

13 A. Yes, ma'am.

14 Q. Little confusing.

15 And you are also saying that when you talked to
16 probation, you were making mistakes when you gave the years on
17 your employment, correct?

18 A. Yes, ma'am.

19 Q. Despite the fact that you told the Judge that there were no
20 errors, correct?

21 A. Yes, ma'am.

22 Q. And were you lying to the Judge?

23 A. No, ma'am.

24 Q. Well, it couldn't be accurate that you were working in
25 1994 --

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Hussain - cross

1 A. No, ma'am.

2 Q. -- and being tortured in Pakistan in '94, correct?

3 A. I changed my lawyer while I was in probation office, and

4 ~~doing my probation. And I got Mr. Ackerman at the same day,~~

5 because I had to fire the first lawyer. So most of the

6 paperwork -- Mr. Ackerman had read about me, and not talk about

7 me. So I did not have the chance to discuss with him, because

8 in 1996 I moved to Tennessee. And I made a -- I mean I

9 didn't read the paper carefully. Because it came -- I came

10 from the flight from Tennessee and -- the same day I hired Mr.

11 Ackerman. And I made a mistake on that, so.

12 Q. The judge asked: Mr. Ackerman, how long have you been

13 representing Mr. Hussain?

14 This is from the sentencing transcript, page 2. Your

15 attorney, Mr. Ackerman, who you say you hired on a flight back

16 from Tennessee: For the record, Judge, I have been

17 representing him for almost two years.

18 This was in front of the judge in court.

19 I went over the original report of May 19th, 2003. I

20 went over the addendum with my client. I have talked to

21 probation. We have done everything in my office with my

22 client.

23 The Court: Mr. Hussain, have you gone over the

24 presentence report with your lawyer.

25 Mr. Hussain answers: Yes, your Honor.

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Hussain - cross

- 1 Q. You had debts from -- you had debts from the health system
2 going back a number of years, correct?
3 A. Yes, ma'am.
4 ~~Q. And despite the fact that you were in Chapter 13 and this~~
5 was filed a few months after your presentence report, you had a
6 three cars, correct?
7 A. Yes, ma'am.
8 Q. As a matter of fact, the month before your bankruptcy, you
9 bought another car, a Chevy. Do you recall that?
10 A. I might have, ma'am; yes, ma'am.
11 Q. Your house burned down in November of '03, did it not?
12 A. Yes, ma'am.
13 Q. Do you recall testifying in Albany that you filed
14 bankruptcy because your house burned down?
15 A. I don't recall that.
16 Q. You don't remember that?
17 A. No, ma'am.
18 Q. But that would have been a mistake, correct?
19 A. Yes, ma'am.
20 Q. Because you filed bankruptcy before the house burned down,
21 isn't that correct?
22 A. Yes, ma'am.
23 Q. And you say you moved to Tennessee in 1996?
24 A. No. In 1995, or four; in between those years.
25 Q. In 1994 or five?

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Hussain - cross

1 Q. The assets that you had were to go into bankruptcy court,
2 they would go to trustees in bankruptcy court, weren't?

3 A. The trustee and my lawyer had both agreement that my
4 ~~lawyer, Michael O'Connor, will handle all my assets, and claim~~
5 to the trustees, so I don't know how they were handling each
6 other.

7 Q. You rely a lot on lawyers, don't you, Mr. Hussain?

8 A. Yes, ma'am, I do.

9 Q. So you're telling me that all of the various judgments,
10 your testimony is these debts were paid off?

11 A. I believe any debtors that came to my lawyer were paid in
12 full, with interest, ma'am.

13 Q. They were not supposed to go to the lawyer, they were
14 supposed to go to the trustee in bankruptcy.

15 A. Trustee had agreement with my lawyer, ma'am. That's what
16 my understanding is.

17 Q. Now, while you were in bankruptcy, you bought additional
18 cars; you registered an Audi in November of 2005, correct?

19 A. I might have; yes, ma'am.

20 Q. Now, there was also another problem at this time, wasn't
21 there, with your kids attending school?

22 A. Sorry, ma'am?

23 Q. There was a problem with -- wait. Let's do the cars. Wait
24 a second, I'm sorry.

25 On May 8th, in 2006, you bought a Dodge in Tennessee?

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Hussain - cross

1 Dodge Ram, in Tennessee?

2 A. Yes, ma'am.

3 Q. And on the same day you bought a Chevy Tahoe, correct?

4 A. Yes, ma'am.

5 Q. And on the very same day you bought a BMW?

6 A. Yes, ma'am.

7 Q. And you filed an amended filing with Chapter 13 on 6/30,
8 and none of these assets are listed in that amended petition.
9 Would you know why?

10 A. No, ma'am.

11 Q. And then there was a problem in 2006. Where were you
12 living in June?

13 A. Sorry, ma'am?

14 Q. In June of 2006, where were you living?

15 A. I think I was in Tennessee, or in upstate New York.

16 Q. Do you recall filing a letter with the School District in
17 Albany that you were rebuilding your house and wanted your
18 children to remain in the School District?

19 MR. RASKIN: Objection, relevance. And additional
20 concerns that I can explain at the sidebar, your Honor.

21 THE COURT: Well, I'll take the relevance objection
22 for now. And I'll sustain the objection. And when we have
23 a break, Ms. Brody, you can try to talk me out of that.

24 Let's go on.

25 Q. In 2006, in August, you did rebuild that house, didn't you?

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Hussain - cross

1 Q. You were also working part time as a translator?

2 A. Yes, ma'am.

3 Q. On your asylum application you stated that you had spoke
4 ~~three languages; is that correct?~~

5 A. Yes, ma'am.

6 Q. And what three languages were they?

7 A. English, Urdu and Dutch.

8 Q. And you again you recall testifying in Albany on the Albany
9 case?

10 A. Yes, ma'am.

11 Q. And you stated you were fluent in five languages when you
12 testified in that court?

13 A. There are a lot of dialects in my country, about 40 of
14 them. I speak about 23 dialects and their languages. We call
15 them languages but they are actually dialects.

16 Q. So how many languages do you speak?

17 A. I speak about three major languages and a lot of dialects,
18 ma'am. Every 40 miles dialects changes in our country, ma'am.

19 Q. And you were working for Cooper Translating up in Albany?

20 A. Yes, ma'am.

21 Q. And you have testified earlier that you were also working
22 in federal court. Was that Albany?

23 A. Actually I was doing translations for Cooper Translation
24 Company and they would call me and send me to federal court,
25 criminal courts, traffic courts, family courts and wherever

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09f0cro6 Hussain - direct

- 1 Q. You don't remember?
2 A. I don't recall, ma'am.
3 Q. Well, do you recall Agent Fuller suggesting to you, or any
4 ~~other government agent, that you be a member of JEM?~~
5 A. Actually, it was Agent Cole, not Agent Fuller, at that
6 time.
7 Q. You're absolutely right. That's not so much later.
8 Do you recall Agent Cole suggested that you be a
9 member of any radical group?
10 A. He might have done that.
11 Q. And would it have been him that -- withdrawn.
12 How much money did you receive from your cooperation
13 in Albany?
14 A. I worked for four and a half years. And the only money
15 that I received was the expenditure money. And I did not
16 receive any kind of reward money, or monthly payments from them
17 at all in four and a half years. It was all expenditures,
18 either the office expenditures or office that we were working
19 at. And around, I believe, like \$60,000 as expenditure.
20 Q. \$60,000 as expenditures?
21 A. Yes, ma'am.
22 Q. Do you recall testifying in Albany?
23 A. Yes, ma'am.
24 Q. Do you recall a reference to you being paid \$32,000 in
25 Albany?

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Hussain - direct

- 1 A. Yes, ma'am.
- 2 Q. Okay. Do you also recall that they paid for your cell
3 phone?
- 4 A. Yes. Hundred dollars or \$150.
- 5 Q. Well, they paid for your cell phone for almost two years,
6 didn't they?
- 7 A. Yes.
- 8 Q. And your whole cell phone bill, for two years, was \$100?
- 9 A. No. They was paying like \$100 a month, ma'am.
- 10 Q. Okay. They were paying hundred dollars a month for your
11 cell phone bill?
- 12 A. Yes, ma'am.
- 13 Q. And you were not using that cell phone only for business,
14 were you?
- 15 A. No, ma'am.
- 16 Q. That was your personal phone?
- 17 A. Yes, ma'am.
- 18 Q. So if they paid the phone bill, it didn't have to come out
19 of your pocket, correct?
- 20 A. Yes, ma'am.
- 21 Q. So if they paid your phone bill for a couple of years, I
22 believe it was two and a half, that was I think close to
23 \$3,000, correct?
- 24 A. Yes, ma'am.
- 25 Q. And they paid 6 months of the rent at 142 Central Avenue?

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09g0crol Hussain - cross - Brody

1 Q. Well, Michael O'Connor came in after 2003, didn't he?

2 A. He came like a month after.

3 Q. So in your original bankruptcy filing --

4 A. Yes, ma'am.

5 Q. -- there was no information that you had at least \$100,000
6 in stocks in family businesses in Pakistan, is that correct,
7 Mr. Hussain?

8 A. Yes, ma'am.

9 Q. So that was a misrepresentation in bankruptcy, was it not?

10 A. Yes, ma'am.

11 MR. RASKIN: Your Honor, can we have sidebar on this,
12 please?

13 THE COURT: No, we actually can't, Mr. Raskin.

14 MR. RASKIN: Then I have an objection as to

15 relevance --

16 THE COURT: It is absolutely, completely, and totally
17 relevant.

18 BY MS. BRODY:

19 Q. Now, your father passed away, you said, June 14th, 2003?

20 A. Yes, ma'am.

21 Q. Didn't you tell the probation officer when you did your
22 presentence report, that your father passed away in 1998, Mr.
23 Hussain?

24 A. No, ma'am, my mother passed away in 1998, ma'am.

25 Q. Your mother passed away in 1998?

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Hussain - cross - Green

- 1 A. Yes, sir.
2 Q. You knew you had a trust fund?
3 A. Yes, sir. No, not in '03. It came out when my father
4 died, the trust fund.
5 Q. You just told this jury, five minutes ago, that you got
6 \$50,000 from the trust fund in 1996; isn't that correct --
7 A. Yes.
8 Q. -- sir?
9 A. Yes. In 1996; that's 12 months, sir.
10 Q. So you did get money out of the trust fund before your
11 father died?
12 A. Yes, sir.
13 Q. By the way, you told the probation officer that your
14 father died, what was it, in 1994?
15 MS. BRODY: Ninety-eight.
16 Q. '98.
17 A. That's not true, sir, that's --
18 Q. It's not true, but that's what you told the probation
19 officer, correct?
20 A. I might have told that, but that's not true, sir.
21 Q. It's a weird thing to tell the probation officer that your
22 father was dead, when he was not dead?
23 A. No, sir. My father was alive at the time.
24 Q. So why did you tell the probation officer he was dead?
25 A. I don't know what -- he misunderstood me, sir.

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Hussain - cross - Green

- 1 Q. Misunderstood you.
2 It says: According to Hussain --
3 This is from defense exhibit six. "Hussain" would be
4 you, correct?
5 A. Yes, sir.
6 Q. -- his father passed away in 1998 from a stroke.
7 Is that what you said, or are you saying that that's
8 just a mistake.
9 A. My father had a stroke at that time, but he did not pass
10 away.
11 Q. The question is, did you tell the probation officer that he
12 passed away.
13 A. No, sir. I don't remember that. I don't recall that, sir.
14 Q. So it also says: According to Hussain, his mother passed
15 away in 1994 from kidney failure and diabetes.
16 A. Yes.
17 Q. Do you remember telling the probation officer that?
18 A. Yes, sir.
19 Q. And you knew, did you not, that by telling the probation
20 officer that your parents were dead that that somehow would
21 make the probation officer a little bit more sympathetic toward
22 you?
23 A. No, sir.
24 Q. And you knew there was no practical way for the probation
25 officer to verify when your parents had died in Pakistan,

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Hussain - cross - Green

1 Q. Now, at the time that you had put -- you put yourself into
2 bankruptcy, and you were delaying the payment to your
3 creditors --

4 A. Yes, sir.

5 Q. -- you had hundreds of thousands of dollars available to
6 you just by picking up the phone, correct --

7 A. Yes, sir.

8 Q. -- and calling your family in Pakistan?

9 A. That's not true, sir.

10 Q. Well, you did receive \$500,000, right?

11 A. I -- I was in -- because my father was alive. And I had to
12 ask help from my father to give me the money. So then he sent
13 me the money.

14 Q. My question is, did you ever tell the bankruptcy court
15 about all this money you received from the trust fund?

16 A. I told my lawyer.

17 THE COURT: Not --

18 A. Not the bankruptcy, sorry. No.

19 Q. You didn't think it really mattered to the bankruptcy court
20 whether you had, you know, half million dollars lying around?

21 A. I did not have --

22 Q. Available.

23 A. At that time, I did not have half million dollars lying
24 around.

25 Q. You came from a wealthy family, correct?

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