

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

MUBASHIR KHALIF HUSSEN,  
MAHAMED EYDARUS, and JAVIER  
DOE  
*on behalf of themselves and others  
similarly situated,*

Plaintiffs,

v.

KRISTI NOEM, *in her official capacity as  
Secretary of the U.S. Department of  
Homeland Security*; U.S. DEPARTMENT  
OF HOMELAND SECURITY; U.S.  
IMMIGRATION AND CUSTOMS  
ENFORCEMENT; TODD M. LYONS, *in  
his official capacity as Acting Director of  
U.S. Immigration and Customs  
Enforcement*; DAVID EASTERWOOD, *in  
his official capacity as U.S. Immigration  
and Customs Enforcement Field Office  
Director for St. Paul, Minnesota*; U.S.  
CUSTOMS AND BORDER  
PROTECTION; RODNEY S. SCOTT, *in  
his official capacity as Commissioner of  
U.S. Customs and Border Protection*; U.S.  
BORDER PATROL; MICHAEL W.  
BANKS, *in his official capacity as Chief  
of U.S. Border Patrol*; and GREGORY  
BOVINO, *in his official capacity as  
Commander-at-Large of U.S. Border  
Patrol,*

Defendants.

Case No. 0:26-CV-00324-ECT-ECW

**DECLARATION OF  
MAHAMED RUFAL EYDARUS**

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I, Mahamed Eydarus, pursuant to 28 U.S.C. § 1746, declare as follows:

1. My name is Mahamed Rufai Eydarus.
2. I am 25 years old.
3. I was born in Atlanta, Georgia. I am a United States citizen. I have lived in the United States of America for my entire life. I have lived in Minnesota since approximately 2001. I currently live in Fridley, Minnesota.
4. My parents also reside in Fridley, Minnesota. They are both legally naturalized United States citizens. I do not recall the exact dates of their naturalization, but I know both have been naturalized citizens since the early 2000s. I have seven siblings who also live in the metro area.
5. In addition to living in Minnesota for the majority of my life, I attended the University of Minnesota – Twin Cities and graduated with a bachelor's degree in 2023. I work full-time in Minnesota as a recovery coordinator with LifeSource, and I work part-time as a personal care assistant. I am also a member of Stronger Together, which is a faith-based organization for young Muslims.
6. On the morning of Wednesday, December 10, 2025, around 8:00 a.m., I was completing an overnight shift as a personal care assistant for a client. My mother, who also works as a personal care assistant, was coming to assume care of this same client.
7. We were outside of 515 15<sup>th</sup> Avenue South in Minneapolis, Minnesota. The neighborhood is known as the Cedar-Riverside neighborhood and it is my understanding that the neighborhood is home to the largest Somali population in United States. From my knowledge and understanding of the community, the overwhelming majority of Somalis residing in this neighborhood are U.S. citizens, either by naturalization or by birth. Most of those who are legally naturalized citizens have lived here for a long time and became legally naturalized 20 or more years ago.
8. It had snowed overnight and there was limited parking on the street. I went to meet my mother, and planned to shovel out my parking spot and move my car so that my mother could take over that spot. My mother pulled up next to me and got out of her car to help shovel. I was at one end of my parked car, and my mother was at the other end of the car.
9. My eight-year-old brother was in my mother's car, and stayed in the car when my mother got out.

10. While we were shoveling, at least three unmarked vehicles with standard license plates drove by and, all of a sudden, I saw several men walked towards me and my mother very quietly, as if they were trying to surround us without us knowing. I am not sure exactly how many people came towards us, but I recall six to eight men in total.
11. The men surrounded me and my mother. They did not identify themselves in any way or tell us who they were, and I had no idea why they approached us.
12. I noticed that most of them had the word "police" on their vest and one or two had smaller patches on their clothing that said "ICE" but it was smaller than the word "police". I started to suspect that they might be ICE agents, as I had heard that ICE was in the area recently. However, in that moment, I was uncertain because their clothing was not uniform. Everyone was wearing different colored vests, many were wearing masks, and no one ever identified themselves or showed any badges. The men were armed. I saw guns, tasers, and pepper spray. All of the men that I later realized were ICE agents had guns, and each of them were wearing belts and equipment with several other gadgets. I do not know exactly what each person had, but recall seeing tasers and pepper spray, among other things.
13. I now know that these men were ICE agents.
14. Two of the men who got out of the unmarked vehicles were not wearing masks. These two men had cameras and recording devices attached to their phones and appeared to be livestreaming. The livestreamers came right up next to me and were in my face, and seemed to be helping the ICE agents block me in. I asked them who they were, but they would not answer me. Instead, they were laughing and smirking and calling my mother and me "illegal aliens," despite us both being U.S. citizens.
15. I later learned from some of the community members who were present that one of these unmasked people is a social media influencer known as "Ben Bergquam."
16. The first thing the men said to me was that they needed to see my identification to make sure I was "not illegal." This made me think I was dealing with ICE agents because this is the rhetoric they use to describe undocumented individuals. I said no because I did not know who they were or why they wanted my personal and private information. They had not identified themselves. I was concerned that the two men with cameras would broadcast my private information, including my ID number and home address, on the internet.
17. Other than that they wanted to confirm that I was "not illegal," none of the agents explained why they surrounded us, and they did not indicate that they knew me or

separate me from my mother, with some surrounding each of us. I tried to walk over to be closer to my mother, but the agents put up their arms to block me and said that I could not go by her because they were investigating. Because the ICE agents separated me from my mother and blocked me from her, I do not know if she was ultimately forced to remove her niqab, but I was offended and saddened by their disrespect of our cultural and religious customs.

26. The ICE agents then told me that they determined that I was a U.S. citizen and was free to go. However, they said that I could not stand near my mother, and they threatened to arrest and detain me if I tried to go near her. I was confused as to how they had determined I was a citizen, as I had not given them my name or any identification at this point. These men had been holding phones up towards my face and I am uncertain if they took any photographs or were able to identify me using their phones. They did not ask me any further questions about myself or my family's ties to the community.
27. Throughout the encounter, I was speaking to my mother in Somali. One of the ICE agents got close to me and asked, "Why are you speaking that foreign language?" I was shocked at this comment. An agent also told me that they were "doing a good thing" and that they "could have gotten this done in 7 minutes." He also told me that they would take me to the detention center and would hold me for the full 72-hours if I did not cooperate. This added to my concern that my family and I would be detained, arrested, or worse.
28. I called 911 and reported that my family and I were being harassed by ICE agents. I told the dispatcher where we were. The dispatcher said that they would call me back and send someone to help out. The investigator called me back a few minutes later and they told me that they could monitor the situation on CCTV.
29. Since the ICE agents said I could leave, I took my mother's vehicle and moved it down the street. My younger brother was still in the car and had been watching the whole encounter. I am unsure if the agents knew he was there, but he had rolled down the window to ask what was going on. I was worried that the agents would turn their attention to my younger brother and was afraid that they may separate him from us. I was also concerned for his mental and emotional wellbeing and did not want him to be traumatized or scared. Because of these concerns for my younger brother, I wanted to remove him from the situation.
30. As time went by, more people from the community stopped to observe us. By the time I moved the car, the larger community presence made me feel a little bit more comfortable leaving my mother for a couple of minutes. After I parked the car, I told my brother to come with me, and we walked back over towards my mother. I did not want to leave him alone, in light of everything that was happening.

my mom, or knew our names, prior to stopping us. They did not show me any papers or a warrant.

18. My mother moved closer to me as the ICE agents asked me several questions, including where I was born. They did not ask me any questions about my ties to the community or how long I had lived in Minnesota. As my mother moved closer, the ICE agents and two livestreamers also moved closer and surrounded us more closely than before.
19. There were people from the community on the street observing us. Several of them also took out their phones to record what was happening. The ICE agents would not let anyone gathered on the street get close to us. I heard the federal agents say that people recording from the street had to stand back or they would be arrested. However, the ICE agents did not ever tell Mr. Bergquam or the other livestreamer to back off, stop filming, or move away.
20. I still did not know who these people were. They were masked, had not identified themselves, and none of their cars or license plates had government or law enforcement logos or symbols on them.
21. I felt like I could not leave the encounter. I was afraid that I would be arrested or detained, despite being a U.S. citizen. I also did not know why we were being surrounded, as I had done nothing wrong. I was only shoveling snow off my car with my mother. I thought that if I tried to leave, they might use their weapons against me and my mother.
22. I was fearful of what would happen to me my family. This situation was very stressful. I felt intimidated during the encounter and was concerned about physical harm to myself, to my mother, and to my brother.
23. I was worried that even if I accidentally touched an ICE agent, we would all be subjected to physical assault or arrest. At one point, as I was moving, I accidentally brushed an agent and he immediately said "You just touched me." The way in which this was said felt like a threat, and added to my concerns.
24. I could see that my mother was stressed, afraid, and upset. She started to cry. She eventually handed over her Minnesota driver's license through her tears.
25. One of the ICE agents said that my mother's identification was not federally acceptable and that they needed to do more digging. I could not hear everything they said to her, but I do not recall them asking us any questions about our ties to the community. The only questions they asked me about my mother was when she was naturalized. The ICE agents began telling my mother that she had to remove her niqab, which is a cultural and religious face covering. The agents shifted to



what is going on and if our family will be okay, and I do not know how to answer him because I am constantly worried that we will not be okay or safe after this.

37. I am deeply concerned and scared by this incident. I believe that my family and I were stopped solely because of the color of our skin and our appearance. It was clear that the ICE agents did not know who we were when they came up to us, and they never presented any papers or warrant, or even identified themselves. They did not state that I or my mother had committed a crime. They did not say they had a warrant of any kind. I also did not see anyone show my mother any papers or a warrant.
38. Further, the ICE agents eventually told me that I was free to go, despite the fact that I never told them my name and never gave them any identification. I do not know how they could have had any suspicion about me, then suddenly they decided I was free to go, if they did not know who I was. The comments that the agents made to me, asking why I was speaking a foreign language, also make me believe that they were stopping us just because we looked like we could be “foreign.”
39. I have never been convicted of any crime or offense. I have received some parking tickets and always paid the fines on time.
40. I live in the Twin Cities metro area and am frequently in Minneapolis, including where this happened, for work and other community events. I am terrified that this will happen again, and that it could be much worse—that I may be physically harmed or even arrested—simply for acting as any other U.S. citizen would act. I am also afraid for my community, as this neighborhood is home to the largest Somali community in the country. I am very worried that my friends, family, neighbors, and community members will be subjected to physical harm or arrest for no other reason than that we are Somali.
41. These agents treated me as if I was not a citizen. They also treated my mother as if she was not a citizen. Even when my mother complied with their demands and provided her driver’s license, she ended up being harassed more.
42. I am a Plaintiff in this proposed class action because I am worried for my own safety and the safety of my family and scared that we will be subject to further harassing encounters such as these simply for living as citizens in the United States of America. I am also worried and afraid that we will continue to be targeted and potentially arrested by ICE agents simply because we are Somali, despite being citizens of the United States of America. I am also worried and afraid that others in my community will be targeted, harassed, and potentially

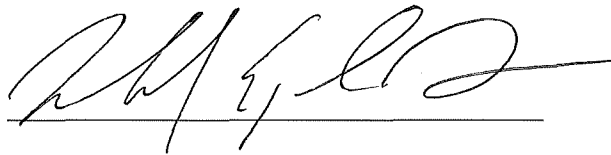
31. About a half hour after the agents had arrived, they very suddenly backed off and left the area. They did not say anything to us as they left. They did not apologize or explain why they harassed us.
32. It is hard to fully explain how this has affected me personally. This encounter left me feeling stressed, worried, and afraid. I was unable to sleep that night. I went to work in the days following this encounter and was unable to focus on my work tasks. Although I did not initially tell anyone what had happened, my co-workers could tell that something was bothering and affecting me and asked me if I was okay. I am still constantly stressed and afraid. I worry that the people who were recording us will show up to our house or that they will post the videos on their social media sites and provoke others to show up to my house to cause me and my family physical harm or harassment.
33. I am also worried about this type of encounter happening again any time I am in public. Because of my part-time job, I have had to return to the street where this happened. I am constantly on guard and looking over my shoulder to make sure ICE agents are not sneaking up on me or trying to grab me. I am also afraid that my family will be targeted by ICE after this incident, and that the government will be looking for us.
34. I know that the President made many comments in November and December of 2025, as well as during his prior administration, expressing his hate and disliking of Somali people. It has been saddening to hear him refer to my community as “garbage” and other worse terms. These comments make me concerned for my, my family’s, and my community’s safety, as these comments incite hate and anger towards Somali people, which I fear will turn into arrests, physical violence, or worse.
35. It has also been saddening to hear the President say that he thinks we should go back “home” or to where we came from. Minnesota and the United States is our home. Many members of Minnesota’s Somali community were born here, and the overwhelming majority are United States citizens. We want to live and work and contribute to society just like other United States citizens. I am very worried that the President’s consistent degrading comments about Somalis will encourage ICE agents to harass people for no reason other than that they look Somali, much like they did to me and my mother, regardless of citizenship status. I am also afraid that this will result in unwarranted arrests and detentions of Somali individuals and families.
36. Similarly, while my mother has not said much about this encounter, I can tell that she is not doing well and is continuously stressed and afraid. While she does not talk about it much, I have noticed that she seems more on-edge and anxious compared to her demeanor before this. My younger brother also keeps asking me

arrested by ICE agents simply for being Somali, despite the fact that the overwhelming majority of us are citizens and legal residents of the United States of America. I am also afraid that such encounters will cause physical and/or mental and emotional harm to me, my family, and my community.

43. I believe that the following organizations and law firms should be approved by the Court to serve as co-counsel for the class: the American Civil Liberties Union, Greene Espel PLLP, Robins Kaplan LLP, and Covington & Burling LLP. I believe that these organizations and law firms individually and collectively have the necessary experience to properly represent this class, and that they will work to obtain the best result for the class.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 13<sup>th</sup>, 2026

A handwritten signature in black ink, appearing to read 'Mahamed Eydarus', written over a horizontal line.

Mahamed Eydarus