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December 7, 2004

Clerk of the Court  
U.S.D.C. E.D.N.Y.  
225 Cadman Plaza E.  
Brooklyn, New York 11201

FILED *RG*  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.  
★ DEC 09 2004 ★  
BROOKLYN OFFICE

RE: Turkmen v. Ashcroft, et al. 02-CV-2307

Dear Madam or Sir:

The undersigned represents defendant William Beck. Enclosed for filing please find his answer to the complaint which I have this date also served upon counsel for Plaintiffs.

Thank you for your courtesy.

Respectfully,

Robert Goldman

Cc: Nancy Chang, Esq.  
Center for Constitutional Rights

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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IBRAHIM TURKMAN; ASIF-UR-REHMAN SAFFI;  
SYED AMJAD ALI JAFFRI; YASSER EBRAHIM;  
HANY IBRAHIM; SHAKIR BALOCH; AKHIL  
SACHDEVA; and ASHRAF IBRAHIM, on behalf of  
themselves and all others similarly situated,

Civil Action No. 02 CV 2307 (JG) (CLP)

Plaintiffs,

-against-

**ANSWER**

JOHN ASHCROFT, Attorney General of the United States  
ROBERT MUELLER, Director of the Federal Bureau of Investigation  
JAMES W. ZIGLAR, Commissioner of the Immigration and Naturalization Service  
DENNIS HASTY, former Warden, Metropolitan Detention Center  
MICHAEL ZENK, Warden, Metropolitan Detention Center  
SHERMAN, former Associate Warden for Custody, Metropolitan Detention Center  
SALVATORE LOPRESTI, Captain, Metropolitan Detention Center  
STEVEN BARRERE, Lieutenant, Metropolitan Detention Center  
WILLIAM BECK, Lieutenant, Metropolitan Detention Center  
LINDSEY BLEDSOE, Lieutenant, Metropolitan Detention Center  
JOSEPH CUCITI, Lieutenant, Metropolitan Detention Center  
HOWARD GUSSAK, Lieutenant, Metropolitan Detention Center  
MARCIAL MUNDO, Lieutenant, Metropolitan Detention Center  
DANIEL ORTIZ, Lieutenant, Metropolitan Detention Center  
STUART PRAY, Lieutenant, Metropolitan Detention Center  
ELIZABETH TORRES, Lieutenant, Metropolitan Detention Center  
PHILLIP BARNES, Correctional Officer, Metropolitan Detention Center  
SIDNEY CHASE, Correctional Officer, Metropolitan Detention Center  
MICHAEL DEFRANCISCO, Correctional Officer, Metropolitan Detention Center  
RICHARD DIAZ, Correctional Officer, Metropolitan Detention Center  
KEVIN LOPEZ, Correctional Officer, Metropolitan Detention Center  
MARIO MACHADO, Correctional Officer, Metropolitan Detention Center  
MICHAEL MCCABE, Correctional Officer, Metropolitan Detention Center  
RAYMOND MICKENS, Correctional Officer, Metropolitan Detention Center  
JOHN OSTEEEN, Correctional Officer, Metropolitan Detention Center  
BRIAN RODRIGUEZ, Correctional Officer, Metropolitan Detention Center  
SCOTT ROSEBERY, Correctional Officer, Metropolitan Detention Center  
CHRISTOPHER WITSCHHEL, Correctional Officer, Metropolitan Detention Center  
RAYMOND COTTON, Counselor, Metropolitan Detention Center  
CLEMMENT SHACKS, Counselor, Metropolitan Detention Center  
CUFFEE, Counselor, Metropolitan Detention Center

“JOHN DOES,” NOS 1-20, Corrections Officers, Metropolitan Detention Center  
and the UNITED STATES,

Defendants.

-----X

Defendant, William Beck, (referred to herein as “Defendant Beck”), as and for the answer to  
the Plaintiffs’ Third Amended Complaint, respectfully alleges the following:

1. Admits that some of the plaintiffs were detained at the Metropolitan Detention Center (“MDC”), in Brooklyn, New York, in the Administrative Maximum Special Housing Unit (“ADMAX SHU,”) and except as so admitted, denies the remaining allegations contained in paragraph 1 of the Complaint.
2. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph 2 of the Complaint.
3. Denies the allegations contained in paragraph 3 of the Complaint and refers all questions of law to the Court at the trial of this action.
4. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph 4 of the Complaint.
5. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph 5 of the Complaint.
6. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph 6 of the Complaint.
7. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph 7 of the Complaint.
8. Denies knowledge or information sufficient to form a belief as to the allegations

contained in paragraph 8 of the Complaint.

9. Denies the allegations contained in paragraph 9 of the Complaint and refers all questions of law to the Court at the trial of this action.

10. Denies the allegations contained in paragraph 10 of the Complaint and refers all questions of law to the Court at the trial of this action.

#### **JURISDICTION AND VENUE**

11. Denies the allegations contained in paragraph 11 of the Complaint and refers all questions of law to the Court at the trial of this action.

12. Denies the allegations contained in paragraph 12 of the Complaint and refers all questions of law to the Court at the trial of this action.

13. Denies the allegations contained in paragraph 13 of the Complaint and refers all questions of law to the Court at the trial of this action.

14. Denies the allegations contained in paragraph 14 of the Complaint and refers all questions of law to the Court at the trial of this action.

#### **JURY DEMAND**

15. Denies the allegations contained in paragraph 15 of the Complaint and refers all questions of law to the Court at the trial of this action.

#### **PARTIES**

##### **THE MDC PLAINTIFFS**

16. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph 16 of the Complaint that plaintiff Asif-ur-Rehman Saffi is a native Pakistan and citizen of France where he currently resides, admits that Saffi was

detained in the MDC, and except as so admitted, denies the remaining allegations in paragraph 16 of the Complaint.

17. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph 17 of the Complaint that plaintiff Syed Amjad Ali Jaffri is a native Pakistan and a landed immigrant of Canada, admits that Jaffri was detained in the MDC, and except as so admitted, denies the remaining allegations in paragraph 17 of the Complaint.

18. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph 18 of the Complaint that plaintiffs Yasser Ebrahim and Hany Ibrahim, brothers are natives of Egypt, and admits that Ebrahim and H. Ibrahim were detained in the MDC, and except as so admitted, denies the remaining allegations in paragraph 18 of the Complaint.

19. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph 19 of the Complaint that plaintiff Shakir Baloch is a native Pakistan and landed immigrant in Canada, admits that Baloch was detained in the MDC, and except as so admitted, denies the remaining allegations in paragraph 19 of the Complaint.

20. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph 20 of the Complaint that plaintiff Ashraf Ibrahim is a native of Egypt, admits that A. Ibrahim was detained in the MDC, and except as so admitted, denies the remaining allegations in paragraph 20 of the Complaint.

**THE PASSAIC PLAINTIFFS**

21. Denies knowledge or information sufficient to form a belief as to the allegations

contained in paragraph 21 of the Complaint.

22. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraph 22 of the Complaint.

**DEFENDANTS**

23. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 23 of the Complaint.

24. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 24 of the Complaint.

25. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 25 of the Complaint.

**THE MDC DEFENDANTS**

26. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 26 of the Complaint.

27. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 27 of the Complaint.

28. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 28 of the Complaint.

29. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 29 of the Complaint.

30. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 30 of the Complaint.

31. Admits Lieutenant William Beck is and was at the time set forth in the Complaint employed as a Lieutenant at the MDC and except as so admitted denies the remaining

allegations in paragraph 31 of the Complaint.

32. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 32 of the Complaint.

33. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 33 of the Complaint.

34. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 34 of the Complaint.

35. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 35 of the Complaint.

36. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 36 of the Complaint.

37. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 37 of the Complaint.

38. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 38 of the Complaint.

39. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 39 of the Complaint.

40. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 40 of the Complaint.

41. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 41 of the Complaint.

42. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 42 of the Complaint.

43. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 43 of the Complaint.

44. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 44 of the Complaint.

45. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 45 of the Complaint.

46. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 46 of the Complaint.

47. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 47 of the Complaint.

48. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 48 of the Complaint.

49. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 49 of the Complaint.

50. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 50 of the Complaint.

51. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 51 of the Complaint.

52. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 52 of the Complaint.

53. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 53 of the Complaint.

**CLASS ACTION ALLEGATIONS**



54. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 54 of the Complaint.

55. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 55 of the Complaint.

56. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 56 of the Complaint.

57. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 57 of the Complaint.

58. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 58 of the Complaint.

59. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 59 of the Complaint.

60. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 60 of the Complaint.

61. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 61 of the Complaint.

62. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 62 of the Complaint.

63. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 63 of the Complaint.

**STATEMENTS OF FACT**

**GENERAL ALLEGATIONS**

64. Denies knowledge and information sufficient to form a belief as to the allegations

contained in paragraph 64 of the Complaint.

65. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 65 of the Complaint.

66. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 66 of the Complaint.

67. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 67 of the Complaint.

68. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 68 of the Complaint.

69. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 69 of the Complaint.

70. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 70 of the Complaint.

71. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 71 of the Complaint.

72. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 72 of the Complaint.

73. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 73 of the Complaint.

74. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 74 of the Complaint.

75. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 75 of the Complaint.

76. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 76 of the Complaint.

**INSPECTOR GENERAL'S JUNE 2003 REPORT ON SEPTEMBER 11 DETAINEES**

77. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 77 of the Complaint.

78. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 78 of the Complaint.

79. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 79 of the Complaint.

80. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 80 of the Complaint.

81. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 81 of the Complaint.

82. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 82 of the Complaint.

83. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 83 of the Complaint.

84. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 84 of the Complaint.

**THE CHALLENGED MDC POLICIES AND CUSTOMS AND THE INSPECTOR  
GENERAL'S DECEMBER 2003 SUPPLEMENTAL REPORT ON THE SEPTEMBER  
11 DETAINEES**

85. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 85 of the Complaint.

86. Denies the allegations contained in paragraph 86 of the Complaint.

**COMMUNICATIONS BLACKOUT AT MDC**

**Policy to Hold Detainees Incommunicado**

87. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 87 of the Complaint.

**Policy to Deny Detainees Access to Counsel**

88. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 88 of the Complaint.

89. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 89 of the Complaint.

90. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 90 of the Complaint.

91. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 91 of the Complaint.

92. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 92 of the Complaint.

93. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 93 of the Complaint.

94. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 94 of the Complaint.

95. Denies knowledge and information sufficient to form a belief as to the allegations

contained in paragraph 95 of the Complaint.

96. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 96 of the Complaint.

**Video and Audio Taping Attorney/Client Conversations Policy**

97. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 97 of the Complaint.

98. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 98 of the Complaint.

99. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 99 of the Complaint.

**Denial of Consular Rights Policy**

100. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 100 of the Complaint.

101. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 101 of the Complaint.

**ABUSE AND INHUMANE CONDITIONS OF CONFINEMENT AT MDC**

**Physical Abuse**

102. Denies the allegations contained in paragraph 102 of the Complaint.

103. Denies the allegations contained in paragraph 103 of the Complaint.

104. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 104 of the Complaint.

105. Denies the allegations contained in paragraph 105 of the Complaint.

106. Denies the allegations contained in paragraph 106 of the Complaint.

**Verbal Abuse**

107. Denies the allegations contained in paragraph 107 of the Complaint insofar as “MDC Staff Members” refer to Defendant Beck and except as so denied, Defendant Beck denies knowledge and information sufficient to form a belief as to the remaining allegations contained in paragraph 107 of the Complaint.

108. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 108 of the Complaint.

109. Denies the allegations contained in paragraph 109 of the Complaint insofar as “MDC Supervisor Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies knowledge and information sufficient to form a belief as to the remaining allegations contained in paragraph 109 of the Complaint.

**Physical Restraints**

110. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 110 of the Complaint.

**Arbitrary and Abusive Strip Searches**

111. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 111 of the Complaint.

112. Denies the allegations contained in paragraph 112 of the Complaint insofar as “MDC Staff” refer to Defendant Beck and except as so denied, Defendant Beck denies knowledge and information sufficient to form a belief as to the remaining allegations contained in paragraph 112 of the Complaint.

113. Denies the allegations contained in paragraph 113 of the Complaint.

114. Denies the allegations contained in paragraph 114 of the Complaint.

115. Denies the allegations contained in paragraph 115 of the Complaint.

116. Denies the allegations contained in paragraph 116 of the Complaint insofar as “MDC Supervisor Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 116 of the Complaint.

**Sleep Deprivation**

117. Denies the allegations contained in paragraph 117 of the Complaint insofar as “MDC Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 117 of the Complaint.

118. Denies the allegations contained in paragraph 118 of the Complaint insofar as “MDC Staff” refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 118 of the Complaint.

119. Denies the allegations contained in paragraph 119 of the Complaint insofar as “MDC Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies knowledge and information sufficient to form a belief as to the remaining allegations contained in paragraph 119 of the Complaint.

**De Facto Denial of Recreation / Inadequate Clothing and Exposure to the Elements**

120. Denies the allegations contained in paragraph 120 of the Complaint.

121. Denies the allegations contained in paragraph 121 of the Complaint insofar as “MDC Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies knowledge and information sufficient to form a belief as to the remaining allegations contained in paragraph 121 of the Complaint.

**Lack of Hygiene Items and Provision of Inadequate and Unhealthy Food**

122. Denies the allegations contained in paragraph 122 of the Complaint insofar as “MDC Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies knowledge and information sufficient to form a belief as to the remaining allegations contained in paragraph 122 of the Complaint.

123. Denies the allegations contained in paragraph 123 of the Complaint.

124. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 124 of the Complaint.

**Inadequate Medical Attention**

125. Denies the allegations contained in paragraph 125 of the Complaint insofar as “MDC Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies knowledge and information sufficient to form a belief as to the remaining allegations contained in paragraph 125 of the Complaint.

126. Denies the allegations contained in paragraph 126 of the Complaint insofar as “MDC Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies knowledge and information sufficient to form a belief as to the remaining allegations contained in paragraph 126 of the Complaint.

127. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 127 of the Complaint.

**Deliberate Interference with Religious Rights**

128. Denies the allegations contained in paragraph 128 of the Complaint insofar as “MDC Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 128 of the Complaint.



**Campaign of Intentional Infliction of Emotional Distress**

129. Denies the allegations contained in paragraph 129 of the Complaint insofar as “MDC Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 129 of the Complaint.

**Failure to Provide Handbooks**

130. Denies the allegations contained in paragraph 130 of the Complaint insofar as “MDC Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 130 of the Complaint.

**Confiscated Items**

131. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 131 of the Complaint.

132. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 132 of the Complaint.

**Personal Participation of the Defendants**

134. Denies the allegations contained in paragraph 134 of the Complaint insofar as “MDC Supervisor Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 134 of the Complaint.

135. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 135 of the Complaint.

136. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 136 of the Complaint.

**MDC Supervisor Defendants**

137. Denies the allegations contained in paragraph 137 of the Complaint insofar as “MDC Supervisor Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 137 of the Complaint.

138. Denies the allegations contained in paragraph 138 of the Complaint.

139. Denies the allegations contained in paragraph 139 of the Complaint.

140. Denies the allegations contained in paragraph 140 of the Complaint.

141. Denies the allegations contained in paragraph 141 of the Complaint.

**MDC Correctional Officer Defendants**

142. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 142 of the Complaint.

143. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 143 of the Complaint.

144. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 144 of the Complaint.

145. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 145 of the Complaint.

146. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 146 of the Complaint.

**MDC Counselor Defendants**

147. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 147 of the Complaint.

148. Denies knowledge and information sufficient to form a belief as to the

allegations contained in paragraph 148 of the Complaint.

**Allegations Concerning the Plaintiffs**

**MDC PLAINTIFFS**

149. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 149 of the Complaint.

**Plaintiff Asif-ur-Rehman Saffi**

150. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 150 of the Complaint.

151. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 151 of the Complaint.

152. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 152 of the Complaint.

153. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 153 of the Complaint.

154. Denies the allegations contained in paragraph 154 of the Complaint.

155. Denies the allegations contained in paragraph 155 of the Complaint insofar as "MDC Defendants" refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 155 of the Complaint.

156. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 156 of the Complaint.

157. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 157 of the Complaint.

158. Denies the allegations contained in paragraph 158 of the Complaint insofar as

“MDC Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies the knowledge and information sufficient to form a belief as to the remaining allegations contained in paragraph 158 of the Complaint.

159. Denies the allegations contained in paragraph 159 of the Complaint insofar as “MDC Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 159 of the Complaint.

160. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 160 of the Complaint.

161. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 161 of the Complaint.

162. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 162 of the Complaint.

163. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 163 of the Complaint.

164. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 164 of the Complaint.

165. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 165 of the Complaint.

166. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 166 of the Complaint.

167. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 167 of the Complaint.

168. Denies knowledge and information sufficient to form a belief as to the

allegations contained in paragraph 168 of the Complaint.

**Plaintiff Syed Amjad Ali Jaffri**

169. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 169 of the Complaint.

170. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 170 of the Complaint.

171. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 171 of the Complaint.

172. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 172 of the Complaint.

173. Denies the allegations contained in paragraph 173 of the Complaint insofar as "MDC Defendants" refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 173 of the Complaint.

174. Denies the allegations contained in paragraph 174 of the Complaint insofar as "MDC Defendants" refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 174 of the Complaint.

175. Denies the allegations contained in paragraph 175 of the Complaint insofar as "MDC Defendants" refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 175 of the Complaint.

176. Denies the allegations contained in paragraph 176 of the Complaint insofar as "MDC Defendants" refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 176 of the Complaint.

177. Denies knowledge and information sufficient to form a belief as to the

allegations contained in paragraph 177 of the Complaint.

178. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 178 of the Complaint.

179. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 179 of the Complaint.

180. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 180 of the Complaint.

**Plaintiffs Yasser Ebrahim and Hany Ibrahim**

181. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 181 of the Complaint.

182. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 182 of the Complaint.

183. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 183 of the Complaint.

184. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 184 of the Complaint.

185. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 185 of the Complaint.

186. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 186 of the Complaint.

187. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 187 of the Complaint.

188. Denies knowledge and information sufficient to form a belief as to the

allegations contained in paragraph 188 of the Complaint.

189. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 189 of the Complaint.

190. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 190 of the Complaint.

191. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 191 of the Complaint.

192. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 192 of the Complaint.

193. Denies the allegations contained in paragraph 193 of the Complaint insofar as "MDC Defendants" refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 193 of the Complaint.

194. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 194 of the Complaint.

195. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 195 of the Complaint.

196. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 196 of the Complaint.

197. Denies the allegations contained in paragraph 197 of the Complaint insofar as "MDC Defendants" refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 197 of the Complaint.

198. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 198 of the Complaint.

199. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 199 of the Complaint.

200. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 200 of the Complaint.

201. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 201 of the Complaint.

**Plaintiff Shakir Baloch**

202. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 202 of the Complaint.

203. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 203 of the Complaint.

204. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 204 of the Complaint.

205. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 205 of the Complaint.

206. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 206 of the Complaint.

207. Denies the allegations contained in paragraph 207 of the Complaint insofar as “MDC Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 207 of the Complaint.

208. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 208 of the Complaint.

209. Denies knowledge and information sufficient to form a belief as to the



- allegations contained in paragraph 209 of the Complaint.
210. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 210 of the Complaint.
211. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 211 of the Complaint.
212. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 212 of the Complaint.
213. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 213 of the Complaint.
214. Denies the allegations contained in paragraph 214 of the Complaint.
215. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 215 of the Complaint.
216. Denies the allegations contained in paragraph 216 of the Complaint.
217. Denies the allegations contained in paragraph 217 of the Complaint.
218. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 218 of the Complaint.
219. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 219 of the Complaint.
220. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 220 of the Complaint.
221. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 221 of the Complaint.
222. Denies knowledge and information sufficient to form a belief as to the

allegations contained in paragraph 222 of the Complaint.

**Plaintiff Ashraf Ali Ibrahim**

223. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 223 of the Complaint.

224. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 224 of the Complaint.

225. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 225 of the Complaint.

226. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 226 of the Complaint.

227. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 227 of the Complaint.

228. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 228 of the Complaint.

229. Denies the allegations contained in paragraph 229 of the Complaint insofar as “MDC Defendants” refer to Defendant Beck and except as so denied, Defendant Beck denies the remaining allegations contained in paragraph 229 of the Complaint.

230. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 230 of the Complaint.

231. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 231 of the Complaint.

232. Denies the allegations contained in paragraph 232 of the Complaint.

233. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 233 of the Complaint.

234. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 234 of the Complaint.

235. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 235 of the Complaint.

236. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 236 of the Complaint.

237. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 270 of the Complaint.

238. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 238 of the Complaint.

239. Denies the allegations contained in paragraph 239 of the Complaint.

240. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 240 of the Complaint.

241. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 241 of the Complaint.

242. Denies the allegations contained in paragraph 242 of the Complaint.

243. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 243 of the Complaint.

244. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 244 of the Complaint.

245. Denies knowledge and information sufficient to form a belief as to the

allegations contained in paragraph 245 of the Complaint.

246. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 246 of the Complaint.

247. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 247 of the Complaint.

248. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 248 of the Complaint.

249. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 249 of the Complaint.

250. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 250 of the Complaint.

**PASSAIC PLAINTIFFS**

251. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 251 of the Complaint.

**Plaintiff Ibrahim Turkman**

252. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 252 of the Complaint.

253. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 253 of the Complaint.

254. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 254 of the Complaint.

255. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 255 of the Complaint.

256. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 256 of the Complaint.

257. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 257 of the Complaint.

258. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 258 of the Complaint.

259. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 259 of the Complaint.

260. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 260 of the Complaint.

261. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 261 of the Complaint.

262. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 262 of the Complaint.

263. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 263 of the Complaint.

264. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 264 of the Complaint.

265. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 265 of the Complaint.

266. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 266 of the Complaint.

267. Denies knowledge and information sufficient to form a belief as to the

allegations contained in paragraph 267 of the Complaint.

268. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 268 of the Complaint.

269. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 269 of the Complaint.

270. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 270 of the Complaint.

271. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 271 of the Complaint.

272. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 272 of the Complaint.

273. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 273 of the Complaint.

274. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 274 of the Complaint.

275. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 275 of the Complaint.

276. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 276 of the Complaint.

**Plaintiff Akhil Sachdeva**

277. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 277 of the Complaint.

278. Denies knowledge and information sufficient to form a belief as to the

allegations contained in paragraph 278 of the Complaint.

279. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 279 of the Complaint.

280. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 280 of the Complaint.

281. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 281 of the Complaint.

282. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 282 of the Complaint.

283. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 283 of the Complaint.

284. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 284 of the Complaint.

285. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 285 of the Complaint.

286. Denies knowledge and information sufficient to form a belief as to the allegations contained in paragraph 286 of the Complaint.

### **ANSWERS TO CLAIMS FOR RELIEF**

287. Defendant incorporates by reference each and every answer contained in the paragraphs preceding the following paragraphs as if fully set forth therein: 287, 292, 297, 302, 307, 312, 317, 322, 327, 332, 338, 344, 350, 356, 362, 368, 374, 379, 384, 389, 394, 399, 404, 414, 418, 422, 426, 431, 435, 441, and 445.

288. Defendant Denies the Allegations of paragraphs: 288, 289, 290, 291, 293, 294, 295, 296, 298, 299, 300, 301, 303, 304, 305, 306, 308, 309, 310, 311, 313, 314, 315, 316, 318, 319, 320, 321, 323, 324, 325, 326, 328, 329, 330, 331, 333, 334, 335, 336, 337, 339, 340, 341, 342, 343, 345, 346, 347, 348, 349, 351, 352, 353, 354, 355, 357, 358, 359, 360, 361, 363, 364, 365, 366, 367, 369, 370, 371, 372, 373, 375, 376, 377, 378, 380, 381, 382, 383, 385, 386, 387, 388, 390, 391, 392, 393, 395, 396, 397, 398, 400, 401, 402, 403, 405, 406, 407, 408, 409, 410, 411, 412, 413, 415, 416, 417, 419, 420, 421, 423, 424, 425, 427, 428, 429, 430, 432, 433, 434, 436, 437, 438, 439, 440, 442, 443, 444, 446, 447, 448, 449, 450.

### **AFFIRMATIVE DEFENSES**

#### **AS AND FOR A FIRST AFFIRMATIVE DEFENSE**

Plaintiffs have failed to state a claim upon which relief may be granted.

#### **AS AND FOR A SECOND AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred by the applicable statute of limitations.

#### **AS AND FOR A THIRD AFFIRMATIVE DEFENSE**

This court lacks subject matter jurisdiction over all or some of the claims of this action.

#### **AS AND FOR A FOURTH AFFIRMATIVE DEFENSE**

Plaintiff' claims are barred by the doctrines of waiver, estoppel and laches.

#### **AS AND FOR A FIFTH AFFIRMATIVE DEFENSE**



Plaintiffs lack standing to sue.

**AS AND FOR A SIXTH AFFIRMATIVE DEFENSE**

Plaintiffs may not maintain all or part of the claims of this action based on the doctrine of sovereign immunity.

**AS AND FOR A SEVENTH AFFIRMATIVE DEFENSE**

This Court lacks the subject matter jurisdiction under the Alien Tort Claims Act.

**AS AND FOR A EIGHTH AFFIRMATIVE DEFENSE**

Plaintiffs are not entitled to a jury trial on all or some of the claims herein.

**AS AND FOR A NINTH AFFIRMATIVE DEFENSE**

Plaintiffs failed to comply with the jurisdictional prerequisites required to maintain this action.

**AS AND FOR A TENTH AFFIRMATIVE DEFENSE**

Defendant Beck's actions alleged in the Complaint are protected under the qualified immunity doctrine.

**AS AND FOR A ELEVENTH AFFIRMATIVE DEFENSE**

Defendant Beck's actions alleged in the Complaint are protected under the doctrine of absolute immunity.

**AS AND FOR A TWELFTH AFFIRMATIVE DEFENSE**

Plaintiffs may not maintain this action due to their failure to exhaust their administrative remedies.

**AS AND FOR A THIRTEENTH AFFIRMATIVE DEFENSE**

At all times alleged in the Complaint, Defendant Beck was acting pursuant to established policies, regulations and procedures established by his employer.

**AS AND FOR A FOURTEENTH AFFIRMATIVE DEFENSE**

All of Defendant Beck's actions alleged in the Complaint were reasonably related to the BOP's/MDC's interest in maintaining jail security.

**AS AND FOR A FIFTEENTH AFFIRMATIVE DEFENSE**

Insofar as the allegations against Defendant Beck, plaintiffs had no right to counsel during the times alleged in the Complaint.

**AS AND FOR A SIXTEENTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims against Defendant Beck are barred by the Liability Reform Act (28 USC, sec. 2679.

**AS AND FOR A SEVENTEENTH AFFIRMATIVE DEFENSE**

Plaintiffs' detention was objectively reasonable.

**AS AND FOR A EIGHTEENTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred since maintenance of safety or order in the prison context is a compelling.

**AS AND FOR A NINETEENTH AFFIRMATIVE DEFENSE**

Plaintiff may not maintain this action since they failed to invoke the procedures for religious accommodations.

**AS AND FOR A TWENTIETH AFFIRMATIVE DEFENSE**

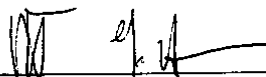
Plaintiffs are barred from recovery under the "unclean hands" doctrine.

**AS AND FOR A TWENTY-FIRST AFFIRMATIVE DEFENSE**

Plaintiffs are barred from recovery since equity requires that they not benefit from their own wrong doing.

Dated: New York, New York  
December 6, 2004

By:



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