

#24

## LAW OFFICE OF ISMAIL HUSSEIN

Attorney & Counselor at Law  
2113 Central Avenue NE  
Minneapolis, MN 55418

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Email: *ismailhusseinlaw@gmail.com*

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May 1, 2013

**MEMORANDUM IN SUPPORT OF KADI BRTHERS, INC., D/B/S VAS MARKET, CONTEST  
AGAINST REVOCATION OF ITS LICENSES AND PRAY FOR ANY ADVERSE ACTION  
LESS THAN REVOCATION OF THE LICENSES**

**License ID # 20110004084**

**License Holder: Kadi Brothers, Inc. d/b/a VAS Market**

**Address: 169 Victoria Street North, Saint Paul, MN 55104**

Mr. Rashad Hamid Badae owner of Kadi Brothers, Inc. d/b/a VAS Market is submitting this memorandum in support of his contest to an adverse action which may be taken by the City of Saint Paul Council against his above-mentioned store.

Mr. Rashad, in whose name the license is issued was not aware of, did not approve, did not benefit from and, was not in any way involved in the conduct or approval of such illegal activities, Mr. Badae in most parts is just a victim of the people whom he entrusted with his business whether as partners or as employees.

Mr. Badae kindly asking for a second chance to demonstrate that he has never allowed and will never tolerate such illegal activities listed in the City's Second Notice of Intent to Revoke Licenses to happen at his store or at any licensed business he owns and runs. For the following reasons Mr. Badae is asking the City Council not to revoke the licenses:

1. Mr. Badae is the sole owner of Kadi Brothers, Inc. d/b/a VAS Market. He used to co-own the said store with a partner and the license was issued in his name. However, he was not the partner who was running the daily affairs of the business, where his previous partner was a co-owner and the manager of the store who was running the business. Even sometimes, Mr. Badae leaves the state for long periods of time and his previous partner was in charge of all the affairs of the business, including receiving mail, invoices and notices. For, example, during the period May through July 2012, Mr. Badae was out of the State of Minnesota, where he left to Arizona on May 16, 2012, and returned to Minnesota on July 1, 2012.
2. In fact during the months of May and June 2012, Mr. Badae was out of state, where he left to Arizona on May 16, 2012, where he got married on May 17, 2012, in Arizona. Right after the wedding ceremony he went on a honeymoon with his bride till he returned to Minnesota on July 1, 2012. (A copy of the travel Itinerary is attached).  
Exhibit 1.

3. Immediately upon his return to Minnesota and became aware of what happened in the store he terminated the employment of one of the employees who was involved in the illegal activities. (A copy of the Notice of Termination of Employment is attached). Exhibit 2.
4. Later in December 2012, he dissolved the partnership with Mr. Ammar Chanyour, the co-owner who was managing and running the store when the illegal activities took place and who was convicted of a Misdemeanor of Receiving Stolen Property (Attempt to Commit) in Ramsey County District Court. (A copy of Dissolution of the Partnership). Exhibit 3.
5. Regarding disqualification from participating in the SNAP, by USDA that was merely due to a procedural error where he failed to timely respond to the charges against the store, that was because the partner who was in charge of the business even did not forward the mail to him. (See letters exchanged between USDA and Kadi Brothers' lawyer.) Exhibit 4.
6. Regarding the gun found on the premises it was licensed by the State of Nebraska. (Exhibit 5).
7. Also the City's Notice mentioned possession of drug paraphernalia, which were regular pipes and other smoking stuff used by regular tobacco users.
8. Based on the above, Mr. Badae understands that such illegal activities which took place at the store in, his absence, are imputed to him as a licensee, but he asks the City Council for a lesser adverse action, especially after he took curative measures to make sure such illegal activities never take place on his establishment or on any of his licensed activities again.
9. Mr. Badae is a person of good moral character and he has never involved in any illegal activities, where he used to work for the US Army in Iraq and his supervisors and coworkers testified to that effect (See Recommendations for Mr. Badae from US Army personnel in Iraq). (Exhibit 6).
10. Mr. Badae and employees and customers of VAS Market will be highly appreciative if you give Kadi Brothers, Inc., a second chance to demonstrate that its business benefits the neighborhood and the community and many customers are ready to testify in its support, where a large number of customers and neighbors have signed their names in support of VAS Market and the good customer service they and nice treatment they find at VAS Market. (See the Signatures of the Customers and Neighbors). Exhibit 7.

Based on all of the above, Mr. Badae is kindly praying for giving him a second chance or in the alternative imposing any adverse action against his store less than revocation of the license.

Thank you for your time and consideration of this matter

Very truly yours,

A handwritten signature in blue ink, consisting of a vertical line on the left, a horizontal line crossing it, and a large, sweeping loop that extends to the right.

Ismail Hussein

Attorney & Counselor at Law

Attorney for Kadi Brothers, Inc.

Exhibit ①

us airways

Search

INBOX

CONTACTS

CALENDAR

SEARCH: us air...

AIR TICKET NU...

Fw: Travelation...

Compose

Delete

Move

Actions

Inbox (223)

Fw: Travelation - Itinerary for 5/16/2012 to 5/19/2012

Conversations

Drafts (40)

Sent


Spam (999+)

Trash (76)

FOLDERS

MESSENGER

APPLICA



Fix PC...

1. Download 2. Scan 3. Repair Critical Errors

FDIHealth.com

--- Forwarded Message ---

From: Travelation Reservations <confirm@travelation.com>

To: amoree\_alkadi@yahoo.com

Sent: Saturday, May 5, 2012 8:49 AM

Subject: Travelation - Itinerary for 5/16/2012 to 5/19/2012

travelation

Hello Rashad H Badae

Thank you for choosing Travelation for your travel plans! We know that you have a c appreciate your business.

Flight Confirmation Number: 5F

Rashad H Badae

Wednesday 16-May Minneapolis, Saint Paul Intl - Phoenix, Sky Harb

DEPART: 7:10 AM Minneapolis, Saint Paul Intl  
 ARRIVE: 9:01 AM Phoenix, Sky Harbor Intl

Saturday 19-May Phoenix, Sky Harbor Intl - Minneapolis, Saint Paul

DEPART: 12:10 PM Phoenix, Sky Harbor Intl  
 ARRIVE: 5:10 PM Minneapolis, Saint Paul Intl

\*Additional baggage fees may apply:  
US Airways

Passenger  
Type

Passenger

Adult

1

- Please review your itinerary carefully for the accuracy of the trip you intend. Items are correct.
  - Passenger names must be the same as on the passport (international)
  - Review departure/arrival dates, times, origination/destination cities, etc.
- Please note that reservation requests are only confirmed once the airline has emailed with ticket numbers will be sent to your email address within 24 hours (if ticket has been issued). You can monitor your reservation request on our [Myf](#)
- As the traveler you are responsible for all necessary travel documents required (Passports, Visas, Drivers License). Please visit [TSA](#) for any questions regarding
- Travel insurance is important – you never know what could happen. If you have not purchased a travel insurance policy, you should reconsider and have one to you the benefits. Call us at 858-429-7595.
- Still have questions? Visit our [FAQ](#) page.
- Our hours of operation are Monday – Saturday: 8:30 am – 5:30 pm (PST). We are closed on holidays.

If you notice any errors or have any questions do not hesitate to email us at [customer](#)

### **Need a Hotel?**



#### Need a place to stay?

*"Find discount Hotel rates for your upcoming trip."*

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### **Need a Rental Car?**



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### Billing Information

Buyer: Rashad H Badae

us airways

Search

INBOX

CONTACTS

CALENDAR

SEARCH: us airways

AIR TICKET NUMBER...

Compose

Delete

Move

Spam

Actions

Inbox (223)

Conversations

Drafts (40)

Sent

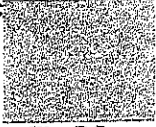
Spam (999+)

Trash (76)

FOLDERS

MESSENGER

APPLIC



Fix PC...

1. Download 2. Scan 3. Repair Critical Errors

Public on Best...

### AIR TICKET NUMBER & AIRLINE CONFIRMATION...

Dear Rashad Badae,

Thank you for choosing CheapOair.com!

from cheapoair@cf

# CheapOair Mobile



Download Our Apps for  
Free

iPhone

ANDROID

WP7

## CheapOair.com

(For any changes to your itinerary, please call us at 800-525-0400)

#### Booking Receipt

Please print and keep this receipt.

Please do not respond to this e-mail! This email is intended for notification purposes

[Click here to see your itinerary online »](#)

[Click here to print your itinerary »](#)

[Click here to see your itinerary on mobile »](#)

#### Customer Information

Traveler: **Rashad Badae**

Email: **amoree\_alkadi@yahoo.com**

Booking #: **12139244**

Booked on: **Fri, Jun 22, 2012**

Click here to claim your \$20.00 Rebate on the reservation you just made.

**Continue**

Billing terms and conditions apply.

Claim your Cash Back with enrolment in Great Fun.

Click here to...

Trip Summary

Flight Summary

**From:**  
Phoenix, AZ , US (PHX)  
**To:**  
Minneapolis, MN , US (MSP)

**Depart:**  
Sun, Jul 01, 2012  
11:59 pm - 04:54 am (+1 day)  
(Nonstop)

Traveler Name	Ticket Number	Meal Preferen
Badae, Rashad (Adult)	0167101907819 E-Ticket	Any meal
Aljuboori, Samar (Adult)	0167101907820 E-Ticket	Any meal

**Disclaimer:** All special requests, meal preferences, seat requests are not guaranteed. You reconfirm that they have received this request and confirmed it.

Flight Booking Details


Purchase Travel Insurance (Recommended)

Your ticket is non-refundable.  
Add travel insurance, secure your investment.  
Insurance that covers cancellations, delays, lost baggage,  
accidents, death/dismemberment - up to \$100,000! [Learn more »](#)  
Total price: ~~139.00~~ 239.00

Add Insurance to My Trip

Booking Number: 12139244

Departing Flight - Sunday, Jul 01, 2012

UNITED 	<b>From</b> Phoenix (PHX) 11:59pm -Jul 01, Sun	<b>To</b> Minneapolis 04:54am -Ju
<b>United Airlines</b> Flight 2486 Airbus Jet 321 Jet Airline confirmation: GTGMZT		

Select Seats

Operated by US Airways

Flight Duration: 2hr 55min

Total Ti

**Baggage Fees :** Most airlines now impose baggage fees. Please click the [Baggage and Ca](#) details

**Please note:** As Airlines have frequent schedule changes, please call the Airline 24 hours before your flight details. [Airline Phone Numbers](#)

Your ticket is **NON-REFUNDABLE** . For any changes to dates or routing, please call our Customer Service. Changes may have airline penalty and our fees. Some flights may be completely NON CHANGABLE with a penalty.

Add Car / Hotel to Your Booking

Save up to 50% on Hotels. Click here to check rates.

Check special Car Rental rates in Minneapolis. Rates starting at only \$ 13 per day.

Stay connected with us and get access to real exclusive travel deals on:

[FaceBook](#)      [Twitter](#)      [CheapOair Blog](#)

Price Details (USD)

**Flight Price Details**

Traveler Type	Ticket Price	Tax & Fee Break
2 Adult/s	US\$ 257.00	US\$ 10.80
		<b>Insurance Fee:</b>
		<b>Phone Discount:</b>
<b>Charged on Credit Card - Visa - ****8627</b>		<b>Subtotal:</b>

**Total Booking Amount:**

**Total Discount (Savings):**

**Total Cost:**

**Please Note:**

- All fares are quoted in USD.
- Please print and keep this receipt. Your credit card may be billed in multiple charges tot
- Some airlines may charge baggage fees.

**Terms & Conditions**

**Flight Booking Terms & Conditions**

**Remarks**

**IMPORTANT NOTE:** All Tickets will be automatically issued and are non-refunda email with ticket number information, please contact us to get the ticket number(s) ticket number information, IN NO CASE WILL TICKETS BE REFUNDABLE, even if

**NOTE:** If it is a third party credit card, you may receive a phone call and ema department asking to verify this transaction before the tickets can be issued. A Thir Traveler is not the Card Holder.

**Advice to Travelers**

**Voluntary Changes :**

For assistance with changing your itinerary, you may contact us by calling toll free Although most itineraries ticketed by CheapOair allow for changes, the majority of require the issuance of a new ticket, as per airline policy. All changes are subject to and regulations, penalties, the difference from the original airfare and our service f authorization regarding itinerary changes and penalties.

**Name Changes:**

As a consequence of TSA traveler regulations, changing the passenger name on become more complex. Please ensure when making a reservation we receive your your valid government issued photo ID, be sure to included first names, last na applicable. Prior to ticketing, we may be able to change or alter a name on a depending on the airline a new reservation maybe required which could increase y has been issued, changing the name can be one of the most difficult requests for However, if the airline does gives us approval, changing a name after a ticket has l to the Voluntary Change rules, noted above.



if the airlines notify us we in turn, may notify you. If we are notified of these change: mail to the address provided to CheapOair at the time of booking advising you of the options the airlines are offering. Additionally, we may attempt to contact you via was provided at time of booking; however, if we are unable to reach you by teleph act as the official and final notice. It is not always possible for the airline to notif travelers, prior to the scheduled departure time. Especially if the change is made scheduled departure time, on the day of departure. Therefore, it's extremely impo your flights and check-in early, as noted above in Flight Reconfirmation guidelin reach you, the airline should be able to assist you upon check-in.

**Travel Insurance**

If you chose to purchase Trip Insurance for your itinerary, the payment of your i processed immediately upon the submission of your order. Please [click here](#) description of your insurance coverage. For questions about your coverage, to file : the status of an existing claim, contact contact Travelex at 1-888-215-8334 and r 0112. This number is valid for insurance related questions only.

**Travel Deals**

Please add [CheapOair@myCheapOair.com](mailto:CheapOair@myCheapOair.com) to your address book to ensure deliv your Inbox.

**Valid Photo I.D.**

A valid Government issued photo ID must be presented by all travelers in order to b

**International Travel Documents & Visa**

It's important that you verify all travel documents such as Ticket, Passport, Visas, 1 Visas and other applicable Entry Permits. Make sure they are valid for the duration passport must be valid for 6 months after your return date. You are solely responsit documents needed to enter, depart or change planes for all destinations and cor your itinerary prior to travel.

**Student/Senior/Special Fares:**

Travelers who have purchased discounted fares such as student, military, senior cit to present a valid photo ID verifying you qualify for the discounted fare.

**Fare Changes:**

Prior to ticketing, all fares are subject to change, in these rare cases we reserve t any rule or fare change within three (3) business days. As a courtesy to our value: will absorb the difference of the fare up to \$25.00. In the event that the fare di \$25.00 you will have the option to not purchase this ticket and your credit card will n

**Paper Tickets:**

Some carriers, primarily but not limited to international carriers, still require pap: traveling on such an airline a paper ticket will be issued and shipped to the billing Card within 2 to 3 business days after ticketing. Administrative fees for the processi shipping cost will apply.

**Tickets: Once Issued All Tickets are considered nonrefundable and non-trans**

Once the request for booking is received, tickets will be issued as soon as possible. -mail if there is any additional information required to issue the tickets. Should you i of your electronic or paper ticket number within 24 hours from receipt of booking our Customer Service Department toll free 24/7 at 866-636-9088. For reservation the scheduled departure time you must confirm your ticket numbers with our Custor immediately. If there is no change in fare then your ticket will be automatically issue non-refundable and may be non-changeable even with a fee. Once tickets are transferable.

**Baggage:**

As most airlines have imposed baggage fees please click the link marked "Ba detailed information. [Baggage fees](#)

**Seats: Note:**

Please note some airlines charge to pre-assign seats. If you have made a seat ass do all possible to confirm that request, however we cannot guarantee confirmatiot the right to change aircraft configuration without notification. You can call

**Unaccompanied Minors:**

A child 5 to 17 years of age and traveling alone is considered an unaccompanied minor (cannot fly alone under any circumstances). Most airlines have mandatory rules regarding minors including, but not limited to, requiring an airline employee to travel with the minor and identification and restrictions as to what flights the unaccompanied minor may take. These rules must be verified prior to check-in and the airline will charge a fee for each minor. As these rules can change from airline to airline and can have many variables, it is recommended that you contact the airline directly to make sure you're aware of all requirements in case any changes be made. The closer it gets to the time of departure, the higher the chances of an error or refund request becomes. For additional information or assistance be sure to contact our Customer Service Department at 866-636-9088, for your convenience we are open 24/7, You fees and other travel requirements. [Airline Phone Numbers](#)

**Special Request:** Please re-confirm all special requests such as miles, meals, special services with the respective airlines directly. Please be advised CheapOair is constantly negotiating in effort to offer you, our valued customer the best price possible. As such some programs such as Frequent Flyer Miles. Be sure to contact our Customer Service Department at 866-636-9088, for your convenience we are open 24/7. You may also contact the airline for assistance: [Airline Phone Numbers](#)

**Code Share Flights:**

It's possible your flight itinerary may consist of flights that are operated by a code share airline on which you are traveling. In this event we advise you to be certain that you check-in at your flight at the corresponding airline's terminal. For example - The flight # on your ticket is United Airline's Flight # but in fact this flight may be "Operated by Lufthansa" and you are required to check-in and board this flight at the departure terminal of "Lufthansa".

**Transfer/Connection:**

Please consult with the airline of your originating city upon check-in to ensure you are checked through to your final destination. As some airlines do not have a ticket agreement with the connecting airline you may be required to collect your luggage and check in again at the airport with the connecting airlines.

**CheapOair Fee:**

Original service fee charged at the time of booking is non-refundable.

**Cancellation:**

A nonrefundable fee will be charged at the time the reservation is cancelled.

**Transportation Security Administration:**

Print the 3-1-1 for Carry On by the TSA - [click here](#)

**Other Service Information:**

[Click to view valuable Travel Safety Tips](#) and other Public Service Announcements we recommend you print these tips. [Click here](#) to view other important Travel information from important govt. organizations.

**Charge Authorization, Your Electronic Signature Copy**

I, RASHAD BADAIE, have read and agree to the Terms and Conditions and I understand that the service is non-refundable. I agree to pay a total amount of USD 525.60 (Credit Card :\*\*\*\*8627) for this is to serve as my legal signature.

Thank you for using "CheapOair.com" .

If you need any assistance, please call us at 800-525-0400 or email us at [feedback@cheapoair.com](mailto:feedback@cheapoair.com). Has your experience with CheapOair been a positive one? Has any agent provided excellent service? We would enjoy hearing from you [compliment@cheapoair.com](mailto:compliment@cheapoair.com)

**Useful Links:**

[Click here to go to our Resources Page for information About Airlines and their telephone numbers.](#)

CUSTOMER SERVICE – CheapOair.com  
The Leader in Discounted Airfares for all Airlines, Cheap Hotels and Cars

Exhibit D

**KADI BROTHERS, INC.**  
**VAS Market**  
**169 Victoria Street North**  
**Saint Paul, MN 55104**

Phone Number: 651-315-2578

Fax:

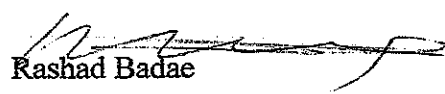
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**Notice of Termination of Employment**

To: Farhan Almudor  
Job Title: Cashier  
From: Rashad Badae, Owner

This is to notify you that your employment with Kadi Brothers, Inc., is terminated effective today July 10, 2012.

Thank you,


  
Rashad Badae

07-10-12

Exhibit (3)

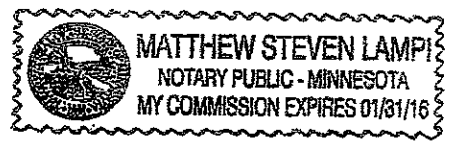
TO WHOM IT MAY CONCERN

I Ammar Chanyour admit that I have received in full which 's S33000 represents my 25% of my share of VAS MARKET business and VAS MARKET business does not owe me any thing , therefore I have no longer shares of VAS MARKET which 's location :169 VICTORIA ST N SAINT PAUL , MN 55104 , and for that I signed for .



AMMAR CHANYOUR  
12-05-2012

State of Minnesota County of Ramsey  
Subscribed and sworn before me on 12/05/12  
(Date)  
[Signature]  
(Notary Signature)



LAW OFFICE OF ISMAIL HUSSEIN

Attorney & Counselor at Law  
2113 Central Avenue NE  
Minneapolis, MN 55418

Phone : (office) 612-287-5365  
(direct) 651-431-8703  
Fax: 612-781-0770  
Email: [ismailhusseinlaw@gmail.com](mailto:ismailhusseinlaw@gmail.com)

February 1, 2013

The Chief,  
Administrative Review Branch  
United States Department of Agriculture  
Food and Nutrition Service  
3101 Park Center Drive, Room 438  
Alexandria, Virginia 22302

**Re: Disqualification of Vas Market, 169 Victoria Street North, Saint Paul, MN 55104, from Supplemental Nutrition Assistance Program (SNAP)  
FNS Number: 0334206**

Dear Sir/Madam:

Mr. Rashad Hamid Badae owner of Kadi Brothers, Inc. d/b/a VAS Market, has retained my office to represent Kadi Brothers, Inc., in the above referenced matter and authorized my office to contact USDA. A copy of the Authorization is attached as "Exhibit 1".

Mr. Badae kindly asking for reconsideration of your decision to permanently disqualify his firm from SNAP, for failure to respond within the ten day period according to the SNAP regulations, for the following reasons:

**I. BACKGROUND**

1. Mr. Badae is the sole owner of Kadi Brothers, Inc. d/b/a VAS Market. He used to co-own the said store with a partner and the SNAP's license was issued in his name. However, he was not the partner who was running the daily affairs of the business, where his previous partner was a co-owner and the manager of the store who was running the business. Even sometimes, Mr. Badae leaves the state for long periods of time and his previous partner was in charge of all the affairs of the business, including receiving mail, invoices and notices. For, example, during the period May through July 2012, Mr. Badae was out of the State of Minnesota, where he left to Arizona on May 16, 2012, and returned to Minnesota on July 1, 2012.
2. Mr. Badae found out about suspension of his authorization to participate in SNAP in late November 2012. Mr. Badae immediately contacted the USDA office here in Minnesota exploring his options and what he needed to do to reinstate his participation in SNAP. Mr. Badae spoke with Ms. Moreen at USDA office in Saint Paul who explained to him the violations which led to the sanctions against the store. Mr. Badae requested that the letter of charges and the letter of

determination to be resent to him because he had not received any of them before he contacted the USDA local office.

3. Immediately upon finding out about the violations Mr. Badae took corrective measures to make sure such violations never happen again in his store, where on December 05, 2012, Mr. Badae dissolved his partnership with the co-owner who was managing and running the store when the mentions violations took place. A copy of Dissolution of the Partnership is attached as "Exhibit 2."
4. Both your letter of charges dated August 3, 2012, and your letter dated August 21, 2012, in which you have determined that his firm is not eligible for CMP and that it shall be permanently disqualified from SNAP because of failure to submit sufficient evidence to demonstrate that the firm had established and implemented an effective compliance policy and program to prevent violations of SNAP, were resent to him on December 28, 2012.
5. The moment Mr. Badae found out about suspension of his participation in SNAP, despite it was past the ten days specified in your letter and the rules, he contacted the USDA to request a time extension to submit a written request to review your decision to permanently disqualifying his firm from participating in SNAP. Now, Mr. Badae is kindly asking for reconsideration of the said decision for the following reasons:

#### **GROUND FOR REQUEST FOR RECONSIDERATION**

1. VAS Market has been participating in SNAP for more than two years with no any incident, issue, or violation and had never before received any notice, warning or sanctions and no any prior action taken by FNS to warn VAS Market about the possibility that violations were occurring in the store.
2. Mr. Rashad Hamid Badae, the owner of Kadi Brothers, Inc. d/b/a VAS Market, in whose name the authorization to participate in SNAP was issued was not aware of, did not approve, did not benefit and, was not in any way involved in the conduct or approval of the violations.
3. Mr. Badae's failure to respond within the specified ten-day period was due to the fact that he was not aware of any violation in his store and did not see your letter of charges of August 3, and that of your determination of August 21, 2012, before he requested them from the USDA and they were mailed to him on December 28, 2012.
4. While it may have been improper for Mr. Badae to claim that he did not receive your letters and notices, it does, in fact, lead to a finding that his failure to timely respond was by mistake, through inadvertence, and that it was excusable neglect. Given that Mr. Badae contacted USDA immediately upon finding about the violations in his store and took corrective measures, such as dissolving the partnership with the partner who was running the store at the time when the said violations took place, to make sure that such violations never happen again in his store. Clearly this was a mistake. Notably, Fed. R. Civ. P. (60)(b)(1) indicates that a party may be relieved from a final judgment, order, or proceedings for mistake, inadvertence, surprise, or excusable neglect.

5. Accordingly, Mr. Badae's failure to timely respond to your letter of charges dated August 3, 2012, and your letter dated August 21, 2012, in which you have permanently disqualified Vas Market from SNAP, was merely due to mistake, inadvertence and excusable neglect as explained above.

### CONCLUSION

Based on the above, Mr. Badae is kindly praying for reconsideration of your determination of permanently disqualifying his store from SNAP and reopening the matter and asking for giving him the opportunity to submit the evidence showing his compliance with the rules and regulations of SNAP, given the fact that this was the first time for his store to be subjected to sanction by FNS.

Thank you for your anticipated cooperation and assistance. In the meantime, if you have any questions or need further information you may contact this office at any time.

Very truly yours,



Ismail Hussein

Attorney & Counselor at Law



5. Accordingly, Mr. Badae's failure to timely respond to your letter of charges dated August 3, 2012, and your letter dated August 21, 2012, in which you have permanently disqualified Vas Market from SNAP, was merely due to mistake, inadvertence and excusable neglect as explained above.

### CONCLUSION

Based on the above, Mr. Badae is kindly praying for reconsideration of your determination of permanently disqualifying his store from SNAP and reopening the matter and asking for giving him the opportunity to submit the evidence showing his compliance with the rules and regulations of SNAP, given the fact that this was the first time for his store to be subjected to sanction by FNS.

Thank you for your anticipated cooperation and assistance. In the meantime, if you have any questions or need further information you may contact this office at any time.

Very truly yours,

Ismail Hussein

Attorney & Counselor at Law

United States  
Department of  
Agriculture



Food and  
Nutrition  
Service

February 26, 2013

Administrative  
Review Branch  
Room 432

Law Office of Ismail Hussein  
Ismail Hussein, Attorney  
2113 Central Avenue, Northeast  
Minneapolis, Minnesota 55418

3101 Park  
Center Drive

Alexandria, VA  
22302

Re: Rashad Hamid Badae, Owner  
Vas Market  
169 Victoria Street, North  
Saint Paul, Minnesota 55104-6624

General:  
(703) 305-2464

Fax:  
(703) 305-2821

Dear Counselor:

This is to confirm receipt of your letter, postmarked on February 21, 2013, in which you requested that this office review an administrative action asserted against your firm/client under the Supplemental Nutrition Assistance Program, formerly known as the Food Stamp Program, by the U.S. Department of Agriculture, Food and Nutrition Service (USDA, FNS).

The review cannot be granted. The acceptance of a request for administrative review must conform to the Food and Nutrition Act and regulations. The Act (Title XIII, Section 14, P.L. 95-113, 91 Stat. 958) and the regulations (7 CFR 279.2(c)) specify that a request for review shall be filed with the Chief, Administrative Review Branch, USDA, FNS, 3101 Park Center Drive, 4th Floor, Alexandria, Virginia 22302, within 10 days of the date of delivery of the notice of the action for which review is requested. The regulations further state that in computing the 10-day period, the day of delivery of the notice may not be included. The last day of the period that is computed shall be included, unless it is a Saturday, Sunday, or Federal legal holiday. In that case, the period runs until the end of the next day which is not a Saturday, Sunday, or Federal legal holiday.

As it relates to your request, FNS records indicate that the notice of the action for which review is requested was delivered on August 22, 2012. In order to have been considered timely, your request for review had to have been postmarked or filed with this office by September 4, 2012. Your request for review was postmarked on February 21, 2013, and is, therefore, untimely. Accordingly, we regret to inform you that we are unable to entertain your request.

Sincerely,

A handwritten signature in black ink that reads "Daniel Wilusz".

Daniel Wilusz, Acting Chief  
Administrative Review Branch  
Benefit Redemption Division

Exhibit (5)

**FIREARM PURCHASE CERTIFICATE**

Applicant's Name Abbas A. Chanyour

Address 1851 Martini Dr. #17

City/State/Zip Lincoln, NE 68521

DOB 2/18/83 Certificate Number 111668

Signature [Handwritten Signature]

Law Enforcement Signature/Agency [Handwritten Signature]

**STATE OF NEBRASKA**

This is to certify that Abbas A. Chanyour  
\_\_\_\_\_ has complied  
with the terms and conditions of Neb. Rev. Stat.  
§§ 69-2401 thru 69-2425. This certificate only  
authorizes the holder to purchase a firearm within  
the State of Nebraska.

Date 8/12/11 NTN 1V52-DT7

Valid for 3 years from above date.



Special Troops Battalion  
4<sup>th</sup> Infantry Brigade Combat Team, 1<sup>st</sup> Infantry Division  
Forward Operating Base (FOB) Bernstein, APO AE 09393  
"TRAINED AND READY"

Exhibit ④



REPLY TO  
ATTENTION OF:


AFZN-BCA

12 JANUARY 2010

MEMORANDUM FOR RECORD

SUBJECT: Letter of Recommendation for Mr. Rashad H. Badae

1. Mr. Rashad H. Badae's dedication and personal commitment as my personal interpreter supporting the 4-1 BSTB during Operation Iraqi Freedom 09-11 has been exemplary. Rashad's hard work and ability to forge solid relationships has been one of this Battalion's greatest assets since arriving here in September. His reputation as a man of outstanding character has preceded him with both local nationals and US Forces.
2. Rashad's intellect and manner enabled him to act as my advisor and interact with senior officials in government and Iraqi Security Forces. He is always happy to assist in any way asked of him to further the cause of the BSTB, which he greatly believes in.
3. Rashad's ability to articulate my positions greatly assisted in helping me to build understanding and consensus. Through this, the effectiveness of the governance and security institutions within our region significantly improved. Rashad constantly demonstrated that he was proactive and confident in all assigned responsibilities. Through his initiative and innovation, Rashad greatly increased our effectiveness.
4. Rashad's character and faithfulness to US Forces make him an outstanding interpreter and a good candidate for any job in which he is qualified. I am honored to whole-heartedly recommend him for any and all future endeavors.
5. The point of contact for this memorandum is the undersigned at [eric.moore@us.army.mil](mailto:eric.moore@us.army.mil) or S-VOIP 638-6313.

  
ERIC T. MOORE  
LTC, AR  
Commanding



**UNITED STATES MARINE CORPS**

BORDER TRANSITION TEAM 4220 (WALEED)  
MULTI-NATIONAL FORCE - WEST  
UIC 42726  
FPO AP 09371 - 2726

IN REPLY REFER TO  
1000  
LM  
07 Mar 08

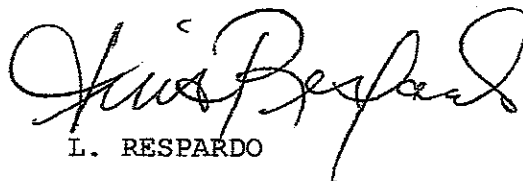
From: Sergeant Luis Resparto, Linguist Manager  
To: Whom It May Concern

Subj: RELEASE LETTER FOR RASHAD H. BADAIE (95AEG0080)

1. This letter confirms that Rashad H. Badaie (95AEG0080) was released from working for Border Transition Team 562 aboard COP North, Iraq on 07 March 2008. He worked for us from 19 September 2007 until 07 March 2008. The reason for his release is Border Transition Team 562 is being uncoupled.

2. Rashad H. Badaie (95AEG0080) was an excellent interpreter and demonstrated exceptional knowledge of the English language in assisting the Marines of COP North, as they worked with our Iraqi Border Police counterparts. We could not have accomplished our mission without his language and interpersonal skills, which greatly contributed to our success in working alongside our Iraqi comrades. His willingness to help with any task made him a pleasure to work with. He was an essential part of our team and a trusted worker.

3. If there are any questions or concerns about Rashad H. Badaie (95AEG0080) please feel free to contact me at 88-169-6336-141/196 or [slchieft@afill@small.com](mailto:slchieft@afill@small.com).

  
L. RESPARDO



IN REPLY REFER TO:  
1000  
CO  
18 Dec 07

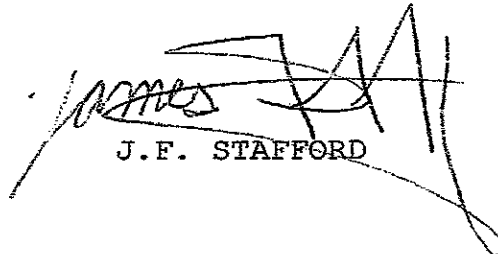
From: Major James F. Stafford, Border Transition Team Leader  
To: Whom It May Concern

Subj: LETTER OF RECOMMENDATION ICO RASAD BADAЕ/532 57 0676

1. It is with great pleasure that I am writing this letter of recommendation on behalf of Rasad Badae, who has served with my Border Transition Team with enthusiasm and courage for the past three months. Our mission of training, mentoring, and advising the Iraq Department of Border Enforcement requires a great deal of interpreter support in order to be successful. Rasad has become a valuable member of every transition team he has served with over the last nineteen months and has significantly increased our effectiveness with his superb linguist capability.

2. Rasad, with his impressive work ethic, has provided valuable cultural advice and superb linguistic work to the Coalition Forces. He has proven himself time after time to be a tremendous asset to our efforts in Iraq.

3. I am pleased to positively endorse his aspirations of becoming a United States Citizen. The opportunity to become a U.S. Citizen is not one that should be afforded to everyone, but I am certain Rasad has exhibited a tremendous desire to support the U.S. and its efforts. I am confident that he will become a productive member of American society if given the opportunity to achieve his citizenship in America.



J.F. STAFFORD



BORDER TRANSITION TEAM 26  
II MARINE EXPEDITIONARY FORCE (FWD)  
CAMP FALLUJAH, IRAQ

IN REPLY REFER TO:  
1000  
tmf  
15 Sep 07

From: Major Thomas M. Fahy USMC, Team Leader  
To: Whom It May Concern

Subj: LETTER OF RECOMMENDATION ICO RASHAD H. BADAЕ, BADGE #  
95AEG0080

1. It is with great pleasure that I am writing this letter of recommendation for Rashad H. Badae, who has served me and my Transition Team with enthusiasm and courage for the past seven months. Upon arriving in Iraq, my team had the daunting task of training, mentoring, and advising the Iraq Department of Border Enforcement. After realizing we had only one of the four interpreters required, I was initially concerned about degradation of the mission due to being short on interpreters. My concerns were immediately addressed, and the situation could not have been any further from that scenario as Rashad eagerly sought to support my team in any way he could. In fact, without uttering one single complaint, he served as my team's only interpreter for roughly seven weeks, and the team was out almost every day or night working hand in hand with our counterparts.

2. Rashad has been working with the Coalition as an interpreter since May 2006, and has provided valuable cultural advice and superb linguistic support during this time. He has proven himself time and time again to be a tremendous asset to this team, and the coalition at large. In fact, I am confident that Rashad will continue to provide superb support in the transitioning of Iraq to Iraqi control.

3. I am convinced that Rashad has been an extremely valuable asset to the coalition, and I am pleased to positively endorse his aspirations to become a U.S. Citizen. The opportunity to become a citizen of the United States is not one that should be afforded to everyone, but I am certain that Rashad has exhibited a tremendous desire to support the U.S., and I am confident that he will become a productive member of society if given the opportunity to achieve citizenship in America.

  
T. M. FAHY  
Major, USMC



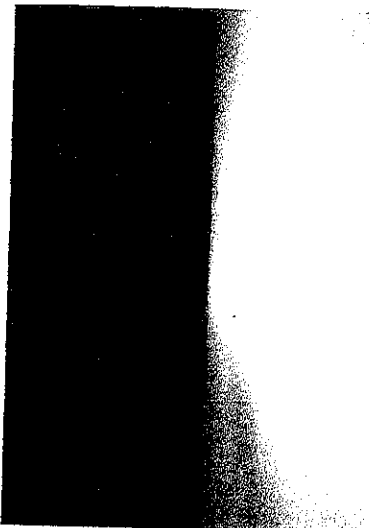
**communications**  
Titan Linguist Operations  
& Technical Support

*Presented to*

**Rasshad Badae**

*12 Months of Unselfish and Dedicated Service in Iraq*

*For your dedication, commitment,  
and service to E-3 Communications and the American people in support of  
Operation Iraqi Freedom. Our heartfelt congratulations and lifetime appreciation.*



**Jeffrey A. Jackson**  
Project Director  
Iraq Operations

**Clyde H. Shick**  
Sr. Vice President/CM, Middle East Operations Branch  
Program Manager, INSCOM Language Contract



Thank YOU

Exhibit ⑦

Name

Address  
email

Phone

① Eric McKinley      eric.mckinley@suail.pccsmuon.edu      651 3407135

② Nigel Martin      nigel.martinal@gmail.com  
873 Selby Ave

③ Lysic Parker - Wheeler 1581 Wheelock Ln      651-447-0021

④ Very good people they give good customer service

⑤ x Greg Chambers 691 Dayton (612) 849-8576  
very respectful and courteous

⑥ M.L.

⑦ ~~Glenn Ranson~~ 781 Holly Ave  
763-237-4184 - OR 224-0529

⑧ These people are good people  
They don't cause no problems

⑨ I come here all the time I  
never had any problem from

⑩ them I support this place 100%  
percent ~~Glenn Ranson~~

⑪ ~~Glenn Ranson~~

⑫ Much Love

# Thank you

25 Shonna Hunt. 933 Hague.

This store is convenient and my children love <sup>walking</sup> to get

26 Dino Gonsor - 973 Igilheart

This is a nice friendly store.

27 ~~970~~

28 Andre moody 603 Ashland Ave 55102

this is a great store on helpful people don't close  
315-530-5500 Andre moody

29 ~~Ben Hunt~~ Dan Hunt 712 Marshall (412) 354-0125

The store is very accommodating to this neighborhood.

30 Jerome Williams 175 Victoria #5 657-399-2629

Very good service, needs EBT I hate to travel

31 Melody Thompson 175 Victoria 651-757-0634

this store has what I need can't travel, needs EBT

32

33

34

35

36

Bianca Appelhans (651) 200-8186

~~B~~  
This is a great store. It's  
convenient to go here instead of  
a Big Name brand store. We don't  
have many little ~~max~~ pop stores left  
so we need to keep the few that  
we have. Please Don't take our  
store away. It would make it more  
difficult for people around here to  
shop. This is our neighborhood store  
& ~~we~~ for people that have no transport  
we need this store. Thank S  
We never have problems with this store.

~~B~~  
Ben Priest (612) 210-2716

Three great  
people here!

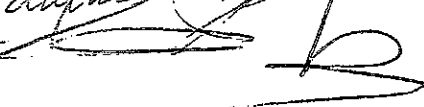
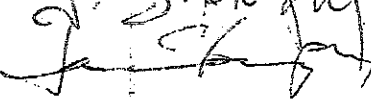
I agree with the statement above 1/10

CHRISTINE LONDON

867 HAGUE AVE

THIS STORE IS VERY ~~GOOD~~ <sup>good</sup> TO  
ME I HAVE NEVER HAD PROBLEMS  
(612) 388-0115

I thank you  
 For your support

Name	Address	Phone No.	Signature & Comment
Jones Brian <del>James</del> Very Good Customer Service. 0	3535 Clinton 30 Gatts	612-207-6725 612-207-6725	<del>[Signature]</del> 
Semprine	Selby and vic	651-245-1035	nice store, they help you out when needed. Semprine's
J. Stimpfy 	1060 Dayton	651-646-8235	Good for anything