

JS 44 (Rev. 08/18)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Umesh Heendeniya

(b) County of Residence of First Listed Plaintiff Hernando
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

Thomas Miller, et al.

County of Residence of First Listed Defendant Unknown
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Bivens v. Six Unknown Named Agents 456 F.2d 1339 (1972); 42 USC § 1983; Monell v. Department of Social...
 Brief description of cause:
Civil Rights Violations and Constitutional Rights Violations by JTTF Agents and Sheriff's Detective.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ 5,000,000.00

CHECK YES only if demanded in complaint:
 JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE
01/15/2020

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

FILED
 JAN 15 PM 3:54
 CLERK, US DISTRICT COURT
 MIDDLE DISTRICT FLORIDA
 TAMPA, FLORIDA

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UMESH HEENDENIYA,

Plaintiff,

v.

Civil Action No.

8:2020cv114 T02SPF

THOMAS MILLER, FBI AGENT ASSIGNED TO
THE TAMPA-ORLANDO JOINT TERRORISM
TASK FORCE (JTTF); SONYA YONGUE, FBI
AGENT ASSIGNED TO THE TAMPA-ORLANDO
JTTF; DAVID KORTMAN, HERNANDO COUNTY
SHERIFF'S DETECTIVE AND HCSO TASK FORCE
OFFICER (TFO) ASSIGNED TO THE
TAMPA-ORLANDO JTTF; ALVIN NIENHUIS,
HERNANDO COUNTY SHERIFF; HERNANDO
COUNTY SHERIFF'S OFFICE (HCSO); PAUL
WYSOPAL, FBI SPECIAL AGENT IN CHARGE
(SAC) OF THE TAMPA-ORLANDO FIELD OFFICE;
REGINA LOMBARDO, BATFE SPECIAL AGENT
IN CHARGE (SAC) OF THE TAMPA-ORLANDO
FIELD OFFICE; JOHN AND/OR JANE DOES 1-50;

Defendants.

2020 JAN 15 PM 3:54
CLERK, US DISTRICT COURT
MIDDLE DISTRICT FLORIDA
TAMPA, FLORIDA

FILED

Complaint for Monetary Damages,
Injunctive Relief, and Declaratory
Relief.

COMPLAINT AND JURY DEMAND

Umesh Heendeniya v. Thomas Miller, et al.

Filed

UNITED STATES DISTRICT COURT

for the

MIDDLE District of FLORIDA

TAMPA Division

UMESH HEENDENIYA

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

THOMAS MILLER, et al.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

8:2020cv114T02SPF

(to be filled in by the Clerk's Office)

FILED
2020 JAN 15 PM 3:56
CLERK, US DISTRICT COURT
MIDDLE DISTRICT FLORIDA
TAMPA, FLORIDA

COMPLAINT AND REQUEST FOR INJUNCTION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Umesh Heendeniya (Pro Se Litigant)
Street Address	P. O. Box 5104
City and County	Spring Hill, Hernando County
State and Zip Code	Florida, 34611.
Telephone Number	508-630-6757
E-mail Address	umesh.heendeniya@yahoo.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Thomas Miller
Job or Title <i>(if known)</i>	FBI Agent Assigned to The Tampa-Orlando JTTF.
Street Address	Presently Unknown
City and County	Tampa, Hillsborough County
State and Zip Code	Florida
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	Sonya Yongue
Job or Title <i>(if known)</i>	FBI Agent Assigned to The Tampa-Orlando JTTF.
Street Address	Presently Unknown
City and County	Tampa, Hillsborough County
State and Zip Code	Florida
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	David Kortman
Job or Title <i>(if known)</i>	Hernando County Sheriff's Detective and TFO Assigned to JTTF.
Street Address	18900 Cortez Blvd.
City and County	Brooksville, Hernando County
State and Zip Code	Florida, 34601
Telephone Number	352-754-6830
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	Hernando County Sheriff's Office (HCSO)
Job or Title <i>(if known)</i>	
Street Address	18900 Cortez Blvd.
City and County	Brooksville, Hernando County
State and Zip Code	Florida, 34601
Telephone Number	352-754-6830
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

28 USC § 1331; 28 U.S.C. § 1367; 28 U.S.C. § 2201; 28 U.S.C. § 2202; 28 U.S.C. 1391; Bivens v. Six Unknown Named Agents 456 F.2d 1339 (1972); 42 USC § 1983; Monell v. Department of Social Services, 436 U.S. 658 (1978); Rule 57 of the Federal Rules of Civil Procedure; and Rule 65 of the Federal Rules of Civil Procedure.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.
Or is incorporated under the laws of *(foreign nation)* _____, and has its principal place of business in *(name)* _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

1. At my home in Hernando County, Florida.
2. Prior and Subsequent surveillance, harassment, intimidation, and stalking took place within Florida, particularly after approx. January, 2015.

B. What date and approximate time did the events giving rise to your claim(s) occur?

January 15, 2016; approx. in the early afternoon.

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

Please see attached document detailing facts.

IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

On information and belief, FBI Agents, ATF Agents, and JTTF Agents/Deputies/Troopers/Officers continue to subject me to surveillance, harassment, intimidation, and stalking. This has continued to cause me high stress, intimidation, pain and suffering, and deterioration of my health condition.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

1. I seek \$5 Million in Monetary Damages from Responsible Defendants for actions and events that took place after Jan. 01, 2015.
 2. I seek a permanent injunction against The FBI Agents, ATF Agents, and All (including, but not limited to, JTTF Agents/Deputies/Troopers/Officers) LEOs/COs who have been subjecting me to surveillance, harassment, intimidation, and stalking since approx. January, 2015, enjoining them from subjecting me to surveillance, harassment, intimidation, and stalking.
 3. Any other relief that The Court deems just and equitable.
-

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 01/15/2020

Signature of Plaintiff



Printed Name of Plaintiff

Umesh Heendaniya.

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

EXHIBIT A

STATE OF FLORIDA)
) SS.:
COUNTY OF HERNANDO)

I, Umesh Heendeniya, being a resident of Hernando County, Florida, pursuant to 28 U.S.C. § 1746, declare under the penalties of perjury that the following statements are true and correct except as to the statements which I aver on knowledge, information, or belief formed after reasonable inquiry, and as to them, I believe them to be true:

FACTUAL BACKGROUND

I. EVENTS in 1995 in OKLAHOMA.

1. On April 19, 1995, a former U.S. Army Soldier by the name of Timothy McVeigh detonated explosives outside the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma, killing and injuring many people.
2. At the time, I was a college student studying computer science while attending Oklahoma State University in Stillwater, Oklahoma. Stillwater is a college town, located approx. 1-hour north-east of Oklahoma City.
3. I emphatically state that I had nothing whatsoever to do with this national tragedy, and I did not know Mr. McVeigh or any of the other people implicated in the matter.
4. The fact that on Sept. 1st of that year, I was forced to discharge my handgun in lawful self-defense, fatally injuring one of my attackers, had nothing whatsoever to do with the national tragedy that had occurred 5-months prior.
5. As an important reminder, in the ensuing jury trial, I was acquitted by a 12-person jury in June, 1996. Furthermore, I have never been convicted of any felonies.

II. EVENTS FROM EARLY SEPT., 2010 to LATE JAN., 2015.

6. In early Sept., 2010, while living in Massachusetts, I met a lady from Iran, online on Skype.
7. After communicating daily online, we started an online romantic relationship.
8. Because she was a Muslim while I was a Christian, and her religion forbade such romantic relationships, I became a Muslim sometime in September, 2010.
9. Within approx. a month or so of our online relationship, I began to send her romantic cards, letters, etc., by mail, to Iran.
10. It was then that I noticed that I was being subject to surveillance.
11. On information and belief, I was subjected to surveillance from then on until I left Massachusetts in May, 2014, by agents/officers/deputies/troopers located in Massachusetts.
12. For purposes of this affirmation, I want to define two types of surveillance that I was subjected to for the past approx. 7 (seven) years: “overt surveillance” and “covert surveillance.”
13. Overt surveillance happens when those who are following someone (i.e., the target of the surveillance) don’t make any attempt to hide what they are doing, and may additionally subject their target to overt and deliberate intimidation and high stress, and additionally, they may also converse with their target.
14. Covert surveillance happens when those who are following someone will make every attempt to follow someone surreptitiously without the target's knowledge. If their target notices that s/he is being followed, it would be unintended.
15. When I was subjected to surveillance during late 2010 and most of 2011, the surveillance was covert, but it was obvious to me that they were trying to be discreet in following me.

16. I remember how in late 2010 and in 2011, when I went to several different post offices to mail different items, I observed the same guy driving the same vehicle coming to that post office, approx. as I was leaving the parking lot. This was after I would go to post offices located in different, but close-by cities, in order to verify whether I was being followed, or to find out whether I was imagining.

17. Whoever was subjecting me to surveillance once even followed me to the Middlesex Superior Court in Woburn, Massachusetts, where I had 2 employment discrimination lawsuits from approx. May, 2011 onwards.

18. As an example of when I was subjected to overt surveillance, sometime in Fall, 2011, my mother accompanied me to the Woburn courthouse for a hearing in one of my cases.

19. While we were seated outside one of the courtrooms, waiting for the courtroom to open so my case would be called, a middle-eastern looking man in a suit approached us and began talking to us.

20. He was dressed wearing a suit, carrying some papers, trying to appear as if he was an attorney who happen to be waiting for the courtroom to open, so he could attend to his case(s).

21. He began talking to my mother, but it became obvious that he wanted to engage me in a conversation.

22. At the time, I had heard of and read many news stories where Muslim men were being targeted for entrapment schemes by the Federal Bureau of Investigation ("FBI") and the Joint Terrorism Task Force ("JTTF") agents/officers/deputies/troopers, so that they could be arrested for terrorism related charges and conspiracy-type charges.

23. Hence, because I was a Muslim man during that time period, I was leery of this stranger's attempts to befriend me at the courthouse, and his stories about how his mother was Egyptian and his father was Jewish, etc.

24. When the courtroom opened, and while we stood up to go in, he wrote something on a piece of paper, and handing it to me told me to contact me, that the note contained his email address.

25. Once we went in, I directed my mother away from the guy and we sat on another side in the courtroom.

26. I never saw him go and talk to the judge or the judge's clerk, and "any case by him" was never called before the Court.

27. After a few minutes, before my case was called, I looked around the mostly empty courtroom for the man, but he was nowhere to be found, and I never saw him again.

28. I figured that my intuition had been correct, and that this was probably someone from the group that had been subjecting me to surveillance for the past approx. one year, attempting to perhaps do an entrapment operation on me (i.e., I was supposed to end up being the sucker, and face a terrorism-related criminal or conspiracy charge).

29. I remember 2 other specific incidents where I was subjected to overt surveillance: once in 2012 in North Adams, Massachusetts, and the other time in a small city in the eastern part of New York.

30. There were other instances of overt surveillance where I was subjected to stress and fear, intentionally by this surveillance team/group, but the overwhelming majority of time, when I lived in Massachusetts, I was subjected to covert surveillance.

III. LATE JAN., 2015 to PRESENT.

31. It had been more than 1 ½ years since I had stopped being a Muslim, I had repented and gone back to practicing my faith as a Christian.

32. In mid January, 2015, I called St. Joseph's Hospital Health Center ("SJHHC") after discovering that I may be prohibited under federal law from possessing any type of firearms or ammunition, due to federal penal code 18 USC §922(g)(4).

33. After communicating with SJHHC officials and trying to get them to help me regain my firearm rights, I realized that they would not assist me, and that the only way I could regain my Second Amendment rights was through a federal lawsuit.

34. Thus, in preparation for filing the lawsuit and to get the necessary documents ready, I obtained a U.S. postal mail box.

35. I began writing and requesting various documents and other evidence that I thought I would need, in order to litigate the lawsuit that I would need to file in federal court for the northern district of new york.

36. I noticed that my postal mail relating to the lawsuit, that I was receiving in the p. o. box, was being looked at by someone. I knew this because most of the envelopes that I received were torn open and obviously, my mail was being read.

37. Soon after I opened the p. o. box and began obtaining documents by mail, in preparation to file the lawsuit, I was increasingly subjected to overt surveillance.

38. While I lived in Massachusetts, the instances of overt surveillance had been several times but had been sporadic, from approx. late Jan., 2015, the instances of overt surveillance (and attending intimidation and harassment) while living in Florida began to increase.

39. By now, I had been subjected to covert and overt surveillance for approx. 4 ½ years. But with the increase in the frequency of the instances of overt surveillance that I was being subjected to after having moved to Florida and after making preparations to file the instant lawsuit, I decided that I needed find out who was harassing me and tormenting me.

40. Therefore, in Feb.-March of 2015, I filed FOIA/PA requests with the FBI, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”), and the U.S. Postal Inspection.

41. Both the FBI and the Postal Inspection wrote back within the statutory time period and essentially refused to disclose information, citing exemptions to 5 U.S.C. §552 and 5 U.S.C. §552a. However, the ATF ignored my FOIA/PA request, and I didn't hear back from them in 2015.

42. My mail at my p. o. box continued to be torn open, and I continued to be subjected to overt surveillance, and, on information and belief, covert surveillance.

43. Then, in early 2016, things became much worse. On Friday, January 15, 2016, in the afternoon, three officers from the “Hernando County Special Task Force” with hand guns came to my home and unlawfully and coercively interrogated me.

44. Since the ATF had not replied back to me on my FOIA requests the previous year, I suspected that these officers were in fact affiliated with the ATF.

45. Initially, after I came to the door, and after peering through the peep hole, I didn't want to open the door, and tried various methods to prevent these officers from interrogating me.

46. As I would later find out with the aid of Florida Public Records Law requests that I submitted to the Hernando County Sheriff's Office (HCSO), the lead agent during this encounter was Thomas F. Miller (“Tom Miller” or “S.A. Miller”), and I would find out several months later that he was an FBI agent assigned to the JTTF unit based out of Tampa, FL. There was another

FBI special agent by the name of Sonya Yougue present who was observing the unlawful interrogation, and was probably the agent who wrote the Form-302 after she went back to her office. The third officer present was a Hernando County Sheriff's Detective by the name of David Kortman ("Dave Kortman").

47. When I tried to shout through the door and speak to them, S.A. Miller engaged in deception by falsely claiming that they can't hear me, and to please open the door because they had a few questions to ask me.

48. In my attempt to maintain a barrier between the 3 cops and me, I opened the front door, but kept the storm/shutter door locked, and attempted to speak to them, but solely to inform them that I was asserting my Fifth Amendment privilege against self-incrimination and my right to counsel (*via the Miranda v. Arizona* decision, the Due Process clause of the Fifth Amendment, *Edwards v. Arizona*, 451 U.S. 477 (1981), *Rhode Island v. Innis*, 446 U.S. 291 (1980), and *Davis v. United States*, 512 U.S. 452 (1994) decisions).

49. But S.A. Miller continued to lie and deceive, this time claiming that it was difficult for him to hear me through the glass of the storm door.

50. I held a copy of the lawsuit that I had filed a few months back in the northern district of new york against the glass surface, attempting to show them that the "special agents in charge" of the FBI and the ATF were defendants in the case (the case was filed on October 19, 2015).

51. In fact, I knew on that date in mid-January, 2016, that a record of the lawsuit (including the case title and the list of all the defendants) was showing up on the Google search engine, whenever my name of entered as the search term. This record was displayed by <http://www.justia.com>. Hence, I was perplexed by the apparent rash behavior or the remarkable

ignorance of the 3 cops. The link for this web page was appearing on Google by early December, 2015, for anyone who did a Google search with my name as the search term.

52. On that Friday afternoon, I was assuming that these were agents from the ATF, and thus I tried to explain to them that, in addition to my Fifth Amendment rights, the concept of “conflict of interests” prevented them from continuing to unlawfully question me against my will.

53. S.A. Miller again engaged in lying and deception, and this time claimed that the sun was shining against the glass and that he could not read the court papers that I had held up against the glass so he and the other 2 cops could see the case caption and understand about the obvious conflict of interest in them interrogating me. Ignoring any concern for legal or ethical factors, S.A. Miller verbally pressured me to open the door so the 3 of them could look at the complaint.

54. As soon as I opened the storm door, S.A. Miller immediately leaned into the side of the storm door thus keeping it open, and thereafter placed one of his feet slightly inside the entrance of the house without being invited to, so that he was in effect, blocking me from being able to close the front door.

55. Now I suddenly found myself in a very stressful situation because S.A. Miller had continued with the interrogation while I was trying to stop the interrogation and make them leave.

56. But, In order to do that, I was forced to try to reason with this one cop who was openly defying the law and any semblance of ethical conduct required of a sworn law enforcement officer. All the while, the other 2 cops stood by in his support, glaring at me while intermittently placing their hands on their hips a few inches from their plainly visible semi-auto pistols.

57. The 3 cops were standing at my door in a “reverse V” formation, with S.A. Miller and S.A. Yougue on either side of the door, while HCSO detective Kortman in the middle, but approx. 6 feet behind Miller and Yougue.

58. At one point, when I again asserted my right to speak to an attorney, S.A. Miller told me to “call your lawyer.” Obviously, these agents had carefully done their research, and knew that because I was indigent, I didn't have an attorney on call, that I could call on speed-dial, so to speak.

59. I showed them the lawsuit complaint that I had filed approx. 3-months prior, and showed them where the FBI and ATF “special agents in charge” were listed in the complaint, and told them that it was a conflict of interest for them to question me.

60. Since I didn't have my own attorney on call, on speed-dial, so to speak, I told them that I wanted a public defender appointed to represent me and that I wanted to assert my right to remain silent. But, S.A. Miller had an answer to that too. He told me that I was not currently facing a criminal charge, and thus they could not get a public defender for me, and that they wanted to ask a few questions.

61. They continued to unlawfully interrogate and/or interview me, and ask me questions about web postings I had allegedly made.

62. At one point, when I declined to speak to them any more, S.A. Miller used an advanced interrogation tactic by coercing me to talk even though I had repeatedly asserted my constitutional right to remain silent and my right to have the assistance of an attorney while being questioned. One of the tricky ways he did this is, for example, was by asking me a series of questions such as: “So, your name is Umesh Heendeniya, and you live here, and you own this home, and you filed this lawsuit to regain your gun rights...”, thereby immediately causing me

significant concern because I was worried that-- by continuing to remain silent-- I would be implicitly saying “yes” to this series of questions. I was aware of the legal peril that lay in the federal penal code 18 USC §1001(a)-- “lying to a federal law enforcement officer.” Therefore, I was forced to break my silence and respond to his series of questions in order to avoid implicitly implicating myself in a violation of 18 USC §1001(a).

63. I had lived continuously in the home that I occupied on Jan. 15, 2016, ever since I had relocated from Massachusetts in May, 2014. But I didn't own the home.

64. Thus, when S.A. Miller used subterfuge and asked the series of questions that I would have to explicitly answer or implicitly answer, in panic, I immediately realized that if I kept silent by refusing to answer their questions, because S.A. Miller was implicitly asking me a string of questions, my silence meant that I was implicitly telling him “yes” to each of these successive questions, unless I spoke up and corrected his understanding to one or more of these questions. Thereby, I would end up unintentionally being exposed to being falsely accused of lying to a federal agent under 18 USC §1001.

65. I had known about the 18 USC §1001 trap because of a video I had seen on Youtube some years back while I lived in Massachusetts, that was put out by the ACLU of Massachusetts of which I had been a dues paying member.

66. In addition, even though I wanted to remain silent and not answer any questions that were forced upon me by S.A. Miller, I certainly was not going to lie to him even implicitly (i.e., lying by omission), in order to avoid responding to his coercive, unlawful, and unethical interrogation of me.

67. Thus, due to S.A. Miller's deceptive and unlawful tactics, I was kept from being able to assert and enjoy the constitutional rights that I'm entitled to, including the privilege against self-incrimination and the (pre-arrest) right to counsel (*via* the *Miranda v. Arizona* decision, the Due Process clause of the Fifth Amendment, *Edwards v. Arizona*, 451 U.S. 477 (1981), *Rhode Island v. Innis*, 446 U.S. 291 (1980), and *Davis v. United States*, 512 U.S. 452 (1994) decisions).

68. S.A. Miller used several tricks-of-the-trade of coercive interrogation and/or coercive Interviewing to unlawfully question me against my will, even though I attempted to invoke my right to remain silent and my right to speak to an attorney on multiple occasions.

69. They used prior noted coercive means to unlawfully interrogate and/or interview me about the purpose of my lawsuit. I told them that I had been unlawfully kept in the psychiatric unit of SJHHC, and that allegedly, due to the operation of 18 USC §922(g)(4) I had lost my firearm rights, and thus I was trying to regain my Second Amendment rights *via* this lawsuit.

70. At one point, S.A. Miller even brought up the issue of U.S. Citizenship and the Second Amendment by stating that as a U.S. Citizen he liked guns. When he said this, I saw S.A. Sonya Yougue look/stare hard at me in a very stern manner. It was obvious that they were attempting to use the U.S. Citizenship factor to intimidate me, and also to keep me off balance while interrogating me, against my will.

71. Clearly, these 3 agents had done their homework and made a careful, thorough preparation to interrogate me, by unlawfully and unethically overcoming my resistance (i.e., my assertion of my constitutional right to remain silent and my right to talk to an attorney).

72. S.A. Miller continued interrogating me and pressuring me to speak to them, and told me that he likes to go fishing and asked me what kind of activities I did for enjoyment. It was obvious that at this stage of the interrogation, he was trying to butter me up, and get me to

provide them more information, possibly to set me up for a fall (i.e., some bogus federal criminal violation that they can come up with, and resulting incarceration in the event that I'm convicted).

73. Fortunately, at this point, I remembered my video camera that was in one of the rooms in my home, and being concerned about the 18 USC §1001 trap that federal agents frequently use, I told the 3 agents that I was going to record this questioning of me.

74. I quickly went into my room and got my video camera and started video recording the unlawful interrogation of me by these 3 agents.

75. However, immediately, both S.A. Miller and HCSO detective Kortman told me that I cannot video record and that I can only audio record the questioning.

76. This was another deception and trick by these cops, whereby they violated my First Amendment Right by preventing me from being able to video record the unlawful interrogation and/or interviewing of me. See, Smith v. City of Cumming, 212 F.3d 1332 (11th Cir. 2000).

77. From that day on, I was subjected to daily, intense, overt surveillance, harassment, and intimidation.

78. I knew that because my medical records were online, and a simple search on Google would bring up many of my medical records on <http://www.justia.com>, that these agents and officers who were subjecting me to this daily, intense, overt surveillance, harassment, and intimidation either didn't give a damn about the incredible stress that they were subjecting me to and the risk to my physical and mental health, or they wanted me dead.

79. After all, anyone (including law enforcement officers) could get on PACER and look up my lawsuit documents and figure out that I had either attempted suicide or engaged in suicidal behavior in early April, 2013. Thus, given the aggressive and very callous behavior of the law enforcement officers and agents who subjected me to daily, intense, overt surveillance,

harassment, and intimidation, it's not a stretch to conclude that the possibility of my death or serious harm to my physical or mental health was not the least bit of concern for these law enforcement agents and officers.

This concludes my declaration that contains paragraphs numbered 1 through 79.

Dated: Jan. 15, 2020
Hernando County, Florida.

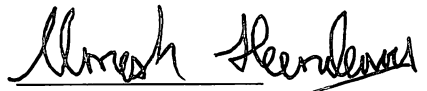

Umesh Heendeniya
(508)-630-6757 [Main cell phone number]
P.O. Box 5104
Spring Hill
FL-34611.

EXHIBIT B



Hernando County Sheriff's Office

P.O. BOX 10070 - BROOKSVILLE, FL 34603-0070 FAX 352 796-0493 PHONE 352 754-6830

BUSINESS RECORDS CERTIFICATE OF AUTHENTICITY

I, Lana Erickson, am employed by The Hernando County Sheriff's Office

My official title is Records Manager

I am familiar with the type of documents and records received, created, and relied upon by The Hernando County Sheriff's Office in the ordinary course of its business.

Public Records Request from Umesh Heendeniya, dated November 16, 2016

I further certify that:

- A) Such records were made, at or near the time of the occurrence of the matters set forth, by (or from information transmitted by) a person with knowledge of those matters;
- B) Such records were kept in the course of a regularly conducted business activity;
- C) The business activity made such records as a regular practice; and
- D) If such record is not an original, such record is a duplicate of the original.

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

A handwritten signature in black ink, appearing to read "Lana Erickson".

SIGNATURE

December 1, 2016

DATE

State of Florida
County of Hernando

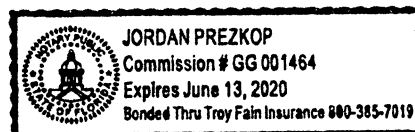
This instrument was signed before me on 12/1/16

By Lana Erickson
Print name of signer(s)

A handwritten signature in black ink, appearing to read "Jordan Prezkop".

Notary Signature

Affix seal/stamp as close to signature as possible



www.hernandosheriff.org

— SHERIFF —
Al Nienhuis



Hernando County Sheriff's Office

P.O. BOX 10070 – BROOKSVILLE, FL 34603-0070 FAX 352 796-0493 PHONE 352 754-6830

December 1, 2016

Mr. Heendeniya,

Please be advised, the below exemptions were applied for redactions pursuant to your request.

119.071(2)(f)

119.071(1)(d)

119.071(2)(c)

Sincerely,

A handwritten signature in black ink, appearing to read "Lana Erickson".

Lana Erickson
Records Manager

From: Powers, Jim
Sent: Friday, December 18, 2015 3:06 PM
To: Lewis, David
Subject: RE: [REDACTED]

I have not heard, I have been in and out of the office lately. Please reach out to him and let me know. Thanks for your diligence.

Capt. James T. Powers, Jr. F.C.P.P.
Special Operations Division Commander
Hernando County Sheriff's Office
18900 Cortez Blvd Brooksville, FL 34601
(352) 754-6830 Fax (352) 796-0493

From: Lewis, David
Sent: Friday, December 18, 2015 3:03 PM
To: Powers, Jim
Subject: RE: [REDACTED]

Thanks. Do you know if our agency made contact with [REDACTED] in reference to the subject in Ridge Manor? I know that Cpt. Turney was aware of it. I didn't receive any details.

From: Powers, Jim
Sent: Friday, December 18, 2015 2:46 PM
To: Lewis, David; Lillibridge, Matt
Cc: Burzumato, Michael
Subject: FW: [REDACTED]
Importance: High

FYI

Capt. James T. Powers, Jr. F.C.P.P.
Special Operations Division Commander
Hernando County Sheriff's Office
18900 Cortez Blvd Brooksville, FL 34601
(352) 754-6830 Fax (352) 796-0493

[REDACTED]

Erickson, Lana

From: Yongue, Sonya [REDACTED] >
Sent: Friday, December 18, 2015 7:18 AM
To: [REDACTED]
Cc: Miller, Thomas F. (TP) (TFO)
Subject: RE:

Hi!

I have forwarded your information to Task Force Officer Tom Miller since I am on leave. He will be reaching out to you.

Thanks again!

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: [REDACTED]
Date: 12/17/2015 2:13 PM (GMT-05:00)
To: "Yongue, Sonya" [REDACTED]
Subject:

We received [REDACTED] Umesh [REDACTED] Heendeniya [REDACTED] and Yamuna [REDACTED] Mudalige [REDACTED]

[REDACTED]

Units responded to their residence and were unable to see inside the residence. A check into Umesh [REDACTED].

Please give me a call when you get a chance.

Thank you

[REDACTED]



HERNANDO COUNTY SHERIFF'S OFFICE

Patrol Supplement 2015-33887/2

Report Date: 12/22/2015

Primary Information

Description: INFO - GENERAL
 Dissemination Code: ANYONE/PUB RECORD
 Reporting LEO: [REDACTED] SPECIAL ENFORCEMENT UNIT / HERNANDO COUNTY SHERIFF'S OFFICE)
 Approval Status: Approved
 Approved Date: 12/23/2015
 Approved By: Schneider, Gerard (349 / Administrative Support / HERNANDO COUNTY SHERIFF'S OFFICE)

Subjects

Relationship	Name	Bio	DOB
OTHER	MILLER, TOM (PERSON)	UNKNOWN, MALE	---

Narrative

In reference to the information received, I made contact with Tom Miller from the Tampa Bay Field Office of the FBI. [REDACTED] and then would be responding to the area to make contact with the subjects for further follow up on a later date.

Record Status Information

Record Origination Operator: SAUNDERS, SAVANNAH (1614 / ARMS / HERNANDO COUNTY SHERIFF'S OFFICE)
 Record Origination Date: 12/22/2015 14:45
 Last Update Operator: Schneider, Gerard (349 / TRAFFIC UNIT / HERNANDO COUNTY SHERIFF'S OFFICE)
 Last Update Date: 12/23/2015 15:00

Reporting LEO	Date	Supervisor	Date
[REDACTED] SPECIAL ENFORCEMENT UNIT / HERNANDO COUNTY SHERIFF'S OFFICE)	11/29/2016	Schneider, Gerard (349 / Administrative Support / HERNANDO COUNTY SHERIFF'S OFFICE)	11/29/2016



HERNANDO COUNTY SHERIFF'S OFFICE

Patrol Supplement 2015-33887/3

Report Date: 01/06/2016

Primary Information

Description: **Supplement - Waiting on additional info**
 Occurrence From: **01/06/2016 10:37**
 Occurrence To: **01/06/2016 10:37**
 Dissemination Code: **ANYONE/PUB RECORD**
 Reporting LEO: **[REDACTED] / SPECIAL ENFORCEMENT UNIT / HERNANDO COUNTY SHERIFF'S OFFICE)**
 Approval Status: **Approved**
 Approved Date: **01/07/2016**
 Approved By: **Schneider, Gerard (349 / Administrative Support / HERNANDO COUNTY SHERIFF'S OFFICE)**

Narrative

As of this date, I am still awaiting contact from Special Agent Tom Miller to [REDACTED].

Record Status Information

Record Origination Operator: **Miller, Patricia (672 / Patrol Division / HERNANDO COUNTY SHERIFF'S OFFICE)**
 Record Origination Date: **01/06/2016 10:37**
 Last Update Operator: **Schneider, Gerard (349 / TRAFFIC UNIT / HERNANDO COUNTY SHERIFF'S OFFICE)**
 Last Update Date: **01/07/2016 09:59**

Reporting LEO	Date	Supervisor	Date
[REDACTED] / SPECIAL ENFORCEMENT UNIT / HERNANDO COUNTY SHERIFF'S OFFICE)	11/29/2016	Schneider, Gerard (349 / Administrative Support / HERNANDO COUNTY SHERIFF'S OFFICE)	11/29/2016



HERNANDO COUNTY SHERIFF'S OFFICE

Investigative Supplement 2015-33887/5

Report Date: 01/21/2016

Primary Information

Description: INFORMATION
 Dissemination Code: ANYONE/PUB RECORD
 Reporting LEO: [REDACTED] / SPECIAL ENFORCEMENT UNIT / HERNANDO COUNTY SHERIFF'S OFFICE)
 Approval Status: Approved
 Approved Date: 01/22/2016
 Approved By: Kraft, Jeffrey (365 / Administrative Support / HERNANDO COUNTY SHERIFF'S OFFICE)

Subjects

Relationship	Name	Bio	DOB
OTHER	YONGUE, SONYA (PERSON)	WHITE, FEMALE	---

Narrative

On 01/15/16, I responded to [REDACTED] with Tom Miller and Sonya Yongue from the Tampa office of the J.T.T.F., and made contact with Umesh Heendeniya. [REDACTED]

We were able to make contact with Umesh. At first he was reluctant to speak with any type of law enforcement, but later agreed to speak with us. He agreed to speak with us while standing in the front doorway of the residence. While speaking with him I observed the house to be fully furnished inside, and a wooden cross hanging on the living room wall and no obvious signs of any suspicious activity. Umesh advised that he currently has a law suit against several government agencies in an attempt to restore his 2nd amendment rights, specifically his right to own firearms. When some concerns in reference to [REDACTED] were addressed, he stated that he is a law abiding person and has no intentions of violating any laws. Due to him not wanting to speak with any type of law enforcement Umesh did not disclose much information and the encounter did not last very long.

[REDACTED]

I request this case be inactivated pending any further developments.

Record Status Information

Record Origination Operator: Flores, Sarah (1460 / ARMS / HERNANDO COUNTY SHERIFF'S OFFICE)
 Record Origination Date: 01/21/2016 14:37
 Last Update Operator: Kraft, Jeffrey (365 / Administrative Support / HERNANDO COUNTY SHERIFF'S OFFICE)
 Last Update Date: 01/22/2016 08:54

Reporting LEO	Date	Supervisor	Date
[REDACTED] / SPECIAL ENFORCEMENT UNIT / HERNANDO COUNTY SHERIFF'S OFFICE)	11/29/2016	Kraft, Jeffrey (365 / Administrative Support / HERNANDO COUNTY SHERIFF'S OFFICE)	11/29/2016

EXHIBIT C

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TRANSCRIPT OF AUDIO RECORDING
JANUARY 15, 2016

1 (Start of audio recording.)

2 MR. MILLER: Audio or video?

3 MR. HEENDENIYA: So this is Officer --

4 MR. MILLER: No, not video.

5 MR. KORTMAN: Not video, audio.

6 MR. MILLER: Not video.

7 MR. HEENDENIYA: Okay, all right. Okay,
8 so you're Tom Miller and --

9 MR. MILLER: So let me ask you this,
10 okay, because I'm allowing --

11 MR. HEENDENIYA: Sonya Yougue and David
12 Kortman, David Kortman, deputies with the task
13 force.

14 MR. MILLER: May I call you Umesh?

15 MR. HEENDENIYA: Yes, you may.

16 MR. MILLER: So I can?

17 MR. HEENDENIYA: Yes.

18 MR. MILLER: Okay, I just want to explain
19 to you that, and I have no problem with you
20 recording this. I understand your concerns.

21 MR. HEENDENIYA: Yes.

22 MR. MILLER: I can appreciate that.

23 MR. HEENDENIYA: Yes.

24 MR. MILLER: You've told us that you have

1 some sort of a lawsuit that you have concerns
2 about.

3 MR. HEENDENIYA: I do have a lawsuit,
4 yes.

5 MR. MILLER: But you don't want to talk
6 to us about it.

7 MR. HEENDENIYA: Yes.

8 MR. MILLER: That's fine.

9 MR. HEENDENIYA: I'm not breaking any law
10 at all.

11 MR. MILLER: Right, sure.

12 MR. HEENDENIYA: I have no intention of
13 violating any law at all.

14 MR. MILLER: Okay.

15 MR. HEENDENIYA: I have, like I said,
16 this lawsuit is with regard to myself being
17 able to exercise my Second Amendment right
18 hopefully in the future.

19 MR. MILLER: Okay.

20 MR. HEENDENIYA: And that's why I'm doing
21 this lawfully.

22 MR. MILLER: Okay, very good.

23 MR. HEENDENIYA: Because I think there
24 might be a possibility that I may have in the

1 past lost my lawsuit -- my Second Amendment
2 right possibly, and I don't want to take a
3 chance.

4 MR. MILLER: You think you have or
5 somebody -- have you been turned down for --

6 MR. HEENDENIYA: No, no, no, no. I may
7 have lost and I want to make sure that if I'm
8 going to exercise my Second Amendment right --

9 MR. MILLER: Sure.

10 MR. HEENDENIYA: That I do it with the
11 utmost caution.

12 MR. MILLER: Oh, absolutely.

13 MR. HEENDENIYA: Without violating any
14 federal law or state law.

15 MR. MILLER: You're not sure if you even
16 have lost that right yet?

17 MR. HEENDENIYA: I may have.

18 MR. MILLER: You may have?

19 MR. HEENDENIYA: I'm not going to get
20 into specific.

21 MR. MILLER: Sure.

22 MR. HEENDENIYA: It's filed in the
23 lawsuit, and so I -- as they say in an
24 abundance of caution I'm asking this federal

1 district court in the northern state of New
2 York --

3 MR. MILLER: Right.

4 MR. HEENDENIYA: -- to go ahead and draft
5 me a declaratory judgment. Basically the
6 judge is going to rule that I am able to
7 lawfully exercise my Second Amendment right.

8 MR. MILLER: To own a firearm.

9 MR. HEENDENIYA: Or not.

10 MR. MILLER: Okay.

11 MR. HEENDENIYA: So until then, you know,
12 I have no intention of going anywhere near
13 even, you know, even a single bullet or a shot
14 shell or any kind of firearm.

15 MR. MILLER: Okay.

16 MR. HEENDENIYA: So I just want to make
17 sure I do it lawfully.

18 MR. MILLER: Sure, that's good. I
19 appreciate that.

20 MR. HEENDENIYA: So that's it. So any
21 postings I have no idea about what this is
22 about. You know, I have -- you know, I'm a
23 peaceful law-abiding person and I have no
24 intention of causing anybody any distress or

1 concern.

2 MR. MILLER: Okay.

3 MR. HEENDENIYA: What particular subject
4 matter was there that --

5 MR. MILLER: So as far as what you're
6 telling me.

7 MR. HEENDENIYA: Yes.

8 MR. MILLER: You can't think of anything
9 that you would have posted recently or
10 sometime ago that would have concerned someone
11 enough that they would have contacted us?

12 MR. HEENDENIYA: I can't think of
13 anything at all. I mean, what was the, what
14 did they tell you?

15 MR. MILLER: I don't know that, sir.
16 That's why I'm asking you for your help. I
17 don't know specifically.

18 MR. HEENDENIYA: Okay, well, I mean if
19 you guys don't know what it is, I have no idea
20 because, you know, I don't post any kind of
21 threats to anybody or anything, you know.

22 MR. MILLER: Sure, right. What type of
23 things do you post?

24 MR. HEENDENIYA: Well, just Second

1 Amendment stuff sometimes.

2 MR. MILLER: Okay.

3 MR. HEENDENIYA: Mostly Second Amendment
4 stuff.

5 MR. MILLER: Right.

6 MR. HEENDENIYA: So that's about all,
7 yeah. That's about all.

8 MR. MILLER: Do you have any other
9 hobbies or interests?

10 MR. HEENDENIYA: Well, like I said, this
11 is turning into an interrogation so --

12 MR. MILLER: Oh, I'm sorry. I was just a
13 question, just a hobby. I have a hobby,
14 fishing. I don't have an internet connection
15 to post, but if I did, it would probably be
16 about my hobbies.

17 MR. HEENDENIYA: Okay, like I said, I
18 am --

19 MR. MILLER: This is not, I want to make
20 that clear, this is not an interrogation, sir.

21 MR. HEENDENIYA: Yeah.

22 MR. MILLER: I'm standing out here.
23 You're standing in there.

24 MR. HEENDENIYA: Right.

1 MR. MILLER: I've asked you and I've told
2 you before this is purely voluntary. You
3 don't have to talk to me. I told you I
4 appreciated the fact that you're taking your
5 time, and you're helping us to dispel
6 someone's concern that we followed up on to
7 make sure and try as best we can evaluate
8 whether there's any validity or concerns here
9 or not.

10 MR. HEENDENIYA: Right, right.

11 MR. MILLER: And the only way we can do
12 that is by talking to you.

13 MR. HEENDENIYA: I understand.

14 MR. MILLER: I respect your reluctance to
15 talk to us before, and I certainly appreciate
16 the fact that you've changed your mind on that
17 and that you're freely talking to us. I
18 really, I thank you for that. There is
19 nothing you can think of, any kind of
20 activities that you would've been involved
21 with that would be alarming or concerning to
22 somebody that they would have called us?

23 MR. HEENDENIYA: I have no idea.

24 MR. MILLER: None.

1 MR. HEENDENIYA: I have no idea. I mean,
2 obviously if I knew that, I would have -- you
3 know, I would have done, maybe you know, maybe
4 written a disclaimer or something.

5 MR. MILLER: Sure.

6 MR. HEENDENIYA: I can't think of
7 anything at all.

8 MR. MILLER: Okay.

9 MR. HEENDENIYA: I can't think of
10 anything at all.

11 MR. MILLER: Nothing? Have you been
12 posting long? I mean, maybe it's something
13 from a while ago.

14 MR. HEENDENIYA: I mean, what is it? Is
15 it with regard to the Second Amendment or --

16 MR. MILLER: I don't think so. I mean,
17 not specifically, because that's nothing
18 threatening. That's by definition if we
19 understand each other, Second Amendment.

20 MR. HEENDENIYA: Right.

21 MR. MILLER: There's nothing threatening
22 about that. It is what it is.

23 MR. HEENDENIYA: Okay.

24 MR. MILLER: In and of itself that would

1 not be a problem.

2 MR. HEENDENIYA: Yeah, I can't think of
3 anything at all. I mean, did this person tell
4 you --

5 MR. MILLER: So mainly your postings then
6 you say are Second Amendment related and
7 that's kind of because of the lawsuit that you
8 don't really want to talk about with the
9 hospital?

10 MR. HEENDENIYA: Like I said, I want to
11 be careful.

12 MR. MILLER: Sure.

13 MR. HEENDENIYA: That I don't
14 miscommunicate.

15 MR. MILLER: Sure, absolutely, and I want
16 to be careful I don't misunderstand you.

17 MR. HEENDENIYA: Right, because see, you
18 guys are operating as special agents under
19 federal law.

20 MR. MILLER: What did I tell you I was?

21 MR. HEENDENIYA: With the task force.

22 MR. MILLER: Right.

23 MR. HEENDENIYA: You guys are with the
24 task force.

1 MR. MILLER: Right, I want to make that
2 clear to you again. Go ahead.

3 MR. HEENDENIYA: Okay, but there is a
4 statute that says that, and I forget what it
5 is, is it 18 USC 1001, or I can't remember
6 offhand.

7 MR. MILLER: It doesn't matter
8 specifically.

9 MR. HEENDENIYA: But, no it does matter.

10 MR. MILLER: What are your concerns, go
11 ahead.

12 MR. HEENDENIYA: The concern is that if
13 there is -- the statute specifically states
14 that if anybody lies to a federal agent that
15 is automatically a felony, and I have no
16 felonies --

17 MR. MILLER: Oh, okay.

18 MR. HEENDENIYA: -- in my record.

19 MR. MILLER: Sure.

20 MR. HEENDENIYA: I have no intention of
21 breaking the law.

22 MR. MILLER: Oh, I see. Well, you
23 haven't lied to us today, right.

24 MR. HEENDENIYA: Of course not but, I'm

1 saying --

2 MR. MILLER: Well, then you don't have to
3 worry about that.

4 MR. HEENDENIYA: I mean inadvertently say
5 something and you guys might take it wrong.

6 MR. MILLER: That's why I would ask to
7 clarify. I think you can agree that when I've
8 been a little confused I've asked for
9 clarification. I'm not accusing you of lying.
10 I don't think you have. You've been --

11 MR. HEENDENIYA: Right.

12 MR. MILLER: Once again, you are freely,
13 willingly talking to us and I appreciate it.

14 MR. HEENDENIYA: I had been one hundred
15 percent honest.

16 MR. MILLER: Okay, well, thank you very
17 much.

18 MR. HEENDENIYA: Communicated.

19 MR. MILLER: Thank you, I appreciate
20 that.

21 MR. HEENDENIYA: And you know that I have
22 an absolute right to not talk to you.

23 MR. MILLER: Oh, absolutely you do.

24 MR. HEENDENIYA: Under my Fifth

1 Amendment.

2 MR. MILLER: Absolutely you do,
3 absolutely.

4 MR. HEENDENIYA: But I just, you know, I
5 just don't know what would have caused these
6 people, unless you tell me specifically what.

7 MR. MILLER: And I wish I could, sir, but
8 I don't have that information.

9 MR. HEENDENIYA: Okay.

10 MR. MILLER: Okay, so there's nothing
11 that you can think of that would have been a
12 reason or a catalyst for someone to be
13 concerned at all?

14 MR. HEENDENIYA: Wow, I have no idea.

15 MR. MILLER: Okay, all right.

16 MR. HEENDENIYA: The only thing would be
17 any kind of, you know, my postings are open
18 out there on Google Plus, which I'm sure you
19 guys have seen.

20 MR. MILLER: Google, is that where you
21 post, Google Plus?

22 MR. HEENDENIYA: Google Plus, so I'm sure
23 you guys saw it already.

24 MR. MILLER: To be honest with you, I

1 don't know what Google Plus is, but, I mean,
2 I've heard of Google, but I don't know.

3 MR. HEENDENIYA: The social media.

4 MR. MILLER: Okay.

5 MR. HEENDENIYA: It's a social media.

6 MR. MILLER: Is there like a specific
7 part of that that you use?

8 MR. HEENDENIYA: No, no, it's just Google
9 Plus.

10 MR. MILLER: You don't like go to Google
11 Plus Florida fishing or something like that?

12 MR. HEENDENIYA: No, no, nothing like
13 that. So if you go to Google Plus and put my
14 name, it will bring up my profile. I'm sure
15 you guys --

16 MR. MILLER: Okay, and just, you use just
17 your first and last name, not like
18 sometimes --

19 MR. HEENDENIYA: Absolutely.

20 MR. MILLER: -- people use nicknames or
21 something.

22 MR. HEENDENIYA: Right, I understand. So
23 I have not, I mean, I'm just, I can't think of
24 anything at all that would have caused

1 somebody concern.

2 MR. MILLER: Sure.

3 MR. HEENDENIYA: I can't think of
4 anything at all.

5 MR. MILLER: Okay, well I'll tell you
6 what, once again, I appreciate your
7 cooperation.

8 MR. HEENDENIYA: I understand.

9 MR. MILLER: And you're voluntarily
10 talking to us. It, you know, makes our job
11 easier to go and do other things.

12 MR. HEENDENIYA: Right.

13 MR. MILLER: And clarify things.

14 MR. HEENDENIYA: I understand.

15 MR. MILLER: Good luck with your future
16 endeavors, and as long as like you said you
17 have no desire to break the law and you want
18 to stay --

19 MR. HEENDENIYA: I have no intention
20 whatsoever.

21 MR. MILLER: You want to specifically
22 stay within the law.

23 MR. HEENDENIYA: Exactly.

24 MR. MILLER: Then I wholly commend that

1 activity of whatever you feel the need to do,
2 okay.

3 MR. HEENDENIYA: All right.

4 MR. MILLER: All right, you have a good
5 day, Umesh.

6 MR. HEENDENIYA: You too. Take care.

7 MR. MILLER: Bye-bye.

8 MR. HEENDENIYA: Goodbye.

9 MR. KORTMAN: Mr. Umesh, you started in
10 the beginning with a video. Please don't post
11 my picture because --

12 MR. HEENDENIYA: Oh, no.

13 MR. KORTMAN: I sometimes do stuff that I
14 don't need people to know who I am, okay.

15 MR. HEENDENIYA: I see, okay, absolutely.
16 I will not.

17 MR. MILLER: That kind of goes along with
18 like that lying thing, if you expose our
19 identity --

20 MR. HEENDENIYA: No, no, no, I won't.

21 MR. MILLER: That could be a problem.

22 MR. HEENDENIYA: It's only going to be
23 the audio, you know, just for my protection.

24 MR. KORTMAN: That's fine. I just

1 don't -- don't post my picture, please.

2 MR. HEENDENIYA: I will not post it. I
3 am not going to do anything like that.

4 MR. KORTMAN: Thank you.

5 MR. HEENDENIYA: Yeah.

6 MR. MILLER: You have a good day.

7 MR. HEENDENIYA: Yeah, you too.

8 MS. YUGUE: Thank you.

9 MR. HEENDENIYA: Take care. Thank you.

10 (End of recording.)
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CERTIFICATE

Commonwealth of Massachusetts

Norfolk, SS

I, Marsha Johnson, a Notary Public and
Approved Court Transcriber, in and for the
Commonwealth of Massachusetts, do hereby
certify that the foregoing transcript is a
true record an audio recording given to me by
Umesh Heendeniya the best of my knowledge,
skill and ability.

I further certify that I am not related to
any of the parties in the matter by blood or
marriage and that I am in no way interested in
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my seal this 4th day of
November, 2019.



Marsha Johnson

My Commission expires:
September 30, 2022