

# EXHIBIT 11

000001

[REDACTED]

From: [REDACTED]  
Sent: Wednesday, April 02, 2008 4:49 PM  
To: Forman, Marcy; [REDACTED]  
Subject: Re: CVJ Exec Summary

10-4 just leaving the Hill after meeting with Rep. Cuellar and a Lulac rep on the Dallas op this week. The Exec summary of the op will satisfy Richard Murphy's requirement to brief the judge. They really want to know if we are on board with the NCC. DRO is planning on conducting the assesment tomorrow with the RAC.

[REDACTED]

----- Original Message -----

From: Forman, Marcy  
To: [REDACTED]  
Sent: Wed Apr 02 16:32:20 2008  
Subject: RE: CVJ Exec Summary

What is the status of our Op plan? Where are we on the doc for the USAO fro his presentation to the judge? Please come up here at 545

From: [REDACTED]  
Sent: Wednesday, April 02, 2008 3:12 PM  
To: Forman, Marcy; [REDACTED]  
Cc: [REDACTED]  
Subject: FW: CVJ Exec Summary

Marcy: As per your request, below and attached is the latest info on Agriprocessors for the conference call tonight at 8pm. Please let me know if you need anything else. [REDACTED]

From: [REDACTED]  
Sent: Wednesday, April 02, 2008 2:53 PM  
To: [REDACTED]  
Subject: FW: CVJ Exec Summary

This is the latest information we have on the CVJ operation.

DRO is conducting a survey at the NCC facility, however the exact date and time has yet to be determined. DRO is not certain exactly when the survey will take place, however the RAC is in communication with DRO locally and will be present for any site survey and will be prepared to answer any questions. We have followed up with DRO at HQ for the exact time of the survey, however they have not responded yet. The purpose of the survey is to determine how best to make the improvements suggested by the Assistant Secretary in order to make the facility more hospitable for the detained aliens. Contractors KBR and Nakamoto will also be involved in the assessment. DRO is considering using KBR to provide facility enhancements such as beds, showers and TVs. Nakamoto will be used to provide an independent assessment of the facility suitability. I requested that DRO allow local OI field reps to take part in the assessment.

Last night DRO was directed to determine if the Olwein Armory would be suitable to house any overflow detainees that could not be housed at the NCC. The Armory was not included in our selection process last night as it was believed that the State government would not allow ICE to utilize the facility. The Armory is located within the Northern District of Iowa. At this point, DRO does not know if the Armory is available. RAC agents will be at the NCC today taking additional photos of the facility.

#### Executive Summary

#### RAC Cedar Rapids - Operation Cedar Valley Junction

On October 1, 2007, the RAC Cedar Rapids opened a worksite investigation relating to Agriprocessors, Inc. located in Postville, Iowa. Agriprocessors, Inc. is a kosher and non-kosher meat processing plant. Over the past two years, ICE has been involved with multiple cases relating to illegal aliens employed by the company and has participated in the criminal and administrative arrests of numerous employees of Agriprocessors, Inc. Many of these employees have been criminally prosecuted in the Northern District of Iowa for violations of 18 USC 1028A (Aggravated Identity Theft) and 18 USC 1546 (Document Fraud) directly related to the defendant's employment at Agriprocessors, Inc.

In coordination with the U.S. Attorney's Office for the Northern District of Iowa (USAO), and the United States District Court in the Northern District of Iowa, the RAC Cedar Rapids is currently planning a worksite enforcement operation in northeastern Iowa at Agriprocessors, Inc. This operation is in furtherance of the criminal investigation and prosecution of the corporation for knowingly hiring and harboring undocumented workers. This enforcement operation is scheduled for May 12, 2008, and will include the execution of criminal arrest warrants for at least one corporate official and a criminal search warrant at the company. In addition, the U.S. Attorney's Office for the Northern District of Iowa (USAO) has indicated that they will prosecute every individual amenable to criminal prosecution and anticipates issuing approximately 800 criminal "John Doe" arrest warrants in advance of the operation.

This operation will involve approximately ~~500~~ law enforcement personnel assigned to the execution of the warrants and processing location. Agents and personnel from various other Federal, State, and local agencies, including the U.S. Department of Agriculture, the United States Postal Inspection Service, the Iowa Department of Public Safety (IDPS), the Black Hawk County Sheriff's Department, and the Waterloo Police Department will participate in the operation.

The morning of May 12, 2008, ICE will serve a criminal search warrant on the company and execute a criminal arrest warrant for the corporate official. All employees determined to be illegally present in the United States will be administratively arrested by ICE. All detainees will be triaged by DHS for humanitarian issues at the arrest site. Of the 600 anticipated arrests, approximately 120 individuals (20%) are expected to be humanitarian cases. Humanitarian cases will be processed for removal at the arrest site and served Notices to Appear. The United States Attorney's Office for the Northern District of Iowa has indicated that they will not seek the execution of the criminal arrest warrants for

any humanitarian cases, however, they will consider a judicial summons as requested by ICE. In addition, DRO will pursue the possibility of alternate detention methods for humanitarian releases.

All non humanitarian detainees will be transported by DRO approximately 90 minutes to the McElroy Auditorium for staging. Upon arrival to the auditorium a secondary triage for humanitarian issues will be conducted by DHS. Aliens identified with humanitarian concerns will be escorted back to the arrest site subsequent to being processed for removal. The remaining undocumented aliens will then be escorted (50 individuals at a time) to the Pepsi Pavilion (adjacent to the McElroy Auditorium) for processing. The auditorium amenities will include restroom facilities, shower facilities, meals, beds, telephone access and recreational items for the detainees such as televisions and/or movies. In addition, the facility will be able to accommodate consular and attorney visits.

Processing will consist of standard administrative removal processing, Miranda warnings, post Miranda questions, and the completion of a criminal prosecution package. Once the aliens are processed for removal and the prosecution packages are completed, aliens will be presented for prosecution to the USAO and to a U.S. Magistrate for initial appearance. It is anticipated that aliens will have their initial appearance immediately after the administrative processing. The court has indicated that it will be able to conduct 50 initial appearances an hour and will start in the morning on Tuesday, May 13, 2008. The USAO anticipates that all of the subjects will be remanded to the custody of the USMS and will be transported by the USMS and ICE DRO to the nearest available detention locations. ICE estimates that 10-15% of aliens will not be prosecuted due to a lack of evidence. Aliens not prosecuted due to a lack of evidence will be turned over to DRO and can be moved to detention centers at the discretion of ICE.

It is anticipated that the processing will take approximately 48 hours to complete. Some detainees will have their initial appearance within 24 hours of arrest and be transported in the USMS custody to a detention facility. The last alien processed should have their initial appearance within 48 hours of arrest before their removal to a detention facility by the USMS.

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From: [REDACTED]  
Sent: Tuesday, April 01, 2008 9:30 PM  
To: [REDACTED]  
Subject: CVJ Exec Summary

# EXHIBIT 12

000001

From: [REDACTED]  
To: [REDACTED]  
Subject: Fw: CVJ Exec Summary  
Date: Wednesday, April 02, 2008 4:32:46 PM

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Fyl.

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Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Forman, Marcy  
To: [REDACTED]  
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