

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

ARGHAVAN LOUHGHALAM and
MAZDAK POURABDOLLAH TOOTKABONI

Plaintiff-Petitioners,

FATEMEH YAGHOUBI MOGHADAM,
BABAK YAGHOUBI MOGHADAM,
ALI SANIE, ZAHRASADAT MIRRAZI
RENANI, LEILY AMIRSARDARY, and
OXFAM AMERICA, INC.

Plaintiffs,

and

No.17.cv-10154-NMG

COMMONWEALTH OF MASSACHUSETTS
and UNIVERSITY OF MASSACHUSETTS,

Plaintiff-Intervenors,

v.

DONALD TRUMP, President of the United
States; U.S. DEPARTMENT OF HOMELAND
SECURITY (“DHS”); U.S. CUSTOMS AND
BORDER PROTECTION (“CBP”); JOHN
KELLY, Secretary of DHS; KEVIN K.
MCALEENAN, Acting Commissioner of CBP;
and WILLIAM MOHALLEY, Boston Field
Director, CBP,

Defendants.

DECLARATION OF VIKTOR VEJINS

I, Viktor Vejins, hereby declare and affirm,

1. I hold the position of Chief Executive Officer (CEO) at Nano-C, Inc. (“Nano-C”), which is located in Westwood, Massachusetts. I have been employed at Nano-C in this capacity since 2006.

2. I have personal knowledge of the matters set forth below.

3. Nano-C is a research and development company focused on the production of carbon nanomaterials and chemicals for a variety of industries. Nano-C's products are essential in the development of the next generation of computer memory, advanced semiconductor manufacturing as well as the next generation of lightweight, flexible, and inexpensive solar cells, among many other applications. Nano-C has employed American and international researchers, technicians, and others in Massachusetts for over 15 years, and is growing at the forefront of Massachusetts' high-technology workforce. Not only is Nano-C one of the few worldwide suppliers of carbon nanomaterials, but it also seeks to be a leader in the development of technologies with partners worldwide in the fields mentioned above. Nano-C furthermore participates in multiple international collaborations, and depends on their success both domestically and internationally for its continued growth.

4. Nano-C has always been committed to equal rights, tolerance, and diversity - and always will be. As Nano-C has grown as a company, we have worked hard to attract talented people from all over the world, and we believe a diverse workforce is indispensable for our growth. Accordingly, of Nano-C's 24 full-time employees, seven (7) people are naturalized citizens, green card holders, and non-immigrant visa holders, who were born in other countries.

5. Nano-C employs an individual from one of the countries referenced in the January 27, 2017, Executive Order ("EO") entitled "Protecting the Nation from Terrorist Entry into the United States," namely: Syria, Iraq, Iran, Somalia, Sudan, Libya, and/or Yemen (the "affected countries"). This employee, a highly skilled research engineer, acquired his PhD from an American university in 2016. He is currently allowed to work legally in the US under the OPT regulation which expires for him in February 2017. With Nano-C's support, he has applied for its renewal. This employee represents 4% of Nano-C's workforce, and is critical to our success.

6. The affected employee performs research, design and engineering at Nano-C that is extremely unique in its nature. His studies in combustion engineering were undertaken at one of the few US educational institutions that continues research in the field, and his skills are shared by only a few people in all the United States. Having advertised the position, interviewed many (US citizens and non-citizens), we hired him in 2016 knowing that he was the most qualified person for the job. Without his unique talents, Nano-C would be severely compromised in its ongoing effort to increase production of carbon nanomaterials, which are in immediate demand by partners worldwide as they in turn seek to launch new and revolutionary products. Failure to deliver products as our customers demand them could lead Nano-C to financial distress and even the closing of its doors to its Massachusetts-based employees. His participation in Nano-C's growth is of the utmost importance. For now, he cannot travel outside of the US for fear of not being let back in. We have collaborators in the United Kingdom that he cannot meet with. If Nano-C were to lose him, we would lose a valuable asset. We would have to rehire, delay our scale-up and growth prospects, and hope to find a qualified hire that is "allowed" to be in the US.

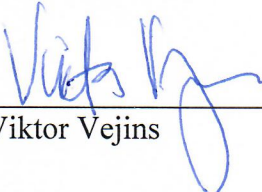
7. This individual, who is married to a non-immigrant visa holder from the same affected country—also a PhD candidate from a US institution, is the father of an American child. Nano-C is concerned deeply that his ability to travel is severely restricted, and that the "EO" as written compromises the liberties that should be afforded to our employee, who through the entire course of his education and employment in the United States has complied with all legal procedures necessary to ensure his lawful presence. Furthermore, we have deep concern that the precedents set by the EO may create a situation wherein he or his spouse may be separated from

their family with no established means of ensuring the continued guardianship of their American child.

8. Nano-C will work with the affected employee in whatever means necessary to ensure his continued employment and his access to the liberties afforded pursuant to the OPT regulation.

9. Nano-C will engage and respond to any of its employees with respect to their concerns about their ability to travel or the expansion of the EO. Furthermore, Nano-C will reach out to its employees as needed to frankly address our actions in response to the EO and in affirmation of our commitment to the equal rights of our diverse workforce.

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



Viktor Vejins

Executed this 2nd day of February, 2017