EXHIBIT E

Exhibit 61

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STATE OF NEW YORK, et al. *Plaintiffs*, v. DONALD J. TRUMP, in his official capacity as President of the United States, et al. *Defendants*.	20-CV-5770 (JMF)
NEW YORK IMMIGRATION COALITION, et al. *Plaintiffs*, v. DONALD J. TRUMP, in his official capacity as President of the United States, et al. *Defendants*.	20-CV-5781 (JMF)

DECLARATION OF JENNIFER MENDELSOHN

JENNIFER MENDELSOHN, pursuant to the provisions of 28 U.S.C. § 1746, declares under penalty of perjury as follows:

1. I work as a journalist and genealogist. My past work experience includes serving as a People magazine special correspondent and Slate columnist. My work has appeared in numerous local and national publications including The New York Times, The Washington Post, USA Today, Politico, Time and the Los Angeles Times.

2. I am a member of the board of the Jewish Genealogy Society of Maryland and a member of the Association of Professional Genealogists.

3. Esther Kaplan of the Supreme Court case *Kaplan v. Tod*, 267 U.S. 228 (1925), was enumerated in the 1920 census. I located a copy of the relevant page from the 1920 census records online; it is attached as Attachment A. Esther Kaplan is listed on line 95. The rest of her family is listed on the adjacent lines, including her father, Schaje Kaplan aka Sam or Samuel Kaplan, on line 92. This document is available via the website FamilySearch.org at the following link: https://www.familysearch.org/ark:/61903/3:1:33SQ-GRFC-995S?i=17&cc=1488411&personaUrl=%2Fark%3A%2F61903%2F1%3A1%3AMJYH-TNC (membership required).

4. I also located a passenger manifest from July, 1914, including Esther Kaplan's name as a passenger. It is attached to this declaration as Attachment B. Ms. Kaplan is listed on line 12. This document is available at the following link: https://www.familysearch.org/ark:/61903/3:1:3Q9M-C9TX-79KC-X?cc=1368704&personaUrl=%2Fark%3A%2F61903%2F1%3A1%3AJJQR-529.

5. I also located a record of the Kaplan family's detention at Ellis Island, which lists her as having arrived on July 20, 1914. It is attached to this declaration as Attachment C. Ms. Kaplan is listed on the last line. This document is available at the following link: https://www.familysearch.org/ark:/61903/3:1:3Q9M-C9TX-79RZ-H?i=614&cc=1368704. The arrival date of July 20, 1914 on this document matches the Supreme Court's description that "[o]n July 20, 1914, being then about thirteen years old, she was brought to this country." *Kaplan*, 267 U.S. at 229

6. I also located a record of Ms. Kaplan's father's naturalization. It is attached to this declaration as Attachment D. This document is available at the following link: https://www.familysearch.org/ark:/61903/3:1:3QS7-89M8-LTRG?i=88&wc=MDSY-

YP8%3A326209701%2C329928701&cc=1999177, starting at pg. 89. The date of naturalization, which is listed on the second page of the document, is December 14, 1920. This matches the Supreme Court's description that, "[o]n December 14, 1920, [Esther Kaplan's] father was naturalized." *Kaplan*, 267 U.S. at 229. The naturalization documents lists Esther as among Sam Kaplan's children, and that she was born in the year 1900, which would have made her 13 or 14 years old in 1914. This matches the Supreme Court's description that Esther Kaplan was "about thirteen years old" at the time that she entered the country on July 20, 1914. The two other children listed, Abraham and Samuel, as well as the household address, 249 Monroe Street, match the census record in Attachment A.

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

Dated. August 24, 2020

Baltimore, Maryland

Jennifer Mendelsohn

Attachment A

9—187 [D1—578]

DEPARTMENT OF COMMERCE—BUREAU OF THE CENSUS

FOURTEENTH CENSUS OF THE UNITED STATES: 1920—POPULATION

STATE: N.Y. COUNTY: N.Y. TOWNSHIP OR OTHER DIVISION OF COUNTY: Borough of Manhattan (Insert proper name and, also, name of class, as township, town, precinct, district, hundred, beat, etc. See instructions.) NAME OF INCORPORATED PLACE: N.Y.C. (Insert proper name and, also, name of class, as city, village, town, or borough. See instructions.) WARD OF CITY: 4 A.D. SUPERVISOR'S DISTRICT NO. 1 ENUMERATION DISTRICT NO. 318 SHEET NO. 9 B

NAME OF INSTITUTION: (Insert name of institution, if any, and indicate the lines on which the entries are made. See instructions.) ENUMERATED BY ME ON THE 12th DAY OF Jan, 1920. Daniel Silverman ENUMERATOR. 5684 2698

Line	Place of abode: Street, avenue, road, etc.	House number or farm	Number of dwelling house in order of visitation	Number of family in order of visitation	Name of each person whose place of abode on January 1, 1920, was in this family. Enter surname first, then the given name and middle initial, if any. Include every person living on January 1, 1920. Omit children born after January 1, 1920.	Relationship of this person to the head of the family	Home owned or rented	If owned, free or mortgaged	Sex	Color or race	Age at last birthday	Single, married, widowed, divorced	Year of immigration	Naturalized or alien	If naturalized, year of naturalization	Attended school any time since Sept. 1, 1919	Whether able to read	Whether able to write	Place of birth (Person)	Mother tongue (Person)	Place of birth (Father)	Mother tongue (Father)	Place of birth (Mother)	Mother tongue (Mother)	Whether able to speak English	Trade, profession, or particular kind of work done, as spinner, salesman, laborer, etc.	Industry, business, or establishment in which at work, as cotton mill, dry goods store, farm, etc.	Employer, salary or wage worker, or working on own account	Number of farm schedule
51			16	172	Smith, Tillie	Mother			F	W	63	M	1908	al			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	No	None			
52					Lerne, Dora	Grand Child			F	W	8	S				Yes			New York City		Russia	Yiddish	Russia	Yiddish	Yes	None			
53			16	173	Smith, Ike	Head 12	R		M	W	30	M	1905	al			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	No	Tailor	Mens Clothing	W	592
54					— Celia	Wife			F	W	26	M	1910	al			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	No	None			
55			16	174	Goldman, Max	Head 14	R		M	W	27	M	1910	al			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	Operator	Cloak	W	446
56					— Sarah	Wife			F	W	23	M	1909	al			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	None			
57					— Leon	Son			M	W	2 7/12	S							New York City		Russia	Yiddish	Russia	Yiddish					
58					— Irving	Son			M	W	2/12	S							New York City		Russia	Yiddish	Russia	Yiddish					
59			16	175	John, Jacob	Head 13	R		M	W	46	M	1899	Na			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	Musician	Job	W	8[illegible]
60					— Sarah	Wife			F	W	39	M	1902	Na			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	None			
61					— Ida	Daughter			F	W	17	S					Yes	Yes	New York City		Russia	Yiddish	Russia	Yiddish	Yes	Stenographer	Dress Mfg	W	589
62					— Dorothy	Daughter			F	W	4	S				Yes	Yes	Yes	New York City		Russia	Yiddish	Russia	Yiddish	Yes	None			
63					Black, Fannie	Boarder			F	W	42	S	1910	Na			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	Operator	Dresses	W	448
64			16	176	Berman, Abraham	Head 16	R		M	W	26	M					Yes	Yes	New York City		Russia	Yiddish	Russia	Yiddish	Yes	Laborer	Navy Yard	W	805
65					— Mary	Wife			F	W	21	M	1907	Na			Yes	Yes	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	None			
66			16	177	Levine, Leadore	Head 17	R		M	W	25	M	1906	al			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	Knitter	Sweater	W	524
67					— Sadie	Wife			F	W	20	M	1913	al			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	None			
68					— Irene	Daughter			F	W	3	S							New York City		Russia	Yiddish	Russia	Yiddish					
69			16	178	Mengart, Hyman	Head 18	R		M	W	45	M	1900	Pa			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	Tailor	Mens Clothes	W	592
70					— Lena	Wife			F	W	38	M	1906	al			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	No	None			
71					— Harry	Son			M	W	20	S	1907	al			Yes	Yes	England	English	Russia	Yiddish	Russia	Yiddish	Yes	Maker	Doll Factory	W	524
72					— Rubin	Son			M	W	13	S				Yes	Yes	Yes	New York City		Russia	Yiddish	Russia	Yiddish	Yes	None			
73					— Pauline	Daughter			F	W	7	S				Yes	Yes	Yes	New York City		Russia	Yiddish	Russia	Yiddish	Yes	None			
74			16	179	Bronstein, Max	Head 19	R		M	W	40	M	1907	Na			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	Carpenter	House	W	148
75					— Fannie	Wife			F	W	36	M	1912	Na			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	No	None			
76					— Hyman	Son			M	W	5	S							New York City		Russia	Yiddish	Russia	Yiddish					
77					— Esther	Daughter			F	W	4	S							New York City		Russia	Yiddish	Russia	Yiddish					
78					— George	Son			M	W	3	S							New York City		Russia	Yiddish	Russia	Yiddish					
79					— Celia	Daughter			F	W	2/12	S							New York City		Russia	Yiddish	Russia	Yiddish					
80	244	17	180	Nurovitz, Max	Head	R		M	W	44	M	1898	Ru	1898			Yes	Yes	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	Store	Clothing	O/a	750
81					— Fannie	Wife			F	W	44	M	1888	Na			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	None			
82					— Ida	Daughter			F	W	14	S					Yes	Yes	New York City		Russia	Yiddish	Russia	Yiddish	Yes	Bookkeeper	Fur Hse	W	9[illegible]
83					— Celia	Daughter			F	W	17	S					Yes	Yes	New York City		Russia	Yiddish	Russia	Yiddish	Yes	Bookkeeper	Fur Hse	W	988
84					— Evelyn	Daughter			F	W	13	S				Yes	Yes	Yes	New York City		Russia	Yiddish	Russia	Yiddish	Yes	None			
85					— Ruth	Daughter			F	W	8	S				Yes	Yes	Yes	New York City		Russia	Yiddish	Russia	Yiddish	Yes	None			
86					— Gertrude	Daughter			F	W	22	M					Yes	Yes	New York City		Russia	Yiddish	Russia	Yiddish	Yes	Bookkeeper	Bank	W	988
87					Bensowitz, Joseph	Lodger			M	W	26	M	1907	Na			Yes	Yes	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	None			
88			17	181	Leonard, Simon	Head 20	R		M	W	23	M	1913	al			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	Operator	Cloaks	W	446
89					— Fannie	Wife			F	W	25	M	1913	al			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	No	None			
90					— Nathan	Son			M	W	1 8/12	S							New York City		Russia	Yiddish	Russia	Yiddish					
91					— Mary	Daughter			F	W	3/12	S							New York City		Russia	Yiddish	Russia	Yiddish					
92			17	182	Kaplan, Samuel	Head 21	R		M	W	51	M	1910	Pa			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	No	Maker	Buttons	W	548
93					— Anna	Wife			F	W	49	M	1910	al			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	No	None			
94					— Abraham	Son			M	W	24	S	1910	al			Yes	Yes	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	Maker	Buttons	W	548
95					— Esther	Daughter			F	W	19	S	1910	al			Yes	Yes	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	None			
96					— Samuel	Son			M	W	10	S	1910	al		Yes	Yes	Yes	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	None			
97			17	183	Kaufman, Samuel	Head 22	R		M	W	24	M	1911	Na	1910		Yes	Yes	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	Manufacturer	Caps	O/a	370
98					— Pearl	Wife			F	W	21	M	1907	Na			Yes	Yes	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	Yes	None			
99			17	184	Goldberg, Barnett	Head 23	R		M	W	65	M	1898	Ru			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	No	Peddler	Old Clothes	O/a	770
100					— Ozne	Wife			F	W	65	M	1898	al			No	No	Russia	Yiddish	Russia	Yiddish	Russia	Yiddish	No	None			

Attachment B

Form 500 A
U. S. DEPARTMENT OF LABOR
IMMIGRATION SERVICE

LIST OR MANIFEST OF ALIEN PASSENGERS FOR THE UNITED

ALL ALIENS, in whatsoever class they travel, MUST be fully listed and the master or commanding officer of each vessel carrying such passengers

S. S. S.S.Kursk sailing from Libau, 7 JUL.1914, 191

(This space for use by Government officials.)

No. on List.	Head Tax Exemptions: U. S. Citizen.	Diplomat.	Tourist.	Nationality of: Canada.	Cuba.	Mexico.	Head Tax Deposits: Special Property.	To Transit.	Character U. S. Citizen.	2 Family Name.	Given Name.	3 Age. Yrs.	Mos.	4 Sex.	5 Married or Single.	6 Calling or Occupation.	7 Able to— Read.	Write.	8 Nationality. (Country of which citizen or subject.)	9 † Race or People.	10 * Last Permanent Residence. Country.	City or Town.	11 The name and complete address of nearest relative or friend in country whence alien came
1										Quischewicz	Bisa	26		m	s	merchant	yes	yes		Hebrew		Grodno	mother Quischewicz Grodno gub
2										Rikes	Rosalia	16		f	s	domestic	yes	yes	Russia	Lithuanian	Russia	Bisicha	mother Rikes Bisicha, Kowno gub.
3										Davut	Mikaguila	20		m	s	laborer	no	no	Russia	Syrian	Russia	Mamichan	father Davut Mamichan, Russia
4										Stickelgiax	Gronogen	18		m	s	tailor	yes	yes	Russia	Russian	Russia	Velevi	father Stickelgiax Velevi, Vilno gub
5										Berchuy	Sadie	25		m	s	professional	no	no	Russia	Russian	Russia	Mogyin	father H. Berchuy Mogyin, Mohilev gub.
6										Janulinnis	Jonas	19		m	s	laborer	no	yes	Russia	Lithuanian	Russia	Kanicinchum	father Janulinnis Kanicinchum, Kowno gub.
7										Sina	Adam	28		m	s	farmer	no	yes	Russia	Russian	Russia	Chidovna	wife Sina Chidovna, Kiew gub.
8										~~Adamaitinnas~~	~~Juan Juiz~~	~~22~~		~~m~~	~~s~~	~~laborer~~	~~yes~~	~~yes~~		~~Lithuanian~~		~~Kowno gub~~	~~father Adamaitinnas Kowno gub~~
S.I. Submitted 10										Kaplin	Chana Gilja	45		f	m	housewife	yes	yes	Russia	Hebrew	Russia	Orsunau	father
S.I. Submitted 11										Kaplin	Abraim	16		m	s	school	no	no	Russia		Russia		Ch. Kaplin
S.I. Submitted 12										Kaplin	Christo-Schmuel	11		m	s	child	no	yes	Russia		Russia	Constantinow	Konstantinow,
										Kaplin	Esto	14		f	s	child	no	yes	Russia		Russia		Pskow gub
13										Krijan	Aliana	20		f	s	domestic	no	no	Russia	Russian	Russia	Linnya	father A. Krijan
14										Zurin	Pawel	3		m	s	child	no	no	Russia		Russia		Linnya, Vitebsk gub.
15										Schaskanas	Maria	17		f	s	domestic	yes	yes		Lithuanian		Grimuchow	mother M. Schaskanas Grimuchow, Kowno gub.
16										Rubanowicz	Sara	15		f	s	milliner	no	yes		Hebrew		Kiew	father J. Rubanowicz Kiew,
17										~~Kabelikana~~	~~Dina Maria~~	~~4~~											
18										~~Kabelikana~~	~~Clemens~~	~~23~~											
19										Popojanty	Barlaginas	18		m	s	farmer	yes	yes	Russia	Armenian	Russia	Dramuski	Father Jeronim Popojanty Dramuski, Lithuan
20										Czernewskaja	Kerwubcia	17		f	s	domestic	yes	yes	Russia	Polish	Russia	Libau	Father Adam Czernewsky Libau, Gut Kurland
21										Chojjanowsky	Wladislaw	26		m	s	farmer	yes	yes	Russia	Polish	Russia	Lucklejs	Father Wladislaw Chojjanowsky Lucklejs Gut Grodnowsky Gov.
22																							
23																							
24																							
25																							
26																							
27																							
28																							
29																							
30																							

65

Number of aliens on this sheet as to whom Collector has been requested to collect head tax.

* Last permanent residence is the country in which the alien has lived for one year or more.
† List of races will be found on the back of this sheet.

Attachment C

Form 518
U. S. DEPARTMENT OF LABOR
IMMIGRATION SERVICE
14—377

RECORD OF ALIENS HELD FOR SPECIAL INQUIRY.

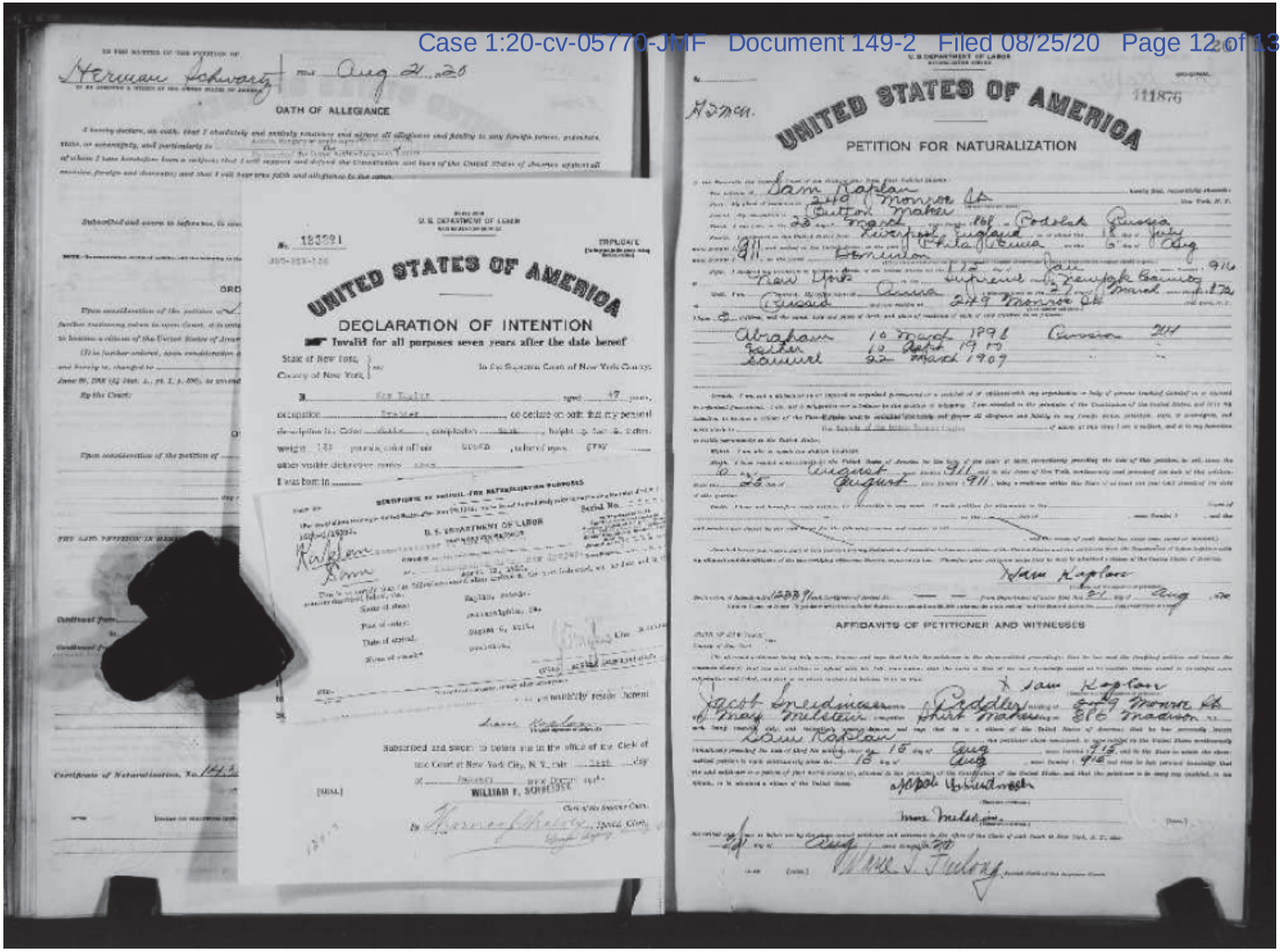
No.

S. S. "KAISER" RA arrived July 20, 1914. , 191 , M., , from Ofen

	Index No.	NAMES.	Manifest. Group.	Manifest. No.	No. Persons.	Cause of Detention.	Inspector.	Actions of the Boards of Special Inquiry. Dep.—Excl. Date.	Dep.—Excl. Page.	Dep.—Excl. Sec'y.	Rehearings. Date.	Rehearings. Page.	Rehearings. Sec'y.	Admitted. Date.	Admitted. Page.	Admitted. Sec'y.	Admitted. Time.	Departmental and Executive Orders. Date.	Record No.	Orders.	Deported. Date.	Ship.	Officer.	118 Detained.	Deport.	Suppr.
31f	33	Corlik, Sifra, children	3	12/17-6		1pc, phl-cert, 4; Flamsory								7/21	9	7	11 25							6-	6	
10m		" Elie																								
8m		" Scholem																								
4m		" Srul																								
2m		" Hirsch																								
6f		" Rose																								
45f	32	Kaplan Chona	9-1-14	14 9 12		B.P.C. cert + S.I. 7/22 1 42 pm	Tedesco	7/22	39	92	7/22	39	41					10/1/14	3 00	Landed		✓		4/18	4/18	☆
16m		Avrum					4							Landed 7/29				7/22	12 05	Landed						
5m		Schmuel					4											10/1/14	3 52	Landed		✓				
14f		Ester				To Hosp 3/15/15. From Hosp 3/19/15 + cert 8/15.	"											4/1/15	5 35	Released		✓				
																								6-	6	22

Kurzk 7/20 Totals

Attachment D



OATH OF ALLEGIANCE

U.S. DEPARTMENT OF LABOR

No. 183391

UNITED STATES OF AMERICA

DECLARATION OF INTENTION

Invalid for all purposes seven years after the date hereof

WILLIAM F. SCHECHT

111876

UNITED STATES OF AMERICA

PETITION FOR NATURALIZATION

Sam Kaplan

AFFIDAVITS OF PETITIONER AND WITNESSES

IN THE MATTER OF THE PETITION OF

Sam Kaplan

TO BE ADMITTED A CITIZEN OF THE UNITED STATES OF AMERICA.

Filed Aug. 21, 1920

OATH OF ALLEGIANCE

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly to the bounds of the former Russian Empire *of whom I have heretofore been a subject; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; and that I will bear true faith and allegiance to the same.*

X Sam Kaplan

Subscribed and sworn to before me, in open Court, this 14 *day of* Dec., *A. D. 19*20

Frank Hulsen, Clerk.

NOTE.—In renunciation of title of nobility, add the following to the oath of allegiance before it is executed: "I further renounce the title of (*the title*), an order of nobility, which I have heretofore held."

ORDER OF COURT ADMITTING PETITIONER

Upon consideration of the petition of Sam Kaplan *and affidavits in support thereof, and further testimony taken in open Court, it is ordered that the said petitioner, who has taken the oath required by law, be, and hereby is, admitted to become a citizen of the United States of America, this* 14 *day of* Dec., *A. D. 19*20

(It is further ordered, upon consideration of the petition of the said ..... *, that his name be, and hereby is, changed to* ..... *, under authority of the provisions of section 6 of the act approved June 29, 1906 (34 Stat. L., pt. 1, p. 596), as amended by the act approved March 4, 1913, entitled "An act to create a Department of Labor.")*

By the Court:

Richard R. Lydon, Jr.

ORDER OF COURT DENYING PETITION

Upon consideration of the petition of ..... *and the motion of* ..... *for the United States in open Court this* ..... *day of* ..... *, 19*..... *it appearing that* .....

THE SAID PETITION IS HEREBY DENIED.

..... *, J.* .....

MEMORANDUM OF CONTINUANCES

	REASONS FOR CONTINUANCE
Continued from ..... *, 19*.....	.....
to ..... *, 19*.....	.....
Continued from ..... *, 19*.....	.....
to ..... *, 19*.....	.....

NAMES OF SUBSTITUTED WITNESSES

..... *, occupation* ..... *, residing at* .....

..... *, occupation* ..... *, residing at* .....

Certificate of Naturalization, No. 1432278 *, issued on the* 14 *day of* Dec., *A. D. 1920*

14—213 [INSERT ON FOLLOWING LINES MARRIAGES AND BIRTHS OCCURRING AFTER PETITIONING AND BEFORE NATURALIZATION.]

27

U. S. DEPARTMENT OF LABOR
NATURALIZATION SERVICE

ORIGINAL

No. 111877

Admn

UNITED STATES OF AMERICA

..... *, hereby filed, respectfully showeth:*

..... *New York, N. Y.*

Austria

..... *day of* Oct.

..... *day of* Nov.

..... *anno Domini 1*916

York County

..... *anno Domini 1*.....

..... *New York, N. Y.*

of persons teaching disbelief in or opposed
itution of the United States, and it is my
rince, potentate, state, or sovereignty, and
me I am a subject, and it is my intention

he date of this petition, to wit, since the
ly next preceding the date of this petition,
f at least one year next preceding the date

..... *Court of*

..... *anno Domini 1*..... *and the*

sial has since been cured or removed.)
from the Department of Labor, together with
a citizen of the United States of America.

Fast

ne signature of petitioner.)

..... *day of* Aug. *, 19*20

..... *from Department of Labor."*

read the foregoing petition and knows the
matters therein stated to be alleged upon

Nast

ne signature of petitioner.)

16139 A
W. 116

merica; that he has personally known
resided in the United States continuously
3 ..... *and in the State in which the above-*
and that he has personal knowledge that
petitioner is in every way qualified, in his

..... [SEAL.]

..... *this*

NUMBER 91
PAID $4.00
86A

..... *21 day of* Aug. *anno Domini 19*20

H. Durcher *Special Clerk of the Supreme Court.*

14—230 [OVER.]