



July 23, 2026

Via Electronic Mail

Deputy Chief Tamica H. Daniel
United State Department of Justice
Civil Rights Division Housing and Civil Enforcement Section
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Washington, D.C. 20530
[REDACTED]

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Eastern District of New York
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Counsel:

Parviz Mukhamadkulov declines your request to interview him about his First Amendment protected speech. The social media post your letter identifies as the basis for the requested interview states that Poetica Café, which Mr. Mukhamadkulov owns, does not “serve racists, fascists, homophobes, genocide enablers, or anyone in between.”

The categories of unwelcome individuals identified in the post—“racists, fascists, homophobes, genocide enablers, or anyone in between”—describe perceived beliefs, viewpoints, or conduct, none of which is a characteristic protected by Title II. Nothing in the post suggests that Poetica would deny service on the basis of race, color, religion, or national origin, which is what Title II prohibits.

In his letter of July 7, Mr. Mukhamadkulov responded in the negative to your questions about whether his coffee shops had engaged in any unlawful discrimination under Title II. Your July 22 letter identifies no deficiency in Mr. Mukhamadkulov's July 7 responses, no contradictory evidence, and no new evidence suggesting that Poetica has ever denied service to any person based on race, color, religion, or national origin. Even Representative Dan Goldman, to whom Mr. Mukhamadkulov

was referring in the cited post, acknowledged he had been served at Poetica and stated that he believed this investigation was unwarranted.

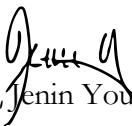
Instead of identifying legitimate grounds for a Title II investigation, your latest letter refers only to Mr. Mukhamadkulov's social media post, which is First Amendment protected political speech, as he explained in his previous letter. It falls into no First Amendment free speech exception permitting government retaliation or censorship. In fact, given that it opines on a matter of public importance, his post is entitled to the highest degree of constitutional protection.

Based upon the above-described facts, the only remaining inference is that the Department of Justice (DOJ) is weaponizing civil rights law to intimidate Mr. Mukhamadkulov into silence for voicing his views on the State of Israel and its military action in Gaza. As we explained in our July 7 letter, government action that falls short of actual civil or criminal prosecution—including investigations and threatened enforcement—can violate the First Amendment. *See, e.g., Nat'l Rifle Ass'n of Am. v. Vullo*, 602 U.S. 175, 177 (2024) (explaining that plaintiff plausibly alleged a First Amendment violation where government conduct “could be reasonably understood to convey a threat of adverse government action in order to punish or suppress speech.”); *Gibson v. Florida Legislative Investigation Committee*, 372 U.S. 539 (1963) (holding that government's investigative demands burdening First Amendment rights require a demonstrable nexus to a compelling state objective).

DOJ's continued pursuit of this investigation, particularly where its July 22 letter identifies Mr. Mukhamadkulov's protected speech as the basis for the requested interview, only heightens those constitutional concerns. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 460–61 (1958) (holding that “state action which may have the effect of curtailing the freedom to associate is subject to the closest scrutiny”); *White v. Lee*, 227 F.3d 1214, 1233 (9th Cir. 2000) (holding that “the critical issue is not whether HUD was justified accepting [the] complaint and initiating some form of limited investigation, but whether the manner in which they actually conducted their... investigation violated the plaintiffs' First Amendment rights”).

Therefore, should DOJ continue this unwarranted investigation that is veering into unconstitutional territory (if it has not already) the undersigned are prepared to take legal action to safeguard Mr. Mukhamadkulov's rights.

Sincerely,


Jenin Younes, Esq.

/s/ Jonathan Wallace

Jonathan Wallace, Esq.