



July 7, 2026

Via Electronic Mail and United States Mail

Deputy Chief Tamica H. Daniel
United State Department of Justice
Civil Rights Division Housing and Civil Enforcement Section

[REDACTED]
[REDACTED]
[REDACTED]

Assistant United States Attorney Megan J. Freismuth
United States Attorney's Office
Eastern District of New York

[REDACTED]
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Counsel:

On behalf of Parviz Mukhamadkulov, the undersigned write in response to your letter dated June 23, 2026.

To begin, DOJ's retaliatory investigation of Mr. Mukhamadkulov, owner of Poetica Café in New York City, raises grave First Amendment free speech concerns. See U.S. Const. amend I. See also *N.Y. Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964) (recognizing “a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide open.”). As the Supreme Court has recognized, the First Amendment removes “governmental restraints from the arena of public discussion” placing “the decision as to what views shall be voiced largely into the hands of each of us, ... in the belief that no other approach would comport with the premise of individual dignity and choice upon which our political system rests.” *McCutcheon v. Fed. Election Comm'n*, 572 U.S. 185, 203 (2014) (quoting *Cohen v. California*, 403 U.S. 15, 24 (1971)).

Speech on matters of public concern “occupies the highest rung of the hierarchy of First Amendment values, and is entitled to special protection.” *Snyder v. Phelps*, 562 U.S. 443, 444 (2011) (quoting *Connick v. Myers*, 461 U.S. 138, 145 (1983)). Similarly, “[a]t the heart of the First Amendment’s

Free Speech Clause is the recognition that viewpoint discrimination is uniquely harmful to a free and democratic society,” *Nat’l Rifle Ass’n of Am. v. Vullo*, 602 U.S. 175, 187 (2024), and thereby “presumptively unconstitutional.” *Rosenberger v. Rector & Visitors of University of Virginia*, 515 U.S. 819, 830 (1995).

“[A]s a general matter the First Amendment prohibits government officials from subjecting an individual to retaliatory actions” for engaging in protected speech. *Hartman v. Moore*, 547 U.S. 250, 256 (2006). If a government actor takes adverse action against an individual based on that forbidden motive, the injured person may seek relief by bringing a First Amendment claim in court. *See Nieves v. Bartlett*, 587 U.S. 391, 398 (2019).

Our courts have readily found that investigations, subpoenas, and disclosure demands constitute impermissible retaliation under the First Amendment when they are weaponized to punish and chill protected speech. *See, e.g., Vullo*, 602 U.S. at 177 (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).

As you state in your letter, this federal investigation was prompted by information that Mr. Mukhamadkulov publicly stated he was banning Representative Dan Goldman from patronizing Poetica in the future. Your letter refers to Mr. Mukhamadkulov’s June 22, 2026, social media post, from the night before Rep. Goldman lost New York’s tenth congressional district primary to Brad Lander, stating:

Hey @repdangoldman, we see that you stopped by our shop today for a coffee. Do you see how it doesn’t taste like genocide juice? Or are you still having a hard time telling the difference? See, here at Poetica, we don’t serve racists, fascists, homophobes, genocide enablers, or anyone in between. Too bad we didn’t recognize you right away, or we would have turned you away. We issued you a refund—we don’t need your money (it’s probably coming from AIPAC anyways). Enjoy your loss on Tuesday. Don’t ever come to Poetica.

Nothing in Mr. Mukhamadkulov’s post suggests that Rep. Goldman or anyone else has been refused service from Poetica due to membership in a class protected under Title II (race, color, religion and national origin). Indeed, Rep. Goldman was not actually refused service at the time, as he himself has acknowledged. He has also stated that he does not believe this action is warranted. *See* Maya King, *Café Tells Congressman He’s Not Welcome Because of His Stance on Israel*, THE NEW YORK TIMES (June 22, 2026), <https://www.nytimes.com/2026/06/22/nyregion/coffee-shop-poetica-dan-goldman-israel.html> (last visited Jul. 7, 2026); Miles G. Cohen and Olivia Bensimon, *Goldman Says Café’s Hostile Post About Him Does not Warrant Civil Rights Case*, THE NEW YORK TIMES (June 23, 2026), <https://www.nytimes.com/2026/06/23/nyregion/goldman-poetica-civil-rights-case.html> (last visited July 7, 2026).

The above-cited social media post and Mr. Mukhamadkulov's prior remarks on social media about Rep. Goldman demonstrate that his criticism and threatened ban were based solely upon the Congressman's voting record and stated political views, specifically his support for Israel's military conduct in Gaza. Those are not protected categories under Title II of the Civil Rights Act. Nor has DOJ provided any other evidence from which one may reasonably infer that Mr. Mukhamadkulov's attitude towards Rep. Goldman had anything to do with race, color, religion, or national origin.

Public statements of DOJ officials further support the inference that the government is targeting Mr. Mukhamadkulov for punishment because of his publicly expressed views about Israel and Gaza. That is forbidden under the First Amendment. *See StandWithUsCtr. for Legal Just. v. Mass. Inst. of Tech.*, 148 F.4th 1, 13 (1st Cir. 2025) (rejecting plaintiffs' claims that anti-Zionism and protesting Israel constituted antisemitic discrimination). *See also Cox v. Louisiana*, 379 U.S. 536, 545-51 (1965) (holding that a state violated the First Amendment when it prosecuted and convicted a student protestor for "disturbing the peace" when the real reason for the prosecution was hostility to the protestor's views).

For example, Harmeet Dhillon, Assistant Attorney General of DOJ's Office of Civil Rights commented on the social media platform X about a *New York Post* article describing Mr. Mukhamadkulov's social media post: "[t]he Civil Rights Division has opened an investigation, and will bring an enforcement action if warranted." Harmeet Dhillon (@AAGDhillon), X (June 22, 2026, @ 17:51 ET), <https://x.com/AAGDhillon/status/2069174058143420627>.

Along with other similar statements, Ms. Dhillon's remark reinforces the conclusion that DOJ is conducting this investigation not because of genuine concerns about discriminatory practices under Title II, but to punish Mr. Mukhamadkulov for expressing his views and to intimidate him into silence by threatening enforcement action. *See Backpage.com, LLC v. Dart*, 807 F.3d 229, 230 (7th Cir. 2015) ("a public official who tries to shut down an avenue of expression of ideas and opinions through 'actual or threatened imposition of government power or sanction' is violating the First Amendment.") (quoting *American Family Ass'n, Inc. v. City & County of San Francisco*, 277 F.3d 1114, 1125 (9th Cir. 2002)). The coercive nature of this explicit threat (which, of course, implicitly underwrites the entire investigation) also escalates the severity of the First Amendment injury inflicted by the investigation alone. *See Virginia v. American Booksellers Assn., Inc.*, 484 U.S. 383, 393 (1988) (self-censorship in response to a "well-founded fear that the law will be enforced against them" is an injury in fact "that can be realized even without an actual prosecution").

Despite the fact that this investigation abridges his First Amendment rights, and that DOJ's targeting of Mr. Mukhamadkulov has led to serious threats of violence against him and his family, resulting in criminal charges in at least one case so far, Mr. Mukhamadkulov will respond to your requests for information as a courtesy. Nothing in this letter should be construed as a waiver or concession of potential First Amendment or other claims against the United States Department of Justice or other government defendants.

1. [Provide] the name, address, telephone number, title, and email address of the individual(s) to whom the Department of Justice should direct any future questions or correspondence regarding this matter.

Jenin Younes
President and Legal Director
American-Arab Anti-Discrimination Committee

[REDACTED]
[REDACTED]
[REDACTED]

Jonathan Wallace

[REDACTED]
[REDACTED]
[REDACTED]

2. Describe all facts relating to Representative Dan Goldman’s visit to Poetica Coffee on June 22, 2026, including, but not limited to, all staff who were present in the cafe that day; all information considered, individuals consulted, and persons responsible for the social media post text below [post that is included above in its entirety]; and all information considered, individuals consulted, and persons responsible for banning him from the cafe.

Because DOJ’s targeting of Poetica and Mr. Mukhamadkulov have led to serious threats of violence against him and his family resulting in police investigations, Mr.

Mukhamadkulov declines to disclose the names of any staff or other individuals present during Rep. Goldman’s visit to Poetica in the interests of their safety.

Mr. Mukhamadkulov crafted his First Amendment protected post on his own.

3. Copies of all documents related to the decision to post on social media about Representative Goldman’s visit.

No such documents exist.

4. Copies of all documents related to the decision to ban Representative Goldman from the café.

No such documents exist.

5. Describe all facts relating to the visit to Poetica Coffee described in the Yelp! Reviews by “Ryan L” below, including, but not limited to, all staff who were

present in the cafe that day, all staff who communicated with the patron, and any information regarding these remarks.

Mr. Mukhamadkulov denies that the events described by “Ryan L.” in two separate Yelp reviews on the day that his post made national headlines occurred.

Mr. Mukhamadkulov does not serve customers, is rarely present in any of his coffee shops, has never asked a patron to disclose their religion, and does not even know how to make a cup of coffee, so the reviewer’s statements are not credible.

As noted above, both posts were created on the exact day that Mr. Mukhamadkulov’s post received nationwide attention, by the same anonymous individual who resides in Scottsdale, Arizona. These circumstances strongly suggest the alleged events were fabricated.

6. Identify any incidents where Poetica has denied service to, asked patrons to leave, or banned patrons because of race, religion, or national origin, including because patrons are Jewish or Israeli. Describe all facts relating to each incident, including, but not limited to, all staff who were in the cafe at the time, all information considered in making that decision, all individuals who were consulted, and all persons responsible for making that decision.

To Mr. Mukhamadkulov’s knowledge, no such incidents have occurred.

7. Describe all policies, procedures, or practices the cafe has adopted in the last three years regarding service of patrons based on race, religion, or national origin.

Poetica does not discriminate on the basis of race, color, religion, national origin, or any other Title II protected class. No one has ever been refused service because of membership in a protected class, to Mr. Mukhamadkulov’s knowledge.

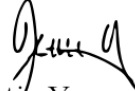
8. Identify and describe all accusations or complaints from the last three years, either formal or informal, from patrons or potential patrons alleging discrimination because of race, religion, or national origin by any owners, managers, employees, or agents of the cafe, other than the incidents described above. Complaints can be oral, written, or electronic, including on social media. Include in the response: the substance of the allegation, the means by which the complaint was made, the identity of the complainant(s), and a description of the resolution of the complaint(s).

None.

As explained above, DOJ's investigation does not appear to stem from evidence of unlawful Title II discrimination, but rather from protected criticism of Rep. Goldman's voting record and articulated positions on Israel and Gaza. Accordingly, the investigation and threatened enforcement action constitute unlawful viewpoint discrimination and retaliation in violation of the First Amendment.

We are prepared to take legal action to protect Mr. Mukhamadkulov's rights, and the responses contained herein should not be construed as a waiver of any such rights.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerin Younes".

Jerin Younes, Esq.

/s/ Jonathan Wallace

Jonathan Wallace, Esq.