

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

State of Minnesota,  
by and through its Attorney General Keith  
Ellison, City of Minneapolis, and City of Saint  
Paul,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as  
Secretary of the U.S. Department of Homeland  
Security; JOHN CONDON, in his official  
capacity as Acting Executive Associate Director  
of Homeland Security Investigations; U.S.  
Department of Homeland Security; TODD  
LYONS, in his official capacity as Acting  
Director of U.S. Immigration and Customs  
Enforcement; MARCOS  
CHARLES, in his official capacity as Acting  
Executive Associate  
Director, Enforcement and Removal  
Operations; U.S. Immigration and Customs  
Enforcement; RODNEY SCOTT, in his official  
capacity as Commissioner of U.S. Customs and  
Border Protection; U.S. Customs and Border  
Protection; GREGORY BOVINO, in his official  
capacity as Commander of the U.S. Border  
Patrol; U.S. Border Patrol; DAVID  
EASTERWOOD, in his official capacity as  
Acting Director, Saint Paul Field Office, U.S.  
Immigration and Customs Enforcement,

Defendants.

Case No. 0:26-cv-00190 (KMM-  
DJF)

**DECLARATION OF MICHAEL  
BREY**

I, MICHAEL BREY, declare as follows:

1. I am an Assistant City Attorney representing the City of Minneapolis in this matter. I

make this Declaration based on my review of social media posts, videos, news reports, and incident reports about an apparent shooting of a civilian by federal immigration agents in the City of Minneapolis on January 24, 2026.

2. Exhibit A is a video posted on the social media platform Threads by the account @az\_intel\_ on January 24, 2026, available at [https://www.threads.com/@az\\_intel\\_/post/DT52ohCkYQ2?xmt=AQF02r3aMJZUQ1trJlRZ7HVJE2GGnmp1ywMhAv\\_GDhK6NUfU9EPeEW2gS-0kZQbX6\\_LBGFA&slof=1](https://www.threads.com/@az_intel_/post/DT52ohCkYQ2?xmt=AQF02r3aMJZUQ1trJlRZ7HVJE2GGnmp1ywMhAv_GDhK6NUfU9EPeEW2gS-0kZQbX6_LBGFA&slof=1). A true and correct copy of Exhibit A will be filed with the Court on January 26, 2026. Exhibit A appears to show one angle of the shooting.

3. Exhibit B is a video posted on the social media platform X (formerly Twitter) by the account @MeidasTouch on January 24, 2026, available at <https://x.com/MeidasTouch/status/2015117184377475103?s=20>. A true and correct copy of Exhibit B will be filed with the Court on January 26, 2026. Exhibit B appears to show the moments before the shooting.

4. Exhibit C is a video posted on the social media platform X (formerly Twitter) by the account @bringmethenews on January 24, 2026, available at <https://x.com/bringmethenews/status/2015098630877626397?s=46>. A true and correct copy of Exhibit C will be filed with the Court on January 26, 2026. Exhibit C appears to show another angle of the shooting.

5. Exhibit D is a video posted on the social media platform X (formerly Twitter) by the account @BTnewsroom on January 24, 2026, available at <https://x.com/btnewsroom/status/2015089230158999833?s=46>. A true and correct copy of Exhibit D will be filed with the Court on January 26, 2026. Exhibit D appears to show another angle of the

shooting.

6. Exhibit E is a video posted on the social media platform X (formerly Twitter) by the account @MarioNawfal on January 24, 2026, available at <https://x.com/MarioNawfal/status/2015145354489221290?s=20>. A true and correct copy of Exhibit E will be filed with the Court on January 26, 2026. Exhibit E appears to show another angle of the shooting.

7. Attached as Exhibit F is a true and correct copy of the Minnesota Star Tribune article titled “Man fatally shot by federal immigration agents in south Minneapolis,” as printed at approximately 4:15 pm on January 24, 2026. The article is available at <https://www.startribune.com/man-fatally-shot-by-federal-agents-in-south-minneapolis/601570050>.

8. Exhibit G is a video of a January 24, 2026 press conference held by DHS Secretary Kristi Noem on the shooting of a Minneapolis man by federal agents in Minnesota, available at <https://www.c-span.org/program/news-conference/dhs-secretary-noem-holds-news-conference-on-fatal-ice-shooting-in-minneapolis/672250>. A true and correct copy of Exhibit G will be filed with the Court on January 26, 2026.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

EXECUTED this 26th day of January, 2026 in Hennepin County, Minnesota

*/s/ Michael Brey*  
Michael Brey