

EXHIBIT A

AMJA DECISION DATED JUNE 5, 2025



AMJA Arbitration Panel's Ruling
(June 5, 2025)

Re: Ikram Ullah Khan et al. vs. Mustapha Saoui et al.

(In the Court of Common Pleas, Sixth Judicial Circuit Case No. 2022-CP-29-01637)

The arbitration panel is grateful to the Court for honoring the Assembly of Muslim Jurists of America (“AMJA”) to decide upon religious matters and grateful for the smooth and efficient participation of all the Parties involved.

Introduction

The above-referenced matter was referred to arbitration by the Assembly of Muslim Jurists of America (“AMJA”) by Circuit Judge Brian M. Gibbons of the State of South Carolina, County of Lancaster on March 21, 2024. Following various procedural and preparatory arrangements, Plaintiffs and Defendants, collectively referred to as the Parties, took part in a one-day arbitration hearing on Saturday, April 26, 2025, at the Islamic Community Center of South Charlotte (the “Hearing”).

The AMJA Arbitration Panel (the “Arbitration Panel”) consisted of Dr. Main Alqudah, Shaykh Umer Khan, and Dr. Ahmed Mohamed. The Panel was accompanied by AMJA’s legal counsel Tawfiq Morrar, who administered the logistics of the hearing.

The following Plaintiffs were present: Shaik Abdul Mannan, Ikram Ullah Khan, Zafer Mohamed, Muhammad Mahmood, and Arshad Khan. Plaintiffs Ikram Ullah Khan, Zafer Mohamed, and Muhammad Mahmood provided testimony at the hearing. The following persons were called as witnesses for Plaintiffs and also provided testimony at the hearing: Zafar Iqbal, Fazal Raza, and Adnan Jafri. Plaintiffs were represented by their attorney Forrest Norman at the hearing.

The following Defendants were present: Mustapha Saoui, Jamal Zoubir, Farooq Husain, Marlon Haniff, Mehdi Wajih, Ahmed Alnakkar, and Bouna Cisse. Defendants Marlon Haniff and Mehdi Wajih provided testimony at the hearing. The following persons were called as witnesses for Defendants also provided testimony at the hearing: Imam Abdi Dahir and Rafat Mahmood. Defendants were represented by their attorney Eugene Matthews at the hearing.

The Hearing began at 9:00 AM with an introductory session in which the scheduling and logistics of the Hearing were communicated and discussed with the Parties, followed by each party making a brief opening argument.

At 9:25 AM, Plaintiffs began presentation of their case with witnesses called in the following order: Zafar Iqbal, Muhammad Mahmood, Fazal Raza, Zafer Mohamed, Adnan Jafri, and Ikram Ullah Khan. Following the direct examination of each witness by Plaintiffs’ attorney, Defendants’ attorney asked questions in cross examination. Following the cross examination, members of the Arbitration Panel asked

questions of each witness from the Plaintiffs' side. Plaintiffs' presentation of their case took approximately 4 hours and 17 minutes.

At 3:18 PM, Defendants began presentation of their case with witnesses called in the following order: Imam Abdi Dahir, Marlon Haniff, and Mehdi Wajih. Following the direct examination of each witness by the Defendants' attorney, the Plaintiffs' attorney asked questions in cross examination. Following the cross examination, members of the Arbitration Panel asked questions of each witness from the Defendants' side. Imam Abdi Dahir then provided additional testimony. Rafat Mahmoud, though called as a witness, provided closing thoughts. Defendants' presentation of their case took approximately 4 hours and 11 minutes.

The Parties agreed to forego their closing arguments and provide all concluding positions in a Closing Brief.

Questions submitted by the court to the AMJA Arbitration Panel for resolution:

Question 1 - Did the Defendants correctly determine that the Plaintiffs behaved in an un-Islamic manner?

Defendants, acting as the Shura of ICCSC, revoked the membership of several individuals, claiming that those individuals took part in un-Islamic conduct. Nineteen (19) of these individuals were listed on a preferred candidate list that was distributed to the general ICCSC community. The preferred candidate list was exclusively composed of individuals from a South Asian background. This preferred candidate list, and its distribution, was discovered by the Defendants leading to their determination that the individuals took part in alleged un-Islamic conduct and subsequently revoked their membership under Article III, Sections 1.b and 1.c of the Constitution and Bylaws of Islamic Community Center of South Charlotte. Membership revocations included the revocation of Ikram Ullah Khan on November 27, 2022, then nineteen (19) additional members on December 1, 2022, and three (3) additional members on December 2, 2022.

Following the testimony of all witnesses and review of all evidence submitted in this matter by all Parties, the Arbitration Panel found no substance or evidence of un-Islamic conduct sufficient to justify the revocation of membership of the nineteen (19) individuals on December 1, 2022 or the three (3) additional members on December 2, 2022 under Article III, Section 1.c of the Constitution and Bylaws. The discussion of the Arbitration Panel as it pertains to Ikram Ullah Khan can be found in the next paragraph. The bar for un-Islamic conduct that leads to revocation of membership needs to be high enough that it does not serve as a loophole to be abused or a catch-all to be applied in endless possibilities, as seems to be the case here. Additionally, for conduct to be deemed un-Islamic, such conduct must be found to be *haram* (prohibited) in Islam. This prohibition can be defined in 2 manners. The first manner is if the act is haram for itself or by itself (*Haram li Dhatihi*). The second manner is if the act would be considered haram because of its potential consequences (*Haram li Ghayrihi*). The actions of making, circulating, and/or campaigning for a preferred candidate list are not prohibited actions in Islam. Some actions, such as creating a list that does not represent the diverse population of the community, are not wise and can lead to unnecessary and harmful strife in the community. If any racism is intentional, this would go clearly against Islamic principles, but none of these actions are strong enough to be deemed haram. Though Imam Abdi Dahir initially held a different opinion, he ultimately stated that

he found that the Plaintiff's conduct was wrong and offensive, but not *haram*. The Arbitration Panel appreciates the Imam's humility in this matter.

The allegations against Ikram are more severe in nature, as they include falsifying meeting minutes, secretly distributing confidential member contact information outside of the Shura, and knowingly making important Shura decisions without a quorum. Consequently, the Arbitration Panel found that Ikram Ullah Khan took part in un-Islamic conduct. Thus, his membership was appropriately revoked. We recommend that he be precluded from taking part in the upcoming Shura elections, holding any position or administrative role in the ICCSC, or otherwise holding membership in the ICCSC for the next three-year term.

Plaintiffs, in their Closing Brief, brought additional concerns regarding the qualifications of ICCSC Imam Abdi Dahir. The Arbitration Panel does not find these concerns to be valid. Imam Abdi Dahir appears to be a mature, educated, and honorable Imam of ICCSC. The Arbitration Panel found that Imam Abdi Dahir was qualified to serve as an imam. However, Imam Abdi Dahir does not possess the unique qualifications to issue a *fatwa* (religious edict) on the specific matter of revocation of the membership of the Plaintiffs. This does not deem him unqualified to serve as the community's imam. As a matter of context, the vast majority of imams throughout the United States, even those with degrees from Islamic universities and institutions, do not possess the qualifications to issue *fatwas*.

Question 2 - Did the Defendants act appropriately in removing the Plaintiffs from the Shura and in removing them from ICCSC membership, and by suspending the original scheduled election?

No. In the case of accusing someone of alleged un-Islamic conduct, a proper and thorough procedure needs to be established and followed. Under Islamic law, any person who has been accused of a wrongful act is presumed to be innocent unless proven otherwise. A person who has been accused of wrongdoing or an act of transgression has a right to defend themselves. This was not afforded to any of the individuals who had their membership revoked. In this case, ICCSC members should have been informed of any allegations of misconduct, a formal hearing and investigation should have been performed, after which there should have been a formal and timely notification of revocation of membership, along with a clear appeal process and deadline. The Constitution and Bylaws permit a hearing mechanism in Section 4 for suspension or expulsion of a member, but this was not followed nor acted upon.

Question 3 - Did either the Defendants or the Plaintiffs act appropriately by conducting subsequent Shura elections in December 2022?

The Plaintiffs' Election: Ikram Ullah Khan admitted at the Hearing that he did not follow the Bylaws to establish a quorum when appointing Adnan Jafri as the new Election Committee Chair on November 27, 2022. Since this election committee was not established by approval of the Shura, the Election Committee was not valid, and therefore, neither was the election.

The Defendants' Election: The Shura committee in place in early December of 2022 inappropriately and wrongly revoked the memberships, and thereby the candidacy, of 19 members. This reduced the number of candidates for the new Shura from 35 to 16, severely impacting the fairness of the election. Therefore, the results of the elections held by the Defendants cannot be considered valid.

Recommendations for Moving Forward:

Given that 2025 is an election year and there are only a few months left until elections, the Arbitration Panel recommends that elections be held as scheduled in November. A new, neutral three (3) person election committee should be appointed within the next 30 days to immediately solicit nominations for candidates. The members of this election committee should not be anyone who was a named Plaintiff or Defendant in this case. All individuals whose membership was terminated should have their membership reinstated, except for Ikram Ullah Khan, to allow for their eligibility and participation in the upcoming Shura elections.

Until the newly-elected Shura goes into effect on January 1, 2026, the Shura of the Defendants should stay in place and be the only Shura for the continuity of ICCSC operations. All other activities by the Plaintiffs' Shura should cease, including fundraising, hosting a second Friday prayer, and any other activity in the ICCSC.

Recommendations for Changes to the Bylaws

1. Establish definitions of "good Islamic conduct" under Article III, Section 1.b. Article III, Sections 1.b and 1.c should not serve as a loophole for membership to be revoked for trivial matters or matters that may be unpopular.
2. Set a clear framework for quorum requirements at Shura meetings, addressing issues such as total membership versus members present, in-person versus remote participation, voting by proxy, etc.
3. Clarify the actual process for establishing membership and what the membership fees are (even if \$0). Announce this to the community and allow them to easily become members.
4. Define what is meant by "revoke" in Article III, Section 1.c and "suspend" or "expel" in Article V, Section 4. Clarify which conditions would lead to each of these, and what the proper process/procedure for each (including a formal hearing process), and what approval is required. Define how many minimum votes are required for each (in terms of an absolute number and/or percent), and not allow votes for such critical procedures by proxy.
5. Clarify if revocation of membership cancels all appointments and positions.
6. Clarify what can and cannot be done through proxy. Does proxy allow a delegate to vote on any new/unknown issue, or only a limited scope as defined through specific questions to be voted on? Are there any limits to the number of votes that can be by proxy to establish quorum?
7. Define the requirements for an Islamic scholar and the minimum qualifications they must have to make decisions on shariah-related matters and/or to issue fatwa. For example, "Be a graduate of a formal minimum four-year Islamic Studies institution, specializing in Fiqh (Islamic Jurisprudence) studied from Arabic source material. Examples of such institutions include Darul-Uloom, Islamic University of Madinah, and Al-Azhar University."
8. The permissibility of campaigning should be explicitly addressed.

Jazakum Allahu Khairan,

Dr. Main Alqudah
 Shaykh Umer Khan
 Dr. Ahmed Mohamed