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13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
15 **EASTERN DIVISION**

16 **RAUL NOVOA, JAIME CAMPOS**
17 **FUENTES, ABDIAZIZ KARIM, and**
18 **RAMON MANCIA** individually and on
behalf of all others similarly situated,
Plaintiffs,

19 v.

20 **THE GEO GROUP, INC.,**
21 *Defendant.*

Civil Action No. 5:17-cv-02514-JGB-SHKx

**NOTICE OF MOTION AND
MOTION FOR PLAINTIFFS'
MOTION FOR EXPEDITED
DISCOVERY IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Hearing Date: May 4, 2020 at 9:00 a.m.
Discovery Cutoff Date: 9/14/2020
Pretrial Conf.: 1/4/2021 at 11 a.m.
Trial Date: 2/2/2021

The Honorable Judge Jesus G. Bernal

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NOTICE OF MOTION

PLEASE TAKE NOTICE that, on May 4, 2020 at 9:00 a.m., in Courtroom 6 of the above-captioned Court before the Honorable Jesus G. Bernal, Plaintiffs Raul Novoa, Jaime Campos Fuentes, Abdiaziz Karim, and Ramon Mancía (collectively, “Plaintiffs”), will and hereby move for an order allowing Expedited Discovery in Support of Plaintiffs’ Motion for Preliminary Injunction.

This Motion is made in accordance with the Local Rules of this Court and the Federal Rules of Civil Procedure, and is based on this Notice of Motion, the accompanying Motion for Expedited Discovery in Support of Plaintiffs’ Motion for Preliminary Injunction, the anticipated arguments of counsel at the hearing, the files and pleadings in this action, and any matter the Court may deem appropriate. This motion is made following the conference of counsel pursuant to L.R. 7-3 which took place on April 6, 2020.

As requested in the concurrently filed *Ex Parte* Application for TRO, Plaintiffs respectfully request that the Court hear this motion at the same time as it hears argument regarding the TRO.

1 **PLAINTIFFS’ MOTION FOR EXPEDITED DISCOVERY IN SUPPORT**
2 **OF PLAINTIFFS’ MOTION FOR PRELIMINARY INJUNCTION**

3 Plaintiffs represent a certified class of civil immigration detainees who perform
4 sanitation services and other work pursuant to the Housing Unit Sanitation Policy
5 (“HUSP”) applied by defendant The GEO Group, Inc. (“GEO”) at its detention
6 facilities across the country.

7 Because of the imminent and irreparable harm Plaintiffs face from participating
8 in the HUSP program without sufficient protective safeguards and equipment, Plaintiffs
9 have moved for a temporary restraining order, and will seek a preliminary injunction,
10 asking that this Court require GEO to either (a) immediately halt the use of class
11 members in the provision of work or services under the HUSP program, or (b) at least
12 equip those detainees who provide HUSP services with protective clothing and
13 antiseptic supplies, and to conduct weekly testing of all such class members to detect
14 and protect against the threat of death or serious illness from Coronavirus Disease 2019
15 (“COVID-19”).

16 Plaintiffs herein seek an order granting expedited discovery on a limited, targeted
17 set of issues that relate directly to the preliminary injunction: the efforts GEO has taken
18 to assess, monitor, and protect Plaintiff class members from contracting COVID-19
19 while participating in the HUSP program. Plaintiffs request that GEO produce
20 responses to the interrogatories and requests for admission included in Exhibit A hereto
21 within 4 calendar days, and that GEO make available a representative to testify to the
22 topics presented in Exhibit B hereto within 9 calendar days, after service of this motion.

23 **I. Good Cause Exists to Grant Plaintiffs’ Request for Expedited Discovery.**

24 “Expedited discovery has been ordered where it would ‘better enable the court to
25 judge the parties’ interests and respective chances for success on the merits’ at a
26 preliminary injunction hearing.” *Yokohama Tire Corp. v. Dealers Tire Supply, Inc.*, 202 F.R.D.

1 612, 613 (D. Ariz. 2001) (quoting *Edudata Corp. v. Sci. Computs., Inc.*, 599 F. Supp. 1084,
2 1088 (D. Minn. 1984) (stating expedited discovery “better enable[s] the court to judge
3 the parties’ interest and respective chances for success on the merits”); see also *Rodale, Inc.*
4 *v. U.S. Preventive Med., Inc.*, No. 08-cv-120, 2008 WL 4682043, at *1 (E.D. Tex. Oct. 21,
5 2008) (noting “An order for expedited discovery would be appropriate in a case seeking
6 a preliminary injunction.”); *Ellsworth Assocs., Inc. v. United States*, 917 F. Supp. 841, 844
7 (D.D.C. 1996) (“Expedited discovery is particularly appropriate when a plaintiff seeks
8 injunctive relief because of the expedited nature of injunctive proceedings.”); Advisory
9 Committee Note, Fed. R. Civ. P. 26(d) (1993) (noting expedited discovery “will be
10 appropriate in some cases, such as those involving requests for a preliminary
11 injunction”).

12 “[D]istrict courts in this Circuit have allowed expedited discovery prior to the
13 Rule 26(f) conference upon a showing of good cause. Good cause may be found where
14 the need for expedited discovery, in consideration of the administration of justice,
15 outweighs the prejudice to the responding party. The good cause assessment is based on
16 the entirety of the record [and] the reasonableness of the request in light of all the
17 surrounding circumstances. In evaluating the reasonableness of a request for expedited
18 discovery, courts consider the following factors: (1) whether a preliminary injunction is
19 pending; (2) the breadth of the discovery requests; (3) the purpose for seeking expedited
20 discovery; (4) the burden on defendants of complying with the requests; and (5) how far
21 in advance of formal discovery process the request is made.

22 *BDMR Holdings, LTD. v. Does*, No. CV 19-9856-VSP (KSX), 2019 WL 7865178,
23 at *1–2 (C.D. Cal. Dec. 10, 2019). The record supports Plaintiffs’ request for expedited
24 discovery.

25 **A. A motion for temporary restraining order has been filed and a motion**
26 **for a preliminary injunction is imminent.**

1 Contemporaneously with this motion Plaintiffs filed a motion for a temporary
 2 restraining order, and Plaintiffs will seek a preliminary injunction immediately following
 3 the ruling on the requested TRO. This factor supports granting the instant motion so
 4 that the information developed can be considered by the imminent injunction request.

5 **B. The discovery requests are limited and focused on issues directly**
 6 **relevant to determining the preliminary injunction.**

7 A review of the discovery sought by Plaintiffs confirm they are directly relevant
 8 to the issues to be addressed at the preliminary injunction hearing. *Semitoool, Inc. v. Tokyo*
 9 *Electron Am., Inc.*, 208 F.R.D. 273, 276 (N.D. Cal. 2002). Plaintiffs here seek answers to
 10 interrogatories and requests for admission regarding the procedures and protections
 11 accorded Class Members who are currently participating in the HUSP program against
 12 the risk of contracting COVID-19; the single focus of the TRO and preliminary
 13 injunction requests.

14 As the U.S. Centers For Disease Control has noted, “There are many
 15 opportunities for COVID-19 to be introduced into a correctional or detention facility,
 16 including daily staff ingress and egress; transfer of incarcerated/detained persons
 17 between facilities and systems, to court appearances, and to outside medical visits; and
 18 visits from family, legal representatives, and other community members. Some settings,
 19 particularly jails and detention centers, have high turnover, admitting new entrants daily
 20 who may have been exposed to COVID-19 in the surrounding community or other
 21 regions.”¹ The limited discovery is needed because the ability of Class Members “to
 22 exercise disease prevention measures (e.g., frequent handwashing) may be limited and is
 23

24 ¹ Centers for Disease Control and Prevention in its *Interim Guidance on Management of*
 25 *Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities*, available at
 26 [https://www.cdc.gov/coronavirus/2019-ncov/community/correction-](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html)
[detention/guidance-correctional-detention.html](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html).

1 determined by the supplies provided in the facility and by security considerations.”² This
 2 factor supports granting Plaintiffs’ motion

3 **C. Expedited discovery is sought to obtain information that cannot be**
 4 **developed in any other manner to address the coming motion for**
 5 **preliminary injunction.**

6 There is no other avenue to obtain information regarding the measures GEO has
 7 implemented at its detention facilities to protect Class members participating in the
 8 HUSP program from contracting COVID-19 except getting that information from
 9 GEO itself. *See, e.g., In re Elcommerce.com, Inc.*, No. 10-51396, 2011 WL 237619, at *2 (E.D.
 10 Mich. Jan. 24, 2011) (granting motion to compel production where information was only
 11 available from the subpoenaed third party). This factor also supports granting Plaintiffs’
 12 motion.

13 **D. The burden on GEO to comply with the requests is minimal.**

14 The requested discovery consists of answers to eight (8) interrogatories and
 15 twenty-nine (29) requests for admissions, and a corporate representative to give
 16 testimony on twelve (12) topics—all of which are directly relevant to the determination
 17 of Plaintiffs’ motion for injunctive relief. In the current circumstance, any burden on
 18 GEO to answer a few questions about the effort it is (or is not) putting forth to protect
 19 Class Members is far outweighed by the threat of harm to Plaintiffs, including the
 20 potential for serious illness and death. *See, e.g., Semitool, Inc. v. Tokyo Electron Am., Inc.*, 208
 21 F.R.D. 273, 277 (N.D. Cal. 2002) (“While Defendants claim some logistical
 22 inconvenience in responding to the request inasmuch as most of the documents are
 23 located in Japan and many may be in Japanese, the Court fails to see why given current
 24 communication technology, Defendants cannot respond quickly to the narrow requests

25 _____
 26 ² *Id.*

1 propounded by Plaintiff, especially given that the request hardly comes as a surprise
2”). Again, this factor supports granting Plaintiffs’ motion.

3 **E. The request has not been made in advance of the formal discovery**
4 **process.**

5 This action has been on file for over two years, extensive discovery on the merits
6 has taken place, and the Court has certified three separate classes under Rule 23. Because
7 the requested discovery is not premature as regards the initial discovery stay imposed by
8 Rule 26, this factor supports granting Plaintiffs motion.

9 **CONCLUSION**

10 For these reasons, Plaintiffs respectfully request that the Court grant their request
11 for expedited discovery.

1 Dated: April 6, 2020

Respectfully submitted,

2 /s/ Daniel H. Charest

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CERTIFICATE OF SERVICE

1
2 On April 6, 2020, I electronically submitted the foregoing document with the
3 clerk of the court for the U.S. District Court, Central District of California, using the
4 electronic case filing system. I hereby certify that I have provided copies to all counsel
5 of record electronically or by another manner authorized by Fed. R. Civ. P. 5(b)(2).
6

7 */s/ Daniel H. Charest*

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EXHIBIT A

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13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
15 **EASTERN DIVISION**

16 **RAUL NOVOA, JAIME CAMPOS**
17 **FUENTES, ABDIAZIZ KARIM, and**
18 **RAMON MANCIA** individually and on
behalf of all others similarly situated,
Plaintiffs,

19
20 v.

21 **THE GEO GROUP, INC.,**
22 *Defendant.*

Civil Action No. 5:17-cv-02514-JGB-SHKx

**PLAINTIFFS' EXPEDITED
DISCOVERY REQUESTS TO
DEFENDANT THE GEO
GROUP, INC.**

1 **To: Defendant The GEO Group, Inc.**

2 Plaintiffs Raul Novoa, Jaime Campos Fuentes, Abdiaziz Karim, and Ramon
3 Mancía individually and on behalf of all others similarly situated, by and through
4 undersigned counsel, hereby serve the following interrogatories and requests for
5 admission pursuant to Federal Rules of Civil Procedure 33 and 36.

6
7 **INSTRUCTIONS**

8 1. Each discovery request must be answered in full. If this cannot be done
9 after conducting a reasonable investigation, answer to the fullest extent possible,
10 explaining why a complete answer is not possible, stating any knowledge, information,
11 or belief concerning the unanswered portion of the discovery request, what information
12 or documents cannot be provided, why the information or documents are not available,
13 and what efforts were made to obtain the unavailable information or documents.

14 2. To the extent any of the following discovery requests are objectionable in
15 whole or in part, each objection must be stated with particularity, including the reasons
16 for the objection and the categories of information to which the objection applies. As
17 required by the Federal Rules of Civil Procedure, the discovery request must be answered
18 to the extent it is not objectionable.

1 3. With respect to each item or category of items where applicable, you must
2 state objections and assert privileges, if any, as required by the Federal Rules of Civil
3 Procedure. If you withhold information for reasons of any privilege set forth the
4 following: the nature and basis of the privilege claimed; the subject matter of the
5 information; and provide sufficient information necessary to support the claim of
6 privilege.

7 4. If you find the meaning of any term in these discovery requests unclear,
8 you shall assume a reasonable meaning, state what the assumed meaning is, and respond
9 according to the assumed meaning.

10 5. In interpreting these discovery requests, definitions, and instructions: any
11 masculine, feminine, or neutral term includes all other genders; the singular includes the
12 plural and vice versa; and “or,” “and,” “and/or,” and “including” shall be read to bring
13 within the scope of the discovery request the broadest amount of information.

14 DEFINITIONS

15 As used in these interrogatories and requests for admission, the following terms
16 have the following meanings:

17 1. The terms “you,” “your,” and “GEO” mean Defendant The GEO Group,
18 Inc., and affiliated corporate entity or subsidiary (including any taxable REIT subsidiary)
19 through which The GEO Group, Inc. conducts business or receives revenue, as well
20 any officer, agent, employee, executive, or representative of GEO as defined herein.

21 2. The term “ICE” means the United States Immigration and Customs
22 Enforcement.

23 3. The term “detainee” means any person detained in an immigration
24 detention facility operated by you.

1 4. The singular of each word shall be construed to include its plural and vice-
2 versa, and the root word and all derivations (i.e., “ing,” “ed,” etc.) shall be construed to
3 include each other.

4 5. The word “including” shall have its ordinary meaning and shall mean
5 “including but not limited to” and shall not indicate limitation to the examples or items
6 mentioned.

7 6. The term “concerning” means relating to, referring to, describing,
8 evidencing or constituting.

9 7. The term “Class Member” means any civilly detained immigrant who was
10 detained at any civil immigration detention center owned or operated by GEO in the
11 United States between December 19, 2007 and the date these requests are answered or
12 supplemented who subject to a GEO Housing Unit Sanitation Policy (HUSP) at any
13 point during their detention, excluding (1) individuals detained in GEO’s family
14 residential detention facility in Karnes City, Texas; (2) individuals detained in the
15 Alexandria Staging Facility in Alexandria, Louisiana; (3) any individual detained in the
16 custody of the U.S. Marshall or any other law enforcement agency at a GEO facility
17 where the company also detains civil immigration detainees pursuant to contracts with
18 ICE; and (4) civilly detained immigrants detainees held at the Aurora ICE Processing
19 Center in Aurora, Colorado at any time before October 22, 2014.

20 8. The term “Cohorting” refers to the practice of isolating multiple
21 laboratory-confirmed COVID-19 cases together as a group or quarantining close
22 contacts of a particular case together as a group.

23 9. The term “COVID-19” means the Coronavirus Disease 2019 as discussed
24 by the U.S. Centers for Disease Control and Prevention in its *Interim Guidance on*
25 *Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities,*
26

1 available at <https://www.cdc.gov/coronavirus/2019-ncov/community/correction->
2 [detention/guidance-correctional-detention.html](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html).

3 10. The term “Facilities” means the Adelanto ICE Processing Center, the
4 Aurora ICE Processing Center, the Broward Transitional Center, the Central Valley
5 Annex, the Coastal Bend Detention Center, the Desert View Annex, the Folkston ICE
6 Processing Center, the Golden State Annex, the Joe Corley Processing Center, the
7 LaSalle ICE Processing Center, the Mesa Verde ICE Processing Center, the
8 Montgomery Processing Center, the Northwest ICE Processing Center, the Pine Prairie
9 ICE Processing Center, the Rio Grande Processing Center, the South Louisiana ICE
10 Processing Center, and the South Texas ICE Processing Center.

11 11. The term “PPE” means Personal Protective Equipment as used by the U.S.
12 Centers for Disease Control and Prevention in its *Interim Guidance on Management of*
13 *Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities*, available at
14 <https://www.cdc.gov/coronavirus/2019-ncov/community/correction->
15 [detention/guidance-correctional-detention.html](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html).

16 12. The term “CDC’s COVID-19 Detention Guidelines” means the guidelines
17 and recommendations provided by the U.S. Centers for Disease Control and Prevention
18 in its *Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional*
19 *and Detention Facilities*, available at <https://www.cdc.gov/coronavirus/2019->
20 [ncov/community/correction-detention/guidance-correctional-detention.html](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html).

21 13. The term “community transmission,” with respect to COVID-19, refers to
22 individuals acquiring the disease “through contact with someone in their local
23 community, rather than through travel to an affected location.” *See Interim Guidance on*
24 *Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities*,
25 available at <https://www.cdc.gov/coronavirus/2019-ncov/community/correction->
26 [detention/guidance-correctional-detention.html](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html).

1 14. The term “states with widespread community transmission” includes
2 Washington, Utah, Rhode Island, Oregon, Oklahoma, North Carolina, Massachusetts,
3 Maryland, Louisiana, Iowa, Illinois, Georgia, Connecticut, Colorado, California, and
4 Arizona.

5
6 **REQUESTS FOR ADMISSIONS**

7 **REQUEST FOR ADMISSION NO. 1:** Admit, with respect to each of the
8 following Facilities, that you do **not** adhere to CDC’s COVID-19 Detention
9 Guidelines:

10 a. Adelanto ICE Processing Center

11 **Response:**

12 b. Aurora ICE Processing Center

13 **Response:**

14 c. Broward Transitional Center

15 **Response:**

16 d. Central Valley Annex

17 **Response:**

18 e. Desert View Annex

19 **Response:**

20 f. Folkston ICE Processing Center

21 **Response:**

22 g. Gold State Annex

23 **Response:**

24 h. Joe Corley Processing Center

25 **Response:**

26 i. LaSalle ICE Processing Center

Response:

j. Mesa Verde ICE Processing Center

Response:

k. Montgomery Processing Center

Response:

l. Northwest ICE Processing Center

Response:

m. Pine Prairie ICE Processing Center

Response:

n. South Louisiana ICE Processing Center

Response:

o. South Texas ICE Processing Center

Response:

REQUEST FOR ADMISSION NO. 2: Admit, with respect to each of the following Facilities, that you have not posted signage in each of your Facilities communicating the symptoms of COVID-19:

a. Adelanto ICE Processing Center

Response:

b. Aurora ICE Processing Center

Response:

c. Broward Transitional Center

Response:

d. Central Valley Annex

Response:

e. Desert View Annex

Response:

f. Folkston ICE Processing Center

Response:

g. Gold State Annex

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Response:

h. Joe Corley Processing Center

Response:

i. LaSalle ICE Processing Center

Response:

j. Mesa Verde ICE Processing Center

Response:

k. Montgomery Processing Center

Response:

l. Northwest ICE Processing Center

Response:

m. Pine Prairie ICE Processing Center

Response:

n. South Louisiana ICE Processing Center

Response:

o. South Texas ICE Processing Center

Response:

REQUEST FOR ADMISSION NO. 3: Admit, with respect to each of the following Facilities, that you have not posted signage communicating hand hygiene instructions to prevent the spread of COVID-19:

a. Adelanto ICE Processing Center

Response:

b. Aurora ICE Processing Center

Response:

c. Broward Transitional Center

Response:

d. Central Valley Annex

Response:

1 e. Desert View Annex

2 **Response:**

3 f. Folkston ICE Processing Center

4 **Response:**

5 g. Gold State Annex

6 **Response:**

7 h. Joe Corley Processing Center

8 **Response:**

9 i. LaSalle ICE Processing Center

10 **Response:**

11 j. Mesa Verde ICE Processing Center

12 **Response:**

13 k. Montgomery Processing Center

14 **Response:**

15 l. Northwest ICE Processing Center

16 **Response:**

17 m. Pine Prairie ICE Processing Center

18 **Response:**

19 n. South Louisiana ICE Processing Center

20 **Response:**

21 o. South Texas ICE Processing Center

22 **Response:**

23 **REQUEST FOR ADMISSION NO. 4:** Admit, with respect to each of the
24 following Facilities, that Class Members who have arrived at your Facilities since
25 January 1, 2020, have come from states with widespread community transmission of
26 COVID-19.

a. Adelanto ICE Processing Center

Response:

1 b. Aurora ICE Processing Center

2 **Response:**

3 c. Broward Transitional Center

4 **Response:**

5 d. Central Valley Annex

6 **Response:**

7 e. Desert View Annex

8 **Response:**

9 f. Folkston ICE Processing Center

10 **Response:**

11 g. Gold State Annex

12 **Response:**

13 h. Joe Corley Processing Center

14 **Response:**

15 i. LaSalle ICE Processing Center

16 **Response:**

17 j. Mesa Verde ICE Processing Center

18 **Response:**

19 k. Montgomery Processing Center

20 **Response:**

21 l. Northwest ICE Processing Center

22 **Response:**

23 m. Pine Prairie ICE Processing Center

24 **Response:**

25 n. South Louisiana ICE Processing Center

26 **Response:**

o. South Texas ICE Processing Center

Response:

1 **REQUEST FOR ADMISSION NO. 5:** Admit, with respect to each of the
2 following Facilities, that you do not provide liquid soap to each Class Member who
3 has performed duties pursuant to the HUSP program since January 1, 2020 for use
4 after they perform services.

5 a. Adelanto ICE Processing Center

6 **Response:**

7 b. Aurora ICE Processing Center

8 **Response:**

9 c. Broward Transitional Center

10 **Response:**

11 d. Central Valley Annex

12 **Response:**

13 e. Desert View Annex

14 **Response:**

15 f. Folkston ICE Processing Center

16 **Response:**

17 g. Gold State Annex

18 **Response:**

19 h. Joe Corley Processing Center

20 **Response:**

21 i. LaSalle ICE Processing Center

22 **Response:**

23 j. Mesa Verde ICE Processing Center

24 **Response:**

25 k. Montgomery Processing Center

26 **Response:**

l. Northwest ICE Processing Center

Response:

m. Pine Prairie ICE Processing Center

Response:

n. South Louisiana ICE Processing Center

Response:

o. South Texas ICE Processing Center

Response:

REQUEST FOR ADMISSION NO. 6: Admit, with respect to each of the following Facilities, that you do not provide sanitary hand drying materials to each Class Member who has performed duties pursuant to the HUSP program since January 1, 2020.

a. Adelanto ICE Processing Center

Response:

b. Aurora ICE Processing Center

Response:

c. Broward Transitional Center

Response:

d. Central Valley Annex

Response:

e. Desert View Annex

Response:

f. Folkston ICE Processing Center

Response:

g. Gold State Annex

Response:

h. Joe Corley Processing Center

Response:

i. LaSalle ICE Processing Center

Response:

j. Mesa Verde ICE Processing Center

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Response:

k. Montgomery Processing Center

Response:

l. Northwest ICE Processing Center

Response:

m. Pine Prairie ICE Processing Center

Response:

n. South Louisiana ICE Processing Center

Response:

o. South Texas ICE Processing Center

Response:

REQUEST FOR ADMISSION NO. 7: Admit, with respect to each of the following Facilities, that you do not make no-touch trash receptacles for disposal available to each Class Member who has performed duties pursuant to the HUSP program since January 1, 2020.

a. Adelanto ICE Processing Center

Response:

b. Aurora ICE Processing Center

Response:

c. Broward Transitional Center

Response:

d. Central Valley Annex

Response:

e. Desert View Annex

Response:

f. Folkston ICE Processing Center

Response:

g. Gold State Annex

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Response:

h. Joe Corley Processing Center

Response:

i. LaSalle ICE Processing Center

Response:

j. Mesa Verde ICE Processing Center

Response:

k. Montgomery Processing Center

Response:

l. Northwest ICE Processing Center

Response:

m. Pine Prairie ICE Processing Center

Response:

n. South Louisiana ICE Processing Center

Response:

o. South Texas ICE Processing Center

Response:

REQUEST FOR ADMISSION NO. 8: Admit, with respect to each of the following Facilities, that you do not provide alcohol-based hand sanitizer containing at least 60% alcohol to each Class Member who has performed duties pursuant to the HUSP program since January 1, 2020.

a. Adelanto ICE Processing Center

Response:

b. Aurora ICE Processing Center

Response:

c. Broward Transitional Center

Response:

d. Central Valley Annex

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Response:

e. Desert View Annex

Response:

f. Folkston ICE Processing Center

Response:

g. Gold State Annex

Response:

h. Joe Corley Processing Center

Response:

i. LaSalle ICE Processing Center

Response:

j. Mesa Verde ICE Processing Center

Response:

k. Montgomery Processing Center

Response:

l. Northwest ICE Processing Center

Response:

m. Pine Prairie ICE Processing Center

Response:

n. South Louisiana ICE Processing Center

Response:

o. South Texas ICE Processing Center

Response:

REQUEST FOR ADMISSION NO. 9: Admit, with respect to each of the following Facilities, that you restrict access to liquid soap to Class Members.

a. Adelanto ICE Processing Center

Response:

b. Aurora ICE Processing Center

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Response:

c. Broward Transitional Center

Response:

d. Central Valley Annex

Response:

e. Desert View Annex

Response:

f. Folkston ICE Processing Center

Response:

g. Gold State Annex

Response:

h. Joe Corley Processing Center

Response:

i. LaSalle ICE Processing Center

Response:

j. Mesa Verde ICE Processing Center

Response:

k. Montgomery Processing Center

Response:

l. Northwest ICE Processing Center

Response:

m. Pine Prairie ICE Processing Center

Response:

n. South Louisiana ICE Processing Center

Response:

o. South Texas ICE Processing Center

Response:

1 **REQUEST FOR ADMISSION NO. 10:** Admit, with respect to each of the
2 following Facilities, that you restrict access to alcohol-based hand sanitizer to Class
3 Members.

4 a. Adelanto ICE Processing Center

5 **Response:**

6 b. Aurora ICE Processing Center

7 **Response:**

8 c. Broward Transitional Center

9 **Response:**

10 d. Central Valley Annex

11 **Response:**

12 e. Desert View Annex

13 **Response:**

14 f. Folkston ICE Processing Center

15 **Response:**

16 g. Gold State Annex

17 **Response:**

18 h. Joe Corley Processing Center

19 **Response:**

20 i. LaSalle ICE Processing Center

21 **Response:**

22 j. Mesa Verde ICE Processing Center

23 **Response:**

24 k. Montgomery Processing Center

25 **Response:**

26 l. Northwest ICE Processing Center

Response:

m. Pine Prairie ICE Processing Center

Response:

1 n. South Louisiana ICE Processing Center

2 **Response:**

3 o. South Texas ICE Processing Center

4 **Response:**

5 **REQUEST FOR ADMISSION NO. 11:** Admit that you do not provide EPA-
6 registered disinfectants effective against the virus that causes COVID-19 to each Class
7 Member who has performed duties pursuant to the HUSP program since January 1,
8 2020.

9 a. Adelanto ICE Processing Center

10 **Response:**

11 b. Aurora ICE Processing Center

12 **Response:**

13 c. Broward Transitional Center

14 **Response:**

15 d. Central Valley Annex

16 **Response:**

17 e. Desert View Annex

18 **Response:**

19 f. Folkston ICE Processing Center

20 **Response:**

21 g. Gold State Annex

22 **Response:**

23 h. Joe Corley Processing Center

24 **Response:**

25 i. LaSalle ICE Processing Center

26 **Response:**

j. Mesa Verde ICE Processing Center

Response:

1 k. Montgomery Processing Center

2 **Response:**

3 l. Northwest ICE Processing Center

4 **Response:**

5 m. Pine Prairie ICE Processing Center

6 **Response:**

7 n. South Louisiana ICE Processing Center

8 **Response:**

9 o. South Texas ICE Processing Center

10 **Response:**

11 **REQUEST FOR ADMISSION NO. 12:** Admit that you do not have each hard
12 (non-porous) surface cleaned daily with a product that is EPA-approved for use against
13 the virus that causes COVID-19.

14 **Response:**

15 **REQUEST FOR ADMISSION NO. 13:** Admit that you do not provide personal
16 protection equipment each Class Member who has performed duties pursuant to the
17 HUSP program since January 1, 2020.

18 **Response:**

19 **REQUEST FOR ADMISSION NO. 14:** Admit that you do not ensure that each
20 Class Member who has performed duties pursuant to the HUSP program since January
21 1, 2020 has been trained to perform proper hand hygiene effective against contracting
22 the virus that causes COVID-19 after removing PPE.

23 **Response:**

24 **REQUEST FOR ADMISSION NO. 15:** Admit that you do not provide each
25 Class Member who has performed duties pursuant to the HUSP program since January
26 1, 2020 facemasks effective against contracting the virus that causes COVID-19 to use
when they perform services pursuant to the HUSP program.

1 **Response:**

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3 **REQUEST FOR ADMISSION NO. 16:** Admit that you do not provide each
4 Class Member who has performed duties pursuant to the HUSP program since January
5 1, 2020 N95 respirators to use when they perform those services.

6 **Response:**

7 **REQUEST FOR ADMISSION NO. 17:** Admit that you do not provide each
8 Class Member who has performed duties pursuant to the HUSP program since January
9 1, 2020 disposable medical gloves to use when they perform services pursuant to the
10 HUSP program.

11 **Response:**

12 **REQUEST FOR ADMISSION NO. 18:** Admit that surfaces and objects that are
13 frequently touched, especially in common areas, are not cleaned and disinfected each
14 day as part of the HUSP program with EPA-registered disinfectants effective against
15 the virus that causes COVID-19.

16 **Response:**

17 **REQUEST FOR ADMISSION NO. 19:** Admit, with respect to each of the
18 following Facilities, that you have not tested each Class Member who has performed
19 duties pursuant to the HUSP program since January 1, 2020 for the virus that causes
20 COVID-19.

- 21 a. Adelanto ICE Processing Center

22 **Response:**

- 23 b. Aurora ICE Processing Center

24 **Response:**

- 25 c. Broward Transitional Center

26 **Response:**

- a. Central Valley Annex

Response:

- e. Desert View Annex

Response:

f. Folkston ICE Processing Center

Response:

g. Gold State Annex

Response:

h. Joe Corley Processing Center

Response:

i. LaSalle ICE Processing Center

Response:

j. Mesa Verde ICE Processing Center

Response:

k. Montgomery Processing Center

Response:

l. Northwest ICE Processing Center

Response:

m. Pine Prairie ICE Processing Center

Response:

n. South Louisiana ICE Processing Center

Response:

o. South Texas ICE Processing Center

Response:

REQUEST FOR ADMISSION NO. 20: Admit, with respect to each of the following Facilities, that you do not quarantine for 14 days each Class Member who has performed duties pursuant to the HUSP program since January 1, 2020 who has been exposed to the virus that causes COVID-19.

a. Adelanto ICE Processing Center

Response:

b. Aurora ICE Processing Center

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Response:

c. Broward Transitional Center

Response:

d. Central Valley Annex

Response:

e. Desert View Annex

Response:

f. Folkston ICE Processing Center

Response:

g. Gold State Annex

Response:

h. Joe Corley Processing Center

Response:

i. LaSalle ICE Processing Center

Response:

j. Mesa Verde ICE Processing Center

Response:

k. Montgomery Processing Center

Response:

l. Northwest ICE Processing Center

Response:

m. Pine Prairie ICE Processing Center

Response:

n. South Louisiana ICE Processing Center

Response:

o. South Texas ICE Processing Center

Response:

1 **REQUEST FOR ADMISSION NO. 21:** Admit, with respect to each of the
2 following Facilities, that you do not enforce social distancing strategies of 6 feet
3 between each Class Member who has performed duties pursuant to the HUSP
4 program since January 1, 2020.

4 a. Adelanto ICE Processing Center

5 **Response:**

6 b. Aurora ICE Processing Center

7 **Response:**

8 c. Broward Transitional Center

9 **Response:**

10 d. Central Valley Annex

11 **Response:**

12 e. Desert View Annex

13 **Response:**

14 f. Folkston ICE Processing Center

15 **Response:**

16 g. Gold State Annex

17 **Response:**

18 h. Joe Corley Processing Center

19 **Response:**

20 i. LaSalle ICE Processing Center

21 **Response:**

22 j. Mesa Verde ICE Processing Center

23 **Response:**

24 k. Montgomery Processing Center

25 **Response:**

26 l. Northwest ICE Processing Center

Response:

m. Pine Prairie ICE Processing Center

Response:

n. South Louisiana ICE Processing Center

Response:

o. South Texas ICE Processing Center

Response:

REQUEST FOR ADMISSION NO. 22: Admit, with respect to each of the following Facilities, that you do not enforce social distancing strategies of 6 feet between detainees at each of your Facilities.

a. Adelanto ICE Processing Center

Response:

b. Aurora ICE Processing Center

Response:

c. Broward Transitional Center

Response:

d. Central Valley Annex

Response:

e. Desert View Annex

Response:

f. Folkston ICE Processing Center

Response:

g. Gold State Annex

Response:

h. Joe Corley Processing Center

Response:

i. LaSalle ICE Processing Center

Response:

j. Mesa Verde ICE Processing Center

Response:

1 k. Montgomery Processing Center

2 **Response:**

3 l. Northwest ICE Processing Center

4 **Response:**

5 m. Pine Prairie ICE Processing Center

6 **Response:**

7 n. South Louisiana ICE Processing Center

8 **Response:**

9 o. South Texas ICE Processing Center

10 **Response:**

11 **REQUEST FOR ADMISSION NO. 23:** Admit, with respect to each of the
12 following Facilities, that you do not quarantine all new intakes for 14 days before they
13 enter each of your Facilities' general population with Class Members.

14 a. Adelanto ICE Processing Center

15 **Response:**

16 b. Aurora ICE Processing Center

17 **Response:**

18 c. Broward Transitional Center

19 **Response:**

20 d. Central Valley Annex

21 **Response:**

22 e. Desert View Annex

23 **Response:**

24 f. Folkston ICE Processing Center

25 **Response:**

26 g. Gold State Annex

Response:

h. Joe Corley Processing Center

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Response:

- i. LaSalle ICE Processing Center

Response:

- j. Mesa Verde ICE Processing Center

Response:

- k. Montgomery Processing Center

Response:

- l. Northwest ICE Processing Center

Response:

- m. Pine Prairie ICE Processing Center

Response:

- n. South Louisiana ICE Processing Center

Response:

- o. South Texas ICE Processing Center

Response:

REQUEST FOR ADMISSION NO. 24: Admit, with respect to each of the following Facilities, that you do not place detainees who are suspected COVID-19 cases under medical isolation.

- a. Adelanto ICE Processing Center

Response:

- b. Aurora ICE Processing Center

Response:

- c. Broward Transitional Center

Response:

- d. Central Valley Annex

Response:

- e. Desert View Annex

Response:

1 f. Folkston ICE Processing Center

2 **Response:**

3 g. Gold State Annex

4 **Response:**

5 h. Joe Corley Processing Center

6 **Response:**

7 i. LaSalle ICE Processing Center

8 **Response:**

9 j. Mesa Verde ICE Processing Center

10 **Response:**

11 k. Montgomery Processing Center

12 **Response:**

13 l. Northwest ICE Processing Center

14 **Response:**

15 m. Pine Prairie ICE Processing Center

16 **Response:**

17 n. South Louisiana ICE Processing Center

18 **Response:**

19 o. South Texas ICE Processing Center

20 **Response:**

21 **REQUEST FOR ADMISSION NO. 25:** Admit, with respect to each of the
22 following Facilities, that you do not exclude individuals who develop symptoms of
23 COVID-19 from group activities.

24 a. Adelanto ICE Processing Center

25 **Response:**

26 b. Aurora ICE Processing Center

Response:

c. Broward Transitional Center

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Response:

d. Central Valley Annex

Response:

e. Desert View Annex

Response:

f. Folkston ICE Processing Center

Response:

g. Gold State Annex

Response:

h. Joe Corley Processing Center

Response:

i. LaSalle ICE Processing Center

Response:

j. Mesa Verde ICE Processing Center

Response:

k. Montgomery Processing Center

Response:

l. Northwest ICE Processing Center

Response:

m. Pine Prairie ICE Processing Center

Response:

n. South Louisiana ICE Processing Center

Response:

o. South Texas ICE Processing Center

Response:

REQUEST FOR ADMISSION NO. 26: Admit, with respect to each of the following Facilities, that you do not ensure that individuals under medical isolation are

1 housed separately, in single cells with solid walls (i.e., not bars) and solid doors that
2 close fully.

3 a. Adelanto ICE Processing Center

4 **Response:**

5 b. Aurora ICE Processing Center

6 **Response:**

7 c. Broward Transitional Center

8 **Response:**

9 d. Central Valley Annex

10 **Response:**

11 e. Desert View Annex

12 **Response:**

13 f. Folkston ICE Processing Center

14 **Response:**

15 g. Gold State Annex

16 **Response:**

17 h. Joe Corley Processing Center

18 **Response:**

19 i. LaSalle ICE Processing Center

20 **Response:**

21 j. Mesa Verde ICE Processing Center

22 **Response:**

23 k. Montgomery Processing Center

24 **Response:**

25 l. Northwest ICE Processing Center

26 **Response:**

m. Pine Prairie ICE Processing Center

Response:

n. South Louisiana ICE Processing Center

Response:

- o. South Texas ICE Processing Center

Response:

REQUEST FOR ADMISSION NO. 27: Admit, with respect to each of the following Facilities, that you have not exempted every Class Member from the HUSP program as a result of the COVID-19 pandemic.

- a. Adelanto ICE Processing Center

Response:

- b. Aurora ICE Processing Center

Response:

- c. Broward Transitional Center

Response:

- d. Central Valley Annex

Response:

- e. Desert View Annex

Response:

- f. Folkston ICE Processing Center

Response:

- g. Gold State Annex

Response:

- h. Joe Corley Processing Center

Response:

- i. LaSalle ICE Processing Center

Response:

- j. Mesa Verde ICE Processing Center

Response:

- k. Montgomery Processing Center

Response:

1 l. Northwest ICE Processing Center

2 **Response:**

3 m. Pine Prairie ICE Processing Center

4 **Response:**

5 n. South Louisiana ICE Processing Center

6 **Response:**

7 o. South Texas ICE Processing Center

8 **Response:**

9 **REQUEST FOR ADMISSION NO. 28:** Admit, with respect to each of the
10 following Facilities, that you have not increased the number of non-detainee staff
11 trained and responsible for cleaning common areas to ensure continual cleanliness of
12 such areas throughout the day in lieu of performing those cleaning functions with Class
13 Member labor through the HUSP program.

14 a. Adelanto ICE Processing Center

15 **Response:**

16 b. Aurora ICE Processing Center

17 **Response:**

18 c. Broward Transitional Center

19 **Response:**

20 d. Central Valley Annex

21 **Response:**

22 e. Desert View Annex

23 **Response:**

24 f. Folkston ICE Processing Center

25 **Response:**

26 g. Gold State Annex

Response:

h. Joe Corley Processing Center

Response:

1 i. LaSalle ICE Processing Center

2 **Response:**

3 j. Mesa Verde ICE Processing Center

4 **Response:**

5 k. Montgomery Processing Center

6 **Response:**

7 l. Northwest ICE Processing Center

8 **Response:**

9 m. Pine Prairie ICE Processing Center

10 **Response:**

11 n. South Louisiana ICE Processing Center

12 **Response:**

13 o. South Texas ICE Processing Center

14 **Response:**

15 **REQUEST FOR ADMISSION NO. 29:** Admit, with respect to each of the
16 following Facilities, that you do not provide a no-cost supply of soap to each Class
17 Member who has performed duties pursuant to the HUSP program since January 1,
2020 sufficient to allow frequent hand washing in connection with performing duties
as part of the HUSP program.

18 a. Adelanto ICE Processing Center

19 **Response:**

20 b. Aurora ICE Processing Center

21 **Response:**

22 c. Broward Transitional Center

23 **Response:**

24 d. Central Valley Annex

25 **Response:**

26 e. Desert View Annex

Response:

1 f. Folkston ICE Processing Center

2 **Response:**

3 g. Gold State Annex

4 **Response:**

5 h. Joe Corley Processing Center

6 **Response:**

7 i. LaSalle ICE Processing Center

8 **Response:**

9 j. Mesa Verde ICE Processing Center

10 **Response:**

11 k. Montgomery Processing Center

12 **Response:**

13 l. Northwest ICE Processing Center

14 **Response:**

15 m. Pine Prairie ICE Processing Center

16 **Response:**

17 n. South Louisiana ICE Processing Center

18 **Response:**

19 o. South Texas ICE Processing Center

20 **Response:**

21 **INTERROGATORIES**

22 **Interrogatory No.1:** For each of your Facilities, as of April 1, 2020, state:

- 23 a. The total number of Class Members participating in the HUSP program;
- 24 b. The total number of Class Members who have contracted COVID-19;
- 25 c. The total number of Class Members who have been exposed to the
- 26 COVID-19 virus;

- 1 d. The total number of Class Members who have been medically isolated as
2 a result of their exposure to the COVID-19 virus;
3 e. The total number of Class Members who have exhibited a fever, dry
4 cough, or shortness of breath since January 1, 2020;
5 f. The total number of Class Members who have been tested for the
6 COVID-19 virus.

7 **Response:**

8 **Interrogatory No.2:** At which of your Facilities, as of April 1, 2020, do you provide
9 liquid soap to each Class Member for use after they perform services pursuant to the
10 HUSP program?

11 **Response:**

12 **Interrogatory No.3:** At which of your Facilities, as of April 1, 2020, do you provide
13 sanitary hand drying materials to each Class Member for use after they perform services
14 pursuant to the HUSP program?

15 **Response:**

16 **Interrogatory No.4:** At which of your Facilities, as of April 1, 2020, do you provide
17 no-touch trash receptacles for disposal to each Class Member for use after they
18 perform services pursuant to the HUSP program?

19 **Response:**

20 **Interrogatory No.5:** At which of your Facilities, as of April 1, 2020, do you provide
21 alcohol-based hand sanitizer containing at least 60% alcohol to each Class Member for
22 use after they perform services pursuant to the HUSP program?

23 **Response:**

24 **Interrogatory No.6:** At which of your Facilities, as of April 1, 2020, do you provide
25 each Class Member EPA-registered disinfectants effective against the virus that causes
26 COVID-19 to use when they perform services pursuant to the HUSP program?

Response:

Interrogatory No.7: At which of your Facilities, as of April 1, 2020, do you provide
each Class Member the following supplies to use when they perform services pursuant
to the HUSP program:

- a. facemasks effective against contracting the virus that causes COVID-19;

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- b. N95 respirators;
- c. disposable medical gloves.

Response:

Interrogatory No.8: At which of your Facilities, what prevents you from employing non-detainee staff trained and responsible for cleaning common areas to ensure continual cleanliness of such areas throughout the day in lieu of performing those cleaning functions with Class Member labor through the HUSP program?

Response:

1 Dated: April 6, 2020

Respectfully submitted,

2 /s/ Daniel H. Charest

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CERTIFICATE OF SERVICE

I, Daniel H. Charest, declare under penalty of perjury that I caused a true and correct copy of this document to be served upon counsel listed below by email on April 6, 2020.

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/s/ Daniel H. Charest

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EXHIBIT B

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15 Counsel for Plaintiffs

16 *Additional Counsel on Signature Page*

17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**
19 **EASTERN DIVISION**

20 **RAUL NOVOA, JAIME CAMPOS**
21 **FUENTES, ABDIAZIZ KARIM, and**
22 **RAMON MANCIA** individually and on
23 behalf of all others similarly situated,

24 *Plaintiffs,*

25 v.

26 **THE GEO GROUP, INC.,**

Defendant.

Civil Action No. 5:17-cv-02514-JGB-SHKx

**NOTICE OF EXPEDITED
RULE 30(B)(6) DEPOSITION
OF THE GEO GROUP, INC.**

1 Please take notice that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil
2 Procedure, Plaintiffs in the above-captioned matter will take the deposition by oral
3 examination of Defendant The GEO Group, Inc. (“GEO”) through one or more
4 officers, directors, managing agents, or such other authorized persons who consent to
5 testify on GEO’s behalf. The deposition will take place at the following dates, times, and
6 places before a court reporter and videographer:
7

8
9 Date & Time: April 10, 2020 at 9:00 a.m. PST

10 Place: Veritext
11 316 West 2nd Street, Suite 200
12 Los Angeles, CA 90012
13 *Or by remote video conferencing*

14 Method of Recording: Stenographically and by video

15 GEO has a duty to designate one or more officers, directors, managing agents, or
16 other persons with sufficient knowledge to testify on its behalf on all information known
17 or reasonably available to each on the topics set forth below.

18
19 The deposition will be taken for the purpose of discovery, to perpetuate the
20 testimony of the witness(es) for use at trial, and for all other purposes permitted under
21 the Federal Rules of Civil Procedure. The deposition will be taken before a notary public
22 or other officer authorized by law to administer oaths for use in this litigation as set forth
23 above. The deposition will continue from day to day until completed.
24
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26

DEFINITIONS

1
2 1. The terms “you,” “your,” and “GEO” are defined as the Defendant The
3 GEO Group, Inc., and any affiliated corporate entity or subsidiary (including any taxable
4 REIT subsidiary) through which The GEO Group, Inc. conducts business or receives
5 revenue, as well any officer, agent, employee, executive, or representative of GEO as
6 defined herein.
7

8
9 2. The term “ICE” is defined as the United States Immigration and Customs
10 Enforcement and includes, but is not limited to, any predecessor or successor agencies,
11 and any divisions, departments, affiliates, agents, attorneys, representatives, employees,
12 and/or other persons acting on its behalf.
13

14 3. The term “Adelanto Facility” is defined as the Adelanto ICE Processing
15 Center, located in Adelanto, California, and operated by GEO pursuant to a federal
16 contract with ICE.
17

18 4. The term “Voluntary Work Program” is defined as any program GEO
19 operates involving labor performed by detainees for remuneration of any kind that
20 includes tasks outside those described in Section 5.8.V.C of the 2011 ICE Performance-
21 Based National Detention Standards (“PBNDS”) (rev. 2016).
22

23 5. The term “Adelanto Policy and Procedures Manual” is defined as any
24 document or series of documents authored, issued, or promulgated by GEO involving
25 policies, procedures, practices, post orders, guidelines, standards, or expectations
26

1 regarding the maintenance and operation of the Adelanto Facility, *e.g.* GEO-
2 Novoa_00000221.

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4 6. The term “PBNDS” is defined as any version of the 2011 ICE
5 Performance-Based National Detention Standards.

6 7. The terms “Housing Unit Sanitation Policy, ” “HUSP,” “HUSPs,” and
7 “Sanitation Procedures/Housekeeping Plan” are defined as any program, policy, plan,
8 or procedure GEO operates involving labor performed by detainees for no
9 remuneration that includes sanitation and cleaning tasks in the detainees’ housing units,
10 dormitories, pods, or living areas. *See, e.g.*, GEO-Novoa_00000515 (“Sanitation
11 Procedures/Housekeeping Plan”).
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14 8. The term “Class Member” means any civilly detained immigrant who was
15 detained at any civil immigration detention center owned or operated by GEO in the
16 United States between December 19, 2007 and the date these requests are answered or
17 supplemented who subject to a GEO Housing Unit Sanitation Policy (HUSP) at any
18 point during their detention, excluding (1) individuals detained in GEO’s family
19 residential detention facility in Karnes City, Texas; (2) individuals detained in the
20 Alexandria Staging Facility in Alexandria, Louisiana; (3) any individual detained in the
21 custody of the U.S. Marshall or any other law enforcement agency at a GEO facility
22 where the company also detains civil immigration detainees pursuant to contracts with
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1 ICE; and (4) civilly detained immigrants detainees held at the Aurora ICE Processing
2 Center in Aurora, Colorado at any time before October 22, 2014.

3
4 9. The term “detainee” or “detained immigrant” is defined as any person
5 detained in an immigration detention facility operated by GEO.

6 10. The term “person” is defined as any natural person or business, legal, or
7 governmental entity or association.
8

9 11. The terms “policy” or “policies” mean each rule, procedure, or directive,
10 formal or informal, written or unwritten, and each common understanding or course of
11 conduct that was recognized as such by Defendant or persons acting or purporting to
12 act on Defendant’s behalf, that has been in effect at any time during the period covered
13 by these demands. These terms include any change of policy.
14

15 12. The singular of each word shall be construed to include its plural and vice-
16 versa, and the root word and all derivations (i.e., “ing,” “ed,” etc.) shall be construed to
17 include each other.
18

19 13. The words “knowledge,” “information,” “possession,” “custody,” and
20 “control” of a person shall be construed to include such person’s agents, representatives,
21 and attorneys.
22

23 14. The word “including” shall have its ordinary meaning and shall mean
24 “including but not limited to” and shall not indicate limitation to the examples or items
25 mentioned.
26

1 15. The term “communication” means the transmittal of information by any
2 means (in the form of facts, ideas, inquiries, or otherwise).

3
4 16. The terms “concerning” “regarding” and “relating to” mean relating to,
5 supporting, contradicting, summarizing memorializing, describing, evidencing,
6 constituting, containing, studying, identifying, analyzing, considering, regarding,
7 explaining, mentioning, showing, discussing, comprising or commenting on.

8
9 17. Each of the terms “all,” “any,” “each,” and “every” shall be construed as
10 meaning all, any, each and every.

11 18. The terms “and” and “or” shall be construed both disjunctively and
12 conjunctively.

13
14 19. The term “document” shall have the broadest meaning possible under the
15 Federal Rules of Civil Procedure and shall include, but not be limited to, the original (or
16 a copy when the original is not available) and each non-identical copy (including those
17 which are non-identical by reason of translations, notations, or markings) or any and all
18 other written, printed, typed, punched, taped, filmed, or graphic matter or recorded or
19 other tangible thing, or whatever description, however produced or reproduced (including
20 computer-stored or generated data, together with instructions or programs necessary to
21 search and retrieve such data and hard copies where available and retrievable), and shall
22 include all attachments to and enclosures with any requested item, to which they are
23 attached or with which they are enclosed, and each draft thereof. The term document
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1 shall specifically include all recorded or retrievable electronic data or communications
2 such as electronic mail (e-mail) and the like and all translations thereof. Any document
3 with any marks of any sheet or side thereof, including but limited to initials, routing
4 instructions, metadata, date stamps, and/or any comment, marking or notation of any
5 kind or character which is not a part of the original and/or any reproduction thereof, is
6 to be considered a separate document.
7
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9 20. "Communication" shall refer to any form of communication, including any
10 oral, written, electronic, or other exchange of words, thoughts, information, or ideas to
11 another person or entity, whether in person, in a group, by telephone, by letter, by
12 facsimile, or by any other process, electric, electronic, or otherwise. All such
13 communications in writing shall include, without limitation, printed, typed, handwritten,
14 or other readable documents, correspondence, memoranda, reports, contracts, drafts
15 (both initial and subsequent), computer discs or transmissions, e-mails, instant messages,
16 tape or video recordings, voicemails, diaries, log books, minutes, notes, studies, surveys
17 and forecasts, and any and all copies thereof.
18
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21 21. The term "Facilities" means the Adelanto ICE Processing Center, the
22 Aurora ICE Processing Center, the Broward Transitional Center, the Central Valley
23 Annex, the Coastal Bend Detention Center, the Desert View Annex, the Folkston ICE
24 Processing Center, the Golden State Annex, the Joe Corley Processing Center, the
25 LaSalle ICE Processing Center, the Mesa Verde ICE Processing Center, the
26

1 Montgomery Processing Center, the Northwest ICE Processing Center, the Pine Prairie
2 ICE Processing Center, the Rio Grande Processing Center, the South Louisiana ICE
3 Processing Center, and the South Texas ICE Processing Center.
4

5 22. The term “COVID-19” means the Coronavirus Disease 2019 as discussed
6 by the U.S. Centers for Disease Control and Prevention in its *Interim Guidance on*
7 *Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities*,
8 available at [https://www.cdc.gov/coronavirus/2019-ncov/community/correction-](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html)
9 [detention/guidance-correctional-detention.html](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html).
10

11 23. The term “Cohorting” refers to the practice of isolating multiple
12 laboratory-confirmed COVID-19 cases together as a group or quarantining close
13 contacts of a particular case together as a group.
14

15 24. The term “PPE” means Personal Protective Equipment as used by the U.S.
16 Centers for Disease Control and Prevention in its *Interim Guidance on Management of*
17 *Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities*, available at
18 [https://www.cdc.gov/coronavirus/2019-ncov/community/correction-](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html)
19 [detention/guidance-correctional-detention.html](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html).
20

21 25. The term “CDC’s COVID-19 Detention Guidelines” means the guidelines
22 and recommendations provided by the U.S. Centers for Disease Control and Prevention
23 in its *Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional*
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1 *and Detention Facilities*, available at [https://www.cdc.gov/coronavirus/2019-](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html)
2 [ncov/community/correction-detention/guidance-correctional-detention.html](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html).

3
4 26. The term “community transmission,” with respect to COVID-19, refers to
5 individuals acquiring the disease “through contact with someone in their local
6 community, rather than through travel to an affected location.” *See Interim Guidance on*
7 *Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities*,
8 available at [https://www.cdc.gov/coronavirus/2019-ncov/community/correction-](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html)
9 [detention/guidance-correctional-detention.html](https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html).

10
11 27. The term “states with widespread community transmission” includes
12 Washington, Utah, Rhode Island, Oregon, Oklahoma, North Carolina, Massachusetts,
13 Maryland, Louisiana, Iowa, Illinois, Georgia, Connecticut, Colorado, California, and
14 Arizona.
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16
17 **RULE 30(b)(6) TOPICS**

18 The deponent(s) shall be prepared to address the following topics:
19

20 **Topic 1:** The steps you have taken at each of the Facilities to implement and adhere
21 to CDC’s COVID-19 Detention Guidelines.

22 **Topic 2:** The steps you have taken at each of the Facilities to provide Personal
23 Protection Equipment, training, and materials for personal hygiene
24 including (but not limited to) liquid soap, sanitary hand drying materials,
25 no-touch trash receptacles, facemasks, N95 respirators, disposable medical
26 gloves, alcohol-based hand sanitizer containing at least 60% alcohol, and
EPA-registered disinfectants effective against the virus that causes
COVID-19, to each Class Member for use in connection with their
performance of services pursuant to the HUSP program.

1 **Topic 3:** The steps you have taken at each of the Facilities to test each Class Member
2 for to the virus that causes COVID-19 who has performed duties as part
3 of the HUSP program.

4 **Topic 4:** The steps you have taken at each of the Facilities to quarantine for 14 days
5 each Class Member exposed to the virus that causes COVID-19 who has
6 performed duties as part of the HUSP program.

7 **Topic 5:** The steps you have taken at each of the Facilities to enforce social
8 distancing strategies of 6 feet between each Class Member who has
9 performed duties as part of the HUSP program since January 1, 2020.

10 **Topic 6:** The steps you have taken at each of the Facilities to enforce social
11 distancing strategies of 6 feet between detainees at each of your Facilities.

12 **Topic 7:** The steps you have taken at each of the Facilities to quarantine all new
13 intakes for 14 days before they enter each of your Facilities' general
14 population with Class Members.

15 **Topic 8:** The steps you have taken at each of the Facilities to place detainees who
16 are suspected COVID-19 cases under medical isolation.

17 **Topic 9:** The steps you have taken at each of the Facilities to exclude individuals
18 who develop symptoms of COVID-19 from group activities.

19 **Topic 10:** The steps you have taken at each of the Facilities to ensure that individuals
20 under medical isolation are housed separately, in single cells with solid walls
21 (i.e., not bars) and solid doors that close fully.

22 **Topic 11:** The steps you have taken at each of the Facilities to increase the number
23 of non-detainee staff trained and responsible for cleaning common areas
24 to ensure continual cleanliness of such areas throughout the day in lieu of
25 performing those cleaning functions with Class Member labor through the
26 HUSP program.

Topic 12: For each of your Facilities, as of April 1, 2020:
a. The total number of Class Members participating in the HUSP
program;
b. The total number of Class Members who have contracted COVID-
19;

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- c. The total number of Class Members who have been exposed to the COVID-19 virus;
- d. The total number of Class Members who have been medically isolated as a result of their exposure to the COVID-19 virus;
- e. The total number of Class Members who have exhibited a fever, dry cough, or shortness of breath since January 1, 2020; and
- f. The total number of Class Members who have been tested for the COVID-19 virus.

1 Dated: April 6, 2020

Respectfully,

2
3 /s/ Daniel H. Charest

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1 **CERTIFICATE OF SERVICE**

2 Plaintiffs, by and through undersigned counsel, hereby certifies that a true
3 and correct copy of this expedited notice of Rule 30(b)(6) deposition of The GEO
4 Group, Inc. was served upon the following counsel in this matter, by email, on April
5 6, 2020.

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Dated: April 6, 2020

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