

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NAKISHA BOONE,	:	
individually and on behalf of a class	:	
of others similarly situated,	:	
	:	
Plaintiff,	:	
:	:	Civil Action Number: 05-CV-1851
v.	:	
	:	
CITY OF PHILADELPHIA,	:	
	:	
Defendant.	:	
	:	

PLAINTIFF’S MOTION FOR CLASS CERTIFICATION

Pursuant to Rule 23(b)(2) and 23(b)(3) of the Federal Rules of Civil Procedure, plaintiff, by and through her undersigned attorneys, hereby moves this Honorable Court for certification of the class consisting of the following members:

All persons who have been or will be placed into the custody of the Philadelphia Prison System after being charged with misdemeanors, summary offenses, violations of probation or parole, traffic infractions, civil commitments, or other minor crimes, and who were or will be strip searched upon their entry into the Philadelphia Prison System pursuant to the policy, custom and practice of the Philadelphia Prison System and the City of Philadelphia. The class period commences on April 21, 2003 and extends to the present or until the defendant is enjoined from, or otherwise ceases, enforcing the unconstitutional policy, practice and custom of conducting strip searches absent reasonable suspicion. Specifically excluded from the class are any and all of the City of Philadelphia’s affiliates, legal representatives, heirs, successors, or assignees. Also excluded from the class are any and all employees of the Philadelphia Prison System.

In support thereof, plaintiff avers as follows:

1. Plaintiff is a member of the aforesaid class and her claims are common and typical of those of the class;
2. The class is so numerous that joinder of all members is impractical;
3. Plaintiff will fairly and adequately represent the class;
4. There are common questions of law and facts which predominate any individual issues;
5. Defendant's defense as to plaintiff's claims are common and typical of their defenses to class claims;
6. The class is the fairest and most efficient means of adjudicating this controversy; and
7. Plaintiff incorporates by reference as though fully set forth herein her memorandum of law filed herewith.

WHEREFORE, plaintiff respectfully requests this Court grant her motion to certify this class as a class action.

Respectfully submitted by:

/s
Dated: February 16, 2007
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