

1 BRIAN M. BOYNTON
 2 Principal Deputy Assistant Attorney
 3 General
 4 CHRISTOPHER P. TENORIO
 5 Deputy Assistant Attorney General
 6 (SBN 166022)
 7 WILLIAM C. PEACHEY
 8 Director
 9 Office of Immigration Litigation
 10 U.S. Department of Justice
 11 WILLIAM C. SILVIS
 12 Assistant Director
 13 Office of Immigration Litigation
 14 SARAH B. FABIAN
 15 Senior Litigation Counsel
 16 FIZZA BATOOL
 17 Trial Attorney
 18 Office of Immigration Litigation
 19 U.S. Department of Justice
 20 Box 868, Ben Franklin Station
 21 Washington, DC 20442
 22 Telephone: (202) 532-4824
 23 Fax: (202) 616-8962

24 *Attorneys for Federal Defendants*

Lee Gelernt*
 Daniel A. Galindo (SBN 292854)
 Anand Balakrishnan*
 Judy Rabinovitz*
 AMERICAN CIVIL LIBERTIES
 UNION FOUNDATION
 125 Broad St., 18th Floor
 New York, NY 10004
 T: (212) 549-2660
 F: (212) 549-2654
lgelernt@aclu.org
jrabinovitz@aclu.org
abalakrishnan@aclu.org

Stephen B. Kang (SBN 292280)
 Spencer E. Amdur (SBN 320069)
 AMERICAN CIVIL LIBERTIES
 UNION FOUNDATION
 39 Drumm Street
 San Francisco, CA 94111
 T: (415) 343-1198
 F: (415) 395-0950
skang@aclu.org
samdur@aclu.org

Attorneys for Plaintiffs
 *Admitted Pro Hac Vice

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

Case No. 3:18-cv-428-DMS (AHG)

Ms. L, et al.,

Plaintiff,

v.

U.S. Immigration and Customs
Enforcement, et al.,

Defendant.

**ORDER GRANTING FINAL
APPROVAL OF SETTLEMENT
AGREEMENT AND CERTIFYING
THE SETTLEMENT CLASSES**

Upon consideration of the Parties’ Joint Motion for Approval of Proposed Settlement and Certification of Settlement Class, as well as any argument by the parties at the fairness hearing held on December 8, 2023, at 1:00 PM in Courtroom 13A, 13th Floor, Suite 1310, 333 West Broadway, San Diego, CA 92101,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The Motion is **GRANTED**, the Settlement Agreement is **APPROVED**, the *Ms. L.* Settlement Class is **CERTIFIED** and Plaintiffs’ claims are hereby **DISMISSED WITH PREJUDICE**, subject to the terms of the Settlement Agreement and with retention of jurisdiction as set forth in this Order.

1 2. The Court finds that the Settlement Agreement is a compromise
2 reached by the parties as a result of arms-length negotiations. The Settlement
3 Agreement benefits the *Ms. L. Settlement Class* and was not the result of collusion
4 between the parties. The *Ms. L. Settlement Class* has received notice of the terms of
5 the Settlement Agreement that complied with the requirements of Federal Rule of
6 Civil Procedure 23(e)(1), and no *Ms. L. Settlement Class* member has objected to
7 the Settlement Agreement.

8 3. The Court therefore finds that approval is appropriate and hereby grants
9 approval of the Settlement Agreement, as amended. Pursuant to Paragraph VII.A of
10 the Settlement Agreement, the Settlement Agreement is hereby incorporated into the
11 terms of this Order. This Order constitutes the final judgment of the Court with
12 regard to this Action, and Plaintiffs' claims are hereby dismissed with prejudice,
13 except that the Court retains jurisdiction for specified purposes subject to the terms
14 of the Settlement Agreement, including retaining jurisdiction to enforce the
15 Settlement Agreement's terms and to review any future modifications to the
16 Settlement Agreement that the parties might enter into upon mutual agreement.

17 4. Notwithstanding the terms of Paragraph 3, the Court's May 19, 2023
18 Order, ECF No. 689, shall remain in place for 90 days following issuance of this
19 Order.

20 5. This Order and all obligations of the parties under the Settlement
21 Agreement will terminate on the Termination Date of the Settlement Agreement,
22 except that:

- 23 a. Defendants' obligations under Section V (Future Separations) will
24 terminate on the Termination Date – Future Separations; and
25 b. Defendants will continue to provide Behavioral Health Services as
26 described in Section IV.B.2.a. above for one year following the
27 Termination Date.
28

1 6. From the Effective Date until the Termination Date, the Court will
2 retain jurisdiction over the Action only for the purpose of enforcing the terms of the
3 Settlement Agreement, except that the Court shall retain jurisdiction over Section V
4 (Future Separations) until the “Termination Date – Future Separations,” and shall
5 retain jurisdiction to resolve disputes regarding the provision of Behavioral Health
6 Services as described in Section IV.B.2.a. for one year following the Termination
7 Date; and shall retain jurisdiction to resolve disputes concerning any applications for
8 relief filed pursuant to this Settlement Agreement that remain pending as of the
9 Termination Date.

10 7. For purposes of the Settlement Agreement, the Court further finds that
11 the requirements for a class action are met, and hereby defines the *Ms. L. Settlement*
12 Class set forth in the parties’ Settlement Agreement. Specifically:

13 a. The Court finds that certification is warranted under the
14 requirements of Federal Rule of Civil Procedure 23(a) because: (1)
15 the members of the proposed *Ms. L. Settlement Class* are so
16 numerous that joinder is impracticable; (2) there are issues of law
17 and fact common to the proposed *Ms. L. Settlement Class*; (3) the
18 claims of the named Plaintiffs are typical of the claims of the *Ms. L.*
19 *Settlement Class* members; and (4) the proposed Class Counsel will
20 fairly and adequately represent the interests of the *Ms. L. Settlement*
21 *Class* members.

22 b. The Court also finds that certification of the *Ms. L. Settlement Class*
23 is warranted under the requirements of Federal Rule of Civil
24 Procedure 23(b)(2) because Defendants are alleged to have acted or
25 refused to act on grounds that apply generally to the proposed *Ms.*
26 *L. Settlement Class*, so that final injunctive relief or corresponding

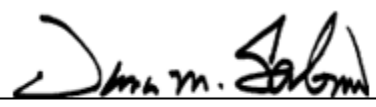
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declaratory relief is appropriate respecting the *Ms. L.* Settlement Class as a whole.

8. The requirements of Rule 23(g) of the Federal Rules of Civil Procedure are met, and the Court hereby confirms the appointment of the ACLU Immigrants' Rights Project as counsel for the *Ms. L.* Settlement Class.

IT IS SO ORDERED.

Dated: December 11, 2023



Hon. Dana M. Sabraw, Chief Judge
United States District Court