

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION**

M.M.M., on behalf of his minor child,
J.M.A., et al.,

Plaintiffs,

v.

Jefferson Beauregard Sessions, III,
Attorney General of the United States,
et al.,

Defendants.

Case No. 3:18-cv-1832-DMS
Case No. 3:18-cv-428-DMS

**ORDER ON PLAINTIFFS’
MOTION TO ENFORCE
SETTLEMENT AGREEMENT
FOR CLASS MEMBERS WHO
HAVE NOT SUBMITTED
EXECUTED WAIVER FORMS**

Ms. L, et al.,

Plaintiffs,

v.

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

Defendants.

1 Plaintiffs’ Motion to Enforce Settlement Agreement for Class Members Who
2 Have Not Submitted Executed Waiver Forms came on for hearing on February 21,
3 2019. Wilson Barmeyer and Zachary Best argued the motion for the Class, and Scott
4 Stewart argued the motion for Defendants. After hearing from counsel, it appears that
5 additional meet and confer efforts may result in a resolution of the issue. Accordingly,
6 and pursuant to the discussion at the hearing, IT IS HEREBY ORDERED:

7 1. On or before **February 28, 2019**, defense counsel shall provide to Class
8 Counsel the list of persons subject to removal. Counsel shall meet and confer on the
9 best way to cull that list down to persons with expedited removal orders.

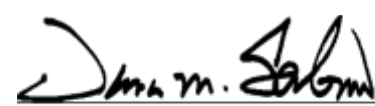
10 2. Defense counsel shall advise Immigration and Customs Enforcement
11 that class members subject to the settlement agreement in this case may not be
12 removed without first providing them with notice of the settlement and an opportunity
13 to decide whether they wish to take advantage of the settlement procedures or waive
14 those procedures.

15 3. Counsel shall provide the Court with an update on these issues in the
16 next Joint Status Report.

17 4. The Court will reserve any ultimate decision on Plaintiffs’ motion
18 pending the outcome of the meet and confer efforts set out above.

19 **SO ORDERED.**

20 Dated: February 22, 2019



Hon. Dana M. Sabraw
United States District Judge

21
22
23
24
25
26
27
28