1 2

3

4

56

7

8

9

10

11

1213

14

15

1617

18

19

2021

22

2324

25

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

UGOCHUKWU GOODLUCK NWAUZOR, FERNANDO AGUIRRE-URBINA, individually and on behalf of all those similarly situated,

Plaintiff,

v.

THE GEO GROUP, INC., a Florida corporation,

Defendant.

No. 3:17-cv-05769-RJB

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY RE: DEFENDANT'S MOTION TO DISMISS AND SUPPORTING DECLARATION OF TRACEY VALERIO

Plaintiffs respectfully submit the attached supplemental authority with respect to the arguments made at pages 4, 6, 7, 9 of the Reply in Support of GEO's Motion to Dismiss Plaintiff's First Amended Complaint (Dkt. #104) in reliance on the Declaration of Tracey Valerio (Dkt. #105). The attached letter from Anne M. Rose, Associate Legal Advisor in the Office of the Principal Legal Advisor for U.S. Immigration and Customs Enforcement, dated August 1, 2018, and received by undersigned counsel via email at 4:45 p.m. on this date, directly relates to the admissibility, reliability, and lack of legal authority of the Valerio Declaration and therefore to all arguments reliant on that Declaration. As the August 1 date of

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY RE: DEFENDANT'S MOTION TO DISMISS AND SUPPORTING DECLARATION OF TRACEY VALERIO -1 Case No. 3:17-cv-05769-RJB Law Office of R. Andrew Free P.O. Box 90568 Nashville, TN 37209 O: (844) 321-3221x1 F: (615) 829-8959

25

the letter demonstrates, Plaintiffs could not have presented this authority to the Court at any earlier time.

Undersigned counsel for the Plaintiffs conferred by telephone and email with counsel for Defendant immediately upon receiving the letter from ICE. Defendant declined to withdraw the Declaration and intends to offer Ms. Valerio as an expert witness.

Neither Anne Rose, ICE Counsel, nor Kristin Gibson, the Assistant United States Attorney contact for this matter, could be reached via email or telephone to determine whether ICE intends to appear in open court to lodge its objection, or whether the Department of Justice intends to do so on its behalf.

DATED this 1st day of August, 2018.

LAW OFFICE OF R. ANDREW FREE

s/R. Andrew Free_

R. Andrew Free, admitted *pro hac vice*P.O. Box 90568
Nashville, TN 37209
(844) 321-3221x1 – office
(615) 829-8959 – fax
Andrew@ImmigrantCivilRights.com

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY RE: DEFENDANT'S MOTION TO DISMISS AND SUPPORTING DECLARATION OF TRACEY VALERIO -2 Case No. 3:17-cv-05769-RJB Law Office of R. Andrew Free P.O. Box 90568 Nashville, TN 37209 O: (844) 321-3221x1 F: (615) 829-8959

CERTIFICATE OF SERVICE 1 2 I hereby certify that on August 1, 2018, I electronically filed the foregoing with the 3 Clerk of the Court using the CM/ECF system which will send notification of such filing to the 4 following: 5 Devin T. Theriot-Orr, WSBA # 33995 Mark Emery SUNBIRD LAW, PLLC NORTON ROSE FULBRIGHT US LLP 6 799 9th Street, Suite 1000 1001 Fourth Avenue, Suite 3200 Seattle, WA 98154-1003 Washington, D.C. 20001 7 Attorney for Plaintiffs Attorney for Defendant 8 9 Joan K. Mell Charles A. Deacon III BRANCHES LAW, PLLC NORTON ROSE FULBRIGHT US LLP 10 1019 Regents Boulevard, Suite 204 300 Covent St. Fircrest, WA 98466 San Antonio, TX 78205 11 joan@3ebrancheslaw.com Charles.deacon@nortonrosefulbright.com 12 Attorney for Defendant Attorney for Defendant 13 Andrea D'Ambra 14 NORTON ROSE FULBRIGHT US LLP Adam Berger Lindsay Halm 1301 Avenue of the Americas 15 New York, NY 10019 Jamal Whitehead andrea.dambra@nortonrosefulbright.com SCHROETER GOLDMARK & BENDER 16 810 Third Avenue, Suite 500 Seattle, Washington 98104 Attorney for Defendant 17 Attorneys for Plaintiffs 18 Meena Menter MENTER IMMIGRATION LAW PLLC 19 8201 164th Ave. NE, Suite 200 Redmond, WA 98052 20 meena@meenamenter.com 21 Attorney for Plaintiffs 22 23 24 25 PLAINTIFFS' NOTICE OF Law Office of R. Andrew Free SUPPLEMENTAL AUTHORITY P.O. Box 90568 Nashville, TN 37209 RE: DEFENDANT'S MOTION TO **DISMISS AND SUPPORTING** O: (844) 321-3221x1 DECLARATION OF TRACEY VALERIO -3 F: (615) 829-8959

Case No. 3:17-cv-05769-RJB

1 2 August 1, 2018, at Tacoma, Washington. DATED: 3 s/R. Andrew Free_ 4 R. Andrew Free, admitted pro hac vice P.O. Box 90568 5 Nashville, TN 37209 6 (844) 321-3221x1 – office (615) 829-8959 – fax 7 Andrew@ImmigrantCivilRights.com 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 PLAINTIFFS' NOTICE OF Law Office of R. Andrew Free SUPPLEMENTAL AUTHORITY P.O. Box 90568 RE: DEFENDANT'S MOTION TO Nashville, TN 37209 **DISMISS AND SUPPORTING** O: (844) 321-3221x1

DECLARATION OF TRACEY VALERIO 4

Case No. 3:17-cv-05769-RJB

F: (615) 829-8959