

The Honorable Robert J. Bryan

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

STATE OF WASHINGTON,

No. 3:17-cv-05806-RJB

PLAINTIFF,

v.

THE GEO GROUP, INC.,

DEFENDANT.

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

No. 3:17-cv-05769-RJB

STIPULATED MOTION AND  
ORDER ON MOTIONS IN  
LIMINE

Plaintiff,

NOTE ON MOTION CALENDAR:  
March 12, 2020

v.

THE GEO GROUP, INC., a Florida  
corporation,

Defendant.

**STIPULATION**

The parties, by and through counsel, respectfully and jointly move the Court for an in limine order concerning certain evidentiary and other issues to streamline trial and the

1 presentation of evidence to the jury. Counsel for the parties have conferred and agree that an in  
2 limine order is appropriate, with reference to the following:

3 1. Pursuant to the Court's order dated February 3, 2020 (Dkt. No. 255), parties  
4 must file all motions in limine by March 12, 2020.

5 2. Pursuant to Local Rule 7(d)(4), the parties held conference calls on March 9 and  
6 11, 2020, to determine which matters are really in dispute before filing their respective  
7 motions. The parties reached an agreement on a number of issues.

8 THEREFORE, IT IS HEREBY STIPULATED AND AGREED AS  
9 FOLLOWS:

10 1. Evidence or argument excluded by an Order in limine may not be presented to the  
11 jury without prior leave from the Court.

12 2. Except for GEO's designated representatives, the Private Plaintiff class  
13 representatives, and the State's designated representatives, not to exceed three  
14 different representatives per party, witnesses are excluded from the courtroom  
15 until called and excused by the Court.

16 3. Counsel shall not offer at trial documents not previously disclosed without prior  
17 leave from the Court.

18 4. Counsel shall not comment regarding the size of any law firm or the number of  
19 attorneys involved in the litigation.

20 5. Counsel shall not make reference to the substance of pre-trial motions in the  
21 presence of the jury.

22 6. Expert reports are not admissible. (But note: summary charts, or other cumulative  
23 evidence summaries, even if prepared by experts, may be admissible, subject to  
24

agreement by the parties or the Federal Rules of Evidence.)

7. Counsel shall provide the names of witnesses they plan to call the next court day at the end of each day of trial.

8. Counsel shall not refer to Plaintiffs or members of the class as “illegals.”

9. GEO may present argument or evidence regarding its offset defense and unjust enrichment claim in the *Nwauzor* case only during the damages phase of the *Nwauzor* trial.

10. Counsel shall not refer to the Northwest Detention Center as a “private prison.”

11. Counsel shall not present argument or evidence suggesting that detention at the Northwest Detention Center is criminal or penal in nature.

SO STIPULATED this 12th day of March, 2020.

AKERMAN LLP

SCHROETER GOLDMARK & BENDER

*s/ Adrienne Scheffey*

*s/ Jamal Whitehead*

Colin L. Barnacle (Admitted *pro hac vice*)  
Ashley E. Callhoun (Admitted *pro hac vice*)  
Adrienne Scheffey (Admitted *pro hac vice*)  
1900 Sixteenth Street, Suite 1700  
Denver, Colorado 80202  
Tel: (303) 260-7712  
Fax: (303) 260-7714  
Colin.Barnacle@akerman.com  
Ashley.Callhoun@akerman.com  
Adrienne.Scheffey@akerman.com

Adam J. Berger, WSBA #20714  
Lindsay L. Halm, WSBA #37141  
Jamal N. Whitehead, WSBA #39818  
Rebecca J. Roe, WSBA #7560  
810 Third Avenue, Suite 500  
Seattle, WA 98104  
Tel: (206) 622-8000 ~ Fax: (206) 682-2305  
berger@sgb-law.com  
halm@sgb-law.com  
whitehead@sgb-law.com

III BRANCHES LAW, PLLC  
Joan K. Mell, WSBA #21319  
1019 Regents Boulevard, Suite 204  
Fircrest, WA 98466  
Tel: (253) 566-2510  
joan@3ebrancheslaw.com

THE LAW OFFICE OF R. ANDREW FREE  
Andrew Free (*Pro Hac Vice*)  
P.O. Box 90568  
Nashville, TN 37209  
Tel: (844) 321-3221 ~ Fax: (615) 829-8959  
andrew@immigrantcivilrights.com

SUNBIRD LAW, PLLC

1 *Attorneys for Defendant*

Devin T. Theriot-Orr, WSBA # 33995  
1001 Fourth Avenue, Suite 3200  
Seattle, WA 98154-1003  
Tel: (206) 962-5052 ~ Fax: (206) 681-9663  
devin@sunbird.law

4 MENTER IMMIGRATION LAW, PLLC  
Meena Menter, WSBA # 31870  
8201 164<sup>th</sup> Ave NE, Suite 200  
Redmond, WA 98052  
Tel: (206) 419-7332  
meena@meenamenter.com

7 *Class Counsel*

8 ROBERT FERGUSON  
9 Attorney General of Washington

10 *s/ Lane Polozola*


MARSHA CHIEN, WSBA No. 47020  
11 ANDREA BRENNEKE, WSBA No. 22027  
LANE POLOZOLA, WSBA No. 50138  
12 PATRICIO A. MARQUEZ, WSBA No. 47693  
Assistant Attorneys General  
13 Office of the Attorney General  
800 Fifth Avenue, Suite 2000  
14 Seattle, WA 98104  
(206) 464-7744  
15 marsha.chien@atg.wa.gov  
andrea.brenneke@atg.wa.gov  
16 lane.polozola@atg.wa.gov  
patricio.marquez@atg.wa.gov

17 *Attorneys for Plaintiff State of Washington*

ORDER

IT IS SO ORDERED:

DATED this 17<sup>th</sup> day of March, 2020.



ROBERT J. BRYAN  
United States District Judge

Jointly Presented by:

SCHROETER GOLDMARK & BENDER

s/ Jamal Whitehead

Adam J. Berger, WSBA #20714  
Lindsay L. Halm, WSBA #37141  
Jamal Whitehead, WSBA #39818

*Class Counsel*

AKERMAN LLP

s/ Adrienne Scheffey

Colin L. Barnacle (Admitted *pro hac vice*)  
Ashley E. Callhoun (Admitted *pro hac vice*)  
Adrienne Scheffey (Admitted *pro hac vice*)

*Attorneys for Defendant*

ROBERT FERGUSON  
Attorney General of Washington

s/ Lane Polozola

MARSHA CHIEN, WSBA No. 47020  
ANDREA BRENNEKE, WSBA No. 22027  
LANE POLOZOLA, WSBA No. 50138  
PATRICIO A. MARQUEZ, WSBA No. 47693

*Attorneys for State of Washington*