

AKERMAN LLP

601 WEST FIFTH STREET, SUITE 300
LOS ANGELES, CALIFORNIA 90071
TEL.: (213) 688-9500 – FAX: (213) 627-6342

1 **AKERMAN LLP**
2 DAMIEN P. DELANEY (SBN 246476)
3 601 West Fifth Street, Suite 300
4 Los Angeles, California 90071
5 Telephone: (213) 688-9500
6 Facsimile: (213) 627-6342
7 Email: damien.delaney@akerman.com

8 COLIN L. BARNACLE (admitted *pro hac vice*)
9 ASHLEY E. CALHOUN (SBN 270530)
10 1900 Sixteenth Street, Suite 1700
11 Denver, Colorado 80202
12 Telephone: (303) 260-7712
13 Facsimile: (303) 260-7714
14 Email: colin.barnacle@akerman.com
15 ashley.calhoun@akerman.com

16 Attorneys for Defendant
17 THE GEO GROUP, INC.

18 **UNITED STATES DISTRICT COURT**

19 **CENTRAL DISTRICT OF CALIFORNIA – EASTERN DIVISION**

20 RAUL NOVOA, JAIME CAMPOS
21 FUENTES, ABDIAZIZ KARIM, and
22 RAMON MANCIA, individually and on
23 behalf of all others similarly situated,

24 Plaintiffs,

25 vs.

26 THE GEO GROUP, INC.,

27 Defendant.

28 THE GEO GROUP, INC.,

Counter-Claimant,

vs.

RAUL NOVOA, JAIME CAMPOS
FUENTES, ABDIAZIZ KARIM, and
RAMON MANCIA, individually and on
behalf of all others similarly situated,

Counter-Defendant.

Case No. 5:17-cv-02514-JGB-SHK

Assigned to Hon. Jesus G. Bernal
and the Honorable Shashi H.
Kewalramani

DISCOVERY MATTER

**DECLARATION OF COLIN L.
BARNACLE IN SUPPORT OF
DEFENDANT THE GEO GROUP,
INC.'S MOTION FOR
PROTECTIVE ORDER**

TAC Filed: September 16, 2019
SAC Filed: December 24, 2018
FAC Filed: July 6, 2018
Complaint Filed: December 19, 2017
Trial Date: June 23, 2020

DECLARATION OF COLIN L. BARNACLE

I, Colin L. Barnacle, hereby declare:

1. I am an attorney licensed to practice law, I am admitted *pro hac vice* in this Court, and am a Partner with Akerman LLP and counsel of record for The GEO Group, Inc. (“GEO”) in this action. I have personal knowledge of the matters set forth herein.

2. Attached as Exhibit A is a true and correct copy of the parties’ conferral efforts regarding the deposition of Dr. George C. Zoley.

3. Outside of the conferral efforts in Exhibit A, Plaintiffs have not provided any additional record support for their contention that Dr. Zoley’s deposition would be relevant, nor have they provided any evidence that would satisfy the apex-deposition factors.

4. During the conferral, Plaintiffs did not identify any evidence in the record that would indicate Dr. Zoley has unique, non-repetitive, first-hand knowledge of any issue that may be relevant to this litigation.

5. In my review of the record, I did not find any evidence that Dr. Zoley has any unique, non-repetitive, first-hand knowledge of any issue that may be relevant to this litigation.

6. More specifically, in my review of the record, I did not find any evidence that Dr. Zoley has had meetings with ICE or with the City of Adelanto relating to the Adelanto Facility or this litigation without other GEO employees being present; nor did I find any evidence that Dr. Zoley exchanged communications with ICE or the City of Adelanto relating to the Adelanto Facility or this litigation without other GEO employees being copied on or being involved in such communications.

7. I have reviewed Plaintiffs’ discovery requests and noticed 30(b)(6) topics. None of the discovery requests or 30(b)(6) topics seek information about Dr. Zoley’s role at or related to the Adelanto Facility, role related to issues relevant to this case, or even his role more generally within GEO.

8. Attached as Exhibit B is a true and correct copy of the document labeled

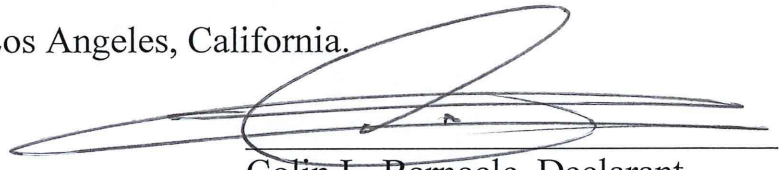
1 Exhibit 15 to the deposition of David Venturella.

2 9. Attached as Exhibit C is a true and correct copy of an excerpt of the
3 deposition of David Venturella, taken by Plaintiffs in this matter on June 13, 2019.

4 10. Attached as Exhibit D is a true and correct copy of a letter from ICE to
5 GEO, which was produced in this matter as ICE-FOIA2018_0004006—0004015.

6 11. Attached as Exhibit E is a true and correct copy of the declaration of Dr.
7 George Zoley.

8 I declare under penalty of perjury under the laws of the United States of America
9 that the foregoing is true and correct and that I executed this Declaration on the 10th
10 day of December, 2019, in Los Angeles, California.



Colin L. Barnacle, Declarant

AKERMAN LLP

601 WEST FIFTH STREET, SUITE 300
LOS ANGELES, CALIFORNIA 90071
TEL.: (213) 688-9500 - FAX: (213) 627-6342

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