

EXHIBIT 1

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6 ***Class Counsel***

7 (Additional Class Counsel listed on signature page)

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **EASTERN DIVISION**

11 **RAUL NOVOA, JAIME CAMPOS**
12 **FUENTES, ABDIAZIZ KARIM,** and
13 **RAMON MANCIA,** individually and on
14 behalf of all others similarly situated,

15 *Plaintiffs,*

16 v.

17 **THE GEO GROUP, INC.,**

18 *Defendant.*

Civil Action No. 5:17-cv-02514-JGB-SHKx

**PLAINTIFFS' THIRD SET OF
REQUESTS FOR PRODUCTION
TO DEFENDANT THE GEO
GROUP, INC.**

19 **TO: Defendant The GEO Group, Inc.**

20 Plaintiffs Raul Novoa, Jaime Campos Fuentes, Abdiaziz Karim, and Ramon Mancía, by and
21 through undersigned counsel, hereby serve the following requests for production under oath pursuant
22 to Federal Rules of Civil Procedure 26 and 34.

23 Please respond within 30 days from the date of this request, and continuing from day to day
24 thereafter, until completed, at **365 Canal Street, Suite 1170, New Orleans, Louisiana 70130**, or at
such time and place as may be agreed upon by all counsel.

25 **INSTRUCTIONS**

1 1. Each discovery request must be answered in full. If this cannot be done after
2 conducting a reasonable investigation, answer to the fullest extent possible, explaining why a complete
3 answer is not possible, stating any knowledge, information, or belief concerning the unanswered
4 portion of the discovery request, what information or documents cannot be provided, why the
5 information or documents are not available, and what efforts were made to obtain the unavailable
6 information or documents.

7 2. Pursuant to Rule 34, all documents and tangible things that are responsive to a request
8 for production must be produced if they are in your possession, custody, or control.

9 a. You are instructed that possession, custody, or control includes constructive
10 possession; therefore, your ability to produce the documents and tangible items
11 requested herein is not affected by you not having actual physical possession of
12 such items.

13 b. As long as you have a right to possess the requested items or a right to compel the
14 production of such items from a third party (including any person, entity, agent,
15 governmental body or agency, or representative), you have possession, custody, or
16 control.

17 c. If any document requested was in your possession or control, but no longer is in
18 your possession or subject to your control, state what disposition was made of it,
19 the reason and date of such disposition.

20 3. With respect to each item or category of items where applicable, you must state
21 objections and assert privileges, if any, as required by the Federal Rules of Civil Procedure and further
22 respond, as appropriate, that:

23 a. production, inspection, or other requested action will be permitted as requested;

24 b. the requested items are being served with your response;

25 c. production, inspection, or other requested action will take place at a specified time
26 and place if you are objecting to the time and place specified herein; or

1 d. no items have been identified, after diligent search, that are responsive to the
2 request.

3 4. To the extent any of the following discovery requests are objectionable in whole or in
4 part, each objection must be stated with particularity, including the reasons for the objection and the
5 categories of information to which the objection applies. As required by the Federal Rules of Civil
6 Procedure, the discovery request must be answered to the extent it is not objectionable.

7 5. If you withhold information for reasons of any privilege, or claims that any answer to
8 any discovery request is subject to a claim of privilege regarding any information, document, or
9 communication sought by any of these discovery requests, identify each such communication,
10 information, or document withheld on grounds of an alleged privilege, and specifically set forth the
11 following: the nature and basis of the privilege claimed; the type of document; the author(s); the
12 addressee(s), including the actual or intended recipients of any copies; the date of the communication,
13 document, or information; the subject matter of the communication, document, or information; if the
14 privilege claimed is the attorney-client privilege, an indication of which author(s) or addressee(s) is/are
15 attorneys; any other information necessary to support the claim of privilege; and the numbered
16 discovery request to which each alleged privileged document is responsive.

17 6. If you find the meaning of any term in these discovery requests unclear, you shall
18 assume a reasonable meaning, state what the assumed meaning is, and respond according to the
19 assumed meaning.

20 7. In interpreting these discovery requests, definitions, and instructions: any masculine,
21 feminine, or neutral term includes all other genders; the singular includes the plural and vice versa; and
22 “or,” “and,” “and/or,” and “including” shall be read to bring within the scope of the discovery request
23 the broadest amount of information.

24 8. Unless otherwise specified in a particular question or request, the relevant time period
25 for all questions and requests is from December 19, 2007, and continuing through to the present. If
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1 additional responsive documents are created following the service of these requests, they should be
2 treated as responsive and promptly produced in accordance with the Federal Rules.

3 9. To the extent any aspect of your answer or response changes depending on the time
4 considered, please identify the various iterations, when they happened, and the reason(s) for the
5 change(s) over time.

6 10. Pursuant to Federal Rules of Civil Procedure 26(a) and 26(e), you must supplement, by
7 reasonable amendment, any response you give to include documents later drafted, acquired, or
8 discovered by you. You have an ongoing obligation to supplement your responses to these discovery
9 requests.

10 11. Pursuant to FRCP 34(B)(1)(c), please produce all electronically stored information
11 (“ESI”) in its original file format as maintained in your regular course of business and in a format
12 readable by readily available commercial software. In the alternative, ESI may be produced in a format
13 otherwise agreed upon by the parties.

14 12. The request for production of documents includes the file or files in which the
15 documents are contained or compiled. The request further includes all copies of any particular
16 document that varies in any material way from the original, e.g., all documents with written notations,
17 highlighting or marking thereon, or attached thereto, including the color of any such notations,
18 markings or high-lightings. These requests include all document drafts.

19 13. Pursuant to Rule 34, you are instructed to either produce the documents and tangible
20 things as they are kept in the usual course of business or organize and label them in such a manner so
21 that they correspond to each specific request.

22 a. File folders with tabs or labels identifying documents called for should be produced
23 intact with the document or documents.

24 b. Selection and identification of documents from files or other sources should be
25 performed in such a manner as to ensure that the source of each document may be
26 determined.

1 c. Documents attached to each other should not be separated unless sufficient records
2 are kept to permit reconstruction of the groupings.

3 14. If the requested documents are maintained in a file, the file folder is included in the
4 request for production of those documents.

5 15. Unless otherwise indicated, requests for production of documents pertain to the
6 entirety of the relevant period, and Defendant's responses should be updated regularly.

7 **DEFINITIONS**

8 As used in these requests for production, the following terms have the following meanings:

9 1. The term "GEO" is defined as the Defendant The GEO Group, Inc., and affiliated
10 corporate entity or subsidiary (including any taxable REIT subsidiary) through which The GEO Group,
11 Inc. conducts business or receives revenue, as well any officer, agent, employee, executive, or
12 representative of GEO as defined herein.

13 2. The term "ICE" is defined as the United States Immigration and Customs
14 Enforcement.

15 3. The term "Voluntary Work Program" is defined as any program GEO operates
16 involving labor performed by detainees for remuneration of any kind that includes tasks outside those
17 described in Section 5.8.V.C of the 2011 ICE Performance-Based National Detention Standards
18 ("PBNDS") (rev. 2016).

19 4. The term "PBNDS" is defined as any version of the 2011 ICE Performance-Based
20 National Detention Standards.

21 5. The terms "Housing Unit Sanitation Policy" and "Sanitation
22 Procedures/Housekeeping Plan" are defined as any program, policy, plan, or procedure GEO operates
23 involving labor performed by detainees for no remuneration that includes sanitation and cleaning tasks
24 in the detainees' housing units, dormitories, pods, or living areas. *See, e.g.*, GEO-Novoa_00000515
25 ("Sanitation Procedures/Housekeeping Plan").

26 6. The term "operates" means maintains, implements, runs, utilizes or employs.

1 7. The term “Adelanto Facility” is defined as the Adelanto ICE Processing Center, located
2 in Adelanto, California and operated by GEO pursuant to a federal contract with ICE.

3 8. The term “Intergovernmental Services Agreement” (“IGSA”) is defined as the May
4 2011 contract between the City of Adelanto (the “City”) and United States Immigration and Customs
5 Enforcement (“ICE”) for the detention and care of civil immigration detainees awaiting removal
6 proceedings at the Adelanto Detention Center. *See* GOWER-GEO 0000477-0000544.

7 9. The term “Services Contract” refers to the May 2011 contract between the City of
8 Adelanto and GEO, pursuant to which GEO assumed responsibility to maintain and operate the
9 Adelanto Detention Center. *See* GOWER-GEO 0000468-0000476.

10 10. The term “Bridge Contract” refers to the June 2019 contract between GEO and ICE
11 establishing, *inter alia*, detention, transportation and medical services at the Adelanto Detention Facility.
12 *See* GEO-Novoa_00035044-00035249.

13 11. The term “Direct Contract” refers to the October 2019 contract between GEO and
14 ICE establishing, *inter alia*, detention, transportation and medical services at the Adelanto Detention
15 Facility. *See* GEO-Novoa_00040872-00040885.

16 12. The terms “detainee” and “detained immigrant” are defined as any person detained in
17 an immigration detention facility operated by GEO.

18 13. The term “person” is defined as any natural person or business, legal, or governmental
19 entity or association.

20 14. The terms “Plaintiffs,” “Plaintiff,” “Defendant,” and “Defendants,” as well as a party’s
21 full or abbreviated name or pronoun referring to a party, mean the party and, where applicable, his
22 officers, directors, employees, partners, corporate parent, subsidiaries, predecessors, or affiliates. This
23 definition is not intended to impose a discovery obligation on any person who is not a party to the
24 litigation.

25 15. The terms “you” and “your” include the person(s) to whom these requests are
26 addressed, and all of that person’s agents, representatives, and attorneys.

1 16. “Compensation” means all monies and benefits, including: salaries, hourly wages,
2 overtime wages, commissions, raises, and bonuses; or any other benefits given in return for work, tasks
3 and/or duties.

4 17. The term “hours” includes full hours and partial hour(s).

5 18. “Policy” or “Policies” mean each rule, procedure, or directive, formal or informal,
6 written or unwritten, and each common understanding or course of conduct that was recognized as
7 such by Defendant or persons acting or purporting to act on Defendant’s behalf, that has been in effect
8 at any time during the period covered by these demands. These terms include any change of policy.

9 19. “Relevant period” means the period from December 19, 2007 through the present for
10 all requests related to the Work Program and December 19, 2007 through the present for all requests
11 related to the use of solitary confinement, administrative segregation, and/or disciplinary segregation.

12 20. The singular of each word shall be construed to include its plural and vice-versa, and
13 the root word and all derivations (i.e., “ing,” “ed,” etc.) shall be construed to include each other.

14 21. The words “knowledge,” “information,” “possession,” “custody,” and “control” of a
15 person shall be construed to include such person’s agents, representatives, and attorneys.

16 22. The word “including” shall have its ordinary meaning and shall mean “including but
17 not limited to” and shall not indicate limitation to the examples or items mentioned.

18 23. The term “communication” means the transmittal of information by any means (in the
19 form of facts, ideas, inquiries, or otherwise).

20 24. The term “concerning” means relating to, referring to, describing, evidencing or
21 constituting.

22 25. The terms “document” and “documents” are defined to be synonymous in meaning
23 and equal in scope to the usage of the term “documents” in F.R.C.P. 34(a)(1)(A).

24 26. The term “electronically stored information” is defined to be synonymous in meaning
25 and equal in scope to the usage of “electronically stored information” in F.R.C.P. 34(a)(1)(A) and shall
26 be abbreviated from time to time as “ESI”.

1 27. Pursuant to Federal Rule of Civil Procedure 34, electronically stored information
2 (“ESI”) subject to disclosure includes information stored “in any medium.” Such media include, but
3 are not limited to:

- 4 a. Active, online storage locations, such as magnetic disks and hard drives;
- 5 b. Near-line storage locations, such as optical disks;
- 6 c. Offline storage locations and archives, such as removable optical disks and
7 magnetic tape media;
- 8 d. Back-up tapes;
- 9 e. Floppy disks, diskettes, CDs, zip discs, jazz discs, zip drive, flash memory, DVDs,
10 videotapes, audiotapes, Personal Digital Assistant (“PDA”), memory cards; and
- 11 f. Any other medium, including but not limited to third-party Electronic
12 Communications Service and Remote Computing Service providers, such as
13 wireless cell phone companies, online electronic mail providers (e.g., Gmail,
14 Hotmail or Facebook); and any website hosting providers (e.g., Typad).

15 28. With respect to the term “identify:”

- 16 a. When referring to a person, “to identify” means to give, to the extent known, the
17 person’s full name, present or last known address, and when referring to a natural
18 person, additionally, the present or last known place of employment. Once a person
19 has been identified in accordance with this subparagraph, only the name of that
20 person need be listed in response to subsequent discovery requesting the
21 identification of that person;
- 22 b. When referring to communications, “to identify” means to provide, to the extent
23 known, the (i) date or approximate date of the communication; (ii) party or parties
24 to whom the communication was directed; (iii) party or parties who received the
25 communication; (iv) means or format of the communication; and (v) content of the
26 communication; and

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- c. When referring to documents, “to identify” means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s), and recipient(s).
- d. The word “document” is defined to be synonymous in meaning and equal in scope to the usage of this term in F.R.C.P. 34(a). A draft of a non- identical copy is a separate document within the meaning of this term.

1 **PLAINTIFFS' THIRD SET OF REQUESTS FOR PRODUCTION**

2 **REQUEST NO. 39**

3 Please provide any and all documents produced by GEO in *Nwauzor et al. v. The GEO Group,*
4 *Inc.*, Case No. 3:17-cv-05769-RJB, on the United States District Court for the Western District of
5 Washington at Tacoma (consolidated with *State of Washington v. The GEO Group, Inc.*, Case No. 3:17-cv-
6 05806-RJB) and *Menocal, et al. v. The GEO Group, Inc.*, Case No. 1:14-cv-02887-JLK-MEH, In the United
7 States District Court for the District of Colorado.

8 **REQUEST NO. 40**

9 Please provide any and all documents constituting disciplinary referrals for any detainee at any
10 facility in the Nationwide HUSP Class for violations of the following Category III/High Moderate
11 Offense: "306: Refusal to clean assigned living area." *See, e.g.*, GEO-Novoa_00003853.

12 **REQUEST NO. 41**

13 Please provide any and all documents constituting disciplinary referrals for any detainee at any
14 facility in the Nationwide HUSP Class for violations of the following Category II/High Offense: "214:
15 Encouraging others to participate in a work stoppage or to refuse to work." *See, e.g.*, GEO-
16 Novoa_00003853.

17 **REQUEST NO. 42**

18 Please provide any and all ICE National Detention Handbooks which have been provided to
19 detainees at any facility in the Nationwide HUSP Class since May 2011.

20 **REQUEST NO. 43**

21 Please provide any and all provisions of the American Correctional Association standards
22 which You claim are incorporated into the IGSA/SC, Bridge Contract, and Direct Contract at the
23 Adelanto Facility.

24 **REQUEST NO. 44**

25 Please provide any and all documents, memoranda, or other communications constituting an
26 "Officers' Handbook (M-68)" as referenced in the Bridge Contract. *See* GEO-Novoa_00035054.

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REQUEST NO. 45

Please provide any and all documents, memoranda, or other communications constituting a "Contractor's Employee Handbook" as referenced in the Bridge Contract. See GEO-Novoa_00035056.

Dated: August 3, 2020

/s/ Lydia A. Wright

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Class Counsel

CERTIFICATE OF SERVICE

Plaintiffs Raul Novoa, Jaime Campos Fuentes, Abdiaziz Karim, and Ramon Mancia, by and through undersigned counsel, hereby certify that a true and correct copy of the forgoing was served upon the following counsel in this matter, by email, on August 3, 2020.

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Dated: August 3, 2020

/s/ Lydia Wright

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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **EASTERN DIVISION**

11 **RAUL NOVOA, JAIME CAMPOS**
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13 **RAMON MANCIA, individually and on**
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17 **THE GEO GROUP, INC.,**

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Civil Action No. 5:17-cv-02514-JGB-SHKx

**PLAINTIFFS' FOURTH SET OF
REQUESTS FOR PRODUCTION
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INSTRUCTIONS

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10 a. You are instructed that possession, custody, or control includes constructive
11 possession; therefore, your ability to produce the documents and tangible items
12 requested herein is not affected by you not having actual physical possession of
13 such items.

14 b. As long as you have a right to possess the requested items or a right to compel the
15 production of such items from a third party (including any person, entity, agent,
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18 c. If any document requested was in your possession or control, but no longer is in
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23 National Detention Standards.

24 5. The terms “Housing Unit Sanitation Policy” and “Sanitation
25 Procedures/Housekeeping Plan” are defined as any program, policy, plan, or procedure GEO operates
26 involving labor performed by detainees for no remuneration that includes sanitation and cleaning tasks

1 in the detainees' housing units, dormitories, pods, or living areas. *See, e.g.*, GEO-Novoa_00000515
2 ("Sanitation Procedures/Housekeeping Plan").

3 6. The term "operates" means maintains, implements, runs, utilizes or employs.

4 7. The term "Adelanto Facility" is defined as the Adelanto ICE Processing Center, located
5 in Adelanto, California and operated by GEO pursuant to a federal contract with ICE.

6 8. The term "Intergovernmental Services Agreement" ("IGSA") is defined as the May
7 2011 contract between the City of Adelanto (the "City") and United States Immigration and Customs
8 Enforcement ("ICE") for the detention and care of civil immigration detainees awaiting removal
9 proceedings at the Adelanto Detention Center. *See* GOWER-GEO 0000477-0000544.

10 9. The term "Services Contract" refers to the May 2011 contract between the City of
11 Adelanto and GEO, pursuant to which GEO assumed responsibility to maintain and operate the
12 Adelanto Detention Center. *See* GOWER-GEO 0000468-0000476.

13 10. The term "Bridge Contract" refers to the June 2019 contract between GEO and ICE
14 establishing, *inter alia*, detention, transportation and medical services at the Adelanto Detention Facility.
15 *See* GEO-Novoa_00035044-00035249.

16 11. The term "Direct Contract" refers to the October 2019 contract between GEO and
17 ICE establishing, *inter alia*, detention, transportation and medical services at the Adelanto Detention
18 Facility. *See* GEO-Novoa_00040872-00040885; GEO-Novoa_00040886-00042576.

19 12. The terms "detainee" and "detained immigrant" are defined as any person detained in
20 an immigration detention facility operated by GEO.

21 13. The term "person" is defined as any natural person or business, legal, or governmental
22 entity or association.

23 14. The terms "Plaintiffs," "Plaintiff," "Defendant," and "Defendants," as well as a party's
24 full or abbreviated name or pronoun referring to a party, mean the party and, where applicable, his
25 officers, directors, employees, partners, corporate parent, subsidiaries, predecessors, or affiliates. This
26

1 definition is not intended to impose a discovery obligation on any person who is not a party to the
2 litigation.

3 15. The terms “you” and “your” include the person(s) to whom these requests are
4 addressed, and all of that person’s agents, representatives, and attorneys.

5 16. “Compensation” means all monies and benefits, including: salaries, hourly wages,
6 overtime wages, commissions, raises, and bonuses; or any other benefits given in return for work, tasks
7 and/or duties.

8 17. The term “hours” includes full hours and partial hour(s).

9 18. “Policy” or “Policies” mean each rule, procedure, or directive, formal or informal,
10 written or unwritten, and each common understanding or course of conduct that was recognized as
11 such by Defendant or persons acting or purporting to act on Defendant’s behalf, that has been in effect
12 at any time during the period covered by these demands. These terms include any change of policy.

13 19. “Relevant period” means the period from December 19, 2007 through the present for
14 all requests related to the Work Program and December 19, 2007 through the present for all requests
15 related to the use of solitary confinement, administrative segregation, and/or disciplinary segregation.

16 20. The singular of each word shall be construed to include its plural and vice-versa, and
17 the root word and all derivations (i.e., “ing,” “ed,” etc.) shall be construed to include each other.

18 21. The words “knowledge,” “information,” “possession,” “custody,” and “control” of a
19 person shall be construed to include such person’s agents, representatives, and attorneys.

20 22. The word “including” shall have its ordinary meaning and shall mean “including but
21 not limited to” and shall not indicate limitation to the examples or items mentioned.

22 23. The term “communication” means the transmittal of information by any means (in the
23 form of facts, ideas, inquiries, or otherwise).

24 24. The term “concerning” means relating to, referring to, describing, evidencing or
25 constituting.

26

1 25. The terms “document” and “documents” are defined to be synonymous in meaning
2 and equal in scope to the usage of the term “documents” in F.R.C.P. 34(a)(1)(A).

3 26. The term “electronically stored information” is defined to be synonymous in meaning
4 and equal in scope to the usage of “electronically stored information” in F.R.C.P. 34(a)(1)(A) and shall
5 be abbreviated from time to time as “ESI”.

6 27. Pursuant to Federal Rule of Civil Procedure 34, electronically stored information
7 (“ESI”) subject to disclosure includes information stored “in any medium.” Such media include, but
8 are not limited to:

- 9 a. Active, online storage locations, such as magnetic disks and hard drives;
- 10 b. Near-line storage locations, such as optical disks;
- 11 c. Offline storage locations and archives, such as removable optical disks and
12 magnetic tape media;
- 13 d. Back-up tapes;
- 14 e. Floppy disks, diskettes, CDs, zip discs, jazz discs, zip drive, flash memory, DVDs,
15 videotapes, audiotapes, Personal Digital Assistant (“PDA”), memory cards; and
- 16 f. Any other medium, including but not limited to third-party Electronic
17 Communications Service and Remote Computing Service providers, such as
18 wireless cell phone companies, online electronic mail providers (e.g., Gmail,
19 Hotmail or Facebook); and any website hosting providers (e.g., Typad).

20 28. With respect to the term “identify:”

- 21 a. When referring to a person, “to identify” means to give, to the extent known, the
22 person’s full name, present or last known address, and when referring to a natural
23 person, additionally, the present or last known place of employment. Once a person
24 has been identified in accordance with this subparagraph, only the name of that
25 person need be listed in response to subsequent discovery requesting the
26 identification of that person;

- 1 b. When referring to communications, “to identify” means to provide, to the extent
2 known, the (i) date or approximate date of the communication; (ii) party or parties
3 to whom the communication was directed; (iii) party or parties who received the
4 communication; (iv) means or format of the communication; and (v) content of the
5 communication; and
- 6 c. When referring to documents, “to identify” means to give, to the extent known, the
7 (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv)
8 author(s), addressee(s), and recipient(s).
- 9 d. The word “document” is defined to be synonymous in meaning and equal in scope
10 to the usage of this term in F.R.C.P. 34(a). A draft of a non- identical copy is a
11 separate document within the meaning of this term.

12 **PLAINTIFFS’ FOURTH SET OF REQUESTS FOR PRODUCTION**

13 **REQUEST NO. 46**

14 Please produce any and all documents, communications, materials, spreadsheets, or other files
15 that constitute a “Detainee Volunteer Work Screening Form (Request Form)” at the Adelanto Facility,
16 as referenced in the Direct Contract. *See* GEO-Novoa_00041327.

17 **REQUEST NO. 47**

18 Please produce any and all documents, communications, materials, spreadsheets, or other files
19 that constitute a “Detainee Volunteer Work Program Training Form” at the Adelanto Facility, as
20 referenced in the Direct Contract. *See* GEO-Novoa_00041328.

21 **REQUEST NO. 48**

22 Please produce any and all documents, communications, materials, spreadsheets, or other files
23 that constitute a “Detainee Volunteer Food Service Worker Contingency Plan” at the Adelanto Facility,
24 as referenced in the Direct Contract. *See* GEO-Novoa_00041329.
25
26

REQUEST NO. 49

Please produce any and all documents, communications, materials, spreadsheets, or other files that constitute an “Authorized Detainee Worker List Weekly Schedule” at the Adelanto Facility, as referenced in the Direct Contract. *See* GEO-Novoa_00041330.

REQUEST NO. 50

Please produce any and all documents, communications, materials, spreadsheets, or other files that constitute a “Detainee Volunteer Food Service Work Detail Pay List” at the Adelanto Facility, as referenced in the Direct Contract. *See* GEO-Novoa_00041330.

Dated: August 4, 2020

/s/ Lydia A. Wright

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CERTIFICATE OF SERVICE

Plaintiffs Raul Novoa, Jaime Campos Fuentes, Abdiaziz Karim, and Ramon Mancia, by and through undersigned counsel, hereby certify that a true and correct copy of the forgoing was served upon the following counsel in this matter, by email, on August 4, 2020.

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