

EXHIBIT 1

Subject: Novoa v. GEO

Date: Friday, August 14, 2020 at 4:04:36 PM Central Daylight Time

From: Lydia Wright

To: Adrienne Scheffey, Alicia Hou, Colin Barnacle, Damien Delaney, David Van Pelt, Jonathan Turner, Michael Gallion

CC: Novoa - External

Alicia and Adrienne,

Thanks for the productive call. The following is a summary of our conversation; please let us know if any of the following does not accord with your recollection.

Plaintiffs' Motion for Summary Judgment

We discussed thoroughly the substance of Plaintiffs' contemplated Motion for Summary Judgment and were unable to reach any potential resolution that eliminates the necessity for a hearing. L.R. 7-3. One week ago (on Friday, August 7, 2020), Plaintiffs emailed you a stipulation and proposed order to exceed the page limits of the memorandum in support of summary judgment, GEO's response in opposition, and Plaintiffs' reply. Plaintiffs have proposed an excess 10 pages for each of these filings. As we discussed today, Plaintiffs' proposal provides for the same page limits that the parties agreed to for the motion for class certification. **GEO represented that it will inform Plaintiffs by Monday, August 17 if it will join the stipulation.**

Deposition of Brian Evans

GEO has designated Brian Evans as its 30(b)(6) witness for Topics 16k and 22. On August 13, Plaintiffs notified GEO that they intend to notice Mr. Evans for a remote deposition as both GEO's 30(b)(6) designee for Topics 16k and 22 and as a 30(b)(1) witness and proposed setting the deposition for Friday, August 21 at 10 a.m. EST for the deposition. On today's call, GEO represented that Mr. Evans is available for deposition on Thursday, September 3. Accordingly, **Plaintiffs will notice the deposition for September 3.**

Deposition of Gregory Hillers

Plaintiffs informed GEO that they would serve Mr. Hillers, by and through GEO's counsel, with a Deposition by Written Question today. As we discussed, Plaintiffs expect to receive Mr. Hillers' handwritten responses to the deposition questions within two weeks.

GEO's Second Supplemental Initial Disclosures

During our conference, Plaintiffs requested for the third time that GEO produce the following documents listed in its Second Supplemental Initial Disclosures: (1) Documents produced by Contra Costa County Sheriff's Office in response to June 9, 2020 California Public Records Act Request; (2) Documents produced by Orange County Sheriff's Department in response to June 9, 2020 California Public Records Act Request; (3) Documents produced by Yuba County Sheriff's Department in response to June 9, 2020 California Public Records Act Request. As we discussed today, GEO still has not produced the documents. **GEO represented that it will produce the documents today.** Plaintiffs informed GEO that the company is estopped from relying on the documents pursuant to the court order in *NPR, Inc. et al. v. City of Adelanto*, No. CIVDS 1902778 (Sup. Ct. San Bernadino) and agreed to provide GEO with that decision.

Spreadsheets

Following today's hearing with Magistrate Kewalramani, Plaintiffs emailed you a list of citations to the deposition transcript of Mary Wise-McCormick, wherein she testifies about the existence of three distinct spreadsheets which each capture data about the Voluntary Work Program at Adelanto. On our call, we discussed the differences between those spreadsheets.

GEO represented that the Application List spreadsheet (McCormick Dep. at 124-125; 222-223) (which GEO refers to as a “snapshot” provided to auditors) and the Pay Sheets (McCormick Dep. at 199-200; 222-223; 234) (which GEO refers to as “the formerly live spreadsheet”) refer to the same excel file. GEO represented that it will save the spreadsheet on a daily basis and has asked Ms. McCormick to begin preserving those files. **GEO represented that it will produce the spreadsheets on Fridays, with the first production on Friday, August 21.**

GEO agreed to produce the “Authorized Detainee Work Schedules” (McCormick Dep. at 165-166; 222-223) (which GEO refers to as the “Janecka Spreadsheet”) on an Attorneys’ Eyes Only basis **by Monday, August 17, 2020 and on a weekly basis thereafter.**

GEO agreed to confer with Plaintiffs by 5pm PST today regarding whether any issues remain for the conference scheduled with Magistrate Kewalramani tomorrow.

Plaintiffs’ Motion for Sanctions

We discussed Plaintiffs’ contemplated Motion for Sanctions as a result of GEO’s ongoing discovery misconduct, which has delayed discovery by several months and required significant judicial intervention. Plaintiffs informed GEO that they intend to seek monetary sanctions and an adverse inference jury instruction with respect to any documents which GEO fails to produce by the close of discovery. The parties were unable to reach any potential resolution that eliminates the necessity for a hearing. L.R. 7-3.

RFPs 36 and 37

On October 8, 2019 – ten months ago – Plaintiffs served GEO with requests for production that include the Sanitation Procedures/Housekeeping Plans (HUSPs) at each facility in the Nationwide class at any time between December 19, 2007 and the present (RFP 36) and all Supplemental Detainee Handbooks for those same facilities which were created, issued or drafted at any time between December 19, 2007 and the present (RFP 37). On Monday—the afternoon before the deposition of GEO’s 30(b)(6) representative designated to testify on the HUSPs—GEO produced 25 documents which include excerpts and recent drafts of some of those policies. During the deposition of Amber Martin, Ms. Martin had in her possession roughly 200 additional pages of HUSP policies which were never produced to Plaintiffs. As we discussed, it appears to Plaintiffs that GEO is selectively withholding detainee handbooks and HUSPs and choosing to produce certain documents on the eve of deposition, as it has in the past. GEO represented that its document review process is completed by “associates who are assigned pick up batches.” **GEO represented that it will produce all documents responsive to RFP 36 and 37 on or before September 7, 2020.**

Thanks,

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