

# **EXHIBIT B**

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**From:** Hou, Alicia (Lax)  
**Sent:** Tuesday, August 4, 2020 12:41 PM  
**To:** Mallory Biblo  
**Cc:** Daniel Charest; Novoa - External; Scheffey, Adrienne (Assoc-Den); Van Pelt, David (Ptnr-Lax); Gallion, Michael (Ptnr-Lax); Turner, Jonathan (Assoc-Lax)  
**Subject:** RE: Novoa - Class Notice Program

Mallory,

You provided us with the draft notices in early July despite the fact the Court issued its certification order last December. We presume it took you the over seven months to draft and prepare those notices. Yet, you demanded GEO provide comments to the seven notices within a mere fourteen days. In good faith, we provided comments by the arbitrary deadline of July 27 that you unilaterally imposed. Since then, we've been diligently conferring and trying to work with you around your internal deadlines.

Because you sent the revised notices (following our revisions) only 30 minutes before our call last Friday, I did not have the chance to review them before we spoke. You represented on the call that you accepted many of our revisions; based on that representation, we tried to focus the call on some of the larger issues like nationwide notice. However, it seemed you had your mind made up on many of the issues -- several times during our call you stated you would proceed with filing your motion and would no longer confer on certain points. After our call, I reviewed the notices only to see that many of our substantive revisions were actually rejected. This is not a meaningful conferral under the FRCP.

While I understand plaintiffs will be filing the motion without any further conferral, I'd still like to address some of the issues we see with your notices. We invite you to continue the conferral process in good faith.

### **General issues and observations**

- Nationwide Class – some of the authority you cite appears to only hold that a request for monetary relief does not in and itself negate 23(b)(2) status, but doesn't address the issue we raise of whether notice must be given to classes where the action seeks both monetary and injunctive relief. We note that notice under Rule 23 is created to ensure due process to absent class members. With that in mind, notice under 23(b)(2) may be necessary if where compensatory or punitive damages are at issue. See *In re Monumental Life Ins. Co.*, 365 F.3d 408, 417 (5th Cir.2004) and *Robinson v. Metro-North Commuter R.R. Co.*, 267 F.3d 147, 165–67 (2d Cir.2001); *Molski v. Gleich*, 307 F.3d 1155, 1166 (9th Cir. 2002), opinion withdrawn and superseded, 318 F.3d 937 (9th Cir. 2003). It is still our position that notice is necessary because Plaintiffs have indicated compensatory and punitive damages are at issue. To the extent Plaintiffs take the position in the notice motion that no-notice is required, we will consider that a waiver of Plaintiffs' right to compensatory or punitive damages for the class.
- Website – we cannot agree to anything until we see a mock-up. Again, your refusal to provide a mockup does not demonstrate a good faith conferral.
- You mention potential class members in India, but have only proposed only one method (press release) targeting Indian audiences.
- FN definitions – not neutral. See below for further clarification on our position.
- Transcript of all calls to the toll-free number – please agree to provide.
- JND Plan
  - Mail notice – do you plan on issuing mail notice?
  - The plan focuses almost exclusively on Spanish speaking individuals and those near the border.
  - The radio campaign is limited to two weeks.

**Issues with specific notice formats [above general issues and our original comments/tracked changes are fully incorporated below, whether or not expressly stated]**

- **Publication [Exhibit B]**
  - The definition for “Uncompensated Work Program” is still inflammatory, e.g. having to work “for no money at all” and for an “arbitrary” period of time.
  - None of our language that we added in the third to last paragraph was considered. Our proposed language was reasonable – rather than paraphrasing plaintiffs’ claims with arguably inflammatory language, we suggested simply using the formal causes of action. We also think it is reasonable to include a line that GEO not only denies liability, but that GEO’s position is that it has fully complied all laws.
  - By failing to incorporate our revisions, GEO does not see how this can be the “best notice under the circumstances” required by Rule 23.
  
- **Digital media samples [Exhibit C]**
  - We understand your position is that the website will not be ready prior to the day you wish to file your motion re notice. Please note we cannot agree to the contents of the notice without seeing what the website will look like and what information it will contain.
  
- **Radio scripts [Exhibit D]**
  - As discussed on our call, we would like to see the website and Spanish text before we can agree. Your refusal to provide the website and Spanish translation prior to filing the motion again constitutes a bad faith conferral.
  - The TRAC database reflects the top 5 countries represented at Adelanto as of July 2019 to be Mexico, El Salvador, Guatemala, Honduras and India. In fact Honduras and India nearly equal each other in terms of numbers of people represented. Please let us know if you will issue notice to detainees located in India outside of the press release.
  
- **Press release [Exhibit E]**
  - The definition for “Uncompensated Work Program” is still inflammatory, e.g. having to work “for no money at all” and for an “arbitrary” period of time.
  - None of our language that we added in second un-indented paragraph was considered. Our proposed language was reasonable – rather than paraphrasing plaintiffs’ claims with arguably inflammatory language, we suggested simply using the formal causes of action. We also think it is reasonable to include a line that GEO not only denies liability, but that GEO’s position is that it has fully complied all laws.
  - By failing to incorporate our revisions, GEO does not see how this can be the “best notice under the circumstances” required by Rule 23.
  
- **Email [Exhibit F]**
  - The reasonable language we proposed in the second paragraph of the body text was not considered. Our proposed language was reasonable – rather than paraphrasing plaintiffs’ claims with arguably inflammatory language, we suggested simply stating that the lawsuit alleges GEO

violated labor laws. We also think it is reasonable to include a line that GEO not only denies liability, but that GEO's position is that it has fully complied all laws.

- Organizations – in Dan's July 2 email he stated the e-mail would be sent to churches and key relief organizations. There was no mention of legal services organizations such as those included in the list you sent me yesterday. We do not believe it is appropriate to include groups that primarily provide legal services as it is likely that a class member who receives the notice from an attorney may be confused about his or her right to have her own attorney or class counsel as opposed to the attorney providing him or her with the notice. In addition, we have concerns about the ethical obligations of those attorneys who further disseminate the notice, which could be construed as a solicitation.
- Long form notice [Exhibit G]
  - None of the language we proposed in the first paragraph of page 1 and on Item 2 of page 3 was considered. Our proposed language was reasonable – rather than paraphrasing plaintiffs' claims with arguably inflammatory language, we suggested simply using the formal causes of action. We also think its is reasonable to include a line that GEO not only denies liability, but that GEO's position is that it has fully complied all laws.
  - All other issues outlined above are incorporated here.

**Alicia Hou**

Special Counsel

Akerman LLP | 601 West Fifth Street, Suite 300 | Los Angeles, CA 90071

D: 213 533 5907 | T: 213 688 9500 | F: 213 627 6342

[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)

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**From:** Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>

**Sent:** Tuesday, August 4, 2020 6:42 AM

**To:** Hou, Alicia (Lax) <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>

**Cc:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>; Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>; Scheffey, Adrienne (Assoc-Den) <[adrienne.scheffey@akerman.com](mailto:adrienne.scheffey@akerman.com)>; Van Pelt, David (Ptrn-Lax) <[david.vanpelt@akerman.com](mailto:david.vanpelt@akerman.com)>; Gallion, Michael (Ptrn-Lax) <[michael.gallion@akerman.com](mailto:michael.gallion@akerman.com)>

**Subject:** Re: Novoa - Class Notice Program

Alicia,

Thanks for the email.

We sent GEO the notice documents and a description of the plan on July 2 and requested comments by July 16. Although you had represented that GEO would provide comments by the 16th, Plaintiffs did not receive any comments from GEO until July 27th. On the 27th, the parties had a lengthy meet and confer via telephone, which resulted in Plaintiffs accepting several of GEO's comments to the notice documents and plan. For example, Plaintiffs agreed to change the website to the one suggested by GEO, Plaintiffs added language that was suggested by GEO related to FRCP 32(c)(2)(B)(iv), and Plaintiffs accepted several of GEO's line edits. On that call, GEO also requested that Plaintiffs provide the Notice Plan and the list of churches and key organization that Plaintiffs intend to send the email notice to, which I sent to you on the

30th. I also sent you the revised versions of the notice documents on the morning of the 31st before our second meet and confer that afternoon. A few hours after the meet and confer, as requested, I sent you Plaintiffs' position with respect to notice of the injunctive class. I have yet to receive GEO's position.

Since the 27th, we have not received any additional comments from GEO. I have invited you to suggest language for the digital ads, which you have not provided. I invited you to provide demographics on the detainee population to determine if notice needs to be sent to additional countries, you have not sent that information.

On the July 27th meet and confer, GEO mentioned the need to extend deadlines and the trial date to provide more time for the notice. That position is unacceptable to Plaintiffs given the amount of time that they have waited for GEO to engage with respect to notice. So, Plaintiffs will file the proposed plan that has incorporated numerous comments by GEO this afternoon.

Thanks,

**Mallory Biblo**

469.914.7610 direct  
262.227.0685 mobile

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**From:** "[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)" <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>  
**Date:** Monday, August 3, 2020 at 7:40 PM  
**To:** Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>  
**Cc:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>, Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>, Adrienne Scheffey <[Adrienne.scheffey@akerman.com](mailto:Adrienne.scheffey@akerman.com)>, David Van Pelt <[david.vanpelt@akerman.com](mailto:david.vanpelt@akerman.com)>, Michael Gallion <[michael.gallion@akerman.com](mailto:michael.gallion@akerman.com)>  
**Subject:** RE: Novoa - Class Notice Program

Hi Mallory,

While we appreciate that we've agreed on some aspects of the notice, we want to clarify that there are still several issues in dispute, particularly now that we see you did not accept many of our proposed revisions to the notices—copies of which we did not receive until this morning thirty minutes before our second conferral call this past Friday.

We are preparing further comments to the notices and will send shortly.

Thanks,

**Alicia Hou**

Special Counsel  
Akerman LLP | 601 West Fifth Street, Suite 300 | Los Angeles, CA 90071  
D: 213 533 5907 | T: 213 688 9500 | F: 213 627 6342  
[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)

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**From:** Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>  
**Sent:** Friday, July 31, 2020 1:30 PM  
**To:** Hou, Alicia (Lax) <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>

Cc: Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>; Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>; Scheffey, Adrienne (Assoc-Den) <[adrienne.scheffey@akerman.com](mailto:adrienne.scheffey@akerman.com)>; Van Pelt, David (Ptnr-Lax) <[david.vanpelt@akerman.com](mailto:david.vanpelt@akerman.com)>; Gallion, Michael (Ptnr-Lax) <[michael.gallion@akerman.com](mailto:michael.gallion@akerman.com)>  
**Subject:** Re: Novoa - Class Notice Program

Alicia,

Thanks for the call earlier this week and the call earlier today. Besides the issue of notice of the FRCP 23(b)(2) class, it seems to me that the parties are just about at an agreement on the notice documents (especially, with respect to the major pieces of plan).

With respect to notice of the FRCP 23(b)(2) class, plaintiffs' position is that no notice is required and plaintiffs do not intend to provide notice. Plaintiffs sought a class pursuant to FRCP 23(b)(2), and the Court certified that class. There is no nationwide class certified pursuant to FRCP 23(b)(3). Additionally, where equitable relief is sought, a request for monetary relief does not destroy Rule 23(b)(2) status. *Murray v. Local 2620, Dist. Council 57, Am. Fed'n of State, Cty., & Mun. Employees, AFL-CIO*, 192 F.R.D. 629, 636-37 (N.D. Cal. 2000); see *Molski v. Gleich*, 318 F.3d 937, 952, (9th Cir. 2003) ("Notice for a Rule 23(b)(2) class is discretionary under Rule 23(d)(2)"); *Souza v. Scalone*, 64 F.R.D. 654, 658 (N.D. Cal. 1974), *vacated on other grounds*, 563 F.2d 385 (9th Cir. 1977). ("Where the monetary relief sought is integrally related to and would directly flow from the injunctive or declaratory relief sought, 23(b)(2) status is appropriate.")

If you have some language that you would like us to consider with respect to the social media ads (Exhibit C), please send that over. And, if you have the information regarding top five countries, please send that over as well.

Let me know if you need anything else from me.

Thanks,

Mallory

**Mallory Biblo**

469.914.7610 direct  
262.227.0685 mobile

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**From:** Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>

**Date:** Friday, July 31, 2020 at 12:25 PM

**To:** Alicia Hou <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>

**Cc:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>, Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>, Adrienne Scheffey <[Adrienne.scheffey@akerman.com](mailto:Adrienne.scheffey@akerman.com)>, David Van Pelt <[david.vanpelt@akerman.com](mailto:david.vanpelt@akerman.com)>, Michael Gallion <[michael.gallion@akerman.com](mailto:michael.gallion@akerman.com)>

**Subject:** Re: Novoa - Class Notice Program

Alicia,

Attached are updated versions of the notice documents.

Here is what I did – I went back to plaintiffs’ original versions and made changes in redline. I incorporated the majority of GEO’s edits, comments, etc.

Thanks,

**Mallory Biblo**

469.914.7610 direct  
262.227.0685 mobile

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**From:** Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>  
**Date:** Thursday, July 30, 2020 at 4:29 PM  
**To:** Alicia Hou <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>  
**Cc:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>, Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>, Adrienne Scheffey <[Adrienne.scheffey@akerman.com](mailto:Adrienne.scheffey@akerman.com)>, David Van Pelt <[david.vanpelt@akerman.com](mailto:david.vanpelt@akerman.com)>, Michael Gallion <[michael.gallion@akerman.com](mailto:michael.gallion@akerman.com)>  
**Subject:** Re: Novoa - Class Notice Program

Alicia,

Attached is the Notice Plan and list of outreach contacts where email notice will be sent. I should also be able to send you updated drafts of the notice documents before our call tomorrow.

Further, do you have any case law or other authority to support your request for “transcripts of all calls received by the phone number listed as well as any queries made to the website prior to attorney contact”?

Thanks,

**Mallory Biblo**

469.914.7610 direct  
262.227.0685 mobile

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**From:** "[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)" <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>  
**Date:** Monday, July 27, 2020 at 2:48 PM  
**To:** Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>  
**Cc:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>, Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>, Adrienne Scheffey <[Adrienne.scheffey@akerman.com](mailto:Adrienne.scheffey@akerman.com)>, David Van Pelt <[david.vanpelt@akerman.com](mailto:david.vanpelt@akerman.com)>, Michael Gallion <[michael.gallion@akerman.com](mailto:michael.gallion@akerman.com)>  
**Subject:** RE: Novoa - Class Notice Program

To clarify, we also have comments to **Exhibit C**. Thanks.

**Alicia Hou**

Special Counsel  
Akerman LLP | 601 West Fifth Street, Suite 300 | Los Angeles, CA 90071  
D: 213 533 5907 | T: 213 688 9500 | F: 213 627 6342  
[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)

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**From:** Hou, Alicia (Lax)  
**Sent:** Monday, July 27, 2020 11:45 AM  
**To:** Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>  
**Cc:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>; Novoa-OC <[novoa-OC@burnscharest.com](mailto:novoa-OC@burnscharest.com)>; Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>; Scheffey, Adrienne (Assoc-Den) <[adrienne.scheffey@akerman.com](mailto:adrienne.scheffey@akerman.com)>; Van Pelt, David (Ptrn-Lax) <[david.vanpelt@akerman.com](mailto:david.vanpelt@akerman.com)>; Gallion, Michael (Ptrn-Lax) <[michael.gallion@akerman.com](mailto:michael.gallion@akerman.com)>  
**Subject:** RE: Novoa - Class Notice Program

Mallory,

Attached are the notices with our comments. We also have comments to Exhibit B, which we'll discuss with you on the call. Talk soon.

**Alicia Hou**

Special Counsel  
Akerman LLP | 601 West Fifth Street, Suite 300 | Los Angeles, CA 90071  
D: 213 533 5907 | T: 213 688 9500 | F: 213 627 6342  
[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)

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**From:** Hou, Alicia (Lax) <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>  
**Sent:** Monday, July 27, 2020 7:43 AM  
**To:** Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>  
**Cc:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>; Novoa-OC <[novoa-OC@burnscharest.com](mailto:novoa-OC@burnscharest.com)>; Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>; Scheffey, Adrienne (Assoc-Den) <[adrienne.scheffey@akerman.com](mailto:adrienne.scheffey@akerman.com)>; Van Pelt, David (Ptrn-Lax) <[david.vanpelt@akerman.com](mailto:david.vanpelt@akerman.com)>; Gallion, Michael (Ptrn-Lax) <[michael.gallion@akerman.com](mailto:michael.gallion@akerman.com)>  
**Subject:** Re: Novoa - Class Notice Program

Thanks. We'll send comments shortly.

**Alicia Hou**

Special Counsel  
Akerman LLP | [601 West Fifth Street, Suite 300 | Los Angeles, CA 90071](#)  
D: [213 533 5907](tel:2135335907) | T: [213 688 9500](tel:2136889500) | F: [213 627 6342](tel:2136276342)  
[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)

On Jul 27, 2020, at 7:09 AM, Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)> wrote:

Alicia – I am going to send out a calendar invite with dial-in information for 1600 CST. Please let me know if you are not available at that time and provide a better time. Also, when can we expect GEO's comments to the notice documents?

**Mallory Biblo**

469.914.7610 direct  
262.227.0685 mobile



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**From:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>  
**Date:** Thursday, July 23, 2020 at 9:26 PM  
**To:** Alicia Hou <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>, Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>  
**Cc:** Novoa-OC <[novoa-OC@burnscharest.com](mailto:novoa-OC@burnscharest.com)>, Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>, Adrienne Scheffey <[Adrienne.scheffey@akerman.com](mailto:Adrienne.scheffey@akerman.com)>, David Van Pelt <[david.vanpelt@akerman.com](mailto:david.vanpelt@akerman.com)>, Michael Gallion <[michael.gallion@akerman.com](mailto:michael.gallion@akerman.com)>  
**Subject:** Re: Novoa - Class Notice Program

Thanks, Alice, for responding. Unfortunately, I have another appointment at that time. I could go an hour later (1600 central) if that works for you. Please let us know. All the best.

**Daniel H. Charest**

469.904.4555 direct  
214.681.8444 mobile

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**From:** Alicia Hou <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>  
**Date:** Thursday, July 23, 2020 at 6:05 PM  
**To:** Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>, Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>  
**Cc:** Novoa-OC <[novoa-OC@burnscharest.com](mailto:novoa-OC@burnscharest.com)>, Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>, Adrienne Scheffey <[Adrienne.scheffey@akerman.com](mailto:Adrienne.scheffey@akerman.com)>, David Van Pelt <[david.vanpelt@akerman.com](mailto:david.vanpelt@akerman.com)>, Michael Gallion <[michael.gallion@akerman.com](mailto:michael.gallion@akerman.com)>  
**Subject:** RE: Novoa - Class Notice Program

Hi Mallory,

How about Monday at 3 CST? We will provide comments in advance of the call. Thanks.

**Alicia Hou**

Special Counsel  
Akerman LLP | 601 West Fifth Street, Suite 300 | Los Angeles, CA 90071  
D: 213 533 5907 | T: 213 688 9500 | F: 213 627 6342  
[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)

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**From:** Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>  
**Sent:** Wednesday, July 22, 2020 9:35 AM  
**To:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>; Hou, Alicia (Lax) <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>  
**Cc:** Novoa-OC <[novoa-OC@burnscharest.com](mailto:novoa-OC@burnscharest.com)>; Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>; Scheffey, Adrienne (Assoc-Den) <[adrienne.scheffey@akerman.com](mailto:adrienne.scheffey@akerman.com)>; Van Pelt, David (Ptrn-Lax) <[david.vanpelt@akerman.com](mailto:david.vanpelt@akerman.com)>; Gallion, Michael (Ptrn-Lax) <[michael.gallion@akerman.com](mailto:michael.gallion@akerman.com)>  
**Subject:** Re: Novoa - Class Notice Program

Alicia,

Please provide an update as to when we can expect comments on the notice program from GEO. Also, let's get a call to discuss the notice program/meet and confer on the calendar on Monday, June 27th. We are available on

Monday before 3 PM CST – so, let me know what time is best for you, and I will circulate a calendar invite with dial-in information.

Thanks,

**Mallory Biblo**

469.914.7610 direct  
262.227.0685 mobile

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**From:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>  
**Date:** Friday, July 17, 2020 at 10:07 AM  
**To:** Alicia Hou <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>, Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>  
**Cc:** Novoa-OC <[novoa-OC@burnscharest.com](mailto:novoa-OC@burnscharest.com)>, Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>, Adrienne Scheffey <[Adrienne.scheffey@akerman.com](mailto:Adrienne.scheffey@akerman.com)>, David Van Pelt <[david.vanpelt@akerman.com](mailto:david.vanpelt@akerman.com)>, Michael Gallion <[michael.gallion@akerman.com](mailto:michael.gallion@akerman.com)>  
**Subject:** Re: Novoa - Class Notice Program

Just to be clear, Alicia, that is the deadline for input from our perspective. Given the complexity of the documentation, we encourage GEO to respond earlier to enhance cooperation. The less time we have to react and discuss, the less input we can accept. Thanks.

**Daniel H. Charest**

469.904.4555 direct  
214.681.8444 mobile

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**From:** Alicia Hou <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>  
**Date:** Friday, July 17, 2020 at 10:58 AM  
**To:** Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>  
**Cc:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>, Novoa-OC <[novoa-OC@burnscharest.com](mailto:novoa-OC@burnscharest.com)>, Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>, Adrienne Scheffey <[Adrienne.scheffey@akerman.com](mailto:Adrienne.scheffey@akerman.com)>, David Van Pelt <[david.vanpelt@akerman.com](mailto:david.vanpelt@akerman.com)>, Michael Gallion <[michael.gallion@akerman.com](mailto:michael.gallion@akerman.com)>  
**Subject:** Re: Novoa - Class Notice Program

Mallory and Daniel,

Thank you for the additional time. We will have comments by then.

**Alicia Hou**

Special Counsel  
Akerman LLP | [601 West Fifth Street, Suite 300 | Los Angeles, CA 90071](https://www.akerman.com)  
D: [213 533 5907](tel:2135335907) | T: [213 688 9500](tel:2136889500) | F: [213 627 6342](tel:2136276342)  
[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)

On Jul 17, 2020, at 7:56 AM, Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)> wrote:

Alicia,

Plaintiffs will move the court on August 3 for approval of the notice program. We invite GEO to comment before then and to engage in the meet and confer process required by LR 7-3 on or before July 27. If GEO does not respond, or decides not to engage in the M&C process, Plaintiffs will move forward with the filing and note GEO's silence on the matter.

Thanks,

**Mallory Biblo**

469.914.7610 direct  
262.227.0685 mobile

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**From:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>  
**Date:** Friday, July 17, 2020 at 9:51 AM  
**To:** Alicia Hou <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>, Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>  
**Cc:** Novoa-OC <[novoa-OC@burnscharest.com](mailto:novoa-OC@burnscharest.com)>, Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>  
**Subject:** Re: Novoa - Class Notice Program

What is the expected timing, Alicia? We have provided two weeks for comment and need to press forward. Thanks.

**Daniel H. Charest**

469.904.4555 direct  
214.681.8444 mobile

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**From:** Alicia Hou <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>  
**Date:** Friday, July 17, 2020 at 10:29 AM  
**To:** Mallory Biblo <[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)>  
**Cc:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>, Novoa-OC <[novoa-OC@burnscharest.com](mailto:novoa-OC@burnscharest.com)>, Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>  
**Subject:** Re: Novoa - Class Notice Program

Thanks for following up Mallory. We should've reached out yesterday, but will need additional time to get back to you. We'll revert shortly.

**Alicia Hou**

Special Counsel

#6388

Akerman LLP | [601 West Fifth Street, Suite 300 | Los Angeles, CA 90071](#)

D: [213 533 5907](#) | T: [213 688 9500](#) | F: [213 627 6342](#)

[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)

On Jul 17, 2020, at 7:24 AM, Mallory Biblo  
<[mbiblo@burnscharest.com](mailto:mbiblo@burnscharest.com)> wrote:

Alicia,

We were expecting GEO's comments to the notice documents yesterday but have not received them. Does GEO still intend to provide comments? If so, when can we expect them?

Thanks,

**Mallory Biblo**

469.914.7610 direct

262.227.0685 mobile

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**From:** "[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)" <[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)>

**Date:** Wednesday, July 8, 2020 at 2:23 PM

**To:** Daniel Charest <[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>

**Cc:** Novoa-OC <[novoa-OC@burnscharest.com](mailto:novoa-OC@burnscharest.com)>, Novoa - External  
<[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>

**Subject:** FW: Novoa - Class Notice Program

Hi Daniel,

David forwarded me your e-mail. We will be providing comments by July 16. By the way, I've joined the Akerman team working on this matter – can you add me to your e-mail distribution list so I can receive e-mails like the below?

Thank you,

**Alicia Hou**

Special Counsel

Akerman LLP | 601 West Fifth Street, Suite 300 | Los Angeles, CA 90071

D: 213 533 5907 | T: 213 688 9500 | F: 213 627 6342

[alicia.hou@akerman.com](mailto:alicia.hou@akerman.com)

vCard | Profile



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**From:** Daniel Charest <>  
**Sent:** Wednesday, July 8, 2020 8:34 AM  
**To:** Novoa-OC <>  
**Cc:** Novoa - External <>  
**Subject:** Re: Novoa - Class Notice Program

Just following up here. Do defendants intend to provide comments? We are happy to wait until 7/16 as set out below for GEO's input. But I would have expected some indication either way from defendants. Please advise. Thanks.

**Daniel H. Charest**  
469.904.4555 direct  
214.681.8444 mobile

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**From:** Daniel Charest  
<[dcharest@burnscharest.com](mailto:dcharest@burnscharest.com)>  
**Date:** Thursday, July 2, 2020 at 1:14 PM  
**To:** Novoa-OC <[novoa-OC@burnscharest.com](mailto:novoa-OC@burnscharest.com)>  
**Cc:** Novoa - External <[Novoa-External@burnscharest.com](mailto:Novoa-External@burnscharest.com)>  
**Subject:** Novoa - Class Notice Program

Team GEO:

We have been working on the class notice program for this case. Here are our thoughts and plans. We intend to seek court approval but wanted to give

GEO the opportunity to weigh in on the submission.

In broad strokes, here are the concepts behind the program we've developed with our vendor. Efforts in the United States consist of a summary notice in Spanish in three leading Spanish-language newspapers and a digital campaign through the leading digital network, Google Display Network (GDN), targeting potential class members in several western states. Efforts in Mexico/Latin America consist of Spanish radio and digital through GDN and the social media platform, Facebook. An email effort to relevant third-party churches and relief organizations, an internet search campaign, and the distribution of a press release will extend notice exposure further. The notice administrator will also create (a) a dedicated website accessible to people within and outside the United States and (b) a toll-free number featuring IVR and live operator support in multiple dialects. The notice program also includes the posting of notice at relevant facilities operated by GEO.

In addition to the generalized description above, the notice program, as envisioned, would include the following components:

1. The notice administrator will coordinate publication of a shortened summary notice in the following leading Spanish-language publications: La Opinion, Excelsior (Los Angeles and Orange County), and El Chicano. The proposed "Summary Notice" is attached hereto as Exhibit B.
2. The notice administrator will execute a regional digital notice campaign targeting California, New Mexico, Arizona, Nevada, Idaho,

Montana, Washington, and Oregon through GDN. The notice administrator will also execute an international digital notice campaign in Mexico, El Salvador, Guatemala, and Honduras using GDN and Facebook. In addition, the notice administrator will execute an internet search campaign in Mexico, El Salvador, Guatemala, and Honduras using search engines such as Google and Bing. All proposed digital ads are attached hereto as Exhibit C.

3. The notice administrator will prepare radio advertisements in Spanish to run on news, talk radio, and entertainment stations in Mexico, El Salvador, Guatemala, and Honduras. The proposed radio script is attached hereto as Exhibit D.
4. The notice administrator will cause the distribution of a press release to news lines throughout the U.S., Spanish Latin America, and India. The proposed press release is attached hereto as Exhibit E.
5. The notice administrator will send an email campaign to key churches and relief organizations in California. The proposed email notice is attached hereto as Exhibit F.
6. The notice administrator will create and maintain an informational case-specific website on which notices, other important court documents, and Frequently Asked Questions will be posted. In more detail, the website will include an email contact form, frequently asked questions page, and links to downloadable copies of the Long

Form Notice in English and Spanish, and other important court documents. The proposed Long Form Notice is attached hereto as Exhibit G.

7. The notice administrator will maintain a toll-free information line with IVR and live operators fluent in multiple dialects that Class Members can call for more information about the case.

We intend to file the proposed notice plan and order with the Court before the end of the month. We'd like to represent the submission as unopposed, so we welcome GEO's timely and reasonable input. Please provide any edits, comments, etc. to the attached documents by July 16.

All the best.

**Daniel H. Charest**  
Burns Charest LLP  
900 Jackson Street  
Suite 500  
Dallas, Texas 75202  
469.904.4555 direct  
214.681.8444 mobile  
469.444.5002 fax