

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.

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s/ Adrienne Scheffey

s/ Jamal Whitehead

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17 *Attorneys for Plaintiff State of Washington*

ORDER

IT IS SO ORDERED:

DATED this 17th day of March, 2020.



ROBERT J. BRYAN
United States District Judge

Jointly Presented by:

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s/ Jamal Whitehead

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