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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STATE OF WASHINGTON,

 Plaintiff,

 v.

THE GEO GROUP, INC.,

 Defendant.

CASE NO. C17-5806 RJB

ORDER GRANTING STATE OF
WASHINGTON’S MOTION TO
COMPEL PARTIALLY
UNREDACTED LETTER AND
RELATED FINANCIAL
CALCULATIONS

THIS MATTER comes before the Court on the State of Washington’s Motion to Compel Partially Unredacted Letter and Related Financial Calculations (Dkt. 396). The Court is familiar with the file and records herein, and with documents filed in support of and in opposition to the motion. For the reasons stated below, the motion should be granted. ‘

First, this is, in the Court’s opinion, a motion under FRCP 26(e), requiring supplemental disclosures, and not a case schedule modification under FRCP 16(b)(4).

Second, Defendant has not established any privilege protecting the subject material from disclosure.

1 Third, whether the subject material is admissible in evidence is not relevant to the
2 question here presented. “Information within the scope of discovery need not be admissible in
3 evidence to be discoverable.” FRCP 26(b)(1).

4 Fourth, the subject material is within the scope of discoverable information pursuant to
5 FRCP 26(b)(1).

6 Fifth, the motion is timely and the parties have met and conferred. Delays in bringing
7 this matter to the Court’s attention have been well explained in Plaintiff’s pleadings and are
8 justified by the circumstances presented.

9 Therefore, the motion is GRANTED and it is ORDERED that Defendant GEO shall
10 produce on or before September 18, 2020:

- 11 1) A partially unredacted version of GEO’s Letter to ICE dated May 30, 2018, removing
12 redactions to the entire section following the sentence: “We have conducted an
13 estimation of the costs necessary to achieve compliance with the Plaintiffs.”
- 14 2) The underlying financial calculations, spreadsheets and analysis of the information
15 included in GEO’s Letter to ICE related to compliance with the Plaintiffs, including
16 all calculations of the cost that would be incurred if detainee labor presently done in
17 the VWP were to be done by civilian employees paid at the prevailing wage, as
18 testified to by Brian Evans, CFO. This order requires production of all such
19 calculations as they pertain to the Northwest Detention Center specifically, as well as
20 aggregated information in which the Northwest Detention Center facility is included.
- 21 3) All other financial information and documents responsive to this Court’s prior order
22 to compel, ECF No. 133.

1 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
2 to any party appearing *pro se* at said party's last known address.

3 Dated this 14th day of September, 2020.

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6 ROBERT J. BRYAN
United States District Judge

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