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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 STATE OF WASHINGTON,

10 Plaintiff,

11 v.

12 THE GEO GROUP, INC.,

13 Defendant.

CASE NO. 17-5806 RJB

ORDER ON MOTIONS TO FILE  
AMICUS CURIAE BRIEFS

14 This matter comes before the Court on the Motion for Leave to File Brief of the  
15 International Human Rights Clinic at Seattle University School of Law and Global Rights  
16 Advocacy as Amici Curiae in Support of Plaintiff (Dkt. 242), the Fair Work Center Legal Clinic  
17 and Seattle University Workers' Rights Clinic Motion for Leave to File Amicus Curiae Brief in  
18 Support of Plaintiff's Motion for Summary Judgment (Dkt. 244), Motion for Leave to File Brief  
19 of La Resistencia as Amici Curiae in support of Plaintiff (Dkt. 255), and the Motion of American  
20 Civil Liberties Union of Washington, OneAmerica and Washington Defender Association for  
21 Leave to File Amici Curiae Brief in Support of the State of Washington (Dkt. 261) (collectively  
22 "Proposed Amici"). The Court has considered the pleadings filed in support of and in opposition  
23 to the motions and the file herein.  
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1 This case arises out of GEO’s alleged failure to compensate immigration detainees at the  
2 Northwest Detention Center (“NDC”), a private detention center, in accord with the Washington  
3 Minimum Wage Act (“MWA”). Dkt. 1.

4 **I. FACTS AND PROCEDURAL HISTORY**

5 The facts and procedural history are in the July 1, 2019 Order on Defendant’s Motion to  
6 Compel (Dkt. 243, at 1-3) and are adopted here.

7 The dispositive motions deadline was July 2, 2019. Between July 1, 2019 and July 8, 2019,  
8 the Proposed Amici filed their motions for leave to file amicus curiae briefs. Dkts. 242, 244,  
9 255, and 261. GEO opposes the motions (Dkt. 263); the State does not (Dkt. 264).

10 **II. DISCUSSION**

11 **A. STANDARD FOR LEAVE TO FILE AMICUS CURIAE BRIEFS**

12 The role of amicus curiae is to “assist[] in a case of general public interest, supplement[]  
13 the efforts of counsel, and draw[] the court’s attention to law that escaped consideration.”  
14 *Miller-Wohl Co., Inc. v. Comm’r of Labor & Indus. State of Mont.*, 694 F.2d 203, 204 (9th Cir.  
15 1982). They are not parties to the case. *Id.*

16 **B. MOTIONS FOR LEAVE TO FILE BRIEFS**

17 The Amici’s motions (Dkts. 242, 244, 255, and 261) should be denied. None of the Proposed  
18 Amici meet the requirements of *Miller-Wohl* - they do not supplement the efforts of the State’s  
19 counsel or draw the Court’s attention to relevant law which was not addressed. The Proposed  
20 Amici raise claims that are independent from those of the parties in this litigation. They include  
21 extra-record facts in the briefs. Insofar as it may be appropriate to add claims or facts, it should  
22 be done through the parties’ counsel, so the protections found in due process, the Federal Rules  
23 of Civil Procedure relating to discovery, and the Federal Rules of Evidence are assured. While  
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1 the Court has considered each of the Proposed Amici's briefs, they are not relevant to, and the  
2 Court will not consider them, in the decision on the pending motions for summary judgment.

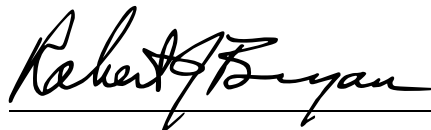
3 III. **ORDER**

4 Therefore, it is hereby **ORDERED** that:

- 5 • The Motion for Leave to File Brief of the International Human Rights Clinic at  
6 Seattle University School of Law and Global Rights Advocacy as Amici Curiae  
7 in Support of Plaintiff (Dkt. 242), the Fair Work Center Legal Clinic and Seattle  
8 University Workers' Rights Clinic Motion for Leave to File Amicus Curiae  
9 Brief in Support of Plaintiff's Motion for Summary Judgment (Dkt. 244),  
10 Motion for Leave to File Brief of La Resistencia as Amici Curiae in support of  
11 Plaintiff (Dkt. 255), and the Motion of American Civil Liberties Union of  
12 Washington, OneAmerica and Washington Defender Association for Leave to  
13 File Amici Curiae Brief in Support of the State of Washington (Dkt. 261) **ARE**  
14 **DENIED.**

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

17 Dated this 29<sup>th</sup> day of July, 2019.

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19 ROBERT J. BRYAN  
20 United States District Judge