

EXHIBIT 4

The Honorable Robert J. Bryan

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

CHAO CHEN, individually and on behalf of all
those similarly situated,

Plaintiff,

v.

THE GEO GROUP, INC., a Florida
corporation

Defendant.

No. 17-cv-05769-RJB

**DEFENDANT THE GEO GROUP, INC.'S
RESPONSES TO PLAINTIFF CHAO
CHEN'S FIRST INTERROGATORIES
AND REQUESTS FOR PRODUCTION**

**THE GEO GROUP, INC.'S RESPONSES TO PLAINTIFF'S FIRST
INTERROGATORIES AND REQUESTS FOR PRODUCTION**

Pursuant to Rules 26, 33, and 34 of the Federal Rules of Civil Procedure ("Fed. R. Civ. P.") and the Local Rules of the U.S. District Court for the Western District of Washington (the "Local Rules"), Defendant The GEO Group, Inc. ("GEO") hereby responds and objects to Plaintiff's First Interrogatories and Requests for Production.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

GEO objects to Plaintiff's definition of "class members" in paragraph 1.b. as inapplicable. There has been no class certification in this case and, therefore, no "class" exists. GEO will only respond to Plaintiff's First Interrogatories and Requests for Production to the extent that it concerns the sole named Plaintiff in this case, Chao Chen.

CHAO CHEN v. THE GEO GROUP, INC.
ECF CASE NO. 17-CV-05769-RJB
DEFENDANT GEO GROUP, INC.'S RESPONSE TO
FIRST INTERROGATORIES AND REQUESTS FOR
PRODUCTION

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1 GEO objects to Plaintiff's definition of "class period" in paragraph 1.c. as inapplicable.
 2 There has been no class certification in this case and, therefore, no "class" exists. GEO will only
 3 respond to Plaintiff's First Interrogatories and Requests for Production to the extent that it
 4 concerns the period during which the sole named Plaintiff in this case, Chao Chen, was at the
 5 Northwest Detention Center ("NWDC").

6 GEO objects to Plaintiff's definition of "Defendant," "You," and "Your" in paragraph 1.e
 7 as outside the scope of discovery as defined by Fed. R. Civ. P. 26(b)(1) to the extent that the
 8 request seeks information relating to persons or entities that are separate and distinct from GEO
 9 and whom GEO has no legal right to control. GEO further objects to these definitions to the
 10 extent that the request includes GEO attorneys and, therefore, improperly seeks information
 11 protected by the attorney-client privilege, the work product doctrine, the common interest
 12 privilege, and/or any other applicable privileges or immunities.

13 GEO objects to Plaintiff's definition of "describe in detail" in paragraph 1.f. as unduly
 14 burdensome and not proportional to the needs of the case to the extent that it would require GEO
 15 to describe "every aspect of every fact, circumstance, act, omission, or course of conduct" known
 16 to it about any request made by the Plaintiff. GEO will make a reasonable effort to answer
 17 interrogatories with detail determined after a reasonable inquiry. Likewise, GEO objects to
 18 identifying "each person present or connected with, or who has knowledge of the matter inquired
 19 about" as unduly burdensome, overly broad, and not proportional to the needs to the case. GEO
 20 will make a reasonable effort to identify persons with knowledge of the matter inquired about to
 21 the extent such inquiry is proportional and relates to the claims and defenses in the case. Finally,
 22 GEO objects to this definition as inapplicable to requests for production, as GEO is under no
 23 obligation to describe the documents that it produces. Subject to and without waiving GEO's
 24 objections, GEO will make a reasonable effort to describe the requested information to the extent
 25 the requests are proportional and relate to the claims and defenses in this case.

26 GEO objects to Plaintiff's definition to "document" in paragraph 1.h. to the extent that it
 27 would exceed the definition of "document" under the Federal Rules of Civil Procedure. GEO

1 defines “document” according to its definition in Fed. R. Civ. P. 34(a)(1)(A). GEO further
 2 objects to the definition to the extent that it includes “documents in another’s possession.” GEO
 3 will only produce documents of entities over which it has a legal right to control.

4 GEO objects to Plaintiff’s definition of “ICE” (Immigrations and Customs Enforcement)
 5 in paragraph 1.i as overly broad. GEO defines ICE only to include the agency of the United
 6 States Department of Homeland Security, ICE employees, and any other persons or entities
 7 reasonably known to be acting on behalf of or under the direction, authorization, or control of
 8 ICE.

9 GEO objects to Plaintiff’s definitions of “Identify” included in paragraphs 1.j. through 1.l.
 10 as unduly burdensome because the level of detail requested may not be possible to provide where
 11 there is not documentary information upon which to rely or is not attainable following a
 12 reasonable inquiry. Subject to and without waiving GEO’s objections, GEO will make a
 13 reasonable effort to identify natural persons, entities, documents, or conversations in its responses
 14 to Plaintiff’s First Interrogatories.

15 GEO objects to Plaintiff’s definition of “refers to” and “relates to” as overly broad, unduly
 16 burdensome, and not proportional to the needs of the case as terms like “evidence” “bear upon,”
 17 “undercut,” and others listed are not synonymous with the terms “refers to” and “relates to.”
 18 Instead, Plaintiff seeks to expand the defined terms beyond their standard American usage.
 19 Furthermore, terms used to define “refers to” and “relates to” are vague and ambiguous. GEO
 20 will define the terms “refers to” and “relates to” according to their standard American usage and
 21 reasonably interpret them based on their context as used in Plaintiff’s First Interrogatories and
 22 Requests for Production.

23 GEO objects to Plaintiff’s definition of “Voluntary Work Program” to the extent the
 24 program involves monetary compensation. Detainees at NWDC receive an allowance of \$1 per
 25 day for work activity performed as part of the Voluntary Work Program.

26 GEO objects to Instruction 2 to the extent that Plaintiff seeks information and the
 27 production of documents outside of the possession, custody, or control of the named party, GEO,

1 and any entities GEO has the legal right to control. GEO further objects to this instruction to the
 2 extent that the request includes GEO attorneys and, therefore, improperly seeks information
 3 protected by the attorney-client privilege, the work product doctrine, the common interest
 4 privilege, and/or any other applicable privileges or immunities.

5 GEO objects to Instruction 3 to the extent that Plaintiff seeks production of documents
 6 outside of the possession, custody, or control of any entity that GEO has the legal right to control.
 7 GEO further objects to this instruction to the extent it requires disclosure of documents destroyed
 8 or disposed of that would have been responsive to one of Chen's document requests. GEO is
 9 under no obligation to detail documents disposed in the regular course of business before the duty
 10 to preserve attached in this case. GEO has taken reasonable steps to preserve documents and
 11 information in the conduct of litigation, as is required under applicable case law and Fed. R. Civ.
 12 P. 37(e).

13 GEO objects to Instruction 4 to the extent that it imposes obligations beyond those
 14 required by the Federal Rules of Civil Procedure. GEO will respond with objections in
 15 accordance with Fed. R. Civ. P. 33(b) and 34(b). Likewise, GEO will assert any claims of
 16 privilege in accordance with Fed. R. Civ. P. 26(b)(5).

17 GEO objects to Instruction 5 to the extent it imposes obligations beyond those required by
 18 the Federal Rules of Civil Procedure. GEO will assert any claims of privilege in accordance with
 19 Fed. R. Civ. P. 26(b)(5).

20 GEO objects to Instruction 6 as it states a procedure for the production of documents,
 21 including the labelling of documents, that is unduly burdensome and not required under the
 22 Federal Rules of Civil Procedure. Pursuant to Fed. R. Civ. P. 34(b)(2)(E), GEO will produce
 23 documents as they are kept in the usual course of business, as they were ordinarily maintained or
 24 in a reasonably useable format.

25 GEO objects to Instruction 7 that requires "the entire document must be produced, along
 26 with any attachments, drafts, and 'non-identical' copies." GEO objects as this may require the
 27 production of information subject to privilege, privacy or security restrictions. GEO reserves the

1 right to redact information that is confidential and not responsive as well as to redact for
2 privilege. GEO may also produce documents redacted, *inter alia*, to protect the privacy and
3 safety of individuals identified in the documents, detainees, GEO staff, and others.

4 GEO objects to Instruction 8 as confusing and ambiguous. Pursuant to Fed. R. Civ. P.
5 34(b)(2)(E), GEO will produce email and other electronically stored information in a reasonably
6 useable format. Specifically, GEO will produce electronically stored information as single page
7 TIFF images with extracted text and a load file. GEO will produce redacted documents with
8 OCR text to protect the redacted information.

9 GEO objects to Instruction 10 as unduly burdensome. Pursuant to Fed. R. Civ. P.
10 34(b)(2)(E), GEO will produce Excel spreadsheets in native form and is willing to meet and
11 confer regarding the production format of other documents on an individual case by case basis.

12 GEO objects to Instruction 11 as unduly burdensome and not proportional to the needs of
13 the case as GEO will respond and produce documents relating to the period during which Chao
14 Chen was a detainee at the NWDC as that is the only period during which Chen sustained any
15 alleged harm and Chen has no standing to seek redress on behalf of others at this time. Without
16 waiver of any rights or other objections, GEO will supplement any responses to Plaintiff's First
17 Interrogatories and Requests for Production, should they be necessary, in accordance with Fed. R.
18 Civ. P. 26(e).

RESPONSE TO INTERROGATORIES AND REQUESTS FOR PRODUCTION

INTERROGATORY NO. 1: Please identify each person answering or supplying information used in answering these discovery requests.

ANSWER TO NO. 1: GEO objects to this Interrogatory on the grounds that it requests information protected by the attorney-client privilege, the work product doctrine, the common interest privilege, and/or any other applicable privileges or immunities. Subject to and without waiving the forgoing objections, GEO states that: James Black, Warden Clark, Bruce Scott, Alisha Singleton, and Michael Heye supplied information used in answering these discovery requests.

INTERROGATORY NO. 2: Please state the number of detainees who participated in the Voluntary Work Program at NWDC during the class period.

ANSWER TO NO. 2: GEO objects to this Interrogatory on the grounds that a class has not been certified in this case and, as such, no class period has been set and Chen does not have standing at this time to seek redress of any alleged harm other than to himself. Further, GEO is unable to provide an accurate number of detainees who participated in the Voluntary Work Program at NWDC during an undefined period of time. Should a class be certified in this case at a later date, GEO is willing to meet and confer regarding additional information it will provide in response to this Interrogatory, subject to ICE approval and court orders.

INTERROGATORY NO. 3: Identify all class members as defined above. Your answer should also include the Alien Registration Number (a/k/a "A-Number") of each class member.

ANSWER TO NO. 3: GEO objects to this Interrogatory on the grounds that a class has not been certified in this case and, as such, there are no "class members." GEO objects to producing Alien Registration Numbers ("A-Numbers") of detainees, as this information is private and Plaintiff already knows his own A-Number. Should a class be certified in this case at a later date, GEO is willing to meet and confer regarding additional information it will provide in response to this Interrogatory, subject to ICE approval and court orders.

INTERROGATORY NO. 4: For each class member identified in response to Interrogatory No. 3, please describe in detail the following:

- 1 a. **dates of detention at NWDC (i.e., start and end of detention, if**
 2 **applicable) for each class member;**
 3 b. **hours worked as part of the Voluntary Work Program for each week**
 4 **of the class period;**
 5 c. **compensation provided in each week during the class period, broken**
 6 **down by category of compensation.**

7 **ANSWER TO NO. 4:** GEO objects to this Interrogatory on the grounds that a class has
 8 not been certified in this case and, as such, there are no “class members.” Finally, GEO objects to
 9 the use of the phrase “category of compensation” as it is vague and ambiguous. Subject to the
 10 above stated objections, GEO produced Mr. Chen’s Resident Account Summary as an initial
 11 disclosure at GEO-CHEN 000769 – 781 that shows \$1.00 per day payments for his participation
 12 within his housing unit as he was not cleared to leave his unit because he had been convicted of
 13 FIRST DEGREE ASSAULT, FOURTH DEGREE ASSAULT, SECOND DEGREE
 14 UNLAWFUL FIREARM POSSESSION, AND FELONY HARASSMENT (GEO CHEN 000554
 15 – INITIAL DISCLOSURES) making him a known risk of harm to others. GEO put the \$1.00 on
 16 his account whether he performed a task in ten minutes, or an hour. ICE is the custodian of
 17 Mr. Chen’s detention file and would be the appropriate agency to verify his actual dates of
 18 detention. In the records ICE provided to GEO there is a record indicating ICE had Mr. Chen
 19 enter the facility on October 21, 2014 and ICE released him from the NWDC on March 1, 2016.
 20 Production of this record would require ICE approval or an order from the court. Should a class
 21 be certified in this case at a later date, GEO is willing to meet and confer regarding additional
 22 information it will provide in response to this Interrogatory subject to the direction of ICE and/or
 23 court orders.

24 **REQUEST FOR PRODUCTION A:** **Please produce all documents that relate to your**
 25 **answer to the preceding Interrogatory.**

26 **RESPONSE:** GEO objects to this Request as overly broad and unduly burdensome based
 27 on Plaintiff’s own definition of “relate to” that would lead to the production of documents with no
 28 relationship whatsoever to the claims or defenses in the case. For example, paperwork
 29 concerning a detainee’s release may be “related to” the detainee’s dates of detention at NWDC,

1 but have no bearing on the claims or defenses in this case. GEO also objects to this Request to
 2 the extent that it seeks that information protected by the attorney-client privilege, the work
 3 product doctrine, the common interest privilege, and/or any other applicable privileges or
 4 immunities. Subject to and without waiving the above stated objections, GEO will conduct a
 5 reasonable search of documents on active electronic systems and reasonably accessible paper
 6 storage areas that GEO reasonably believes contain potentially relevant information within its
 7 possession, custody, and control, and produce, to the extent they exist and following entry of a
 8 reasonable protective order, relevant, responsive, non-privileged documents, sufficient to show
 9 Plaintiff's date of detention, hours worked as part of the Voluntary Work Program, and
 10 compensation provided to him. Should a class be certified in this case at a later date, GEO is
 11 willing to meet and confer regarding additional information it will provide in response to this
 12 Request subject to ICE approval and court orders. GEO will withhold documents subject to the
 13 above stated objections.

14 **INTERROGATORY NO. 5: Describe in detail your policies, practices, and**
 15 **procedures referring or relating to the Voluntary Work Program at NWDC. At a minimum,**
your answer should describe the following:

- 16 a. detainee eligibility requirement(s);
- 17 b. detainee sign up procedure(s);
- 18 c. minimum skill or experience requirement(s) for any work assignment,
task, or other duty;
- 19 d. your selection process for eligible detainees;
- 20 e. how work assignments are made;
- 21 f. type(s) of work, tasks, or other duties assigned;
- g. detainee compensation;
- h. disciplinary process related to poor performance;
- i. supervision of detainees.

22 **ANSWER TO NO. 5:** GEO objects to this Interrogatory on the grounds that it is
 23 compound and comprises of nine different areas of inquiry, GEO will count this inquiry
 24 accordingly when determining whether Chen has exceeded the maximum allowable
 25 interrogatories as permitted under Fed. R. Civ. P. 33(a)(1). GEO objects to this Interrogatory on
 26 the grounds that it requests information that is outside the scope of discovery and not relevant to
 27 the claims or defenses in this case. For example, information about what cleaning supplies a

1 detainee uses on specific tasks might be “related to” the Voluntary Work Program, but it has no
 2 bearing on the claims or defenses in this case. Subject to and without waiving GEO’s above
 3 stated objections, GEO answers as follows: A detainee would be eligible to participate in the
 4 Voluntary Work Program if the detainee were detained at the NWDC and volunteered to
 5 participate. If a detainee presents a high security threat like Mr. Chen, then the detainee may be
 6 limited to activities in the housing unit. Mr. Chen participated in the program as a Pod Porter
 7 who would assist with the Pod clean up between 11:30 p.m. and 1:30 a.m. in 2015. In 2014 he
 8 selected clean-up activities during the day like cleaning the microwaves, sinks, and counters at
 9 least once a day after lunch, sweep and mop the upper and lower tier floors, clean the walls,
 10 tables, table legs, and bolts, clean cell doors, sliders and frames, and other similar type tasks. Any
 11 detainee who wants to participate sends a request to classification. Classification clears the
 12 detainee to participate and has the detainee sign a voluntary work program agreement form. The
 13 detainee chooses what the detainee wants to do and then starts participating in the program when
 14 there is space for a new person. GEO has policy No. 5.1.2, which ICE approves, that applies to
 15 the NWDC and applied during the time Chen was detained there. GEO also refers Plaintiff to
 16 Section 5.8 of ICE’s publicly available Performance-Based National Detention Standards, which
 17 describe federally-established standards for the Voluntary Work Program. In practice, the staff
 18 and detainees carry out daily activities to make sure the secure side of the facility is picked up and
 19 clean, people are well fed, well groomed, and physically active. Should a class be certified in this
 20 case at a later date, GEO is willing to meet and confer regarding additional information it will
 21 provide in response to this Interrogatory subject to ICE approval and court orders.

22 **REQUEST FOR PRODUCTION B:** Please produce all documents that relate to your
 23 answer to the preceding Interrogatory.

24 **RESPONSE:** GEO objects to this Request as violating Fed. R. Civ. P. 26(b)(1) because it
 25 asks for information that is outside the scope of discovery. Specifically, the breadth of the
 26 request would include documents that have no bearing on the claims or defenses in this case. For
 27 example, cleaning supply order forms may be “related to” tasks detainees perform as part of the

1 Voluntary Work Program, but they have no bearing on the claims or defenses in this case. GEO
2 also objects to this Request to the extent that it seeks that information protected by the attorney-
3 client privilege, the work product doctrine, the common interest privilege, and/or any other
4 applicable privileges or immunities. Subject to and without waiving the above stated objections,
5 GEO will conduct a reasonable search of documents on active electronic systems and reasonably
6 accessible paper storage areas that GEO reasonably believes contain potentially relevant
7 information within its possession, custody, and control, and produce relevant, responsive, non-
8 privileged documents, to the extent they exist and subject to an appropriate protective order,
9 sufficient to show the policies, practices, and procedures referring or relating to the Voluntary
10 Work Program during the time Plaintiff was detained at NWDC. Should a class be certified in
11 this case at a later date, GEO is willing to meet and confer regarding additional information it will
12 provide in response to this Request subject to the Court’s defined class period and subject to ICE
13 approval and court orders. . GEO will withhold documents subject to the above stated
14 objections.

15 **REQUEST FOR PRODUCTION C:** Please produce all documents that relate or refer
16 to the Voluntary Work Program at NWDC, including, but not limited to, all internal emails,
memoranda, or other documents discussing the Voluntary Work Program.

17 **RESPONSE:** GEO objects to this Request as violating Fed. R. Civ. P. 26(b)(1) because it
18 asks for information that is outside the scope of discovery. Specifically, the breadth of the
19 request would include documents that have no bearing on the claims or defenses in this case. For
20 example, emails that merely mention the term “Voluntary Work Program” or “VWP” as a
21 program available at the NWDC may indeed “relate to” the Voluntary Work Program but have no
22 bearing on the claims or defenses in this case. Moreover, GEO objects to this Request on the
23 grounds that it is unduly burdensome and not proportional to the needs of the case as it seeks any
24 and all documents ever created that might relate or refer to the Voluntary Work Program at
25 NWDC. GEO also objects to this Request to the extent that it seeks that information protected by
26 the attorney-client privilege, the work product doctrine, the common interest privilege, and/or any
27 other applicable privileges or immunities. Subject to and without waiving the above stated

1 objections, GEO will conduct a reasonable search of documents on active electronic systems and
2 reasonably accessible paper storage areas that GEO reasonably believes contain potentially
3 relevant information within its possession, custody, and control, and produce relevant, responsive,
4 non-privileged documents, to the extent they exist and subject to an appropriate protective order,
5 referring or relating to the Voluntary Work Program while the Plaintiff was detained at NWDC.
6 Should a class be certified in this case at a later date, GEO is willing to meet and confer regarding
7 additional information it will provide in response to this Request subject to the Court’s defined
8 class period and subject to ICE approval and court orders.. GEO will withhold documents subject
9 to the above stated objections.

10 **INTERROGATORY NO. 6:** Please describe in detail the system or procedure you
11 use(d) for tracking or recording work hours and work assignments performed by detainees
12 participating in the Voluntary Work Program, and identify all documents use(d) for
13 tracking or recording such hours and assignments (e.g., punched timecards, handwritten
14 time sheets, or recording by a computerized time records). For all documents identified,
15 please state the following:

- 13 a. The policies or procedures in effect for preserving the integrity of the
14 documents;
- 14 b. The retention period(s) for such documents;
- 15 c. All persons having custody of such records.

16 **ANSWER TO NO. 6:** GEO objects to this Interrogatory on the grounds that it violates
17 Fed. R. Civ. P. 26(b)(1) because it seeks information outside of the scope of discovery and which
18 has no bearing on the claims and defenses in this case. For example, the Interrogatory seeks
19 policies and procedures “for preserving the integrity of the documents.” Plaintiff has not
20 asserted, or is there any reason to believe, that the integrity of GEO-held documents is at issue.
21 GEO further objects to this Interrogatory as unduly burdensome and not proportional to the needs
22 of the case as it seeks to identify “all persons having custody of such records.” Subject to and
23 without waiving GEO’s above stated objections, GEO answers as follows: Any documents
24 specific to a detainee is placed in a detainee file, which is then transferred to ICE for retention.
25 ICE controls the retention of detainee files. ICE has Mr. Chen’s detention file and has provided it
26 to GEO, but has not authorized its release without a court order or further authorization. Mr.
27 Chen’s history of payments was produced in early disclosures and shows his payments dating

1 back to 10/22/14. He has a Pod Porter Job Description in his detention file that references the
2 requirements that he complete a “voluntary worker agreement form” and have a “memo” turned
3 in before being placed on the pod porter list to be paid. Mr. Chen selected Grave Cleaner duties
4 that are described as assisting with clean-up after lights out between 2330 and 0130 (11:30 p.m. -
5 1:30 a.m.).

6 **REQUEST FOR PRODUCTION D:** Please produce all documents that relate to your
7 **answer to the preceding Interrogatory.**

8 **RESPONSE:** GEO objects to this Request because it violates Fed. R. Civ. P. 26(b)(1) by
9 seeking documents outside of the scope of discovery. Specifically, as it seeks documents relating
10 to the procedures for “preserving the integrity of the documents.” Such information is not
11 relevant to the claims or defenses in this case. Furthermore, GEO objects to this Request as not
12 proportional because discovery of such information is of no importance to resolving the issues of
13 the case and the burden of the proposed discovery outweighs its likely benefit. Finally, GEO
14 objects to this Request on the grounds that it requests information protected by the attorney-client
15 privilege, the work product doctrine, the common interest privilege, and/or any other applicable
16 privileges or immunities. Subject to and without waiving the above stated objections, GEO will
17 conduct a reasonable search of documents on active electronic systems and reasonably accessible
18 paper storage areas that GEO reasonably believes contain potentially relevant information within
19 its possession, custody, and control, and produce relevant, responsive, non-privileged documents,
20 to the extent they exist and following entry of a reasonable protective order, documents sufficient
21 to show the retention period and custodians for documents relevant to the claims and defenses in
22 this case. Should a class be certified in this case at a later date, GEO is willing to meet and confer
23 regarding additional information it will provide in response to this Request subject to the Court’s
24 defined class period and subject to ICE approval and court orders. GEO will withhold responsive
25 documents subject to the above stated objections.

26 **INTERROGATORY NO. 7:** Please describe in detail how you determined the offset
27 **amount of \$17.12 per hour described on page three of your Rule 26 Initial Disclosures dated
December 20, 2017.**

1 **ANSWER TO NO. 7:** GEO also objects to this Interrogatory to the extent that it seeks that
2 information protected by the attorney-client privilege, the work product doctrine, the common
3 interest privilege, and/or any other applicable privileges or immunities. Subject to and without
4 waiving the above stated objections, GEO answers as follows: The formula is described on the
5 disclosure so this question is impossible to answer with any additional explanation. The numbers
6 come from the budget and actual expenditures of the NWDC. GEO will produce the spreadsheets
7 that total the expenditures.

8 **REQUEST FOR PRODUCTION E:** Please produce all documents that relate to your
9 answer to the preceding Interrogatory.

10 **RESPONSE:** GEO objects to this Request on the grounds that it requests information
11 protected by the attorney-client privilege, the work product doctrine, the common interest
12 privilege, and/or any other applicable privileges or immunities. Subject to and without waiving
13 the above stated objections, GEO will conduct a reasonable search of documents on active
14 electronic systems and reasonably accessible paper storage areas that GEO reasonably believes
15 contain potentially relevant information within its possession, custody, and control, and produce
16 relevant, responsive, non-privileged documents, to the extent they exist and following entry of a
17 reasonable protective order, documents sufficient to show the total actual expenditures of the
18 NWDC during the time Chen was a detainee at the NWDC. Should a class be certified in this
19 case at a later date, GEO is willing to meet and confer regarding additional information it will
20 provide in response to this Request subject to the Court’s defined class period and subject to ICE
21 approval and court orders. GEO will withhold documents subject to the above stated objections.

22 **REQUEST FOR PRODUCTION F:** Please produce copies of your financial
23 statements or other documents reflecting both budgeted and actual expenditures on
24 detainee room, clothing, food, laundry, utilities, and any other expenses for which you now
25 seek an offset, from September 26, 2013, to the present.

26 **RESPONSE:** GEO objects to this Request to the extent that it seeks financial statements
27 or other documents reflecting “budgeted” expenditures that are not relevant to the claims or
28 defenses in this case. GEO also objects to this Request on the grounds that it is unduly
burdensome, as it would require GEO to continuously supplement and produce additional

1 information without a defined end date. Subject to and without waiving GEO's above stated
 2 objections, GEO will conduct a reasonable search of documents on active electronic systems and
 3 reasonably accessible paper storage areas that GEO reasonably believes contain potentially
 4 relevant information within its possession, custody, and control, and produce relevant, responsive,
 5 non-privileged documents, to the extent they exist and following entry of a reasonable protective
 6 order, sufficient to show actual expenditures on detainee room, clothing, food, laundry, utilities,
 7 and any other expenses for which GEO seeks an offset during the time period Chen was detained
 8 at the NWDC. Should a class be certified in this case at a later date, GEO is willing to meet and
 9 confer regarding additional information it will provide in response to this Request subject to the
 10 Court's defined class period and subject to ICE approval and court orders. GEO will withhold
 11 documents subject to the above stated objections.

12 **REQUEST FOR PRODUCTION G:** Please produce copies of your financial
 13 statements, both annually and quarterly, including by not limited to certified financials (i.e.,
 14 income statement, cash flow, balance sheet) and disclosures to state and federal taxing
 authorities, from September 26, 2013, to present.

15 **RESPONSE:** GEO objects to this Request as outside of the scope of discovery, as it
 16 seeks documents that are not relevant to the claims or defenses in this case. Furthermore, GEO
 17 objects to this Request as it is not proportionate to the needs of the case, as discovery of GEO's
 18 financial statements does nothing to resolve any issue in the case and any burden on GEO would
 19 outweigh the negligible benefit Plaintiff would receive from the information. Finally, GEO
 20 objects to this Request on the grounds that it requests information protected by the attorney-client
 21 privilege, the work product doctrine, the common interest privilege, and/or any other applicable
 22 privileges or immunities. GEO will not be producing documents in response to this Request and
 23 is withholding responsive documents subject to the above stated objections.

24 **INTERROGATORY NO. 8:** Please identify any and all detainees at NWDC from
 25 whom you have sought reimbursement for your costs or expenditures related to their
 26 detainment (e.g., room, clothing, food, laundry, utilities).

27 **ANSWER TO NO. 8:** GEO objects to this Interrogatory as beyond the scope of discovery
 28 to the extent that it seeks information relating to detainees other than the named Plaintiff, Chao

1 Chen. GEO objects on the grounds that this Interrogatory is overly broad, as it is not limited by
2 time or by class, never mind that such a class has yet to be certified. Finally, GEO objects to this
3 Interrogatory on the grounds that it requests information protected by the attorney-client
4 privilege, the work product doctrine, the common interest privilege, and/or any other applicable
5 privileges or immunities. GEO answers the interrogatory as follows: No one. GEO has not to
6 date been forced to address offsets.

7 **INTERROGATORY NO. 9:** Please describe in detail any investments in equipment
8 or materials you received from, or require of, detainees who participate in the Voluntary
Work Program.

9 **ANSWER TO NO. 9:** GEO objects to this Interrogatory on the grounds that it is vague
10 and ambiguous in that it seeks information regarding “any investments in equipment or materials”
11 received from detainees participating in the Voluntary Work Program. This interrogatory
12 presumes that an independent contractor factor in an economic reality test would be applicable to
13 detention, which is an erroneous legal conclusion. Without waiving stated objections. None.

14 **REQUEST FOR PRODUCTION H:** Please produce all documents that relate to your
15 answer to the preceding Interrogatory.

16 **RESPONSE** GEO objects to this Request on the grounds that the preceding Interrogatory is
17 vague and ambiguous in that it seeks information regarding “any investments in equipment or
18 materials” received from detainees participating in the Voluntary Work Program. As written,
19 GEO believes there are no documents responsive to this request.

20 **INTERROGATORY NO. 10:** Please describe in detail all jobs, tasks, or other duties
21 performed by detainees participating in the Voluntary Work Program at NWDC that are
22 also performed by your employees or independent contractors, and identify all employees
or independent contractors performing such jobs, tasks, or other duties.

23 **ANSWER TO NO. 10:** GEO objects to this Interrogatory as not relevant to the claims or
24 defenses of this case to the extent that it seeks identification of specific employees or independent
25 contractors. Subject to and without waiving GEO’s above stated objections, GEO answers as
26 follows: GEO employees and independent contractors do not participate in the Voluntary Work
27

1 Program. To the extent responsive information reveals information about staffing, this
2 information is confidential and may require ICE’s approval to disclose.

3 **REQUEST FOR PRODUCTION I:** Please produce all documents that relate to your
4 answer to the preceding Interrogatory.

5 **RESPONSE:** GEO objects to this Request as seeking information outside of the scope of
6 discovery as information relating to the identity of non-detainees performing work outside of the
7 Voluntary Work Program is not relevant to the claims and defenses of the case. Furthermore,
8 GEO objects on the grounds that producing the requested documents is unduly burdensome,
9 overly broad, and not proportionate to the needs of the case as the burdens of additional discovery
10 outweigh the negligible benefit Plaintiff will receive from the information. Subject to and
11 without waiving GEO’s foregoing objections, GEO will conduct a reasonable search of
12 documents on active electronic systems and reasonably accessible paper storage areas that GEO
13 reasonably believes contain potentially relevant information within its possession, custody, and
14 control, and produce relevant, responsive, non-privileged documents, to the extent they exist and
15 subject to an appropriate protective order, sufficient to show the jobs, tasks, or other duties
16 commonly held by other individuals at NWDC in addition to detainees involved in the Voluntary
17 Work Program during the time Chen was detained at the NWDC. To the extent responsive
18 information reveals information about staffing, this information is confidential and may require
19 ICE’s approval to disclose. Should a class be certified in this case at a later date, GEO is willing
20 to meet and confer regarding additional information it will provide in response to this Request
21 subject to the Court’s defined class period and subject to ICE approval and court orders. GEO
22 will withhold documents subject to the above stated objections.

23 **REQUEST FOR PRODUCTION J:** Please produce a copy of the job descriptions of
24 all employees and independent contractors identified in your response to Interrogatory No.
25 10.

26 **RESPONSE:** Subject to and without waiving GEO’s above stated objections, GEO will
27 conduct a reasonable search of documents on active electronic systems and reasonably accessible
28 paper storage areas that GEO reasonably believes contain potentially relevant information within

1 its possession, custody, and control, and produce relevant, responsive, non-privileged documents,
2 to the extent they exist and subject to an appropriate protective order, of descriptions for jobs,
3 tasks, or other duties commonly performed by individuals at NWDC in addition to detainees in
4 the Voluntary Work Program during the time Chen was detained at the NWDC. Should a class
5 be certified in this case at a later date, GEO is willing to meet and confer regarding additional
6 information it will provide in response to this Request subject to the Court’s defined class period
7 and subject to ICE approval and court orders. To the extent responsive information reveals
8 information about staffing, this information is confidential and may require ICE’s approval to
9 disclose. GEO will withhold documents subject to the above stated objections.

10 **INTERROGATORY NO. 11:** Do you contend that detainees had an opportunity to
11 **work for other employers or entities during their detention at NWDC? If so, describe in
12 detail the factual basis for your contention.**

12 **ANSWER TO NO. 11:** Subject to and without waiving GEO’s above stated objections,
13 GEO answers as follows: Yes. Detainees who want to work in a real job may submit an
14 employment authorization (I-765 “EAD”) request to ICE or to the administrative judge in the
15 detainee’s removal proceedings for authorization to work in a position approved by ICE if
16 eligible. GEO has no control over Mr. Chen’s or any other person’s detention or employment.
17 GEO may not employ any detainee.

18 **REQUEST FOR PRODUCTION K:** Please produce all documents that relate to your
19 **answer to the preceding Interrogatory.**

20 **RESPONSE:** Subject to and without waiving GEO’s above stated objections, GEO will
21 conduct a reasonable search of documents on active electronic systems and reasonably accessible
22 paper storage areas that GEO reasonably believes contain potentially relevant information within
23 its possession, custody, and control, and produce relevant, responsive, non-privileged documents,
24 to the extent they exist and subject to an appropriate protective order, sufficient to show any
25 detainee opportunities for work for other employers or entities during the time Chen was detained
26 at the NWDC. Should a class be certified in this case at a later date, GEO is willing to meet and
27 confer regarding additional information it will provide in response to this Request subject to the

1 Court's defined class period and subject to ICE approval and court orders. GEO will withhold
 2 documents subject to the above stated objections. Please see the materials produced and
 3 referenced on GEO's Motion to Dismiss.

4 **INTERROGATORY NO. 12:** Please identify all persons who supervised work
 5 performed by detainees participating in the Voluntary Work Program during the class
 period, including each person's job classification and the length of time in such position.

6 **ANSWER TO NO. 12:** GEO objects to this Interrogatory on the grounds that a class has
 7 not been certified in this case and, as such, no class period has been set. Even if the Interrogatory
 8 were not otherwise objectionable, GEO would not be able to accurately "identify all persons who
 9 supervised work performed by detainees participating in the Voluntary Work Program" at NWDC
 10 during an undefined period of time. In addition, GEO objects to this Interrogatory as it seeks
 11 information about detainee supervision that is not relevant to the claims or defenses in this case,
 12 which concern work performed as part of the Voluntary Work Program and makes no claim
 13 regarding supervision of detainees. Subject to and without waiving GEO's above stated
 14 objections, GEO answers as follows: Bert Henderson is the Food Service Manager hired on
 15 3/19/2007 (11 years of service). Alisha Singleton hired 9/24/2011 (17 years of service), and
 16 Michael Heye hired on 10/12/2004 (14 years of service), are classification officers who are
 17 primarily involved with the program. All detention officers would be responsible for overseeing
 18 the participants carrying out tasks. The identification of all detention officers, their job
 19 descriptions and length of service is a disproportionate discovery request as the identified officers
 20 are capable of describing the activities of the VWP. Should a class be certified in this case at a
 21 later date, GEO is willing to meet and confer regarding additional information it will provide in
 22 response to this Request subject to the Court's defined class period and subject to ICE approval
 23 and court orders.

24 **REQUEST FOR PRODUCTION L:** Please produce all documents describing the
 25 work, tasks, or other duties performed, or to be performed, by detainees participating in the
 Voluntary Work Program during the class period.

26 **RESPONSE:** GEO objects to this Request on the grounds that a class has not been
 27 certified in this case and, as such, no class period has been set. GEO objects to this Request as it

28 CHAO CHEN v. THE GEO GROUP, INC.
 ECF CASE NO. 17-CV-05769-RJB
 DEFENDANT GEO GROUP, INC.'S RESPONSE TO
 FIRST INTERROGATORIES AND REQUESTS FOR
 PRODUCTION.

1 is overly broad, unduly burdensome and disproportionate as defined under Rule 26(b)(1), because
 2 it requests all documents describing the work tasks, when documents sufficient to show such
 3 information would be reasonable and proportionate to produce and provide Chen with the
 4 information he is seeking that is relevant to the claims and defenses in the case. Subject to and
 5 without waiving GEO’s above stated objections, GEO will conduct a reasonable search of
 6 documents on active electronic systems and reasonably accessible paper storage areas that GEO
 7 reasonably believes contain potentially relevant information within its possession, custody, and
 8 control, and following entry of a reasonable protective order, produce relevant, responsive, non-
 9 privileged documents, sufficient to show the work, tasks, or other duties the Plaintiff performed
 10 by participating in the Voluntary Work Program at NWDC. Should a class be certified in this
 11 case at a later date, GEO is willing to meet and confer regarding additional information it will
 12 provide in response to this Request subject to the Court’s defined class period and subject to ICE
 13 approval and court orders. GEO will withhold documents subject to the above stated objections.

14 **REQUEST FOR PRODUCTION M:** Please produce all documents that relate or refer
 15 to your employee or independent contractor staffing plans or work schedules, or both, at
 16 NWDC during the class period. This includes, but is not limited to, documents related to
 17 daily, weekly, or monthly staffing plans or schedules, employee rosters and work
 18 assignments, and the units or areas to which each employee or independent contractor was
 19 assigned.

17 **RESPONSE:** GEO objects to this Request as overly broad, unduly burdensome, and
 18 disproportionate as it seeks information wholly unrelated the claims and defenses of this case.
 19 Not only does this Request not request documents related to the Voluntary Work Program at
 20 NWDC, it does not seek information related to NWDC detainees like the Plaintiff at all. GEO
 21 also objects to this because the negligible benefit of this information to the Plaintiff is far
 22 outweighed by the security risks incurred by disclosing the information. GEO further objects to
 23 this Request on the grounds that a class has not been certified in this case and, as such, no class
 24 period has been set. GEO will not be producing documents in response to this Request and is
 25 withholding responsive documents subject to the above stated objections.
 26

1 **INTERROGATORY NO. 13:** Do you contend that Plaintiff’s claims stated within the
2 complaint are not “typical,” as that term is used in Fed. R. Civ. P. 23(a)(3), of the putative
class? If so, describe in detail the factual basis for your contention.

3 **ANSWER TO NO. 13:** GEO objects to this Interrogatory on the grounds that it requests
4 information protected by the attorney-client privilege, the work product doctrine, the common
5 interest privilege, and/or any other applicable privileges or immunities. GEO further objects to
6 this Interrogatory on the grounds that a class has not been certified in this case as yet so it is
7 impossible to determine whether Chen’s claims are typical of any putative class that may be
8 certified at a future date. Should a class be certified in this case at a later date, GEO is willing to
9 meet and confer regarding additional information it will provide in response to this Interrogatory
10 subject to the Court’s defined class period subject to ICE approval and court orders.

11 **REQUEST FOR PRODUCTION N:** Please produce all documents that relate to your
12 answer to the preceding Interrogatory.

13 **RESPONSE:** GEO objects to this Request on the grounds that it requests information
14 protected by the attorney-client privilege, the work product doctrine, the common interest
15 privilege, and/or any other applicable privileges or immunities. GEO further objects to this
16 Request on the grounds that a class has not been certified in this case as yet so it is impossible to
17 determine whether Chen’s claims are typical of any putative class that may be certified at a future
18 date. GEO will not be producing any documents in response to this Request and is withholding
19 documents subject to the above stated objections. Should a class be certified in this case at a later
20 date, GEO is willing to meet and confer regarding additional information it will provide in
21 response to this Request subject to the Court’s defined class period and subject to ICE approval
and court orders.

22 **INTERROGATORY NO. 14:** Do you contend that Plaintiff is not an “adequate”
23 representative, as that term is used in Fed. R. Civ. P. 23(a)(4), of the proposed class? If so,
24 describe in detail the factual basis for your contention.

25 **ANSWER TO NO. 14:** GEO objects to this Interrogatory on the grounds that it requests
26 information protected by the attorney-client privilege, the work product doctrine, the common
27 interest privilege, and/or any other applicable privileges or immunities. GEO further objects to

1 this Interrogatory on the grounds that a class has not been certified in this case as yet so it is
 2 impossible to determine whether Chen would be an adequate representative of any putative class
 3 that may be certified at a future date. Should a class be certified in this case at a later date, GEO
 4 is willing to meet and confer regarding additional information it will provide in response to this
 5 Interrogatory subject to the Court's defined class period subject to ICE approval and court orders.

6 **REQUEST FOR PRODUCTION O:** Please produce all documents that relate to your
 7 answer to the preceding Interrogatory.

8 **RESPONSE:** GEO objects to this Request on the grounds that it requests information
 9 protected by the attorney-client privilege, the work product doctrine, the common interest
 10 privilege, and/or any other applicable privileges or immunities. GEO further objects to this
 11 Request on the grounds that a class has not been certified in this case as yet so it is impossible to
 12 determine whether Chen would be an adequate representative of any putative class that may be
 13 certified at a future date. GEO is not producing documents in response to this Request and is
 14 withholding documents subject to the above stated objections. Should a class be certified in this
 15 case at a later date, GEO is willing to meet and confer regarding additional information it will
 16 provide in response to this Request subject to the Court's defined class period and subject to ICE
 17 approval and court orders.

18 **INTERROGATORY NO. 15:** Do you contend that a conflict exists between Plaintiff
 19 and the class members with respect to recovery of additional compensation for detainees
 20 who participated in the Voluntary Work Program? If so, describe in detail the factual basis
 21 for your contention.

22 **ANSWER TO NO. 15:** GEO objects to this Interrogatory on the grounds that it requests
 23 information protected by the attorney-client privilege, the work product doctrine, the common
 24 interest privilege, and/or any other applicable privileges or immunities. GEO further objects to
 25 this Request on the grounds that a class has not been certified in this case as yet so it is impossible
 26 to determine whether there would be a conflict between Chen and any putative class members of
 27 a class that may be certified at a future date. Should a class be certified in this case at a later date,
 28 GEO is willing to meet and confer regarding additional information it will provide in response to

1 this Request subject to the Court's defined class period and subject to ICE approval and court
2 orders.

3 **REQUEST FOR PRODUCTION P:** Please produce all documents that relate to your
4 answer to the preceding Interrogatory.

5 **RESPONSE:** GEO objects to this Request on the grounds that it requests information
6 protected by the attorney-client privilege, the work product doctrine, the common interest
7 privilege, and/or any other applicable privileges or immunities. GEO further objects to this
8 Request on the grounds that a class has not been certified in this case as yet so it is impossible to
9 determine whether there would be a conflict between Chen and any putative class members of a
10 class that may be certified at a future date. GEO will not be producing documents in response to
11 this Request and is withholding documents subject to the above stated objections. Should a class
12 be certified in this case at a later date, GEO is willing to meet and confer regarding additional
13 information it will provide in response to this Request subject to the Court's defined class period
14 and subject to ICE approval and court orders.

15 **REQUEST FOR PRODUCTION Q:** Please produce all documents that relate or refer
16 to comments or complaints by any detainee about the Voluntary Work Program, and any
17 responses thereto.

18 **RESPONSE:** GEO objects to this Request on the grounds that it is unduly burdensome
19 and outside of the scope of discovery, as it seeks "all documents that relate or refer to" comments
20 by any detainee about the Voluntary Work Program. Moreover, GEO objects to this Request as
21 overly broad and unduly burdensome because it is unbounded by any time constraint that would
22 be relevant to Chen's claims. Subject to and without waiving GEO's above stated objections,
23 GEO will conduct a reasonable search of documents on active electronic systems and reasonably
24 accessible paper storage areas that GEO reasonably believes contain potentially relevant
25 information within its possession, custody, and control, and following entry of a reasonable
26 protective order, GEO will produce relevant, responsive, non-privileged documents that contain
27 comments or complaints by any detainee at NWDC about the Voluntary Work Program during
the time Chen was a detainee at the NWDC. Should a class be certified in this case at a later date,

1 GEO is willing to meet and confer regarding additional information it will provide in response to
2 this Request subject to the Court’s defined class period and subject to ICE approval and court
3 orders. GEO is withholding documents subject to the above stated objections.

4 **REQUEST FOR PRODUCTION R:** Please produce any documents on which Plaintiff
5 is named, including his complete personnel file, if any.

6 **RESPONSE:** GEO objects to this Request as it violates Fed. R. Civ. P. 26(b)(1) by
7 requesting information that is outside the scope of discovery. Specifically, the request asks for
8 any document with Plaintiff’s name on it, when the claims and defenses in this case relate solely
9 to Plaintiff’s participation in the Voluntary Work Program. Subject to and without waiving
10 GEO’s above stated objections, GEO will produce Plaintiff’s detainee file subject to ICE
11 approval and or a court order. GEO will also, after a reasonable search of documents on active
12 electronic systems and reasonably accessible paper storage areas that GEO reasonably believes
13 contain potentially relevant information within its possession, custody, and control, and following
14 entry of a reasonable protective order, produce any relevant, responsive, non-privileged document
15 containing Plaintiff’s name regarding the Voluntary Work Program at NWDC. GEO is
16 withholding documents subject to the above stated objections.

17 **REQUEST FOR PRODUCTION S:** Please produce all write-ups or disciplinary
18 records for any detainee stemming from participation in the Voluntary Work Program.

19 **RESPONSE:** GEO objects to this Request as violating Fed. R. Civ. P. 26(b)(1) as it asks
20 for documents as outside the scope of discovery. Specifically, the request asks for write-ups or
21 disciplinary records for any detainee stemming from participation in the VWP, which bear no
22 relation to the claims or defenses in this case. Moreover, Chen presently has no standing to
23 inquire into the write-ups or disciplinary action of other detainees. Subject to and without
24 waiving GEO’s above stated objections, GEO will, after a reasonable search of documents on
25 active electronic systems and reasonably accessible paper storage areas that GEO reasonably
26 believes contain potentially relevant information within its possession, custody, and control, and
27 following entry of a reasonable protective order, produce any relevant, responsive, non-privileged
28 write-ups or disciplinary records (to the extent they exist) relating to Chen’s participation in the

1 Voluntary Work Program. GEO will be withholding documents subject to the above stated
2 objections.

3 **REQUEST FOR PRODUCTION T:** Please produce all documents containing or
4 reflecting communications between you and ICE referring or relating to this lawsuit.

5 **RESPONSE:** GEO objects to this Request on the grounds that it requests information
6 protected by the attorney-client privilege, the work product doctrine, the common interest
7 privilege, and/or any other applicable privileges or immunities. Subject to and without waiving
8 GEO's above stated objections, GEO will, after a reasonable search of documents on active
9 electronic systems and reasonably accessible paper storage areas that GEO reasonably believes
10 contain potentially relevant information within its possession, custody, and control, and following
11 entry of a reasonable protective order, produce any relevant, responsive, non-privileged
12 communications with ICE regarding this lawsuit. GEO may be withholding privileged
13 documents subject to the above stated objections.

14 **REQUEST FOR PRODUCTION U:** Please produce all documents containing or
15 reflecting communications between you and ICE regarding the Voluntary Work Program
16 at NWDC.

17 **RESPONSE:** GEO objects to this Request as it is overly broad and unduly burdensome
18 to the extent that it requests all communications between GEO and ICE regarding the Voluntary
19 Work Program, without limitations as to time or specific subject matter. Furthermore, GEO
20 objects to this Request as duplicative and cumulative of other, more specific Requests, such as
21 Requests W and X. Subject to and without waiving GEO's above stated objections, GEO will
22 conduct a reasonable search of documents on active electronic systems and reasonably accessible
23 paper storage areas that GEO reasonably believes contain potentially relevant information within
24 its possession, custody, and control, and following entry of a reasonable protective order, produce
25 relevant, responsive, non-privileged documents containing or reflecting communications between
26 GEO and ICE regarding the Voluntary Work Program at NWDC during the time period Chen was
27 a detainee at the NWDC. Should a class be certified in this case at a later date, GEO is willing to
28 meet and confer regarding additional information it will provide in response to this Request

1 subject to the Court’s defined class period and subject to ICE approval and court orders. GEO is
2 withholding documents subject to the above stated objections.

3 **REQUEST FOR PRODUCTION V:** Please produce all contracts and agreements, and
4 any addenda thereto, between you and ICE related to NWDC.

5 **RESPONSE:** GEO objects to this Request as it is unbounded by time to the relevant time
6 period relating to Chen’s detention at the NWDC. Subject to and without waiving GEO’s
7 definition and instructions objections, GEO will conduct a reasonable search of documents on
8 active electronic systems and reasonably accessible paper storage areas that GEO reasonably
9 believes contain potentially relevant information within its possession, custody, and control, and
10 produce relevant, responsive, non-privileged copies, to the extent they exist following entry of a
11 reasonable protective order, of all bids or contracts between The GEO Group, Inc. and
12 Immigration and Customs Enforcement (“ICE”) regarding the Northwest Detention Center in
13 effect during the time Chen was a detainee at the NWDC. Should a class be certified in this case
14 at a later date, GEO is willing to meet and confer regarding additional information it will provide
15 in response to this Request subject to the Court’s defined class period and subject to ICE approval
16 and court orders. GEO is withholding documents subject to the above stated objections.

17 **REQUEST FOR PRODUCTION W:** Please produce all proposals made by you to ICE,
18 including any cover letters, submittal sheets, appendices, supplements, amendments, or
19 addenda thereto, referring or relating to the contracts or agreements produced in response
20 to the preceding Request for Production.

21 **RESPONSE:** GEO objects to this Request as seeking information outside of the scope of
22 discovery as the information sought is not relevant to the claims or defenses in this case.

23 Whatever proposals GEO made to ICE are irrelevant to the actual agreements between the two
24 entities and did not affect the programs available to Chen or the allowances provided by those
25 programs. GEO is withholding documents subject to the above stated objections and ICE’s
26 approval.

27 **REQUEST FOR PRODUCTION X:** Please provide all documents referring to
28 requests for reimbursement you submitted to ICE, and any responses thereto, for operating
the Volunteer Work Program at NWDC.

1 **RESPONSE:** GEO objects to this Request on the grounds that it requests information
 2 protected by the attorney-client privilege, the work product doctrine, the common interest
 3 privilege, and/or any other applicable privileges or immunities. GEO objects to this Request as it
 4 is unbounded by time to the relevant time period relating to Chen's detention at the NWDC.
 5 Subject to and without waiving GEO's above stated objections, GEO will conduct a reasonable
 6 search of documents on active electronic systems and reasonably accessible paper storage areas
 7 that GEO reasonably believes contain potentially relevant information within its possession,
 8 custody, and control, and produce relevant, responsive, non-privileged documents, to the extent
 9 they exist and following entry of a reasonable protective order, referring to requests for
 10 reimbursement GEO submitted to ICE during the detention of Chen at the NWDC. Should a
 11 class be certified in this case at a later date, GEO is willing to meet and confer regarding
 12 additional information it will provide in response to this Request subject to the Court's defined
 13 class period and subject to ICE approval and court orders. GEO is withholding documents
 14 subject to the above stated objections.

15 **REQUEST FOR PRODUCTION Y:** Please produce all versions of the NWDC
 16 **Handbook from September 26, 2013, to present.**

17 **RESPONSE:** GEO objects to this Request as the time period extends outside the relevant
 18 time period relating to Chen's detention at the NWDC. Subject to and without waiving GEO's
 19 above stated objections, GEO will conduct a reasonable search of documents on active electronic
 20 systems and reasonably accessible paper storage areas that GEO reasonably believes contain
 21 potentially relevant information within its possession, custody, and control, and produce relevant,
 22 responsive, non-privileged final copies, to the extent they exist and following entry of a
 23 reasonable protective order, of handbooks issued to detainees regarding the Northwest Detention
 24 Center during the time Chen was detained at the NWDC. Should a class be certified in this case
 25 at a later date, GEO is willing to meet and confer regarding additional information it will provide
 26 in response to this Request subject to the Court's defined class period and subject to ICE approval
 27 and court orders. GEO is withholding documents subject to the above stated objections.

1 **REQUEST FOR PRODUCTION Z:** Please produce all documents reflecting any and
2 all payments made by you to detainees as part of the Voluntary Work Program during the
class period.

3 **RESPONSE:** GEO objects to this Request on the grounds it is overly broad because a
4 class has not been certified in this case and, as such, no class period has been set. In addition,
5 Chen does not have standing at this time to seek redress of any alleged harm other than to
6 himself. Subject to and without waiving GEO’s above stated objections, GEO will conduct a
7 reasonable search of documents on active electronic systems and reasonably accessible paper
8 storage areas that GEO reasonably believes contain potentially relevant information within its
9 possession, custody, and control, and produce relevant, responsive, non-privileged documents, to
10 the extent they exist and subject to an appropriate protective order, sufficient to show payments
11 made by GEO to Plaintiff as part of the Voluntary Work Program. Should a class be certified in
12 this case at a later date, GEO is willing to meet and confer regarding additional information it will
13 provide in response to this Request subject to the Court’s defined class period and subject to ICE
14 approval and court orders. GEO is withholding documents subject to the above stated objections.

15 **REQUEST FOR PRODUCTION AA:** Please produce all training and orientation
16 documents used to train detainees participating in the Voluntary Work Program.

17 **RESPONSE:** GEO objects to this Request as it is overly broad because it is unbounded
18 by time. Chen does not have standing at this time to seek redress of any alleged harm other than
19 to himself. Subject to and without waiving GEO’s above stated objections, GEO will conduct a
20 reasonable search of documents on active electronic systems and reasonably accessible paper
21 storage areas that GEO reasonably believes contain potentially relevant information within its
22 possession, custody, and control, and produce relevant, responsive, non-privileged final copies, to
23 the extent they exist and following entry of a reasonable protective order, of training and
24 orientation documents used to train Plaintiff at NWDC while participating in the Voluntary Work
25 Program. Should a class be certified in this case at a later date, GEO is willing to meet and confer
26 regarding additional information it will provide in response to this Request subject to the Court’s

1 defined class period and subject to ICE approval and court orders. GEO is withholding
2 documents subject to the above stated objections.

3 **REQUEST FOR PRODUCTION AB:** Please produce an organizational chart sufficient
4 to show your entire organization at NWDC during the class period.

5 **RESPONSE:** GEO objects to this Request as it requests information outside that which is
6 relevant to the claims and defenses in this case because it seeks information “during the class
7 period.” There is no class certified in this case and therefore Chen has no standing to seek redress
8 of any alleged harms other than to himself. GEO objects to this Request on the grounds that it is
9 vague and ambiguous to the extent that it seeks information regarding “your entire organization at
10 NWDC.” Subject to and without waiving GEO’s above stated objections, GEO will conduct a
11 reasonable search of documents on active electronic systems and reasonably accessible paper
12 storage areas that GEO reasonably believes contain potentially relevant information within its
13 possession, custody, and control, and produce relevant, responsive, non-privileged final copies, to
14 the extent they exist and following entry of a reasonable protective order, setting forth the
15 organizational structure of NWDC during the time Chen was a detainee at the NWDC. Should a
16 class be certified in this case at a later date, GEO is willing to meet and confer regarding
17 additional information it will provide in response to this Request subject to the Court’s defined
18 class period and subject to ICE approval and court orders. GEO is withholding documents
19 subject to the above stated objections.

20 **REQUEST FOR PRODUCTION AC:** Please produce all documents identified in your
21 Rule 26 Initial Disclosures.

22 **RESPONSE:** GEO will produce all documents identified in its Rule 26 Initial
23 Disclosures to the extent those documents have not already been produced and subject to an
24 appropriate protective order.

25 **INTERROGATORY NO. 16:** Please describe in detail what steps you have taken to
26 preserve all relevant, or potentially relevant, electronically stored information, including
27 but not limited to documents on any and all computer hard drives, servers, cloud based
28 storage platform, and mobile devices concerning the claims alleged in the complaint.

1 **ANSWER TO NO. 16:** GEO objects to this Interrogatory as outside of the scope of
2 discovery as the information it seeks is not relevant to the claims or defenses in the case.
3 Plaintiffs are not entitled to inquire into GEO’s discovery process absent good cause. GEO has
4 complied with all of its obligations under the Federal Rules of Civil Procedure and has taken
5 appropriate measures to preserve information on relevant data sources.

6 **INTERROGATORY NO. 17:** **With respect to each affirmative defense you asserted in**
7 **your Answer:**

- 8 a. **Describe in detail all facts upon which you base the affirmative**
9 **defense,**
- 10 b. **Identify all persons who have knowledge of those facts,**
- 11 c. **Identify all documents that support your affirmative defense.**

12 **ANSWER TO NO. 17:** GEO objects to this Interrogatory because it exceeds the number of
13 interrogatories (including discrete subparts) permitted under Fed. R. Civ. P. 33(a)(1). GEO
14 further objects to this Request because it is compound and contains three discrete subparts that
15 exceed the number of interrogatories (including discrete subparts) permitted under Fed. R. Civ. P.
16 33(a)(1). It further seeks GEO to provide Chen a dress rehearsal of its trial strategies. Should
17 Chen wish to revise Interrogatories 5 and 17 to focus on a specific piece of information in each,
18 GEO will reconsider answering this Interrogatory (and any other interrogatories up to the
19 prescribed 25).

20 **REQUEST FOR PRODUCTION AD:** **Please produce a copy of all documents that**
21 **relate to your answer to the preceding Interrogatory.**

22 **RESPONSE:** GEO objects to this Request on the grounds that it requests information
23 protected by the attorney-client privilege, the work product doctrine, the common interest
24 privilege, and/or any other applicable privileges or immunities. Subject to and without waiving
25 GEO’s above stated objections, GEO will conduct a reasonable search of documents on active
26 electronic systems and reasonably accessible paper storage areas that GEO reasonably believes
27 contain potentially relevant information within its possession, custody, and control, and produce
28 relevant, responsive, non-privileged final copies, to the extent they exist and following entry of a

1 reasonable protective order, relating to the affirmative defenses GEO is asserting. GEO is
 2 withholding documents subject to the above stated objections.


3 **REQUEST FOR PRODUCTION AE:** Please produce all documents containing,
 4 reflecting, or summarizing any statements taken by anyone acting directly or indirectly on
 your behalf from any person concerning the allegations in the complaint.

5 **RESPONSE:** GEO objects to this Request as it requests information outside the scope of
 6 discovery, because it seeks “any statements taken by anyone acting directly or indirectly on your
 7 behalf from any person concerning the allegations in the complaint.” There is no class certified in
 8 this case and therefore Chen has no standing to seek redress of any alleged harms other than to
 9 himself. GEO objects to this Request as overly broad and unduly burdensome as information
 10 related to other detainees is outside the claims Chen is permitted to make at this time. Moreover,
 11 GEO objects to the request insofar as it seeks information created by persons outside the control
 12 of GEO. GEO objects to this Request on the grounds that it requests information protected by the
 13 attorney-client privilege, the work product doctrine, the common interest privilege, and/or any
 14 other applicable privileges or immunities. Subject to and without waiving GEO’s above stated
 15 objections, GEO will conduct a reasonable search of documents on active electronic systems and
 16 reasonably accessible paper storage areas that GEO reasonably believes contain potentially
 17 relevant information within its possession, custody, and control, and produce relevant, responsive,
 18 non-privileged final copies, to the extent they exist and following entry of a reasonable protective
 19 order, reflecting or summarizing any statements relating to the alleged injury to Chen concerning
 20 allegations made by Chen in the complaint taken by personnel within the legal control of GEO.
 21 GEO is withholding documents subject to the above stated objections. Should a class be certified
 22 in this case at a later date, GEO is willing to meet and confer regarding additional information it
 23 will provide in response to this Request subject to the Court’s defined class period and subject to
 24 ICE approval and court orders. GEO is withholding documents subject to the above stated
 25 objections.

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Dated: March 2, 2018

III BRANCHES LAW PLLC

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**ATTORNEYS FOR DEFENDANT
THE GEO GROUP, INC.**

CHAO CHEN v. THE GEO GROUP, INC.
ECF CASE NO. 17-CV-05769-RJB
DEFENDANT GEO GROUP, INC.'S RESPONSE TO
FIRST INTERROGATORIES AND REQUESTS FOR
PRODUCTION.

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

CHAO CHEN, individually and on behalf of all those similarly situated,

Plaintiff,

v.

THE GEO GROUP, INC.,

Defendant.

No. 17-cv-05769-RJB

**DEFENDANT THE GEO GROUP,
INC.'S RESPONSES TO
PLAINTIFF CHAO CHEN'S FIRST
INTERROGATORIES AND
REQUESTS FOR PRODUCTION**

VERIFICATION

My name is James Black. I am capable of making this verification. I have reviewed these objections and answers to Plaintiff's interrogatories, and based on my personal knowledge and information obtained from other persons, the facts stated herein are true and correct to the best of my knowledge, information, and belief. I declare under penalty of perjury that the foregoing is true and correct.



Affiant

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CERTIFICATE OF SERVICE

I, Joseph Fonseca, hereby certify as follows:

I am over the age of 18, a resident of Pierce County, and not a party to the above action. On March 2, 2018, I electronically served the above GEO's Responses to Plaintiff Chao Chen's First Interrogatories and Requests For Production, via Email to the following:

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I certify under penalty of perjury under the laws of the State of Washington that the above information is true and correct.

DATED this 2nd day of March, 2018 at Fircrest, Washington.



Joseph Fonseca, Paralegal