

to work programs in federal immigration detention facilities.” CoreCivic, Inc.’s also seeks a stay of all proceedings before this court pending resolution of the appeal.

Although Gonzalez opposes the motions to certify interlocutory appeal and to stay all proceedings before this court, the parties acknowledge that a case is now pending before the Eleventh Circuit on interlocutory appeal from the United States District Court for the Middle District of Georgia against the same Defendant, CoreCivic, Inc., and a similar class-action complaint involving current and former immigration detainees at the Stewart Detention Center in Lumpkin, Georgia. As in this case, the district court in Georgia denied CoreCivic, Inc.’s motion to dismiss, and the district court *sua sponte* certified the issue of whether the TVPA applies to work programs in federal immigration-detention facilities operated by private, for-profit contractors to the Eleventh Circuit. The Eleventh Circuit granted CoreCivic, Inc.’s petition for permission to appeal, and the case remains pending before the Eleventh Circuit. *See Ahmed v. CoreCivic, Inc.*, No. 18-15081-GG.

“A district court may certify an interlocutory appeal from an order if the court is ‘of the opinion that such order involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation.’” *Nguyen v. Am. Commercial Lines L.L.C.*, 805 F.3d 134, 137–38 (5th Cir. 2015) (quoting 28 U.S.C. § 1292(b) (West 2018)). The court finds the logic of the Georgia district court compelling that a final decision on the controlling question of law regarding the applicability of the TVPA to work programs in federal immigration-detention facilities may materially advance the ultimate termination of the litigation before the district court and therefore any delay at the district court is a small price to pay before continuing with fact discovery and class-certification proceedings. Therefore,

IT IS ORDERED that Defendant CoreCivic, Inc.'s Motion to Certify for Interlocutory Appeal Pursuant to 28 U.S.C. § 1292(b) filed March 11, 2019 (Doc. #30) is **GRANTED**.

IT IS FURTHER ORDERED that CoreCivic's Motion to Stay all Proceedings filed April 2, 2019 (Doc. #37) is **GRANTED**. All proceedings in this court are **STAYED** pending resolution of any application for interlocutory appeal in this cause.

SIGNED this 10th day of June, 2019.



LEEYEAKEL
UNITED STATES DISTRICT JUDGE