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9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**  
11 **EASTERN DIVISION**

12 **RAUL NOVOA, JAIME CAMPOS**  
13 **FUENTES, ABDIAZIZ KARIM, and**  
14 **RAMON MANCIA**, individually and  
on behalf of all others similarly situated,

15 *Plaintiffs,*

16  
17 v.

18 **THE GEO GROUP, INC.,**

19 *Defendant.*  
20  
21

Civil Action No. 5:17-cv-02514-JGB-SHKx

**PLAINTIFFS' ANSWER AND  
AFFIRMATIVE DEFENSES TO  
GEO'S CONDITIONAL  
COUNTERCLAIM TO  
PLAINTIFFS' THIRD  
AMENDED COMPLAINT**

22 Plaintiffs Raul Novoa, Jaime Campos Fuentes, Abdiaziz Karim, and Ramon  
23 Mancia ("Plaintiffs") answer the Conditional Counterclaim to Plaintiffs' Third Amended  
24 Complaint filed by Defendant The GEO Group, Inc. ("GEO"), ECF 200, and state  
25 their affirmative defenses as follows:  
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**JURISDICTION AND VENUE**

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2 1. Plaintiffs deny that this Court has subject matter jurisdiction over GEO’s  
3 conditional counterclaim pursuant to 28 U.S.C. § 1332. Plaintiffs lack knowledge  
4 sufficient to form a belief regarding the residence of GEO. Plaintiffs admit that they are  
5 residents of the State of California and/or Mogadishu, Somalia. Plaintiffs deny that the  
6 amount in controversy of the counterclaim exceeds \$75,000.

7 2. Denied.

8 3. Plaintiffs admit that venue is proper in this Court.

**PARTIES**

9  
10 4. Plaintiffs lack knowledge sufficient to form a belief regarding the  
11 allegations in this paragraph and they are therefore denied.

12 5. Mr. Novoa admits that he is a citizen of Mexico and a resident of  
13 California, and that he was detained at the Adelanto Facility at various times from 2012  
14 to 2015. Except as expressly admitted, the allegations in this paragraph are denied.

15 6. Mr. Campos Fuentes admits that he is a citizen of El Salvador and a  
16 resident of California, and that he was detained at the Adelanto Facility at various times  
17 from 2016 to 2018. Except as expressly admitted, the allegations in this paragraph are  
18 denied.

19 7. Mr. Karim admits that he is a citizen of Somalia, and that he was detained  
20 at the Adelanto Facility at various times from 2017 to 2019. Except as expressly  
21 admitted, the allegations in this paragraph are denied.

22 8. Mr. Mancia admits that he is a citizen of El Salvador and a resident of  
23 California, and that he was detained at the Adelanto Facility at various times beginning  
24 in April 2019. Except as expressly admitted, the allegations in this paragraph are denied.

25 9. Denied.

26 10. Denied.

**FIRST CAUSE OF ACTION**

**Declaratory Relief – 28 U.S.C. § 2201(a)**

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3 11. Plaintiffs incorporate by reference their responses to the allegations in  
4 Paragraph 1 through 10 as if set forth fully herein.

5 12. Plaintiffs admit that GEO administered a Voluntary Work Program at the  
6 Adelanto Facility. Plaintiffs lack knowledge sufficient to form a belief regarding the  
7 remaining allegations in this paragraph and they are therefore denied.

8 13. Plaintiffs lack knowledge sufficient to form a belief regarding the  
9 allegations in this paragraph and they are therefore denied.

10 14. Plaintiffs lack knowledge sufficient to form a belief regarding the  
11 allegations in this paragraph and they are therefore denied.

12 15. Plaintiffs admit that they and the putative class members participated in  
13 the Voluntary Work Program at the Adelanto Facility. The remainder of the paragraph  
14 is denied.

15 16. Plaintiffs admit that they filed this lawsuit and that it presents an actual  
16 controversy. The remainder of the paragraph is denied.

17 17. Plaintiffs lack knowledge sufficient to form a belief regarding the  
18 allegations in this paragraph and they are therefore denied.

19 18. Plaintiffs admit that Plaintiffs and the putative class members are or were  
20 federal immigration detainees housed at the Adelanto Facility pursuant to the City of  
21 Adelanto's agreement with ICE. The remainder of the paragraph is denied.

22 19. This paragraph calls for a legal conclusion to which no response is required.  
23 To the extent any response is required, Plaintiffs deny.

**PRAYER FOR RELIEF**

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25 To the extent GEO's prayer for relief contains any facts, Plaintiffs deny.  
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**AFFIRMATIVE DEFENSES**

1. GEO’s counterclaim fails to state a claim upon which relief can be granted.
2. The relief GEO seeks is barred by the doctrine of estoppel.
3. The relief GEO seeks is barred by the doctrine of illegality.
4. The relief GEO seeks is barred by laches.
5. The relief GEO seeks is barred by GEO’s unclean hands.
6. The relief GEO seeks is barred by the doctrine of waiver.
7. GEO has failed to joined an indispensable party.
8. The relief GEO seeks is barred by the statute of limitations.
9. GEO’s claim against putative class members is unripe and nonjusticiable unless and until a class is certified.
10. The relief GEO seeks is contrary to public policy.
11. The relief GEO seeks should be limited by GEO’s failure to mitigate its damages.

Plaintiffs reserve the right to revise, supplement, or amend this Answer and Affirmative Defenses in accordance with the Federal Rules of Civil Procedure.

Dated: October 28, 2019

/s/ Lydia Wright

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**CERTIFICATE OF SERVICE**

I, Lydia A. Wright, electronically submitted the foregoing document with the clerk of the court for the U.S. District Court, Central District of California, using the electronic case filing system. I hereby certify that I have provided copies to all counsel of record electronically or by another manner authorized by Fed. R. Civ. P. 5(b)(2).

Dated: October 28, 2019

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