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**Admitted Pro Hac Vice*

10 **UNITED STATES DISTRICT COURT**
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 Ms. L. and Ms. C.,

13 *Petitioners-Plaintiffs,*

14 v.

15 U.S. Immigration and Customs Enforcement
16 ("ICE"); U.S. Department of Homeland Security
17 ("DHS"); U.S. Customs and Border Protection
18 ("CBP"); U.S. Citizenship and Immigration
19 Services ("USCIS"); U.S. Department of Health
20 and Human Services ("HHS"); Office of
21 Refugee Resettlement ("ORR"); Thomas
22 Homan, Acting Director of ICE; Greg
23 Archambeault, San Diego Field Office Director,
24 ICE; Joseph Greene, San Diego Assistant Field
25 Office Director, ICE; Adrian P. Macias, El Paso
26 Field Director, ICE; Frances M. Jackson, El Paso
27 Assistant Field Office Director, ICE; Kirstjen
28 Nielsen, Secretary of DHS; Jefferson Beauregard
Sessions III, Attorney General of the United
States; L. Francis Cissna, Director of USCIS;
Kevin K. McAleenan, Acting Commissioner of
CBP; Pete Flores, San Diego Field Director,
CBP; Hector A. Mancha Jr., El Paso Field
Director, CBP; Alex Azar, Secretary of the
Department of Health and Human Services;
Scott Lloyd, Director of the Office of Refugee
Resettlement,

Respondents-Defendants.

Case No. 18-cv-00428-DMS-MDD

Date Filed: March 9, 2018

**NOTICE OF MOTION AND
MOTION FOR CLASS
CERTIFICATION**

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Spencer E. Amdur (SBN 320069)
AMERICAN CIVIL LIBERTIES UNION FOUNDATION
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1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that as soon as the matter may be heard at a date
3 and time to be designated by the Court, Plaintiffs-Petitioners will and hereby do
4 move this Court for an order granting class certification of the proposed class
5 defined as follows:
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7 All adult parents nationwide who (1) are or will be detained in immigration
8 custody by the Department of Homeland Security, and (2) have a minor child
9 who is or will be separated from them by DHS and detained in ORR custody,
10 absent a demonstration in a hearing that the parent is unfit or presents a
danger to the child.

11 Plaintiffs-Petitioners' Motion for Class Certification is based on this Notice
12 of Motion and Motion for Class Certification; the concurrently-filed Memorandum
13 in Support of Plaintiff-Petitioners' Motion for Class Certification; the Declaration
14 of Bardis Vakili in Support of Plaintiffs-Petitioners' Motion for Class Certification
15 and exhibits attached thereto; all papers, pleadings, records, and files in this case;
16 all matters of which judicial notice may be taken; and such other arguments and/or
17 evidence as may be presented to this Court at a hearing on this Motion.
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21 Plaintiffs-Petitioners respectfully request a hearing on this Motion.
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23 Dated: March 9, 2018

Respectfully Submitted,

24 Bardis Vakili (SBN 247783)
25 ACLU FOUNDATION OF SAN
26 DIEGO & IMPERIAL COUNTIES
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/s/Lee Gelernt
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