

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

J.H., by and through his mother and next friend,
N.H.; I.B., by and through his parents and next
friends, A.B. and I.B., on behalf of themselves
and all others similarly situated,

Plaintiffs-Petitioners,

-against-

JOHN BEL EDWARDS, IN HIS OFFICIAL
CAPACITY AS GOVERNOR OF LOUISIANA;
THE LOUISIANA OFFICE OF JUVENILE
JUSTICE; EDWARD DUSTIN BICKHAM, IN
HIS OFFICIAL CAPACITY AS INTERIM
DEPUTY SECRETARY OF THE LOUISIANA
OFFICE OF JUVENILE JUSTICE; JAMES
WOODS, IN HIS OFFICIAL CAPACITY AS
THE DIRECTOR OF THE ACADIANA
CENTER FOR YOUTH; SHANNON
MATTHEWS, IN HER OFFICIAL CAPACITY
AS THE DIRECTOR OF THE BRIDGE CITY
CENTER FOR YOUTH; SHAWN HERBERT,
IN HER OFFICIAL CAPACITY AS THE
DIRECTOR OF THE SWANSON CENTER FOR
YOUTH AT MONROE; and RODNEY WARD,
IN HIS OFFICIAL CAPACITY AS THE
DEPUTY DIRECTOR OF THE SWANSON
CENTER FOR YOUTH AT COLUMBIA,

Defendants-Respondents.

CIVIL ACTION NO. 3:20-cv-00293-JWD-
EWD

CLASS ACTION

PLAINTIFFS-PETITIONERS' MOTION FOR CLASS CERTIFICATION

NOW INTO COURT COME Plaintiffs-Petitioners in the above-captioned matter,
through undersigned counsel, who move this Honorable Court to (1) certify the proposed
Plaintiff Class: "All children who are, or will in the future be, confined at Acadiana Center for

Youth in Bunkie; Bridge City Center for Youth; Swanson Center for Youth at Columbia; and Swanson Center for Youth Monroe”; and (2) appoint the undersigned counsel as Class counsel.

For the reasons set forth in Plaintiffs-Petitioners’ Memorandum in Support of this motion, the requirements of Federal Rule of Civil Procedure 23 have been satisfied. The proposed Class readily meets the requirements of Rules 23(a) and (b). The Class is sufficiently numerous: approximately 220 children are currently confined in OJJ’s four secure care facilities. All Class Members are bound together by common questions of law and fact: the class claims all arise out of Defendants-Respondents’ inadequate, dangerous and unconstitutional statewide COVID-19 response (or lack thereof). Named Plaintiffs-Petitioners are typical of the proposed Class: they are members of the Class, have suffered and will suffer the same injuries as the proposed Class Members, and seek relief that will benefit the Class as a whole. Named Plaintiffs-Petitioners and their counsel will adequately and vigorously represent the Class. Finally, certification is appropriate under Rule 23(b)(2) because Defendants-Respondents are creating and maintaining conditions that put the Class at imminent risk of contracting COVID-19, and they have “acted or refused to act on grounds that apply generally to the class.” Alternatively, certification is appropriate under Rule 23(b)(1)(A) because individual adjudication of Class Members’ claims would risk creating inconsistent decisions that would establish varying standards to which Defendants-Respondents would have to adhere in responding to COVID-19.

Respectfully submitted this 2nd day of June, 2020.

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Attorneys for Plaintiffs

** Pro Hac Vice forthcoming*

CERTIFICATE OF SERVICE

I, Nishi Kumar, an attorney, hereby certify that on June 2, 2020, I caused a copy of the foregoing to be filed using the Court's CM/ECF system.

/s/ Nishi Kumar

Nishi Kumar, La. Bar No. 37415