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

Case No. 3:18cv428 DMS(AHG)

Ms. L, et al.,

Plaintiff,

v.

U.S. Immigration and Customs  
Enforcement, et al.,

Defendant.

**ORDER GRANTING  
PRELIMINARY APPROVAL OF  
PROPOSED SETTLEMENT;  
PRELIMINARILY CERTIFYING  
THE SETTLEMENT CLASSES;  
AND APPROVING CLASS  
NOTICE**

Upon consideration of the Parties’ Joint Motion for Preliminary Approval of Proposed Settlement, Certification of Settlement Class, and Approval of Class Notice, and the Parties’ Supplemental Statement regarding the Motion,

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:**

1. The Motion is **GRANTED**.

2. The Court finds that: (a) the proposed Settlement is sufficiently fair, reasonable, and adequate to authorize the dissemination of notice of the Settlement to potential members of the *Ms. L*. Settlement Class and to schedule a Fairness Hearing to determine whether to grant final approval of the proposed Settlement

1 under Fed. R. Civ. P. 23(e); (b) the Agreement was negotiated at arm's length by  
2 experienced counsel acting in good faith; and (c) there has been adequate  
3 opportunity for experienced counsel to evaluate the claims and risks at this stage of  
4 the litigation.

5 3. The Court finds that preliminary approval is appropriate and hereby  
6 grants preliminary approval of the Settlement subject to final determination  
7 following notice and hearing.

8 4. For purposes of the Settlement, the Court finds that the requirements  
9 for a class action are met, and hereby defines the *Ms. L. Settlement Class* set forth  
10 in the parties' proposed Settlement Agreement. The Court finds that provisional  
11 certification is warranted in light of the proposed Settlement under the prerequisites  
12 of Federal Rule of Civil Procedure 23(a) because: (1) the members of the proposed  
13 *Ms. L. Settlement Class* are so numerous that joinder is impracticable; (2) there are  
14 issues of law and fact common to the proposed *Ms. L. Settlement Class*; (3) the  
15 claims of the named Plaintiffs are typical of the claims of the *Ms. L. Settlement Class*  
16 members; and (4) the proposed Class Counsel will fairly and adequately represent  
17 the interests of the *Ms. L. Settlement Class* members.

18 5. The Court also finds that provisional certification of the *Ms. L.*  
19 *Settlement Class* is warranted in light of the proposed Settlement under the  
20 requirements of Federal Rule of Civil Procedure 23(b)(2) because Defendants are  
21 alleged to have acted or refused to act on grounds that apply generally to the  
22 proposed *Ms. L. Settlement Class*, so that final injunctive relief or corresponding  
23 declaratory relief is appropriate respecting the *Ms. L. Settlement Class* as a whole.

24 6. The requirements of Rule 23(g) of the Federal Rules of Civil Procedure  
25 are met, and the Court hereby confirms the appointment of the ACLU Immigrants'  
26 Rights Project as counsel for the Class.

1           7.     The Court approves the form and content of the revised draft Notice, as  
2 well as the plan for distribution of the Notice, which complies fully with the  
3 requirements of Federal Rule of Civil Procedure 23 and due process.

4           8.     The parties shall cause the Notice to be provided to potential members  
5 of the *Ms. L. Settlement Class* in accordance with the Notice Plan and the  
6 Agreement. Consistent with the Notice Plan, the Notice shall be posted on the web  
7 sites of HHS, DHS, and the ACLU no later than **October 24, 2023**.

8           9.     Any Settlement Class Member who objects to the proposed Settlement  
9 must do so in writing, postmarked no later than **November 21, 2023**, and shall  
10 otherwise comply with the requirements set forth in the Notice. No later than  
11 **November 22, 2023**, Plaintiffs will provide to the Court any objections submitted to  
12 Class Counsel, or shall notify the Court that no objections were received.

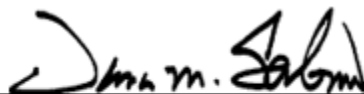
13          10.    The parties shall file with the Court their responses to any objection(s)  
14 to the Settlement on or before **November 29, 2023**.

15          11.    By **December 1, 2023**, the parties shall file with the Court their motion  
16 for final approval of the Settlement.

17          12.    The Court will hold a fairness hearing on **December 8, 2023**, at **1:00**  
18 **p.m.** in Courtroom 13A, 13th Floor, Suite 1310, 333 West Broadway, San Diego,  
19 CA 92101, to determine the fairness, reasonableness, and adequacy of the proposed  
20 Settlement. Any Settlement Class Member who follows the procedure set forth in  
21 the Notice may appear and be heard. The fairness hearing may be rescheduled,  
22 adjourned, or continued without further notice to the Settlement Class Members.

23           **IT IS SO ORDERED.**

24 Dated: October 24, 2023

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27 Hon. Dana M. Sabraw, Chief Judge  
28 United States District Court