

CENTER FOR HUMAN RIGHTS & CONSTITUTIONAL LAW  
Carlos R. Holguín (Cal. Bar No. 90754)  
256 South Occidental Boulevard  
Los Angeles, CA 90057  
Telephone: (213) 388-8693  
Email: [crholguin@centerforhumanrights.email](mailto:crholguin@centerforhumanrights.email)

*Listing continues on next page*

*Attorneys for Plaintiffs*

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

JENNY LISETTE FLORES, *et al.*,

Plaintiffs,

v.

MERRICK GARLAND, Attorney General  
the United States, *et al.*,

Defendants.

No. CV 85-4544-DMG-AGR<sub>x</sub>

NOTICE OF MOTION AND MOTION FOR  
AWARD OF ATTORNEYS' FEES

Hearing: January 28, 2022

Time: 9:30 a.m.

Hon. Dolly M. Gee

1 NATIONAL CENTER FOR YOUTH LAW  
2 Neha Desai (Cal. RLSA No. 803161)  
3 Mishan Wroe (Cal. Bar No. 299296)  
4 Melissa Adamson (Cal. Bar No. 319201)  
5 Diane de Gramont (Cal. Bar No. 324360)  
6 1212 Broadway, Suite 600 Oakland, CA 94612  
7 Telephone: (510) 835-8098  
8 Email: [ndesai@youthlaw.org](mailto:ndesai@youthlaw.org)

9 CHILDREN'S RIGHTS  
10 Leecia Welch (Cal. Bar No. 208741)  
11 88 Pine Street, Suite 800, New York, NY 10005  
12 Telephone: (212) 683-2210  
13 Email: [lwelch@childrensrights.org](mailto:lwelch@childrensrights.org)

14 *Attorneys for Plaintiffs*  
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1 PLEASE TAKE NOTICE that on January 28, 2022, at 9:30 a.m., or as soon  
2 thereafter as counsel may be heard, Plaintiffs will and do hereby move the Court  
3 for an award of attorneys' fees under the Equal Access to Justice Act, 28 U.S.C.  
4 § 2412(d) ("EAJA"), for fees incurred in compelling Defendants to comply with  
5 the *Flores* Settlement as to class members detained pursuant to Title 42 of the U.S.  
6 Code.<sup>1</sup>

7 Plaintiffs allege that (1) they are the prevailing party; (2) the position of  
8 Defendants, both before and throughout this litigation, was without substantial  
9 justification; and (3) no special circumstances make an award of fees unjust. The  
10 motion is based on the annexed Memorandum of Points and Authorities, Plaintiffs'  
11 itemized statements and other supporting exhibits filed concurrently herewith, and  
12 the record of proceedings in this case.

13 Pursuant to Local Rule 7-3, Plaintiffs sent Defendants their fee request on  
14 October 14, 2021 and the parties met and conferred on October 19, 2021.

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16 Dated: October 22, 2021 CENTER FOR HUMAN RIGHTS AND  
17 CONSTITUTIONAL LAW  
18 Carlos R. Holguín

19 NATIONAL CENTER FOR YOUTH LAW  
20 Neha Desai  
21 Melissa Adamson  
22 Mishan Wroe

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23 <sup>1</sup> Plaintiffs believe the instant fee request would be most efficiently resolved via  
24 mediation under the supervision of the Ninth Circuit Court's Mediation Office.  
25 Plaintiffs have filed a fee application with the Ninth Circuit and plan to pursue  
26 mediation through that court's Mediation Office. Should mediation prove  
27 unsuccessful, this Court's greater familiarity with the issues herein would place it in  
28 a better position to decide a contested fee application. If mediation is successful,  
Plaintiffs will immediately inform this Court and withdraw the instant motion.

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Diane de Gramont

CHILDREN'S RIGHTS

Leecia Welch

/s/ Mishan Wroe

Mishan Wroe

*One of the Attorneys for Plaintiffs*