

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NORMA DUCHITANGA, individually and as next friend for M.M.D., a minor; BLANCA ORTIZ, individually and as next friend for O.S.O. and E.S.O., minors; DIEGO GARCIA AGUILAR, individually and as next friend for Y.G.R. and F.G.R., minors; THALIA ESCAREGA RUBIO, individually and as next friend for F.E.R., a minor; CLEDIA HERNANDEZ MEZA, individually and as next friend for B.L.M, a minor, on their own behalf and on behalf of others similarly situated,

Plaintiffs/Petitioners,

v.

SCOTT LLOYD, Director, Office of Refugee Resettlement; ELCY VALDEZ, Federal Field Specialist, Office of Refugee Resettlement; LATISSE BENN, Federal Field Specialist, Office of Refugee Resettlement; ALEX AZAR, Secretary for the U.S. Department of Health and Human Services; DEPT. OF HEALTH AND HUMAN SERVICES,

Defendants/Respondents.

Case No.

5-27-20

This motion is stayed pending the resolution of settlement discussions.
SO ORDERED.



NOTICE OF MOTION FOR CLASS CERTIFICATION

PLEASE TAKE NOTICE that the plaintiffs-petitioners (“plaintiffs”) will move this Court on a return date to be determined by the Court for an order pursuant to Federal Rule of Civil Procedure 23 certifying the following class along with such other and further relief as this Court deems just and proper:

all children who are or will be in ORR custody whose release is or will be contingent on a fingerprint-based background check of their sponsor, sponsors’ household member, or backup care provider.

In support of this motion, the plaintiffs file the attached Memorandum of Law in Support of their Motion for Class Certification, the Declaration of Paige Austin with supporting exhibits,

the Declaration of Christopher Dunn, the Declaration of Paula Garcia-Salazar, the Declaration of Norma Duchitanga, the Declaration of Blanca Ortiz, the Declaration of Diego Garcia Aguilar, the Declaration of Thalia Escarcega Rubio, and the Declaration of Cledia Hernandez Meza.

Dated: November 6, 2018
New York, NY

Respectfully Submitted,

/s/ Robert Hodgson

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**application for pro hac vice admission
forthcoming*