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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 KELVIN HERNANDEZ ROMAN,  
11 BEATRIZ ANDREA FORERO  
12 CHAVEZ, MIGUEL AGUILAR  
ESTRADA, on behalf of themselves and  
all others similarly situated,

13 Petitioners-Plaintiffs,

14 v.

15 ALEJANDRO MAYORKAS, Secretary,  
U.S. Department of Homeland Security;  
16 PATRICK J. LECHLEITNER, Deputy  
Director and Senior Official Performing  
17 the Duties of the Director for U.S.  
Immigration and Customs Enforcement;  
18 ERNESTO SANTACRUZ, JR., Acting  
Field Office Director, Los Angeles,  
19 Enforcement and Removal Operations,  
U.S. Immigration and Customs  
20 Enforcement, and FERETI SEMAIA,  
Facility Administrator, Adelanto ICE  
21 Processing Center,

22 Respondents-Defendants.  
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Case No. 5:20-cv-00768-TJH-PVC

**ADELANTO COVID  
ORDER GRANTING  
UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL OF  
SETTLEMENT AGREEMENT  
[2636]**

HON. TERRY J. HATTER, JR.

1 This matter having come before this Court on Plaintiffs' motion for preliminary  
2 approval of the proposed settlement of the above-captioned class action pursuant to  
3 the Parties' Settlement Agreement, and having duly considered the papers and  
4 arguments of counsel, the Court hereby GRANTS Plaintiffs' motion and finds and  
5 orders as follows:

6 1. This Order incorporates by reference the definitions in the Settlement  
7 Agreement, a copy of which is attached as Exhibit 1. All terms defined therein shall  
8 have the same meaning in this Order.

9 2. On September 22, 2020, the Court certified a Class in this case. ECF No.  
10 562. The Class is defined as all people who:

- 11 i. Are currently detained in civil immigration detention at the  
12 Adelanto Immigration and Customs Enforcement Processing  
13 Center;
- 14 ii. Were detained in civil immigration detention at the Adelanto  
15 Immigration and Customs Enforcement Processing Center at any  
16 time between March 23, 2020, and the final disposition of this case  
17 but have been transferred by Bureau of Immigration and Customs  
18 Enforcement to another immigration detention facility, regardless  
19 of whether the other detention facility is within the Central District  
20 of California; or
- 21 iii. Were detained in civil immigration detention at the Adelanto  
22 Immigration and Customs Enforcement Processing Center at any  
23 time between March 23, 2020, and the final disposition of this case  
24 but have been released pursuant to a temporary restraining order,  
25 a preliminary injunction, or other temporary release order issued  
26 by this Court.

27 ECF No. 52 at 8-9.  
28

1 The Class Representatives are Plaintiffs Kelvin Hernandez Roman, Beatriz  
2 Andrea Forero Chavez, and Miguel Aguilar Estrada. Eva Bitran, Samir Deger-Sen,  
3 Elyse Greenwald, Amanda Barnett, and Leah Wisser, are hereby confirmed as counsel  
4 for the Class (“Class Counsel”).

5 3. The Court has conducted a preliminary evaluation of the Settlement  
6 Agreement for fairness, adequacy, and reasonableness. The Court’s scrutiny for the  
7 proposed settlement has been as rigorous at this preliminary approval stage as at the  
8 final approval stage. Based on this preliminary evaluation, the Court finds that (i) there  
9 is cause to believe that the Settlement Agreement is fair, reasonable, and adequate and  
10 within the range of possible approval, (ii) the Settlement Agreement has been  
11 negotiated in good faith at arm’s-length between experienced attorneys familiar with  
12 the legal and factual issues in the Action, (iii) the Settlement Agreement provides  
13 substantial benefits to the Class and avoids the risk and expense of further litigation;  
14 (iv) the terms of the proposed award of attorney’s fees and costs are fair; (v) the  
15 Settlement Agreement treats class members equitably; and (vi) the proposed notice of  
16 the material terms of the Settlement Agreement to members of the Class for their  
17 consideration and reaction is reasonable and appropriate. Therefore, the Court grants  
18 preliminary approval of the Settlement Agreement.

19 4. On March 17, 2025 at 10:00 a.m., or at such other date and time later set  
20 by Court order, this Court will hold a hearing on the fairness, adequacy, and  
21 reasonableness of the Settlement Agreement (the “Fairness Hearing”) and will  
22 determine whether final approval of the Settlement Agreement should be granted.

23 5. Plaintiffs shall file a motion for final approval of the settlement no later  
24 than 14 days before the Fairness Hearing.

25 6. The Court finds that the proposed Notice of Proposed Settlement and the  
26 proposed plan of distribution of the Notice meet the requirements of Federal Rules of  
27 Civil Procedure 23(c)(2) and 23(e)(1) and hereby directs counsel to proceed with the  
28 notice distribution in accordance with the terms of the Settlement Agreement.

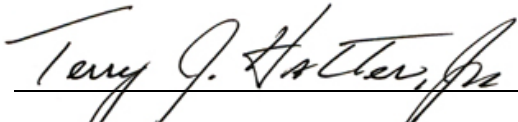
1           7. A Class Member may object to the proposed Settlement by filing a  
2 written objection with the Court no later than fourteen (14) days before the Final  
3 Approval Hearing.

4           8. The Parties, either individually or jointly, may, but are not required to  
5 respond in writing to any objection. Any such written responses shall be due the same  
6 day as the motion for final approval, or as otherwise ordered by the Court.

7           9. The Settlement Agreement provides that Defendants shall pay Plaintiffs  
8 the amount of \$2,200,000.00 in attorneys' fees and costs taxable under 28 U.S.C.  
9 § 1920. Plaintiffs have submitted information concerning their taxable costs to  
10 Defendants. The Court preliminarily finds that the provisions for payment of attorneys'  
11 fees and costs are reasonable.

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13 **IT IS SO ORDERED.**

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15 Dated: January 24, 2025

  
HON. TERRY J. HATTER, JR.  
UNITED STATES DISTRICT JUDGE