

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES -GENERAL

|          |                                                     |      |               |
|----------|-----------------------------------------------------|------|---------------|
| Case No. | 2:25-cv-05605-MEMF-SPx                              | Date | March 4, 2026 |
| Title    | Pedro Vasquez Perdomo, et al. v. Kristi Noem, et al |      |               |

|                                  |                                                                                 |                                  |          |
|----------------------------------|---------------------------------------------------------------------------------|----------------------------------|----------|
| Present: The Honorable           | Sheri Pym, United States Magistrate Judge                                       |                                  |          |
| Kimberly I. Carter               | None                                                                            |                                  | None     |
| Deputy Clerk                     | Court Reporter/Recorder                                                         |                                  | Tape No. |
| Attorneys Present for Plaintiff: |                                                                                 | Attorneys Present for Defendant: |          |
| None                             |                                                                                 | None                             |          |
| Proceedings:                     | (In Chambers) Order Directing Defendants to Comply with December 12, 2025 Order |                                  |          |

**I. INTRODUCTION**

Plaintiffs argue defendants failed to submit verified statements compliant with the court’s December 12, 2025 order (docket no. 305, “December 12 order”). The court ordered the parties to submit briefing on this issue. Plaintiffs filed their brief on February 18, 2026 (docket no. 417) and defendants filed their brief on February 24, 2026 (docket no. 431, “Def. Mem.”). After considering the parties’ arguments, the court finds the verified statements submitted to date fail to comply with its December 12 order.

**II. BACKGROUND**

Following the court’s grant of plaintiff’s motion for limited expedited discovery, plaintiff served defendants with four requests for production (“RFPs”). On October 23, 2025, the court ordered defendants to, among other things, “produce documents and other materials responsive to the RFPs on a rolling basis, with production of documents they relied on in opposing the motions for a temporary restraining order and preliminary injunction [(the “reliance materials”)] to be made no later than November 4, 2025.” Docket no. 227 at 4. Defendants produced some training documents (responsive to RFP No. 1) on November 4, but did not produce any responsive operational materials (responsive to at least RFP No. 2) by November 4, 2025. *See* docket no. 266-1 ¶¶ 5-7.

After plaintiffs raised the issue in a motion to compel, on December 12, 2025, the court issued an order that, inter alia, rejected defendants’ argument that the October 23

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order only required production of documents responsive to RFP No. 1 by November 4, and reaffirmed that “nowhere did the court limit the reliance materials to those responsive to RFP No. 1” and thus “the October 23 order did not limit the November 4 production to materials responsive to RFP No. 1.” Docket no. 305 at 5. The court also rejected defendants’ assertion that their interpretation of the October 23 order was a good faith misunderstanding, and ordered defendants to submit by December 22, 2025 a verified statement “certifying they have produced all reliance materials and explaining their production process for the reliance materials, including what documents they collected, when such collection occurred, and *why they did not produce any responsive operational documents by November 4.*” Docket no. 305 at 6 (emphasis added).

On December 22, 2025, Immigration and Customs Enforcement (“ICE”) and U.S. Customs and Border Protection (“CBP”) filed verified statements. Docket nos. 317-3 and 317-4. At a January 6, 2026 hearing, defendants represented they would submit supplemental verification statements. Docket no. 345 at 29:11-14. ICE filed a supplemental verified statement on January 13, 2026. Docket no. 361-2. CBP did not submit a supplemental verification and confirmed it does not intend to do so. Docket no. 423 at 5:5-8.

### III. DISCUSSION

The court has reviewed the verified statements and finds none complies with the December 12 order. The first ICE declaration addresses only training materials. *See* docket no. 317-3. The supplemental ICE declaration addresses two operational documents the declarant (not counsel) relied on in his August 28, 2025 declaration (docket no. 170-3) in opposition to the preliminary injunction motion, but does not address why these documents were not produced by November 4. *See* docket no. 361-2. The CBP declaration states that the collection process for responsive operational materials began on October 20, 2025, it relied primarily on arrest narratives and body worn camera footage, and the responsive documents had to be reviewed for law enforcement privilege. Docket no. 317-4 ¶¶ 13-14. The CBP declaration states that these documents were produced, and describes some of the challenges in production, but does not explain why none of them were produced by November 4. *See id.* ¶¶ 14-17.

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Defendants argue that by addressing the other factors ordered in the December 12 order – identifying the materials relied on in opposing the motions for a temporary restraining order and preliminary injunction, certifying that they were produced, and explaining the collection and review process – they satisfied the order or were substantially compliant. Def. Mem. at 1. Defendants also assert that the declarations do in fact explain why responsive operational materials were not produced by November 4. *Id.* at 1-2. Specifically, defendants contend that reading all portions of the CBP declaration together explains why the production was not made, and that by only discussing training materials the first ICE declaration reflects ICE’s understanding that it was only obligated to produce training documents by November 4. *See id.*

Defendants’ arguments are untenable; complying with part of an order is not sufficient. Defendants may not pick and choose which parts of a court’s order they want to comply with. And defendant’s argument that the court can infer why responsive operational documents were not produced is unavailing. The verified statements plainly do not address **why** defendants did not produce **any** responsive operational documents by November 4, 2025, and therefore do not comply with the December 12 order.

**IV. ORDER**

For the foregoing reasons, the court ORDERS that defendants must now fully comply with the December 12 order (docket no. 305) by submitting additional verified statements from both ICE and CBP explicitly explaining why they did not produce any responsive operational documents by November 4, 2025. The court orders defendants to submit these verified statements by **March 11, 2026**.