

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT ON ATTORNEYS' FEES AND COSTS – *MS. L. v. ICE* AND *DORA v. SESSIONS*

If you are a noncitizen parent or child who came to the U.S. border together, were apprehended or taken into custody by the U.S. government together between January 20, 2017 and January 20, 2021, but then separated by the U.S. government and held apart in different immigration facilities, you may be affected by a proposed class action settlement.

A proposed settlement on attorneys' fees and costs ("Fees Settlement") has been reached in a class action lawsuit called *Ms. L. v. ICE*, No. 18-cv-00428-DMS-AHG (S.D. Cal.). This lawsuit is about minors, legal guardians, or parents who came to the U.S.-Mexico border, were detained by the U.S. government together with their parent, legal guardian, or child, and then were separated by the U.S. government and kept apart. The parties in the lawsuit have already settled the merits of the case. The U.S. District Court for the Southern District of California must now decide whether to approve the Fees Settlement that the lawyers have negotiated.

This Notice will tell you about the Fees Settlement. You are not being sued, and this is not an advertisement. If you think the Settlement relates to you, please read this Notice.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT.

What is the lawsuit about?

Ms. L. v. ICE is a federal court case about the separation of families at the border between January 20, 2017 and January 20, 2021. A case like this is brought on behalf of a group of people who have similar legal claims (called a "Class"). *Ms. L. v. ICE* was filed in early 2018 and claimed that the government's practice of separating families from each other violated the U.S. Constitution and federal laws.

Dora v. Sessions is another federal court case brought on behalf of the same Class, which asserted that the separation of families illegally prevented them from asserting their right to asylum.

The Court has appointed lawyers to represent the Class. They are called "Class Counsel" and their contact information is listed at the end of this document.

Plaintiffs and the government previously agreed to settle *Ms. L.* and *Dora* to provide various forms of relief to the Class, which now includes certain families who were separated by the U.S. government between January 20, 2017, and January 20, 2021. The previous settlement includes the opportunity for families to reunify with each other. You may have heard about that settlement already, and more information about that settlement can be found here:

<https://www.aclu.org/cases/ms-l-v-ice>

What is this current settlement about?

The parties in *Ms. L.* and *Dora* have now separately agreed to settle how much money should be paid to the attorneys who brought the cases, for their time and expenses spent on the cases. This Fees Settlement will not affect any claims that the Class may have for monetary compensation from Defendants related to their separations. The Fees Settlement will also not affect the parties' previous settlement providing relief to the Class.

In summary, the Fees Settlement says that the lawyers for the Class will receive attorneys' fees and costs as follows:

- American Civil Liberties Union Immigrants' Rights Project: \$4,000,000
- Steering Committee (Paul Weiss Rifkind Wharton & Garrison LLP, Justice in Motion, Kids in Need of Defense, Women's Refugee Commission): \$2,109,934.14
- *Dora* Class Counsel (Eversheds Sullivan (US) LLP, and National Immigration Project for the National Lawyers Guild): \$301,729.93.

Any debts that the named Plaintiffs and class representatives owe to government agencies may be deducted from the fee award before it is paid to Class Counsel.

If you want to know more, you should read the Fees Settlement or talk to your immigration lawyer, if you have one.

You have the right to object to the Fees Settlement.

If you like the Fees Settlement's terms, you do not have to do anything.

You have the right to say what you think about the Fees Settlement before the Court decides whether to approve it. You can do this by submitting something in writing to the Court, attending a Court hearing about the Settlement, or both.

You can ask the Court to deny approval of the Fees Settlement. If the Court denies approval, the Fees Settlement will not happen and the parties may have to litigate the attorneys' fees and expenses issue in Court.

- If that is what you want, you must object to the proposed Fees Settlement in writing. If you object in writing, you may also appear at the Final Approval Hearing, either on your own behalf or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying for that attorney. If the Court approves the Fees Settlement despite any objections, it will apply even if you do not agree with it.

All written objections and supporting papers must:

- Identify the following case name and number: *Ms. L. v. ICE*, No. 18-cv-00428-DMS-AHG (S.D. Cal.)
- Be submitted in one of the following ways:
 - 1) Mail your objection to the Court at:

James M. Carter & Judith N. Keep U.S. Courthouse, Clerk's Office
United States District Court for the Southern District of California
333 W. Broadway, San Diego CA 92101
ATTN: Ms. L. v. ICE Class Objection

- 2) File your objection in person at the above address; or
- 3) Email a copy of your objection to Class Counsel at the information below

- Be filed or received by Class Counsel on or before October 25, 2024.

When and where will the Court decide whether to approve the Fees Settlement?

The Final Approval Hearing is scheduled to take place on November 5, 2024, at 10:30 AM PST, at the James M. Carter & Judith N. Keep U.S. Courthouse, 333 W. Broadway, San Diego CA 92101. The date and time of the Final Approval Hearing may change without notice to you.

Information about any changes to the Final Approval Hearing date or time will be available, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system, at <https://www.casd.uscourts.gov/cmecf/nextgen.aspx>, using the case number 18-cv-00428-DMS-AHG.

Where can I get more information?

This Notice summarizes the Fees Settlement. You should feel free to talk to your immigration lawyer if you want to know more. The Fees Settlement Agreement is also available at the following website: <https://www.aclu.org/cases/ms-l-v-ice>

You can also contact Class Counsel by email or mail:

familyseparation@aclu.org or Ms. L Class Counsel, ACLU Immigrants' Rights Project, 125 Broad Street 18th Floor, New York, NY 10004.