

EXHIBIT 29

From: [Young, Shane A. \(CIV\)](#)
To: [Rita Lomio](#); [Go, Samuel \(CIV\)](#); [Schaeffer, Brian \(CIV\)](#)
Cc: [Camp East Montana Co-Counsel](#); [External - S Kumar](#)
Subject: RE: MTD Timeline
Date: Friday, August 21, 2026 8:54:49 AM
Attachments: [image001.png](#)
[8.11.26 Incomplete Records Example.pdf](#)

This Message Is From an External Sender

This message came from outside your organization.

Rita,

Please find the below response sent to us from ICE:

We have produced all 25 medical records in response to the request for limited discovery, where the appropriate ICE releases/waivers were in place. Because the Protective Order has not yet been finalized those records were designated "Confidential - Subject to Protective Order," based on the parties understanding that they would be treated accordingly while negotiations continued. Following that production, ICE determined that any further production should await finalization and entry of the Protective Order to ensure the appropriate protections are in place for the agency, our client, and any sensitive information at issue.

The contractor has attested to/verified the completeness of the medical records. In conducting its review, the contractor identified an oversight involving the records for Jayson Mbabid, consisting of a radiology report and note (three pages total). Records associated with off-site visits are not always immediately available in the contractor's chart and therefore may not have been available at the time of the original request. The contractor has since obtained those records and with the addition of those three pages, has attested to the completeness of the medical record. At this point, ICE is relying on the contractor's confirmation/verification regarding records within its custody and control.

To the extent opposing counsel is claiming the medical records are incomplete, we ask that Plaintiffs identify specifically what they contend is incomplete, including any specific records, pages, lab results, radiology reports, or other items they believe are missing. That will allow us to go back to IHSC and the contractor with a targeted request and determine whether any such records exist and, if so, whether they are within ICE's custody or control.

ICE's position remains that the Protective Order should be finalized and filed before any additional discovery beyond the medical records already produced is contemplated.

I will note, I have forwarded them the specific information relayed in your e-mail following the call last week. I have attached that here for your reference. This was ICE's subsequent response to that e-mail.

We appreciate plaintiffs' earlier identification of records they believed were missing in the August 11, 2026, email you provided. We relied on that information in reaching out to IHSC for coordination with the contractor for review. As a result of that review, the contractor identified and corrected the three-page radiology report omission for Jayson Mbabdid and has since verified the completeness of all the medical records already produced within its custody and control. To the extents the plaintiffs continue to contend that the records are incomplete, we ask that they provide a consolidated specific list of any records they believe remain outstanding. That will allow us to conduct a targeted follow-up with IHSC and the contractor and determine whether any additional records exist and, if so, whether they are within ICE's custody or control. We also understand plaintiffs may have obtained records through requests outside of the limited discovery process. If plaintiffs have obtained such records that they believe are not reflected in ICE's production, we are open to reviewing those records as well.

Best,

Shane

Shane A. Young

Trial Attorney

United States Department of Justice

Civil Division

Office of Immigration Litigation

From: Young, Shane A. (CIV)

Sent: Wednesday, August 19, 2026 2:51 PM

To: 'Rita Lomio' <RLomio@aclu.org>; Go, Samuel (CIV) <Samuel.Go@usdoj.gov>; Schaeffer, Brian (CIV) <Brian.Schaeffer@usdoj.gov>

Cc: Camp East Montana Co-Counsel <CampEastMontana-list@aclu.org>; External - S Kumar <skumar@aclutx.org>

Subject: RE: MTD Timeline

Good Afternoon Rita,

Acknowledging receipt of your email. I will forward this latest e-mail to ICE.

On the extension: Defendants are unopposed to whatever you think you will need on the discovery reply.

On a meet and confer: Right now, we don't have any more information than has been shared with Plaintiffs during last Tuesday's call, and the subsequent e-mails. Until we receive more information, we believe a meet and confer would not be productive.

Best,

Shane A. Young

Trial Attorney
United States Department of Justice
Civil Division
Office of Immigration Litigation

From: Rita Lomio <RLomio@aclu.org>

Sent: Wednesday, August 19, 2026 2:19 PM

To: Young, Shane A. (CIV) <Shane.A.Young@usdoj.gov>; Go, Samuel (CIV) <Samuel.Go@usdoj.gov>; Schaeffer, Brian (CIV) <Brian.Schaeffer@usdoj.gov>

Cc: Camp East Montana Co-Counsel <CampEastMontana-list@aclu.org>; External - S Kumar <skumar@aclutx.org>

Subject: [EXTERNAL] Re: MTD Timeline

Thanks, Shane. We'll review and send any proposed edits and comments back to you.

Any update on the status of the missing medical records? Your email last Friday said that there were technical issues in accessing the medical records, which would be resolved by this week, and that some documents had been produced to ICE but had access limitations that needed to be fixed before the documents could be sent to us. Have those issues been addressed? What are the new medical records, and do they include the missing MARs, labs and lab reports, consultation reports, and sick call requests?

We appreciate your willingness to try to resolve this matter without litigation, but are, as we have noted before, concerned by the continued delays. Our reply brief is due this Friday but we still are not sure what the current status and scope of the parties' dispute is, as we have not been provided with a supplemental production or information on the results of Defendants' verification process.

Do you plan to send us additional medical records this week? If so, and to allow us time to review them for completeness, we may ask the Court for an extension to file our reply until Tuesday, September 1. Do you have any objection to that?

If you do not plan to produce additional medical records, we ask for an urgent meet and confer today or tomorrow morning so we can understand your position.

From: Young, Shane A. (CIV) <Shane.A.Young@usdoj.gov>

Sent: Wednesday, August 19, 2026 9:24 AM

To: Rita Lomio <RLomio@aclu.org>; Go, Samuel (CIV) <Samuel.Go@usdoj.gov>; Schaeffer, Brian (CIV) <Brian.Schaeffer@usdoj.gov>

Cc: Camp East Montana Co-Counsel <CampEastMontana-list@aclu.org>; External - S Kumar <skumar@aclutx.org>

Subject: RE: MTD Timeline

Good Afternoon Rita,

Please find a draft protective order for this case attached. We apologize it has taken this long to get it over to you all. Please provide any comments or edits in redlines for Defendants review.

Best,

Shane A. Young
Trial Attorney
United States Department of Justice
Civil Division
Office of Immigration Litigation

From: Young, Shane A. (CIV)

Sent: Monday, August 17, 2026 3:32 PM

To: 'Rita Lomio' <RLomio@aclu.org>; Go, Samuel (CIV) <Samuel.Go@usdoj.gov>; Schaeffer, Brian (CIV) <Brian.Schaeffer@usdoj.gov>

Cc: Camp East Montana Co-Counsel <CampEastMontana-list@aclu.org>; External - S Kumar <skumar@aclutx.org>

Subject: RE: MTD Timeline

Good Afternoon Rita,

Confirming the receipt of your email. I will forward the information to the client.

Best,

Shane A. Young
Trial Attorney
United States Department of Justice
Civil Division
Office of Immigration Litigation

From: Rita Lomio <RLomio@aclu.org>

Sent: Monday, August 17, 2026 3:20 PM

To: Young, Shane A. (CIV) <Shane.A.Young@usdoj.gov>; Go, Samuel (CIV) <Samuel.Go@usdoj.gov>; Schaeffer, Brian (CIV) <Brian.Schaeffer@usdoj.gov>

Cc: Camp East Montana Co-Counsel <CampEastMontana-list@aclu.org>; External - S Kumar

<skumar@aclutx.org>

Subject: [EXTERNAL] Re: MTD Timeline

Hi Shane,

Thanks for letting us know. We are having a hard time understanding why, for two months and counting, Defendants and their medical subcontractor have been unable to produce complete medical records. Maintenance of complete and accurate records, and the ability to produce them on demand, are basic expectations for any competent healthcare provider.

We informed you on July 17 of obviously incomplete medical records, and we informed you on August 6 and again on August 11 that critical documents, including MARs, labs and lab reports, sick call requests, and consultation reports, are missing from other records.

It should be a simple matter to correct Defendants' production and produce complete medical records. Defendants' refusal to do so, continued delays and broken promises, and suggestion to the Court that incomplete records should suffice, see ECF 33 at 2, indicate that Defendants are not operating in good faith. See *Lewis v. Cain*, No. 15-318, 2022 WL 1517154 (M.D. La. Apr. 4, 2022) (granting sanctions against defendants for "recalcitrance and delay in producing" MARs in response to a "request for production of the 'complete medical records' of 67 class members," noting that the delayed production "created a hardship on the Plaintiffs' experts' ability to prepare opinions and reports"). We haven't even been able to get a straight answer as to whether the same medical subcontractor has been responsible for healthcare services at Camp East Montana since the facility opened.

We ask that you produce complete medical records for all 25 individuals by COB tomorrow. If you cannot, we ask to meet on Wednesday and request that the staff person responsible for compiling the records be available then to answer questions about where the medical records are stored and how they selected which documents to download. Please let us know when you are available on Wednesday for a meeting.

Rita

From: Young, Shane A. (CIV) <Shane.A.Young@usdoj.gov>

Sent: Friday, August 14, 2026 6:12 PM

To: Rita Lomio <RLomio@aclu.org>; Go, Samuel (CIV) <Samuel.Go@usdoj.gov>; Schaeffer, Brian (CIV) <Brian.Schaeffer@usdoj.gov>

Cc: Camp East Montana Co-Counsel <CampEastMontana-list@aclu.org>; External - S Kumar <skumar@aclutx.org>

Subject: RE: MTD Timeline

Good Evening Rita,

I spoke with ICE this evening and they are “still reviewing and discussing internally what, if any medical documents were missing, and the reason why. Some technical issues arose in accessing the medical records today, which will be resolved by next week.”

They have told me there were some issues with access limitations in some documents produced to ICE today. They are working on fixing those and once they can review and send to me, we can get those over to you.

We are also hoping to have the productive order finalized by early next week. We will keep you updated there.

Best,

Shane A. Young
Trial Attorney
United States Department of Justice
Civil Division
Office of Immigration Litigation

From: Young, Shane A. (CIV) <Shane.A.Young@usdoj.gov>

Sent: Friday, August 14, 2026 4:17 PM

To: Rita Lomio <RLomio@aclu.org>; Go, Samuel (CIV) <Samuel.Go@usdoj.gov>; Schaeffer, Brian (CIV) <Brian.Schaeffer@usdoj.gov>

Cc: Camp East Montana Co-Counsel <CampEastMontana-list@aclu.org>; External - S Kumar <skumar@aclutx.org>

Subject: Re: MTD Timeline

Thanks Rita!

I am also waiting to hear back from ICE on the medical records response.

I will let you know what I hear on that.

Best,

Young, Shane A. (CIV)

From: Rita Lomio <RLomio@aclu.org>
Sent: Tuesday, August 11, 2026 3:29 PM
To: Young, Shane A. (CIV); External - S Kumar; Go, Samuel (CIV)
Cc: Camp East Montana Co-Counsel; Schaeffer, Brian (CIV)
Subject: [EXTERNAL] Re: Angye v. ICE, Case No. 3:26-cv-1515 (W.D. Tx.)

Hi Shane and Brian,

Thanks for talking today. When we met, you said that Defendants intend to provide information by this Friday about the completeness of medical records produced to us. In light of that, would you agree to a seven-day extension of time for Plaintiffs to file our reply in support of the motion for limited expedited discovery? (The reply is due this Thursday, so that would move the deadline to next Thursday.)

As you requested, I'm also providing in this email more information about the concern I shared last week regarding incomplete medical records: It appears that almost all records produced are missing MARs, sick call requests, lab results, and consultation reports. That's not necessarily an exhaustive list of missing documents — just what we noticed on a first review.

To give an example of an incomplete medical record: the medical record produced for Patient #5 in Batch 1 includes a Patient Document Upload Summary (0000703). That lists, for example, a MAR with a "Document Date" of 6/2/2026 9:27:10 AM. There's an entry for that MAR, which suggests that a PDF with the filename "208547892_D_D_MAR.pdf" was uploaded to the medical record on 6/2/26 (0000768). We don't see a copy of the MAR itself (that is, the PDF with the filename "208547892_D_D_MAR.pdf") in the medical record produced to us.

As I mentioned, the two records you shared with us in Batch 3 appear to include some of those uploaded documents (see, e.g., sick call request at 0003009 for Patient #1).

Hopefully this should be an easy fix of just downloading the complete medical record with all sections of the medical record selected. I'm not sure what the Camp East Montana electronic medical record system looks like specifically, but I understand there usually is a "Reports" section where you can click "Send All." The medical record clerk (or whoever is downloading the medical record) should make sure all sections are selected and should not unclick any section.

Does that make sense? Feel free to give me a call if you want to talk anything through.

Rita

From: Rita Lomio <RLomio@aclu.org>
Sent: Friday, August 7, 2026 12:27 PM
To: Young, Shane A. (CIV) <Shane.A.Young@usdoj.gov>; External - S Kumar <skumar@aclutx.org>; Go, Samuel (CIV) <Samuel.Go@usdoj.gov>
Cc: Camp East Montana Co-Counsel <CampEastMontana-list@aclu.org>; Schaeffer, Brian (CIV) <Brian.Schaeffer@usdoj.gov>
Subject: Re: Angye v. ICE, Case No. 3:26-cv-1515 (W.D. Tx.)

EXHIBIT 30

From: [Young, Shane A. \(CIV\)](#)
To: [Rita Lomio](#); [External - S Kumar](#); [Go, Samuel \(CIV\)](#)
Cc: [Camp East Montana Co-Counsel](#); [Schaeffer, Brian \(CIV\)](#); [Mercado-Santana, Victor M. \(CIV\)](#)
Subject: RE: Angye v. ICE: Ongoing Requests for Medical Records
Date: Monday, August 10, 2026 1:13:27 PM
Attachments: [image004.png](#)
[image008.png](#)
[image009.png](#)
[image013.png](#)

This Message Is From an External Sender

This message came from outside your organization.

Good Afternoon Rita,

Acknowledging the below e-mail. I have sent Plaintiffs requests and concerns to ICE.

Best,

Shane A. Young

Trial Attorney

United States Department of Justice

Civil Division

Office of Immigration Litigation

From: Rita Lomio <RLomio@aclu.org>

Sent: Monday, August 10, 2026 3:32 PM

To: Young, Shane A. (CIV) <Shane.A.Young@usdoj.gov>; External - S Kumar <skumar@aclutx.org>; Go, Samuel (CIV) <Samuel.Go@usdoj.gov>

Cc: Camp East Montana Co-Counsel <CampEastMontana-list@aclu.org>; Schaeffer, Brian (CIV) <Brian.Schaeffer@usdoj.gov>; Mercado-Santana, Victor M. (CIV) <Victor.M.Mercado-Santana@usdoj.gov>

Subject: [EXTERNAL] Angye v. ICE: Ongoing Requests for Medical Records

Hi Shane,

I am writing to follow up on our repeated requests for clarification regarding the process of requesting medical records from Camp East Montana and the status of our pending requests.

As you know, and as set forth in great detail in the declaration of Charlotte Weiss in support of our motion for limited expedited discovery, ECF No. 13-4, we have attempted to obtain medical records from Camp East Montana since March 2026. On May 6, 2026, Defendant Garite directed us to submit requests for medical records to ElPaso.Outreach@ice.dhs.gov. See *id.* para. 41. We have done so repeatedly, including on May 18, May 19, May 22, June 11, June 15, July 2, and August 7, and yet have received

no response to our requests. When we sought clarification from you, we haven't been able to get a straight answer.

- On July 27, 2026, you referred us to the National Detainee Handbook and the National Detention Standards—both of which we are already familiar with—and noted the process as follows: "While a detainee is in ICE custody, they have the right to request a copy of their medical records at any time. To initiate this process, the detainee should consult the facility's local handbook for specific procedures, as these may vary by location. . . . If a detainee wishes to have their medical records released to a third party, such as a[n] . . . attorney, . . . they must submit a written request to the facility."
- That same day, we requested a copy of the Camp East Montana handbook you referenced in your email, asked about the status of our pending requests, and asked if it is Defendants' position that we need to submit our requests in a different way than Defendant Garite had instructed. (We believe that the process we've been using complies with the process outlined in your email.)
- On August 3, 2026, you apparently refused to provide us with a copy of the handbook you had referenced, told us that our "outstanding requests are still pending" but "ICE will not be able to provide a specific production date" because "requests for medical records are handled pursuant to established procedures" (without identifying those established procedures or timelines), and stated "[t]o the extent further clarification is needed, ICE is clarifying that requests for detainees medical records are governed by the established procedures previously communicated."

The lack of clear information on this issue is nothing short of extraordinary; ICE's failure to produce medical records from Camp East Montana is in violation of its own policies and the law. See, e.g., ECF No. 13 at 9-10. It is what led us to file the motion for limited expedited discovery on June 2. We had thought, by now, we would have been able to collaboratively resolve issues with requesting records from Camp East Montana. In other litigation, we have been able to work out a system where medical records from an ICE detention facility are produced to us within days of a request.

The inability of Camp East Montana to timely produce medical records raises serious concerns about the adequacy of the medical service provider and ICE oversight. We ask that you immediately work with facility leadership to ensure that requested medical records are produced within a week of a request and that the facility produce medical records to us for all pending requests by next Wednesday. Unless the facility starts to

comply with ICE's own stated policies, we likely will have no choice but to continue to seek relief through the Court.

Rita

Rita Lomio

Pronouns: she/her/hers

Senior Counsel, Immigration Detention

National Prison Project

American Civil Liberties Union

425 California Street, Suite 700

San Francisco, CA 94104

(415) 772-0942 | rlomio@aclu.org

aclu.org



From: Young, Shane A. (CIV) <Shane.A.Young@usdoj.gov>

Sent: Monday, August 3, 2026 5:14 AM

To: External - S Kumar <skumar@aclutx.org>; Rita Lomio <RLomio@aclu.org>; Go, Samuel (CIV) <Samuel.Go@usdoj.gov>

Cc: Camp East Montana Co-Counsel <CampEastMontana-list@aclu.org>; Schaeffer, Brian (CIV) <Brian.Schaeffer@usdoj.gov>; Mercado-Santana, Victor M. (CIV) <Victor.M.Mercado-Santana@usdoj.gov>

Subject: RE: Angye v. ICE, Case No. 3:26-cv-1515 (W.D. Tx.)

Good Morning Rita,

I am forwarding ICE's responses to inquiries made by Plaintiffs last week. Please see below:

Medical Record Requests at CEM

Would you please provide a copy of the Camp East Montana handbook? (Your email states: "To initiate this process, the detainee should consult the facility's local handbook for specific procedures, as these may vary by location.")

As previously discussed, the Camp East Montana Facility Handbook is a facility-specific document maintained by the detention facility. The handbook is provided to detainees while they are housed at the facility, which contains facility-specific operational information.

What is the status of the medical record requests we have submitted to the facility, as directed by AFOD Garite? When can we receive them?

ICE understands that Plaintiffs submitted requests for medical records directly to the facility. Those outstanding requests are still pending. Because requests for medical records are handled pursuant to established procedures, ICE will not be able to provide a specific production date.

Is it Defendants' position that the process directed by AFOD Garite is incorrect, and we need to submit requests a different way than we have been doing to date? We couldn't tell from your email.

ICE is not taking the position that our clients communications were incorrect. Rather, ICE's understanding is that Plaintiff's interpreted those communications as establishing the applicable process for requesting detainee medical records.

Our understanding is that Plaintiffs submitted requests directly to the contractor and other contacts instead of following the established process for requesting detainee medical records. ICE's subsequent communications were intended to provide direction to Plaintiffs on how to route their requests. The outreach box was intended to facilitate routing requests to the appropriate personnel. It was not intended to establish or replace the governing process for requesting detainee medical records. As noted in the NDS, detainees housed at the facility may request records through their designated ICE officer, who initiates the medical records process.

Additionally, ICE informed opposing counsel of the proper process for obtaining medical records for detainees no longer in custody at CEM, via FOIA, which is consistent with the NDS and NDH.

To the extent further clarification is needed, ICE is clarifying that requests for detainees medical records are governed by the established procedures previously communicated.

Best,

Shane A. Young

Trial Attorney

United States Department of Justice

Civil Division

Office of Immigration Litigation

From: Young, Shane A. (CIV)

Sent: Wednesday, July 29, 2026 2:26 PM

To: 'Savannah Kumar' <skumar@aclutx.org>; Rita Lomio <RLomio@aclu.org>; Go, Samuel (CIV) <Samuel.Go@usdoj.gov>

Cc: Camp East Montana Co-Counsel <CampEastMontana-list@aclu.org>; Schaeffer, Brian (CIV) <Brian.Schaeffer@usdoj.gov>; Mercado-Santana, Victor M. (CIV) <Victor.M.Mercado-Santana@usdoj.gov>

Subject: RE: Angye v. ICE, Case No. 3:26-cv-1515 (W.D. Tx.)

EXHIBIT 31



Rita Lomio
Senior Counsel
National Prison Project
ACLU National Legal Department

VIA EMAIL ONLY

August 25, 2026

Shane A. Young
Trial Attorney
United States Department of Justice
Civil Division, Office of Immigration Litigation
Shane.A.Young@usdoj.gov

RE: Medical Records

Dear Shane:

I am writing to follow up on several matters related to Defendants' failure to produce complete medical records. In an effort to continue to work with Defendants in good faith to resolve Plaintiffs' motion for limited expedited discovery, and to avoid having to burden the court with unnecessary motion practice, we have outlined in this letter the areas where we understand the parties have a dispute or potential dispute concerning the production of medical records and ask for information to help us determine whether the parties can resolve the remaining issues collaboratively.

In the meantime, we intend to ask for an extension of time to file our reply in support of our motion for limited expedited discovery to September 10, 2026. **Please let us know Defendants' position on an extension of time by 5 pm tomorrow.**

Protective Order

Thank you for sending a draft protective order on August 19, 2026. After reviewing it, rather than going back and forth with redlines, we propose that the parties instead use the protective order that U.S. Immigration and Customs Enforcement ("ICE") recently negotiated and filed in another federal class action lawsuit that raises similar claims, *Gomez Ruiz v. ICE*, No. 26-CV-2546 (E.D. Cal.), which was entered as an order of the court last week. ACLU National Prison Project serves as class counsel in that case.



Given the similarity of the issues presented in both cases, that protective order more fully addresses the issues we can expect in this litigation. Its use here will also avoid further delay, as it already has been approved by Plaintiffs' counsel and ICE.

Attached please find Plaintiffs' proposed protective order based on *Gomez Ruiz*. You will see in redline where we made changes. (Please note that we did not use track changes when updating the names of the parties, facility, contractor, and attorneys, or when removing extra spaces.) The primary change, other than updating references to local rules and removing references to an external monitor, is to reflect the fact that in *Gomez Ruiz* a class has already been certified and Plaintiffs' counsel was able to get medical records prior to filing the complaint from the facility directly, without needing to seek expedited discovery. We therefore adjusted the language here to reflect that this protective order applies to anyone who was or is detained at Camp East Montana, as a class has not yet been certified in this case. We also added language to cover the handling of medical and other records concerning deceased individuals, such as the records for Francisco Gaspar Andres, for whom Defendants already produced medical records.

Given that Defendants now are changing their original position and declining to produce medical records until a protective order is in place, it is imperative that we finalize this protective order expeditiously.

Please let us know **by next Monday, August 31, 2026**, if you agree to Plaintiffs' proposal that the parties here use the ICE-approved protective order in *Gomez Ruiz*, with the revisions we suggest to reflect the facts and circumstances in our case.

In addition, we would like to get a meeting on calendar next Monday (August 31) or Tuesday (September 1) to discuss any remaining issues. **Please let us know your availability on those days.**

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....
....
....



Incomplete Medical Records

Your email dated August 21, 2026, stated that “[t]he contractor has attested to/verified the completeness of the medical records.” However, as we have explained, the records are clearly missing critical information, including medication administration records (MARs), labs and lab reports, sick call requests, and consultation reports. We are particularly concerned that ICE and its contractor were unable to identify or locate missing records specifically identified with citation to Bates numbers in my email dated August 11, 2026.

You ask that Plaintiffs “provide a consolidated specific list of any records they believe remain outstanding.” We will provide you that list as soon as possible. In the meantime, given that it appears ICE and/or its contractor may have lost or destroyed medical records, we ask that you provide the following information **by September 4, 2026**:

1. Please provide copies of any and all document retention letters that were sent to ICE, its contractors, and/or its subcontractors related to medical records concerning individuals who are or were detained at Camp East Montana.
2. Please provide a signed acknowledgement by whomever conducted the search for medical records that what has been produced to Plaintiffs’ counsel represents the complete medical record, including all MARs, labs and lab reports, sick call requests, and consultation reports, from Camp East Montana for all 25 patients.

Withholding of Medical Records

We are concerned about Defendants’ shifting positions on the production of medical records and the continued delay in their production. Most recently, on August 14, 2026, you stated that additional medical records had been located but “there were some issues with access limitations” and that ICE was “working on fixing those issues and once they can review and send to me, we can get those over to you.” A week later, you refused to produce those or any other records without first having a protective order filed, apparently abandoning Defendants’ previous position (shared during a July 13, 2026 meet and confer) that the production of medical records could proceed with the



understanding that the parties would later negotiate a protective order.* It is hard to understand why Defendants are now going back on the process they themselves proposed over a month ago. Moreover, as we explained by email and during the meet and confer on July 13, 2026, Plaintiffs have produced signed releases and are therefore entitled to records without a protective order or any other restriction.

To help us understand the nature of the parties' current dispute and whether court intervention is necessary, we request the following information **by September 1, 2026**:

3. What basis do Defendants have to withhold medical records of people who have signed releases authorizing production of medical records to Plaintiffs' counsel?

Process for Producing Medical Records Outside of Litigation

Finally, we repeatedly have requested an explanation for why our requests for medical records sent in writing to ElPaso.Outreach@ice.dhs.gov, as directed by Defendant Garite on May 6, 2026, have been ignored. We have asked for information about that during our meet and confer on July 13, 2026, and by emails dated June 17, July 20, July 27, and August 10.

As I explained in my email dated August 10, 2026, the lack of clear information on this issue is extraordinary; the failure of ICE and its contractor to produce medical records from Camp East Montana is in violation of its own policies and the law. In other litigation, we have been able to work out a system where medical records from an ICE detention facility are produced to us within days of a request.

....
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....
....

* Counsel for Defendants represented at that time that they had a draft protective order that needed to go through internal review.



By September 1, 2026, please provide the following information:

4. The date by which you will provide complete medical records for all people we have submitted written requests and signed releases for. This includes people we sent signed releases for to ElPaso.Outreach@ice.dhs.gov on May 18, May 19, May 22, June 11, June 15, July 2, August 7, and August 21, 2026.
5. ICE's expectation for how quickly facility staff produce medical records to patients or their representatives after receiving a written request.

* * *

If you have any questions or concerns about any of the above, please let me know. And again, please let us know your availability next Monday or Tuesday to discuss the protective order and any other issues.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Rita Lomio". The signature is stylized with a long horizontal stroke at the end.

Rita Lomio

Encl.: Plaintiffs' Proposed Protective Order

EXHIBIT 32

From: [Rita Lomio](#)
To: [Young, Shane A. \(CIV\)](#); [Schaeffer, Brian \(CIV\)](#); [Go, Samuel \(CIV\)](#)
Cc: [Camp East Montana Co-Counsel](#); [External - S Kumar](#); [CampEastMontana](#)
Subject: Re: Examples of Incomplete Medical Records
Date: Wednesday, September 9, 2026 3:49:09 PM
Attachments: [image.png](#)
[image.png](#)
[2026.09.09 Plfs List of Incomplete Medical Records.pdf](#)

Hi Shane,

I am following up on our meeting earlier today about incomplete medical records. As promised, attached please find a longer list of medical records that appear to be missing. As before, this list is not necessarily exhaustive; it is possible that there are more missing documents that are not readily identifiable from what was produced to us.

You asked today about blood glucose summaries. It is our understanding that when blood glucose monitoring is ordered (for example, on a weekly or daily basis), the medical record should include documentation of the values recorded. It is our understanding that medical records often include that information in graph form, so medical staff can see the information across time.

We appreciate you looking into these issues. Again, producing complete medical records should not be difficult or onerous. We're hoping that rather than search for each document on this list one-by-one, the medical record custodian will be able to determine what went wrong in how they collected the records initially.

Rita

Rita Lomio

Pronouns: she/her/hers

Senior Counsel
National Prison Project
American Civil Liberties Union
425 California Street, Suite 700
San Francisco, CA 94104
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From: Rita Lomio

Sent: Wednesday, September 2, 2026 4:05 PM

To: Young, Shane A. (CIV) <shane.a.young@usdoj.gov>; Schaeffer, Brian (CIV) <brian.schaeffer@usdoj.gov>; Go, Samuel (CIV) <samuel.go@usdoj.gov>

Cc: Camp East Montana Co-Counsel <CampEastMontana-list@aclu.org>; External - S Kumar <skumar@aclutx.org>

Subject: Examples of Incomplete Medical Records

Hi Shane,

Thanks for talking yesterday. Attached please find a list of potentially missing medical records from a handful of patient charts. This list is not exhaustive; it is possible that there are more missing documents that are not readily identifiable from what was produced to us. As we discussed, we are sending a list for only four charts now in the hope that based on this information, Defendants can identify and correct any errors in their production process that led to incomplete medical records being produced.

To help your team review, we've included a description of missing documents and the Bates number of the page that led us to believe each document exists. In developing the list, we relied on the following:

- If a patient is prescribed and administered medication, there should be a corresponding Medication Administration Record (MAR).
- If a patient is seen offsite by a specialist, there should be records of such visit, including the specialists' findings and visit notes.
- If labs are ordered and completed, or if lab results are discussed during a medical encounter, there should be corresponding lab results.
- If a patient is seen for a sick call visit, there usually should be a corresponding sick call request from the patient identifying the problem and need for care.
- If a patient is diabetic, their blood glucose is monitored and documented regularly, including in a blood glucose summary.
- There should be medical records available for the entire time period that a patient was held at the facility, including a medical transfer summary for patients who were transferred out of Camp East Montana during the production period.

The third and fourth records listed in the attached document were produced in a different format from the others, as a "Patient PDF Report." Do you know how that was generated, and what that includes?

Let us know if you have any questions. We appreciate you working to resolve this issue.

Rita

Rita Lomio

Pronouns: she/her/hers

Senior Counsel

National Prison Project

American Civil Liberties Union

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EXHIBIT 33

From: [Young, Shane A. \(CIV\)](#)
To: [Rita Lomio](#); [Go, Samuel \(CIV\)](#); [Schaeffer, Brian \(CIV\)](#)
Cc: [Cynthia Castillo](#); [Daniel Hatoum](#); [External - S Kumar](#); [Weiss, Dominic \(CIV\)](#); [Sofia Gonzalez](#)
Subject: RE: Protective Order & Medical Records
Date: Wednesday, September 30, 2026 7:26:15 AM
Attachments: [image001.png](#)

This Message Is From an External Sender

This message came from outside your organization.

Good Morning Rita,

I have forwarded the below request to ICE, and I will let you know when we get a response back. I would hesitate on scheduling a call right now. I did ask them to provide a timeline on the responses, so when I get that, we can send out availability for a call.

In another request, Defendants are reaching out to see what Plaintiffs' position is on a 21-day extension of the Response deadline. Currently we are scheduled to answer or otherwise respond to the Complaint on October 6. Given Plaintiff's push of the discovery deadline, we would like to push back the response deadline by 21 days.

Can you please provide Plaintiffs' position?

Best,

Shane A. Young

Trial Attorney
United States Department of Justice
Civil Division
Office of Immigration Litigation

From: Rita Lomio <RLomio@aclu.org>
Sent: Tuesday, September 29, 2026 9:40 AM
To: Young, Shane A. (CIV) <Shane.A.Young@usdoj.gov>; Go, Samuel (CIV) <Samuel.Go@usdoj.gov>; Schaeffer, Brian (CIV) <Brian.Schaeffer@usdoj.gov>
Cc: Cynthia Castillo <CCastillo@fbm.com>; Daniel Hatoum <daniel@texascivilrightsproject.org>; External - S Kumar <skumar@aclutx.org>; Weiss, Dominic (CIV) <Dominic.Weiss@usdoj.gov>; Sofia Gonzalez <SGonzalez@aclu.org>
Subject: [EXTERNAL] Re: Protective Order & Medical Records

Hi Shane,

Thanks for meeting last week. We've reviewed Defendants' 9/21/26 medical record production and, unfortunately, it looks like it largely is duplicative of previously

produced records and many medical records are still missing. Can you explain how and by whom the records in the 9/21/26 production were compiled, and how that differs from how and by whom the previously produced records were compiled?

In addition, would you please provide an update on (1) locating the missing records we identified on September 2 and 9, (2) identifying the custodian(s) of the medical records, (3) identifying who can certify that all available medical records have been produced (Item #2 in my 8/25/26 letter), (4) the status of our pending requests to the facility for medical records (Item #4 in my 8/25/26 letter), and (5) ICE's expectations regarding how quickly Camp East Montana should produce medical records to a patient or their representative after receiving a written request (Item #5 of my 8/25/26 letter)?

We're happy to meet this Wednesday or Thursday to discuss these topics, or you can provide an update by email if that's easier.

Rita

Rita Lomio

Pronouns: she/her/hers

Senior Counsel

National Prison Project

American Civil Liberties Union

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From: Samantha Weaver <SWeaver@aclu.org>

Sent: Tuesday, September 22, 2026 10:42 AM

To: Young, Shane A. (CIV) <Shane.A.Young@usdoj.gov>; Rita Lomio <RLomio@aclu.org>; Go, Samuel