



U.S. Department of Justice
Civil Division
Office of Immigration Litigation

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Washington, D.C. 20530

December 16, 2020

VIA CM/ECF

The Honorable Richard A. Jones
United States Courthouse
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Re: *Abdiqafar Wagafe, et al. v. Donald Trump, et al.*, No. 2:17-cv-00094-RAJ
(Letter to Correct Inaccuracies in Response to Motion to Compel, Dkt. No. 431)

Dear Judge Jones:

The purpose of this letter is to notify the Court of two factual errors made in Defendants' Response in Opposition to Plaintiffs' Motion to Compel, filed on October 26, 2020 (Dkt. No. 431). Because this Court granted Plaintiffs' Motion to Compel, Defendants do not believe any action by the Court is necessary. Nevertheless, we are writing this letter to apprise the Court of the error, to set the factual record straight on these points, and to apologize for the errors.

Following completion of briefing on the Motion to Compel, Defendants learned that their opposition brief contained two inaccurate statements relating to the production of class lists. These errors were inadvertent and do not directly relate to the merits of the Motion to Compel. Defendants wish to correct the record before the Court as follows:

Page:Line (Dkt. 431)	Inaccurate Statement in Response Brief	Corrected Statement
3:4-6	"Pursuant to the Court's order to produce information to allow Plaintiffs to identify potential class members (Dkt. 98 at 2-4), Defendants have been producing class lists on a quarterly basis since May 16, 2018."	"Pursuant to the Court's order to produce information to allow Plaintiffs to identify potential class members (Dkt. 98 at 2-4), Defendants produced class lists on a quarterly basis from May 16, 2018, to November 21, 2019."
9:3-5	"Indeed, Defendants compiled and produced reams of data two years ago in response to Interrogatory 3 alone, in addition to more than two years' worth of quarterly class lists in response to RFPs 34 and 35."	"Indeed, Defendants compiled and produced reams of data two years ago in response to Interrogatory 3 alone, in addition to eighteen months' worth of quarterly class lists in response to RFPs 34 and 35."

Once again, Defendants apologize for the unintentional errors in their brief and regret any inconvenience this has caused. In the future, Defendants will take particular care to avoid such oversights in their filings.

Respectfully,

/s/ Lindsay M. Murphy
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cc: All counsel of record (*by CM/ECF*)