CENTER FOR HUMAN RIGHTS & CONSTITUTIONAL LAW
Carlos R. Holguín (Cal. Bar No. 90754)
crholguin@centerforhumanrights.org
Bardis Vakili (Cal. Bar No. 247783)
bvakili@centerforhumanrights.org
Sarah E. Kahn (Cal. Bar No. 341901)
skahn@centerforhumanrights.org
1505 E 17th St. Ste. 117
Santa Ana, CA 927051
Telephone: (619) 983-7910

Attorneys for Plaintiffs

Additional counsel listed on following page

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

Jenny Flores, *et al.*,

Plaintiffs,

v.

Todd Blanche, Attorney General of the United States, *et al.*,

Defendants.

Case No. CV 85-4544-DMG-AGRx

PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR CLARIFICATION OF THE FLORES SETTLEMENT AGREEMENT REGARDING CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION

Hearing: December 18, 2026 at 9:30am

NATIONAL CENTER FOR YOUTH LAW
Mishan Wroe (Cal. Bar No. 299296)
Diane de Gramont (Cal. Bar No. 324360)
428 13th Street, Floor 5
Oakland, CA 94612
Telephone: (510) 835-8098
Email: mwroe@youthlaw.org

NATIONAL CENTER FOR YOUTH LAW
Rebecca Wolozin (admitted *pro hac vice*)
2300 18th St. NW, P.O. Box 21156
Washington, DC 20009
Telephone: (510) 835-8098
Email: bwolozin@youthlaw.org

CHILDREN'S RIGHTS
Leecia Welch (Cal. Bar No. 208741)
2021 Fillmore Street
San Francisco, CA 94115
Telephone: (415) 602-5202
Email: lwelch@childrensrights.org

CHILDREN'S RIGHTS
Eleanor Roberts (admitted *pro hac vice*)
88 Pine Street, Suite 800
New York, NY 10005
Telephone: (212) 683-2210
Email: eroberts@childrensrights.org

To all Parties and their attorneys of record:

Please take notice that on December 18, 2026, at 9:30 a.m., or as soon thereafter as counsel may be heard, Plaintiffs will and do hereby move the Court for an order clarifying that the Flores Settlement Agreement protects *Flores* class counsel's right to confidential legal calls with class members detained in CBP custody.

This motion is based upon the memorandum of law and exhibits filed concurrently herewith, and all other matters of record; it is brought following a meeting of counsel pursuant to Local Rule 7-3 and Paragraph 37 of the Settlement on October 30, 2026. Declaration of Sarah Kahn, November 12, 2026, ("Kahn Decl.).

Dated: November 13, 2026

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Carlos Holguín
Bardis Vakili
Sarah Kahn

NATIONAL CENTER FOR YOUTH LAW
Mishan Wroe
Diane de Gramont
Rebecca Wolozin

CHILDREN'S RIGHTS
Leecia Welch
Eleanor Roberts

/s/ Sarah Kahn
Sarah Kahn
Attorney for Plaintiff

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Carlos R. Holguín (Cal. Bar No. 90754)
crholguin@centerforhumanrights.org
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I. INTRODUCTION

The *Flores* Settlement Agreement ("FSA" or "Settlement") provides class members with "near-unfettered access" to class counsel. *Flores v. Barr*, No. CV854544DMGAGRX, 2020 WL 5491445, at *10 (C.D. Cal. Sept. 4, 2020). Yet Defendants maintain that the FSA does not require U.S. Customs and Border Protection ("CBP") to permit confidential phone calls with *Flores* class counsel while class members are in CBP custody. Even when a detained class member requests permission from CBP to call class counsel or when class counsel request a legal call with a specific class member, CBP refuses to facilitate legal calls or allow class members to make them. Defendants' interpretation of the FSA does not provide for attorney-client communications with class members in CBP custody other than through in-person visits that Defendants require weeks to arrange.

The Settlement's confidential attorney-client visit provisions contemplate reasonable efforts to ensure class counsel has adequate access to class members, and attorney-client calls are a minimally burdensome method for facilitating such access. The Settlement also makes class counsel responsible for monitoring compliance with the Settlement and protects children's right to enforce their rights under the Settlement, which requires facilitating communication between class members and class counsel. Finally, the Settlement requires CBP to inform children of their right to call a lawyer and instructs CBP to provide children with a list of free legal service providers. Defendants' interpretation of the Settlement thwarts its purpose and leads to an absurd result: that the FSA requires CBP to inform children that they have a right to call counsel but also permits CBP to prohibit children from using a phone to exercise that right.

Plaintiffs respectfully request clarification from the Court that the FSA requires that class members in Department of Homeland Security ("DHS") custody are entitled to confidential legal calls with *Flores* counsel.

II. BACKGROUND

Class counsel's access to telephonic visits with class members in CBP custody has become increasingly essential to enforcement of the FSA. Under the current administration,

CBP has adopted a general policy against release of recent arrivals, proudly announcing "zero Border Patrol releases" in FY 2026.[1] Further, it appears CBP no longer transfers children to ICE custody. Instead, families are routinely trapped in facilities which, "by design, are not suitable for minors for long periods of time." Order Re Plaintiffs' Motion to Enforce [1575], August 15, 2025, Dkt. 1638 at 13. CBP's data shows increased TIC times in CBP custody across the board. 2026 CBP Juv. Coord. Annual Rep., July 1, 2026 at 2, Dkt. 1801-1 at 5-7. Plaintiffs' counsel have repeatedly encountered families subjected to prolonged detention who have continued to appear in the ICE online database as remaining in CBP custody for days or weeks following in-person monitoring visits conducted pursuant to Paragraph 32 of the FSA. But when Plaintiffs' counsel have requested legal calls with these families, and when class members have tried to contact class counsel from CBP facilities, Defendants have refused to accommodate such calls.

For instance, on March 19, 2026, Plaintiffs' counsel visited the Chula Vista Border Patrol Station. Declaration of Sarah Kahn, November 9, 2026 ¶ 3 ("Kahn Decl."). There was one family present. *Id.* That family, including four children ages five months to fifteen years, had already been detained for 20 days. Declaration of V.O., Dkt. 1747-1 ¶ 6. The family reported freezing temperatures, inadequate access to clothing, limited access to showers, a lack of privacy, and poor-quality food. *Id.* ¶¶ 19-24. CBP prevented them from using a phone to call a loved one or contact a lawyer for the duration of their 20-day imprisonment. *Id.* ¶¶ 8-9. After an immigration judge ordered Border Patrol to provide them a phone call with a lawyer, an agent finally took them to a phone on a Saturday and dialed a lawyer's number on the family's behalf, but upon reaching no one because it was the weekend, stated that the family would have to proceed with telephonic judicial review of their credible fear interview without a lawyer. *Id.* ¶¶ 13-14.

[1] CBP, *Under President Trump and Secretary Mullin, DHS Announces Lowest Fiscal Year Border Crossings in American History* (Oct. 16, 2026), available at https://www.dhs.gov/news/2026/10/16/under-president-trump-and-secretary-mullin-dhs-announces-lowest-fiscal-year-border (last visited Oct. 25, 2026).

After the site visit, class counsel checked the ICE online database and found the family remained in CBP custody. Kahn Decl. ¶ 4. On March 24, 2026, Plaintiffs' counsel emailed Defendants' counsel to notify them that the family's "detention violates the FSA's expeditious processing provision and, because of the extreme conditions of CBP detention, including limited access to the outdoors, to showers, to visitation with separated family members, and to a child-friendly environment, violates the FSA's minimum standards for conditions of detention." Kahn Decl., Ex. 1. Counsel requested a response by March 26, 2026. *Id.* On March 26, 2026, Defendants' counsel responded that CBP was "aware of and looking into this situation." *Id.* On March 27, 2026, Plaintiffs' counsel requested a legal call with the family. *Id.* At that time, the family had been detained for 28 days. The same day, Defendants' counsel responded, "The Flores Settlement Agreement does not entitle class counsel to the requests made in your email. Class counsel may schedule in-person attorney-client visits at Chula Vista Station as provided for in Paragraph 32." *Id.*

Compounding Defendants' denial of telephonic access to class members in CBP custody, Defendants generally will not arrange in-person visits unless they are given at least two-week's notice, a condition that Plaintiffs have consistently accommodated although it is not required by the Settlement. Kahn Decl. ¶ 2. This makes it impossible for Plaintiffs' counsel to communicate timely with their clients in CBP custody, including those who have urgent needs. *Id.* On March 27, 2026, Plaintiffs' counsel also noticed a site visit for the following Wednesday, April 1, 2026 to try to meet with the family in person. *Id.*, Ex. 1. Defendants did not respond to this notice. *Id.*, Ex. 1. However, on March 30, 2026, after the family had been detained for approximately 30 days, Defendants notified Plaintiffs that they had been removed. *Id.*

In another example, on September 22, 2026, Plaintiffs' counsel visited Chula Vista Station and met with a family who had been detained since approximately September 7, 2026 – over two weeks. Kahn Decl., ¶¶ 6-7. After the interview, counsel provided the family with her phone number so they could seek assistance if their child's rights under the Settlement were further violated. *Id.* ¶ 8. On October 4, 2026, Plaintiffs' counsel received

a call from an unknown number. *Id.* ¶ 9. The father rushed to explain that a guard had finally agreed to permit a call but had warned him that he only had three minutes. *Id.* Because counsel had not expected the unscheduled call, there was no time to arrange for an interpreter to assist. *Id.* Counsel was able to ascertain that the family had been transferred to a CBP facility in McAllen, Texas before the father was rushed off the phone. *Id.*

Class counsel subsequently attempted to arrange a legal call with the class member's family. *Id.* ¶ 10. Counsel called a publicly available number for CBP and was transferred or directed to six different additional numbers, some of which were disconnected and others of which were answered by agents who directed counsel to another number. *Id.* One agent stated that it was CBP policy that the "client has to call you," even though the family had been allowed only the single, three-minute call during their month-long detention. *Id.* Finally, an agent directed counsel to email a G-28 form to Rio Grande Valley CBP Office of Chief Counsel. *Id.* The office responded by email on October 7, 2026 stating, "While we recognize the importance of counsel, OCC is not in a position to provide information about individuals who CBP has interacted with." *Id.* Ex. 2. Plaintiffs' counsel then emailed Defendants' counsel to request a legal call with the class member's family. *Id.* Ex. 3. Defendants' counsel responded, "As we have discussed previously, the Flores Settlement Agreement does not entitle class counsel to the request made in your email." *Id.*

Class members consistently report they are denied access to telephones in CBP custody. Declaration of G.A.S., April 21, 2026, San Ysidro POE ¶ 17 ("Since arriving to here, I haven't been able to use the phone"); Declaration of Y.F.D., July 13, 2026, Chula Vista ¶ 21 ("We have asked to use it after the interview so we can try to find a lawyer, but we have not been able to use it.") (detained for 27 days, Kahn Decl. ¶ 13); Declaration of A.V., July 13, 2026, Chula Vista ¶ 27 ("They wouldn't let us use the phone. I told them my husband was getting us a lawyer, but they said there are no lawyers here.") (detained for 11 days, Kahn Decl. ¶ 13); Declaration of N.H., September 1, 2026, Chula Vista ¶ 16 ("We used the phone one time since arriving. We were allowed only two minutes and a

guard was nearby supervising the call. We were able to speak just a few words to a family friend.") (detained for at least 13 days) Kahn Decl. ¶ 14; Declaration of R.R., September 22, 2026, Chula Vista ¶¶ 34-35 ("They told all of the families we weren't allowed to call anyone, that all we would be given was a single call to the embassy later . . . Finally, a guard said, if you will continue to translate for us, we will let you make a call. We were able to get a few minutes talking to my brother. Throughout the call they rushed us, saying every minute you spend on the phone is another minute you will spend here."); Declaration of M.S., September 22, 2026, Chula Vista ¶ 25 ("We asked a staff member to call a lawyer, and she told us we could, that she would arrange the call. Then she turned and walked away. We thought she would come back to take us to the phone, but she never returned. We asked the next guard and they said no, you cannot call a lawyer from here.") (detained at least 17 days, Kahn Decl. ¶ 14).

Class members report the same lack of access to phones in Laredo and Del Rio Sectors. *See* Declaration of F.R.J.L., November 2, 2026, South Laredo Station ¶ 17 ("They told me I could make one call, but they wouldn't give me my cellphone so I couldn't get the numbers for my family. They never gave me any list of free legal services. I had one chance to use the phone and no number to call."); Declaration of C.R.T.A., November 2, 2026, South Laredo Station ¶¶ 23-24 ("After this we got our only phone call, a very quick call. Maybe God touched this agent's heart, because he gave us a few minutes to use the phone . . . Since then . . . my daughter and I haven't been permitted to use a phone. [My daughter, who is detained in a cell alone,] wants so much to talk to her mom."); Declaration of T.M., November 3, 2026, Del Rio Station ¶ 20 ("We asked to use the phone and they told us that we get one call to the consulate and nothing else, but they have not even given us the opportunity to call the consulate."); Declaration of Y.M.S., November 3, 2026, Del Rio Station ¶¶ 11-12 ("They asked if I was going to get a lawyer and I told them yes, I want a lawyer. But they didn't give me any information, they didn't let me have a phone call . . . All I want is to talk to my son. They told us all we get here is one call to the [] consulate. For eight days, my family has not known if we are alive.").

III. LEGAL STANDARD

The district court has inherent authority to enforce, modify, or clarify the Settlement, and the parties agreed to the Court's retention of jurisdiction precisely for this purpose. FSA ¶ 37. "Consent decrees have the attributes of both contracts and judicial acts," and in interpreting consent decrees, courts use contract principles, specifically the contract law of the situs state. *Thompson v. Enomoto*, 915 F.2d 1383, 1388 (9th Cir. 1990). Although "[t]here is no specific Federal Rule of Civil Procedure governing motions for clarification," if parties dispute the meaning of a provision of a settlement or contract, a motion for clarification "can be resolved when appropriate to explain or clarify something that may be ambiguous or vague." *Alexander v. Chadwick*, No. 2:22-CV-01084-CDS-NJK, 2026 WL 1046181, at *1 (D. Nev. Apr. 17, 2026); *see also Walker v. Wolf*, 2024 WL 1746045, at *2 (D. Idaho Apr. 23, 2024) (stating motions for clarification "are appropriate when parties are uncertain about the scope of a ruling or when the ruling is reasonably susceptible to differing interpretations."). Circuit Courts "give deference to the district court's interpretation based on the court's extensive oversight of the decree from the commencement of the litigation." *Gates v. Gomez*, 60 F.3d 525, 530 (9th Cir. 1995).

IV. ARGUMENT

A. *The Settlement provides for broad attorney-client access and obstructing counsel from conducting legal calls is inconsistent with the Settlement.*

The plain language of the Settlement provides for expansive attorney-client access, which the Court has called "near-unfettered." *Flores v. Barr*, , 2020 WL 5491445, at *10.[2]

[2] Class members also have a First and Fifth Amendment right to call *Flores* counsel. "[M]ost courts have held that, '[o]nce a class has been certified, the rules governing communications [with class members] apply as though each class member is a client of the class counsel.'" *Harris v. Vector Mktg. Corp.*, 716 F.Supp.2d 835, 847 (N.D. Cal. 2010). Thus, class members have the right to confidential communication with *Flores* counsel as their attorneys in a civil matter. *See Orantes-Hernandez v. Meese*, 685 F.Supp. 1488, 1510 (C.D. Cal. 1988), *aff'd sub nom. Orantes-Hernandez v. Thornburgh*, 919 F.2d 549 (9th Cir. 1990) ("The duty not to obstruct access to courts also protects detained class members' right of telephonic access to their legal representatives."); *United States v. Reyes-Bonilla*,

Confidential legal calls with class counsel give effect to the mutual intention of the parties as it existed at the time of contracting, which ensured class counsel access to class members and explicitly contemplated Plaintiffs' Counsel as monitors of compliance. Thus, obstructing class members' access to legal calls with class counsel is inconsistent with the Settlement.

The Settlement explicitly provides for broad attorney-client access for class counsel, requiring that "Plaintiffs' counsel are entitled to attorney-client visits with class members even though they may not have the names of class members who are housed at a particular location." FSA ¶ 32.A. While paragraph 32.A generally describes a process for conducting in-person attorney-client visits, it does not limit class members' access solely to in-person visits or otherwise limit class counsel's representation of or communication with class members. FSA ¶ 32.A.

In the context of hotel detention under Title 42, addressing access to both class counsel and legal service providers, the Court explained that "[t]he Agreement contemplates attorneys having near-unfettered access to minors in custody." *Flores v. Barr*, 2020 WL 5491445, at *10. "Paragraph 32 of the *Flores* Agreement entitles Plaintiffs' counsel to visits with Class Members, even though the attorneys may not have the names of the minors in custody." *Id.* When Defendants argued they were complying with this paragraph by providing "'a minimum of one phone call a day,' with additional phone calls allowed 'upon request,'" the court found "this process is woefully inadequate and not

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671 F.3d 1036, 1045 (9th Cir. 2012); *Gomez Ruiz v. ICE*, 834 F.Supp.3d 835, 849 (N.D. Cal. 2026) ("Overly restrictive policies that hinder a [detained person's] ability to hire and consult with an attorney violate such detainee's First Amendment" and Fifth Amendment rights) (quoting *Torres v. DHS*, 411 F.Supp.3d 1036 (C.D. Cal. 2019)). Where "access to counsel [was] essential as [Plaintiff's] case" alleging sexual misconduct by prison officials "proceeds," the court found that defendants' "failure to cooperate with Plaintiff's counsel to facilitate a single weekly phone call is even more evidence that Plaintiff unfortunately requires Court intervention to secure a basic right." *Aldrich v. Romo*, 493 F.Supp.3d 853, 857–58 (C.D. Cal. 2020). Access to counsel is clearly essential for children seeking to protect their rights under the Settlement, and nothing in the FSA waives or restricts class members' basic constitutional right to call *Flores* counsel.

substantially compliant with Paragraph 32." *Id.* DHS cannot "put[] the entire onus on the minor to seek out counsel, requiring children to have the wherewithal to put their one phone call a day towards retaining a lawyer." *Id.*

The same reasoning applies here, where Defendants confine class members for prolonged periods incommunicado in CBP custody. Today, children routinely do not even get to make a single call while detained, and Defendants prohibit them from calling counsel. Kahn Decl. Exs. 1 – 3. "This is exactly the scenario the *Flores* Agreement intended to avoid. Paragraph 32 is straightforward in requiring that Plaintiffs' counsel be allowed to access the facilities *and contact the minors*, even if they do not yet know the identity of a specific minor." *Flores v. Barr*, 2020 WL 5491445, at *10 (emphasis added).

B. *Class members are permitted to enforce their rights under the Settlement, which requires reasonable communication with class counsel.*

The Settlement provides, and this Court's orders affirm, that children may enforce their rights under the Settlement, which requires the ability to contact class counsel.

Confidential legal calls are consistent with the parties' intent in entering the contract. "Under California law, a court must interpret a contract with the goal of giving effect to the mutual intention of the parties as it existed at the time of contracting." *Flores v. Johnson*, 212 F.Supp.3d 864, 869–70 (C.D. Cal. 2015). The Settlement provides expansive provisions for monitoring and includes several provisions by which class counsel can seek to protect the rights of class members through dispute resolution or to enforce the Settlement in the district court. *See, e.g.*, FSA ¶ 28B ("Should Plaintiffs' counsel have reasonable cause to believe that a minor in INS legal custody should have been released pursuant to Paragraph 14, Plaintiffs' counsel may contact the Juvenile Coordinator to request that the Coordinator investigate the case and inform Plaintiffs' counsel of the reasons why the minor has not been released.");[3] FSA ¶ 33 (providing for class counsel to

[3] Notably, Defendants also refuse to accommodate direct communication with the Juvenile Coordinator. Defendants' Objections to Questions Regarding Juvenile Court Monitors' Reports, August 1, 2025 at 2, 5, Dkt. 1620.

tour licensed facilities); FSA ¶ 37 (providing "for the enforcement, in this District Court, of the provisions of this Agreement" and requiring notice of claims of noncompliance to be served on Plaintiffs' counsel). Thus, the intention of the parties at the time they entered the FSA was to provide counsel sufficient access to class members to act as effective monitors of Defendants' compliance. Given that counsel cannot visit hundreds of facilities across the country, that Defendants request two weeks' notice before an in-person visit, and that prolonged detention in CBP custody may last several weeks but rarely lasts more than five weeks, confidential legal calls are often the only way that class counsel can respond to an ongoing violation. Kahn Decl. ¶ 2.

Indeed, this Court has held the FSA requires Defendants to provide class members an advisal of their Settlement rights because "Paragraph 37 provides that individual Class Members may bring actions to enforce the Agreement, which presupposes that Class Members are aware of their rights under it." *Flores v. Barr*, No. CV854544DMGAGRX, 2020 WL 5666551, at *4 (C.D. Cal. Sept. 18, 2020). Following the same reasoning, paragraph 37 presupposes that class members can communicate with the class counsel who are responsible for enforcing their rights. Class members are minors and thus cannot litigate their claims pro se, and class counsel is tasked with enforcing their rights under the Settlement. FSA ¶ 37. Thus, class members have a right to confidential legal calls under the FSA to seek class counsel's assistance with enforcing their rights.

C. *Interpreting the FSA to permit prohibiting class members from calling counsel conflicts with paragraph 24D and frustrates its purpose.*

In keeping with the *Flores* right to expeditious processing, paragraph 24D of the Settlement requires DHS, including CBP, to provide children with the notice in Exhibit 6 stating "you may ask a federal judge to review your case. You may call a lawyer to help you do this." FSA ¶ 24D(b); Ex. 6.[4] Further, the FSA requires Defendants to provide children who are not released or transferred with a list of free legal services. FSA ¶ 24D(c).

[4] Exhibits or attachments incorporated by the parties are an enforceable part of a contract. *Shaw v. Regents of Univ. of California*, 58 Cal. App. 4th 44, 56 (1997).

Interpreting the FSA to require access to phone calls with counsel is consistent with a commonsense understanding of these provisions and avoids absurdity. As this Court noted, "Paragraph 24D(c) goes hand-in-hand with the Notice of Right of Judicial Review (Exhibit 6), which states that '[i]f you cannot afford a lawyer, you may call one from the list of free legal services given to you with this form.'" *Flores v. Sessions*, 394 F.Supp.3d 1041, 1062 (C.D. Cal. 2017). To read the FSA to require DHS to inform children of their right to make a phone call that CBP may prohibit them from making "would result in an absurdity" and is counter to its purpose. *Harris v. Klure*, 205 Cal. App. 2d 574, 578 (1962) (holding contracts should be construed to "give[] effect to the[ir] main apparent purpose"). Without a phone call, the right to call counsel and the list of legal service providers are meaningless, and any interpretation of a contract's provision rendering it "nugatory, inoperative or meaningless" runs contrary to the principals of contract interpretation. *Pinel v. Aurora Loan Servs., LLC*, 814 F.Supp.2d 930, 943 (N.D. Cal. 2011); Cal. Civ. Code § 1641. Further, Defendants' interpretation would thwart paragraph 24's purpose "to permit judicial review of Defendants' placement decisions." FSA ¶ 24C.

V. CONCLUSION

The FSA explicitly establishes the right of class members to attorney-client access and communication and appoints class counsel to monitor compliance. Counsel cannot fulfill their obligations if they cannot speak to class members by phone. The FSA further grants children the right to enforce its provisions, a right they cannot meaningfully exercise without counsel. Finally, the FSA explicitly provides that children must be notified of their right to call counsel to protect their rights under the Settlement, which presupposes that such a right exists. For the foregoing reasons, this Court should grant this motion and enter an order clarifying that the FSA requires Defendants to facilitate confidential telephonic communication between class counsel and class members when requested by either.

Dated: November 13, 2026

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/s/ Sarah Kahn
Sarah Kahn
Attorney for Plaintiffs

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Attorneys for Plaintiffs

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UNITED STATES DISTRICT COURT

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DECLARATION OF SARAH KAHN IN SUPPORT OF PLAINTIFFS' MOTION FOR CLARIFICATION OF THE FLORES SETTLEMENT AGREEMENT REGARDING CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION

Honorable Dolly M. Gee
Chief United States District Judge

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Mishan Wroe (Cal. Bar No. 299296)
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Email: eroberts@childrensrights.org

DECLARATION OF SARAH KAHN

I, Sarah Kahn, declare as follows:

1. I am a Senior Staff Attorney at the Center for Human Rights and Constitutional Law. I represent Plaintiffs in the above-titled action. If called to testify in this case, I would testify competently about these facts.

2. Defendants request that Plaintiffs' counsel provide two-weeks' notice before conducting a Flores monitoring visit pursuant to paragraph 32 of the Flores Settlement Agreement. When Plaintiffs' counsel request a visit less than two weeks from the date of notice, Defendants generally refuse to facilitate the visit.

3. On March 19, 2026, I visited the Chula Vista Border Patrol Station. There was one family present, whom counsel interviewed.

4. After visiting Chula Vista, I checked the ICE online database and found that the family had not yet been transferred or released from CBP custody.

5. On March 24, 2026, I emailed Defendants' counsel to notify them that the family's detention violated the Flores Settlement Agreement and to request an update on the family's status. A true and correct copy of this email thread is attached as Exhibit 1 to this declaration.

6. On September 22, 2026, I visited the Chula Vista Border Patrol Station.

7. One family I interviewed had been detained since approximately September 7, 2026.

8. After their interview, I provided the family with counsel's phone number so that they could seek counsel's assistance if their child's rights under the Settlement were violated.

9. On October 4, 2026, I received a call from an unknown number. The call was from the father of a class member with whom he was detained in CBP custody. The father had finally been permitted by a guard to call but had been warned he only had three minutes on the phone. Because the call had not been previously scheduled with counsel, counsel was unable to immediately arrange an interpreter to assist. I was able to

ascertain that the family had been transferred to a CBP facility in McAllen, Texas before the father was rushed off the phone and the call ended.

10. I subsequently attempted to arrange a legal call with the class member's family. I called a publicly available number and was transferred or directed to six different additional numbers, some of which were disconnected and others of which directed counsel to another number. One agent stated that it was CBP policy that the "client has to call you." Finally, an agent directed me to email a G28 to Rio Grande Valley CBP Office of Chief Counsel.

11. The office responded by email on October 7, 2026. A true and correct copy of that email thread is attached as Exhibit 2 to this declaration.

12. I then emailed Defendants' counsel to request a legal call with the class member's family. A true and correct copy of that email is attached as Exhibit 3 to this declaration.

13. Pursuant to Paragraph 28.A. of the FSA, Defendants provided data reflecting all children held in CBP detention over 72 hours. Defendants have provided counsel with that data through August 2026. According to Defendants' data, Y.F.D. was detained for 27 days and A.V. was detained for 11 days.

14. After interviewing N.H., I checked the online ICE database daily and according to that database, N.H. remained in CBP custody for at least 13 days and M.S. remained in CBP custody for at least 17 days.

15. On October 30, 2026, Plaintiffs' counsel met and conferred with Defendants' counsel. Defendants reiterated their position that Plaintiffs' counsel and class members are not entitled under the Settlement to confidential legal calls.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this November 12, 2026 at San Francisco, California.

/s/ Sarah Kahn

Sarah Kahn

EXHIBIT 1



Sarah Kahn <sarah@centerforhumanrights.org>

[URGENT] Family at Chula Vista Station 24 Days

Parascandola, Christina (CIV) <Christina.Parascandola@usdoj.gov> Mon, Mar 30, 2026 at 9:26 AM
To: Sarah Kahn <sarah@centerforhumanrights.org>
Cc: "Celone, Michael A. (CIV)" <Michael.A.Celone@usdoj.gov>, "Silvis, William (CIV)" <William.Silvis@usdoj.gov>, "Lesnau, Jessica R. (CIV)" <Jessica.R.Lesnau@usdoj.gov>, Bardis Vakili <bardis@centerforhumanrights.org>, Becky Wolozin <bwolozin@youthlaw.org>, Leecia Welch <lwelch@childrensrights.org>, Mishan Wroe <mwroe@youthlaw.org>, "McCroskey, Joshua C. (CIV)" <Joshua.C.McCroskey@usdoj.gov>

Dear Sarah,

U.S. Customs and Border Protection informed us a little while ago that on Sunday the family was removed to [redacted].

Sincerely,

Christina

Christina Parascandola

Senior Litigation Counsel

Office of Immigration Litigation

U.S. Department of Justice

202-514-3097 | christina.parascandola@usdoj.gov

From: Sarah Kahn <sarah@centerforhumanrights.org>
Sent: Friday, March 27, 2026 7:57 PM
To: McCroskey, Joshua C. (CIV) <Joshua.C.McCroskey@usdoj.gov>
Cc: Parascandola, Christina (CIV) <Christina.Parascandola@usdoj.gov>; Celone, Michael A. (CIV) <Michael.A.Celone@usdoj.gov>; Silvis, William (CIV) <William.Silvis@usdoj.gov>; Lesnau, Jessica R. (CIV) <Jessica.R.Lesnau@usdoj.gov>; Bardis Vakili <bardis@centerforhumanrights.org>; Becky Wolozin <bwolozin@youthlaw.org>; Leecia Welch <lwelch@childrensrights.org>; Mishan Wroe <mwroe@youthlaw.org>
Subject: Re: [EXTERNAL] [URGENT] Family at Chula Vista Station 24 Days

Hi Josh,

It is incredibly frustrating to learn the government is obstructing our clients' access to counsel in this way. The Court has explained that "[t]he Agreement contemplates attorneys having near-unfettered access to minors in custody." [Doc. # 976] at *16. Paragraph 32 provides that "Plaintiffs' counsel are entitled to attorney-client visits with class members." It describes additional conditions for in-person visits, but nowhere limits such visits to in person. I believe a phone call with my clients is the most efficient way to access them but given your refusal to provide said phone call, please accept this as

my notice of a site visit to Chula Vista on Wednesday, April 1, if the family is still in CBP custody at that time. I will plan to inform Judge Gee of this issue on Monday at our status conference.

Best,

Sarah

On Fri, Mar 27, 2026 at 12:09 PM McCroskey, Joshua C. (CIV) <Joshua.C.McCroskey@usdoj.gov> wrote:

> Hi Sarah,
>
> The *Flores* Settlement Agreement does not entitle class counsel to the requests made in your email. Class counsel may schedule in-person attorney client visits at Chula Vista Station as provided for in Paragraph 32.
>
> Best,
>
> Joshua
>
> ---
>
> **From:** Sarah Kahn <sarah@centerforhumanrights.org>
> **Sent:** Friday, March 27, 2026 12:41 PM
> **To:** McCroskey, Joshua C. (CIV) <Joshua.C.McCroskey@usdoj.gov>
> **Cc:** Parascandola, Christina (CIV) <Christina.Parascandola@usdoj.gov>; Celone, Michael A. (CIV) <Michael.A.Celone@usdoj.gov>; Silvis, William (CIV) <William.Silvis@usdoj.gov>; Lesnau, Jessica R. (CIV) <Jessica.R.Lesnau@usdoj.gov>; Bardis Vakili <bardis@centerforhumanrights.org>; Becky Wolozin <bwolozin@youthlaw.org>; Leecia Welch <lwelch@childrensrights.org>; Mishan Wroe <mwroe@youthlaw.org>
> **Subject:** Re: [EXTERNAL] [URGENT] Family at Chula Vista Station 24 Days
>
> Hi Josh,
>
> Thank you for following up with us and for continuing to monitor this situation.
>
> The family has now been detained in CBP custody for 28 days. Plaintiffs are awaiting Defendants' explanation, but there is no justification for month-long detention in a CBP facility, which Defendants have consistently conceded is not appropriate for anything more than a very brief detention. This family needs to be moved out of CBP custody immediately.
>
> Please direct CBP to facilitate a legal call with Flores counsel today. I am available today 12pm until 1pm PST. I am also available over the weekend to take a scheduled legal call, but would need CBP to provide the exact time when I should make myself available.
>
> Please also confirm that Defendants have informed Mr. Moak about this family's situation and that Mr. Moak is directing CBP on Flores compliance as to this family.
>
> Thank you for your assistance with this urgent situation,
>
> Sarah

On Thu, Mar 26, 2026 at 5:08 PM McCroskey, Joshua C. (CIV) <Joshua.C.McCroskey@usdoj.gov> wrote:

Hi Sarah,

Thank you for your email. CBP is aware of and looking into this situation. I will let you know when I have more information to share.

Best,

Joshua

From: Sarah Kahn <sarah@centerforhumanrights.org>
Sent: Tuesday, March 24, 2026 12:42:57 PM
To: McCroskey, Joshua C. (CIV) <Joshua.C.McCroskey@usdoj.gov>; Parascandola, Christina (CIV) <Christina.Parascandola@usdoj.gov>; Celone, Michael A. (CIV) <Michael.A.Celone@usdoj.gov>; Silvis, William (CIV) <William.Silvis@usdoj.gov>; Lesnau, Jessica R. (CIV) <Jessica.R.Lesnau@usdoj.gov>; Bardis Vakili <bardis@centerforhumanrights.org>; Becky Wolozin <bwolozin@youthlaw.org>; Leecia Welch <lwelch@childrensrights.org>; Mishan Wroe <mwroe@youthlaw.org>
Subject: [EXTERNAL] [URGENT] Family at Chula Vista Station 24 Days

Dear Josh,

Plaintiffs are reaching out about an urgent situation on behalf of a family with a five month old, two year old, eleven year old, and fifteen year old who have been detained at the Chula Vista CBP Station for 23 days.

This family has had no access to counsel, despite an IJ ordering Border Patrol to assist them in contacting legal service providers, and has been detained for nearly a month in conditions that are unacceptable for the prolonged detention of children. Their detention violates the FSA's expeditious processing provision and, because of the extreme conditions of CBP detention, including limited access to the outdoors, to showers, to visitation with separated family members, and to a child-friendly environment, violates the FSA's minimum standards for conditions of detention. FSA 12.A.; 12.C.; and 14.

Please provide the reason for the delay in their transfer or release and ensure that they are promptly released from CBP custody. Please provide Plaintiffs with the family's updated status by Thursday, March 26.

The family's names, ages, and A numbers are below. Their country of origin is [redacted]

[redacted]

Best,

Sarah Kahn (she/her)

Senior Staff Attorney

Center for Human Rights and Constitutional Law

sarah@centerforhumanrights.org

http://www.centerforhumanrights.org

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EXHIBIT 2

Sarah Kahn <sarah@centerforhumanrights.org>

request for legal call

[redacted]@cbp.dhs.gov> Wed, Oct 7, 2026 at 7:46 AM
To: Sarah Kahn <sarah@centerforhumanrights.org>
Cc: [redacted]@cbp.dhs.gov>, [redacted]
[redacted]@cbp.dhs.gov>, [redacted]@cbp.dhs.gov>

The Office of Chief Counsel (OCC) for U.S. Customs and Border Protection (CBP) provides legal advice to CBP, rather than to the public. While we recognize the importance of counsel, OCC is not in a position to provide information about individuals who CBP has interacted with, including those who may be in our custody. If you are searching for someone that you believe is in CBP custody, you can find more information at Searching for Someone in CBP Custody. To the extent that there is an issue that requires the attention of the Office of Field Operations (OFO) or Border Patrol (BP), the information about stations and ports of entry is publicly available at www.cbp.gov. To the extent you are seeking coordination regarding a credible fear interview, please contact the USCIS Houston Asylum Office at houston.asylum@uscis.dhs.gov or ER-CFI-RGV@cbp.dhs.gov.

[redacted]

General Attorney

Office of Chief Counsel, Rio Grande Valley, Gulf Southwest Region

U.S. Customs and Border Protection

[redacted]

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From: Sarah Kahn <sarah@centerforhumanrights.org>
Sent: Tuesday, October 6, 2026 8:56 PM
To: RGV-OCC <rgv-occ@cbp.dhs.gov>
Subject: request for legal call

You don't often get email from sarah@centerforhumanrights.org. Learn why this is important

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Good evening,

I am writing to request a legal call and provide a G28 for a person I believe is detained at Ursula CPC in McAllen, Texas.

At your earliest convenience, please arrange for [redacted], to call me at [redacted].

Thank you very much for your assistance,

Sarah Kahn (she/her)

Senior Staff Attorney

Center for Human Rights and Constitutional Law

sarah@centerforhumanrights.org

http://www.centerforhumanrights.org

EXHIBIT 3

Sarah Kahn <sarah@centerforhumanrights.org>

Flores - Time-Sensitive Request for Attorney-Client Call

McCroskey, Joshua C. (CIV) <Joshua.C.McCroskey@usdoj.gov> Thu, Oct 8, 2026 at 12:07 PM
To: Sarah Kahn <sarah@centerforhumanrights.org>, Diane de Gramont <ddegramont@youthlaw.org>, Leecia Welch <lwelch@childrensrights.org>, Eleanor Roberts <eroberts@childrensrights.org>, Bardis Vakili <bardis@centerforhumanrights.org>, Becky Wolozin <bwolozin@youthlaw.org>, Mishan Wroe <mwroe@youthlaw.org>, "Celone, Michael A. (CIV)" <Michael.A.Celone@usdoj.gov>, "Silvis, William (CIV)" <William.Silvis@usdoj.gov>, "Lesnau, Jessica R. (CIV)" <Jessica.R.Lesnau@usdoj.gov>, "Luhn, Clifford M (CIV)" <Clifford.M.Luhn@usdoj.gov>

Hi Sarah,

As we have discussed previously, the *Flores* Settlement Agreement does not entitle class counsel to the request made in your email.

Best,

Joshua

From: Sarah Kahn <sarah@centerforhumanrights.org>
Sent: Wednesday, October 7, 2026 8:05 PM
To: Diane de Gramont <ddegramont@youthlaw.org>; McCroskey, Joshua C. (CIV) <Joshua.C.McCroskey@usdoj.gov>; Leecia Welch <lwelch@childrensrights.org>; Eleanor Roberts <eroberts@childrensrights.org>; Sarah Kahn <sarah@centerforhumanrights.org>; Bardis Vakili <bardis@centerforhumanrights.org>; Becky Wolozin <bwolozin@youthlaw.org>; Mishan Wroe <mwroe@youthlaw.org>; Celone, Michael A. (CIV) <Michael.A.Celone@usdoj.gov>; Silvis, William (CIV) <William.Silvis@usdoj.gov>; Lesnau, Jessica R. (CIV) <Jessica.R.Lesnau@usdoj.gov>; Luhn, Clifford M (CIV) <Clifford.M.Luhn@usdoj.gov>
Subject: [EXTERNAL] Flores - Time-Sensitive Request for Attorney-Client Call

Hi Joshua,

I am writing to request a legal call with a class member and her parents, whom I believe to be currently detained at Ursula in McAllen, Texas.

The family's information is below:

[redacted]

I can be available any time, but would prefer a call tonight or tomorrow any time after 830am pt except for 1-2pm pt. They can call me at [redacted].

Case 2:85-cv-04544-DMG-AGR Document 1837-1 Filed 11/13/26 Page 16 of 16 Page ID #:65280

Please confirm that CBP is able to facilitate a legal call with the family.

Thank you for your assistance,

Sarah Kahn (she/her)

Senior Staff Attorney

Center for Human Rights and Constitutional Law

sarah@centerforhumanrights.org

http://www.centerforhumanrights.org

UNREDACTED VERSION OF DOCUMENT PROPOSED TO BE FILED UNDER SEAL

I, G[redacted] A[redacted] S[redacted], declare as follows:

1. This testimony is based on my personal knowledge and the following facts are true to the best of my understanding and recollection.

2. I am 36 years old. I am from [redacted].

3. I speak Spanish.

4. I have been at the San Ysidro Port of Entry since April 19, 2026.

5. I traveled to the United States with my son, mother, and my stepfather.

6. I entered the United States by car, and my mom showed her [redacted] passport and explained what was going on, specifically that we were in danger and were fleeing our home.

7. The agents looked over our papers, and sent us for a second revision, and locked us up. After the second revision, they took us to this facility.

8. In this facility, my mom, son and I are in the same room together, my stepfather is in a different room. During my time here, I've been able to see my stepfather.

9. The temperature is really cold. A lot of times, they turn the air conditioning up a lot and it blows freezing air. My son, my mother, and I have to deal with this cold temperature as we're sleeping. My baby got a runny nose due to the cold temperatures. It's difficult for my son to sleep.

10. I actually brought a blanket, they wouldn't let me take it out. I asked if I can grab my sweater, and they wouldn't let me because my things were already put away.

11. When I'm sleeping, they don't dim the lights.

12. It's very uncomfortable to sleep in my room—very cold. The blankets are very thin, like tin foil.

13. For my son, there's generally no opportunity for him to play, go outside, be a child.

14. My son is a toddler, he is suffering being locked up like this. He runs to the locked door and pushes it, crying because he wants to go outside.

15. My son has had only one opportunity to go outside.

16. My son has yelled a lot more since arriving to this facility.

17. Since arriving to here, I haven't been able to use the phone.

18. This morning, I had an interview about my fear of returning to [redacted] and why I fled. I wasn't given access to a phone before this morning's interview.

19. Before my morning interview, I wasn't given an opportunity to have access to a lawyer.

20. I have recordings that show evidence of the danger we were in. I wanted to show these recordings to the official, but during the interview, they wouldn't let us share the recordings on my phone with them.

21. When they said we failed they told me a judge could review our case, but they didn't give me an opportunity to speak to a lawyer before making my decision.

22. Even though we're in danger, it's also impossible for us to stay here any longer. My son runs across the cement rooms, there is nothing here for him to do or play with, he is getting more and more anxious and he doesn't understand why we cannot leave. I don't think he can tolerate more imprisonment.

I declare under my duty to tell the truth and penalty of perjury that to the best of my knowledge, all the information I have here given is correct and complete and I understand the legal consequences of testifying falsely to the authorities. Executed on this 21st day of April 2026, at San Ysidro POE.

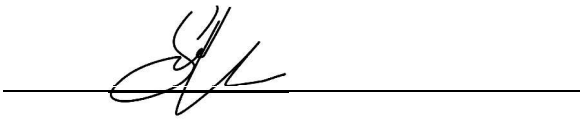
[redacted]

[Name: _____]

CERTIFICATE OF INTERPRETATION

My name is Sarah Kahn and I swear that I used the professional interpreter service *Jeenie* to interpret the foregoing declaration from English to Spanish for the declarant on April 21, 2026.

Dated: April 21, 2026



REDACTED VERSION OF DOCUMENT PROPOSED TO BE FILED UNDER SEAL

I, Y[redacted] F[redacted] D[redacted], declare as follows:

1. This testimony is based on my personal knowledge and the following facts are true to the best of my understanding and recollection.

2. I am 33 years old. My husband is 35 years old. And our son is seven years old. We are from [redacted]. We all speak [redacted].

3. We have been at the Chula Vista Border Patrol facility for five days. Before here, we stayed a night at another office.

4. We arrived by plane to Tijuana. We were there one night before crossing to the United States.

5. We entered the United States by crossing the border near Tijuana to the United States and we surrendered to Border Patrol officers. We told them that we were crossing because we are seeking asylum in the United States.

6. We crossed on July 8 at night. We spent one night at one facility, and the next day we came to where we are now.

7. The place where we were the first night, there were only the three of us in the room. That room was a hotel.

8. When we arrived at the place where we are now, we were separated. My husband was separated and put in a room with 60 or 70 people, all men. My son and I are in another room. My husband is still separated from us. In the room I am in with my son, the room has more than 20 single women and full families—approximately over 30 people in total. There are about four small children.

9. We are still in there.

10. The room has a toilet in it. It is in the same space as where we sleep. It is separated by a very small wall. The room is made of cement. There are windows and I can see outside. It is crowded.

11. My son has snacks he can eat, but he doesn't like them. They are cookies. We have water. He is not used to eating the meals they give him, so he doesn't eat very much in here.

12. The room we are in is not good for sleeping. They do not switch off the light at night and the flushing in the toilet is very loud. We sleep on the floor with a thin mattress. We get aluminum sheets—not real blankets. We get cold sometimes. We do not have pillows. My son has a hard time sleeping. He cried one time because he could not sleep.

13. Sometimes the temperature feels very cold. My son has a sweater, he cannot get more clothes because if they bring one new piece of clothing they will take the old one away.

14. Me and my son have gone outside only a few times. We did not go outside yesterday. We can stay outside around twenty minutes when we do go outside.

15. They provide cotton sticks to brush our teeth, but they are not real tooth brushes and we do not get tooth paste.

16. My son has been sick since the second day we arrived here. He has a thick phlegmy cough. The medical worker here who saw him said that because he doesn't have a high temperature he should just drink water. They have not given him medicine. We don't have a choice so we just deal with it, but I am very worried about my son.

17. They give my son clean clothes every two days. He showers every two or three days because the water is very cold. He hates showering here because it's so cold, and I'm worried that the cold water is making his sickness even worse. I take a shower every two days when they give me clean clothes.

18. The guards have not been nice to us. I asked if my son can see his father who is detained separately and they ignored us. We saw my husband two days ago for a credible fear interview with the asylum officer. This interview I am doing now is the second time my husband has seen my son since we arrived here.

19. We were declined from our asylum interview. We were told we can appeal, but the appeal with the Immigration Judge has not been arranged yet.

20. We do not have a lawyer. We were told we would get a list of legal providers but we have not gotten it yet.

21. We have asked to use the phone, but they did not do anything. We have asked to use it after the interview so we can try to find a lawyer, but we have not been able to use it.

22. During the asylum interview, the guard was at the door. The asylum officer asked my son questions.

23. The guards gave us documents in English, they put them in front of us, but they did not tell us what they were about before telling us to sign them. We signed them because we felt like we had no choice. They did not translate them at all. We do not speak or read any English.

24. We never spoke to a lawyer before or during the interview. No one ever told us we could.

25. There is a church member who is prepared to provide us housing. They are located in Montclair.

26. I am desperate to get my son out of here as soon as possible. I know there is a single dad from [redacted] here with his daughter who has been here for over 20 days and I am so worried about what this experience will do to my son.

I declare under my duty to tell the truth and penalty of perjury that to the best of my knowledge, all the information I have here given is correct and complete and I understand the legal consequences of testifying falsely to the authorities. Executed on this 13 day of July 2026, at Chula Vista, CA.

[redacted]

CERTIFICATE OF INTERPRETATION

My name is [redacted] and I swear that I am fluent in both the English and [redacted] languages and I interpreted the foregoing declaration from English to [redacted] to the declarant to the best of my abilities.

Dated: [redacted]

_____

REDACTED VERSION OF DOCUMENT PROPOSED TO BE FILED UNDER SEAL

I, A[redacted] V[redacted], declare as follows:

1. This testimony is based on my personal knowledge and the following facts are true to the best of my understanding and recollection.

2. I am 50 years old and my daughter is 12 years old. I am from [redacted], [redacted] My daughter has autism and this experience has been traumatizing for her.

3. I speak Spanish.

4. We have been detained for 7 days - at Chula Vista since Tuesday, July 7 and in Border Patrol custody since Monday, July 6.

5. Days before we crossed, dangerous people threatened to kill us and tried to kidnap my daughter. We had to flee.

6. My daughter has a lot of antisocial anxiety. It's hard for her to engage socially, and it has gotten worse because of the danger we faced.

7. My daughter and I crossed near Tecate. When Border Patrol first took us, we went to a building with a cell near there, where we were overnight. They put me and my daughter in a room where we were alone. There was a toilet with a half wall, a short partition, separating it from the area where we slept.

8. The next day, the agents told us we would travel for about an hour by car, and that is when we arrived at the place we are now. When we first arrived, we were in a room with a lot of people. It was overwhelming for my daughter, who has extreme anxiety. She gets overstimulated even in large stores like Walmart. My daughter got a lot of anxiety and her blood pressure dropped.

9. When she gets nervous, she digs her nails into her fingers until her hands bleed.

10. When she began to panic, the other women tried to help me to calm her.

11. The doctor saw that my daughter was panicking and asked if she has an illness. I said yes, she has autism. The doctor came and checked my daughter and saw

that her blood pressure was dangerously low. They gave her Tylenol and they took us to a separate room.

12. They separated us from the other families in that smaller room. For four days we were in that room, then they took us back to the larger room.

13. The toilet in the room was exposed, there was only a partial separating wall.

14. She was calmer in the room where we were alone because there were not other people to distress her.

15. After that, they moved us to another small room with two other families and a Korean family who didn't speak English. We were meant to move to a third room after that, but they told us what to do in Spanish and English. The guard screamed at the Korean family, but they couldn't understand. Because they didn't know what to do, they didn't pack their things quickly enough. The guards threw away all of their snacks, water, and food.

16. About three days ago, they moved us back into a room with more people. There are four others in the room, two women and two small children.

17. It's a large room, all cement.

18. She is overwhelmed, but at least it helps to calm her that there are other kids.

19. In [redacted] she had been going to a place that helps her to learn to live with her autism. The medicine she was on made her sleepy, but they helped her get off her medication by learning coping mechanisms. Now it is like she never made that progress.

20. We are given thin grey plastic mats, or white smaller mats for the little ones. We have no pillow, our blanket is aluminum. I use our sweaters as a pillow for my daughter.

21. We have been outside only twice since we arrived. This is the third time we have seen the sun. There are windows in the cell, but they are covered by metal bars.

22. There is a wall by one side of the toilet and showers, but it's otherwise open to the rest of the people in the room.

23. Some of the guards will turn the lights down at night, but some will not.

24. There's one officer who is very aggressive. She screams at the kids.

25. There is no food my daughter can eat. The burritos they give us have onion, and she doesn't eat onion. They give her instant noodles, which is all she can eat. They also give her a sandwich, but she will only eat these if I take off the edges of the sandwich.

26. I had an interview and they told me I was not credible and that I had seven days to appeal. They gave me an appointment for the next day. On Friday I had an appointment with an immigration judge by video and they denied us.

27. They wouldn't let us use the phone. I told them my husband was getting us a lawyer, but they said there are no lawyers here. We can't have a lawyer in our interview.

28. I told them that my husband has a lawyer who can help. The agent said, no, I'll just ask a few questions. They asked my daughter questions, too.

29. Wednesday they first spoke with me, then Thursday they spoke with my daughter. She was too exhausted to speak to them Wednesday. Thursday was when they told me I didn't have credible fear and that I had seven days to appeal.

30. Finally a CBP officer felt for my daughter, who was still asking to speak to her father. He told us he would let her use the phone, but it was already after the interview. The CBP officer went with my daughter, they kept the phone on speaker for him so that they could hear her. My daughter became shy, so she didn't speak. I spoke to him, asking him to get a lawyer for us. The guard yelled at us, telling me I should not have spoken to my husband and that we wouldn't be allowed to speak to her father again.

31. She just kept apologizing. She said she didn't want to talk in front of the officer. She felt she had caused us to be cut off from him.

32. Despite the cruel way he yelled at her, my daughter drew a picture for a guard to thank him for letting us use the phone.

33. My daughter won't speak to anyone, especially men. When adult speak to her she just retreats backwards. This place is so hard for her, she can't stay here.

34. All I want to do is speak to my husband and ask him to get us out of here so we can be with him.

35. I know I made a mistake by bringing her, but it was so that she could survive.

36. Only God knows that I did everything I could to keep her safe.

I declare under my duty to tell the truth and penalty of perjury that to the best of my knowledge, all the information I have here given is correct and complete and I understand the legal consequences of testifying falsely to the authorities. Executed on this 13TH day of July 2026, at Chula Vis[redacted]

CERTIFICATE OF TRANSLATION

My name is Monika Langarica and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated: July 13, 2026



REDACTED VERSION OF DOCUMENT PROPOSED TO BE FILED UNDER SEAL

I, N[redacted] H[redacted], declare as follows:

1. This testimony is based on my personal knowledge and the following facts are true to the best of my understanding and recollection.

2. I am 15 years old. I am from [redacted]

3. I speak [redacted].

4. I have been at Chula Vista facility three days. We came Sunday and it is now Tuesday.

5. I came through a port of entry from Mexico with my mother.

6. We asked the agent for asylum, but he just told us that he was going to put us in detention.

7. They took us to another facility. My mom and I were so anxious. It was a large building, and they had us drop our bags and go inside. We were there about eight hours. They took our fingerprints, asked some questions, then drove us here.

8. They took my mom and me to a large room where there was one other family.

9. There are no windows in the room, we cannot see the sun.

10. There are thin mats on the floor, but the room is cement, and we sleep on the cement floor.

11. We are not given a pillow, but we are given a thin mylar blanket. We try to use our clothes as pillows.

12. It is difficult to sleep at night. It is extremely loud. We are afraid, we don't know what to expect or how long we will be here. They leave the lights on all night.

13. My mom asked the guards to please let us outside for a bit. We were allowed outside only once for one hour. This was the only time we could go outside at all. We were not taken outside Sunday or today.

14. We are able to shower, but the shower is outside the room. A guard must take us to shower, and they only take us if we go to them to ask.

15. The toilet is inside the pod and there is only a half wall as tall as my chest covering it partially from view.

16. We used the phone one time since arriving. We were allowed only two minutes and a guard was nearby supervising the call. We were able to speak just a few words to a family friend.

17. We asked him to help us get a lawyer, but of course we didn't have time for him to try and we have not been able to call again, to ask for an update.

18. They did not provide us with a list of free legal services.

19. The guard said we could only use the phone to call a US number. We wanted to call my grandfather. He was ill and not doing well when we left. We are worried about him and I just want to hear his voice.

20. We had an interview this morning about our case and why we were afraid to return. We were not allowed to call a lawyer.

21. We don't know if we will see a judge or what will happen next. We don't know whether we will get a lawyer, or how to get a lawyer.

22. When we did the interview, they asked us some questions that my mom misunderstood. They asked us only yes or no questions. They didn't allow us to share our story, there was so much more we wanted to add. My father is extremely abusive. He was deported from the United States, we hoped we would finally be free and safe here because he cannot return.

23. We are exhausted and afraid about the future, we don't know what will happen to us, we have not spoken to a lawyer to better understand the process we are undergoing. We do not know how to advocate for our family or explain our situation.

24. Although there was a translator in the interview, no one has explained anything to us since. They told us only to wait. No information about what would happen next, if we would see a judge, or if we could get a lawyer. We know nothing, we cannot call anyone for help.

25. We hoped we would be safe, but all we know here is uncertainty.

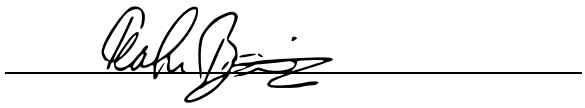
I declare under my duty to tell the truth and penalty of perjury that to the best of my knowledge, all the information I have here given is correct and complete and I understand the legal consequences of testifying falsely to the authorities. Executed on this 1st day of September 2026, at Chula Vista CBP.

[redacted]

CERTIFICATE OF TRANSLATION

My name is Eddy Barsoumian and I swear that I am fluent in both the English and [redacted] languages and I translated the foregoing declaration from English to [redacted] to the best of my abilities.

Dated: 09/01/2026



REDACTED VERSION OF DOCUMENT PROPOSED TO BE FILED UNDER SEAL

I, R[redacted] R[redacted], declare as follows:

1. This testimony is based on my personal knowledge and the following facts are true to the best of my understanding and recollection.

2. I am 15 years old. I am from [redacted].

3. I speak [redacted] and English.

4. I have been at Chula Vista facility 2 days. We came Sunday.

5. I came with my mother and father.

6. Border Patrol first took us to another facility, in Campo CA. After one night there, they drove us here.

7. When we arrived, they took my dad away to a large room with other men. They took my mom and me to a separate building.

8. They just separated us. They told us nothing. I didn't know if I would see him again. We didn't know if he was still in this facility, if he was ok, if he was being deported without us. I was distraught and panicking from worry for him and fear I would not see him again.

9. I asked to see my dad and they said no, you cannot see your dad here. They said we would get no visitation.

10. This place is horrible. It isn't a place for children, or humans. Knowing my dad is here alone kills me.

11. I couldn't sleep all night worrying about where he is, if he's eating, if they're treating him ok.

12. My mom and I are in a small cell alone.

13. There is a toilet and sink, but to shower we have to be taken to another room by guards.

14. There is hand sanitizer but there is no soap in the cell – my mom thinks it may be soap, it is difficult to tell what it is because the quality is so poor.

15. There is only a half wall around the toilet and a plastic swinging door, which doesn't actually close.

16. There is an air conditioner on all the time. I never take off my hoodie.

17. There's no real food here. Nothing but chips, capri suns, snacks, and some kind of burrito – it has nothing substantive in it and isn't filling, I can't identify what's in it exactly, something that tastes like cabbage and bean.

18. My dad can't even eat the burritos because he has a stomach condition. It hurts for him to eat. I know he's suffering. It's hard for me to carry that.

19. We haven't been able to visit even once in two days and a night. We have not been allowed out of our cell even once.

20. The cell is a barren cement room. After some hours, I asked the guard, please can we have anything to do? One of the guards gave us a crossword and some uno cards. We just keep doing the crossword, again and again, and playing uno, again and again, for hours.

21. They took us for a shower. That meant they had to walk us to the other pod, we had to wait for the families there to leave the area. When we came back, they had flipped our cell and piled our few things on the thin mat we sleep on. Then they told us we had to give back the uno and crosswords.

22. The lights are on all night. It's impossible to sleep. Especially because I spend the night worrying about my dad.

23. They give us only a sponge on a stick for our teeth.

24. My father has nothing. He doesn't have a toothbrush, he hasn't showered. The men get nothing. I worry constantly about him.

25. We were taken for one interview with an officer. We were taken to the interview room and I finally saw my dad. For the first time I knew he's even in the US.

26. This morning, they woke us at 6:59am suddenly. We had no time to wash our hands or faces or wake up. They didn't give us a moment, just demanded we come with them from our bed without explanation.

27. They took us to a tiny room with a single chair. On a small table was a phone.

28. My dad was there. Amidst the confusion and fear of that moment, I was also overcome to see my dad there, to know that he was ok.

29. They questioned us for two or three hours. Only one of us could sit by the phone at a time, because of the single chair. While one talked, the other two would have to stand.

30. There was an officer and translator on the phone, but the translator often got things wrong. I speak fluent English and I knew he was missing important parts of our story, but there was nothing I could do.

31. They said we will have a follow up interview. We don't know what that means, with whom, what they will ask, when it will happen, if we can have a lawyer there.

32. We had political asylum already before. We won our case and lived here five years. But now we don't know what will happen to us.

33. My brother lives here in Las Vegas but we aren't allowed to use the phone to call him.

34. We got one call at Campo for a few minutes. They told all of the families we weren't allowed to call anyone, that all we would be given was a single call to the embassy later. But I speak fluent English, and the guards began asking me to translate for them for all the families who speak our language. Of course I wanted to help the other families.

35. Finally a guard said, if you will continue to translate for us, we will let you make a call. We were able to get a few minutes talking to my brother. Throughout the call they rushed us, saying every minute you spend on the phone is another minute you will spend here.

36. So now my brother knows we were at Campo but doesn't know we are here now. I know he is worried about us. We want to speak to him. He may be able to help us

get a lawyer. We know he is afraid for us. All I want is to go back to my life here, where we are safe.

37. After we got political asylum, we lived in [redacted] for five years. We had immigration papers, IDs, legal paperwork. We were just waiting for our green cards.

38. Elementary to high school, I was in school in [redacted]. My friends and life were here.

39. We don't know what the interview means or what's next. We want to talk to my brother, our family, and a lawyer. We don't know what's happening because we can't call anyone, we can't even tell the ones we love where we are.

I declare under my duty to tell the truth and penalty of perjury that to the best of my knowledge, all the information I have here given is correct and complete and I understand the legal consequences of testifying falsely to the authorities. Executed on this 22nd day of Sept 2026, at Chula Vista.

[redacted]

REDACTED VERSION OF DOCUMENT PROPOSED TO BE FILED UNDER SEAL

I, M[redacted] S[redacted], declare as follows:

1. This testimony is based on my personal knowledge and the following facts are true to the best of my understanding and recollection.

2. I am from [redacted]

3. I speak [redacted].

4. I came here with my four-year-old daughter [redacted], my fifteen-year-old daughter [redacted], my seventeen-year-old son [redacted], and my husband [redacted].

5. I have been at Chula Vista 11 days.

6. Before we came here, we stayed one night at another facility.

7. My daughter could see her father there, but not here.

8. When we arrived here, they took my daughters and son and me to a tiny cell and my husband to another, a room beside.

9. People come and go so often. My son is older so perhaps they won't let us stay with other families because of that.

10. There was a toilet in the cell with a half door partitioning it from the cell.

11. The sink was a sort of dish attached to the metal toilet, where the tank is. The water to wash our hands was from a pump, it is very difficult to wash our hands, when one of us wants to wash our hands, another goes with them to hold the pump.

12. They would take us in and out for showers, but otherwise we were in this cell all day.

13. My daughter is only four years old. I don't know how long she can survive in a cell. She is so afraid. She doesn't understand why we are here.

14. In the first cell, the trauma of being trapped in that small cement space was too overwhelming for her. She started to stutter. She has never had a stutter before, now she tries to say something and all that comes out is the start of the word, over and over and over.

15. My husband stayed in that smaller cell, but we were moved to a larger room. My four-year-old is still suffering. She cannot eat the food here, which is for adults and older kids. The spices are unfamiliar, the food is not appropriate for a child her age. She survives on only fruit juice.

16. We came 12 days ago and she has been getting skinnier. In this interview she saw that you have brought cheese sticks, she loves them. If only she could have something like this here, a child's food. She wants fruit, pasta, rice, anything that is appropriate for kids. She is so hungry and looks pale and sick.

17. During family time, when we are allowed out, they were deporting someone. He was handcuffed and chained at the legs and waist. When she saw it, she was terrified. She started crying, asking if they would chain her and take us from here the same way. Her stutter increased after that. Every time she thinks of it, she starts to cry again.

18. She is terrified. She cries constantly.

19. At night, we wake every two hours. They only leave us alone between 1am and 4a. After 4, they wake us. The lights are on all night. We have purple bags under our eyes from sleeplessness.

20. We can leave only one hour a day, even when we were in the tiny cell we were only let out one hour a day. That is not enough for a child, to be locked in a cell 23 hours a day. I don't know if a child can endure that.

21. It was cold in the room. The children were freezing. We asked the guards to warm it, but they only told us, this is how it is.

22. We have not been allowed to call anyone. My dad is sick and he is so afraid for us. I just wanted to call him, but they told us international calls are not allowed here. We do not know anyone in this country. My husband wanted to call the Turkish embassy, but when he called they were unavailable and he never got another chance.

23. They have not let us use the phone. We want to call a lawyer but they would not allow us to call. My husband was in the US three years, then came to [redacted] to get us

and bring us here. He left only because he wanted to save us, to keep us safe. They told us because of this we cannot speak to a lawyer.

24. They told us we would have a hearing by phone with the judge, but it has been weeks and we have not seen a judge.

25. We asked a staff member to call a lawyer, and she told us we could, that she would arrange the call. Then she turned and walked away. We thought she would come back to take us to the phone, but she never returned. We asked the next guard and they said no, you cannot call a lawyer from here.

26. We have a lawyer, but still we aren't allowed to call. All we want is to get out of here.

27. We have a house in Los Angeles and two cars. We pay our taxes here. We want our children to go to school, we want to live the life my husband built for our children here. Of safety. Of what we thought America would be.

I declare under my duty to tell the truth and penalty of perjury that to the best of my knowledge, all the information I have here given is correct and complete and I understand the legal consequences of testifying falsely to the authorities. Executed on this 22nd day of September 2026, at Chula Vista

[redacted]

CERTIFICATE OF TRANSLATION

My name is M. Hanifi Altinsoy and I swear that I am fluent in both the English and [redacted]anguages and I translated the foregoing declaration from English to [redacted] on September 22, 2026, to the best of my abilities.

Dated: 25.9.2026

Signature

REDACTED VERSION OF DOCUMENT PROPOSED TO BE FILED UNDER SEAL

I, F[redacted] A[redacted] R[redacted] J[redacted], declare as follows:

1. This testimony is based on my personal knowledge and the following facts are true to the best of my understanding and recollection.

2. I am 16 years old. I am from [redacted]

3. I speak Spanish.

4. I have been at Laredo South Station since Saturday, this is my third day.

5. I came across the border with about seven strangers. Border Patrol found us and took most of us by van to a facility for processing and then taken here.

6. They placed me in a cement room alone. There is a thin mattress on a bed frame to sleep and they gave me an aluminum blanket. There is no pillow. There are windows, but they are crystal materials and they face the agents inside the facility. They leave bright lights on at night.

7. I have two foil blankets and I try to make a fort, using one to stay warm and the other to make a tent over my head so I don't have to stare into the lights.

8. I can't see the sun and the lights never go off, so when an agent takes me somewhere I try to see if he is wearing a watch to learn the time.

9. There is nothing to do in the room, no books, no TV. There are a few posters on the wall, a blank calendar and a poster showing the solar system. All day I read these posters over and over, I watch the agents moving outside the window. There is nothing else.

10. Only when they were walking me from the other station have I seen the sun.

11. I have showered twice, but they give us only five minutes to change, shower, and brush our teeth.

12. In the room there is a toilet and sink, but no soap.

13. I have a thin t shirt and one sweater, but have not been given a change of clothes, only fresh boxers once.

14. They give us only a burrito with a cookie and a juice for every meal. They don't give us any food between meals.

15. They must not heat the burrito properly because the tortilla tastes raw.

16. I've seen a doctor who checked me several times, but they never told me what they are checking.

17. They told me I could make one call, but they wouldn't give me my cellphone so I couldn't get the numbers for my family. They never gave me any list of free legal services. I had one chance to use the phone and no number to call.

18. I asked for a call with an attorney and they told me that I could use my call to call an attorney if I had a lawyer and knew their number. I don't have a lawyer.

19. My great-grandmother is in the United States.

20. No one has explained anything to me, not about the process, how long I might be here. No one has told me my rights, or said that I have any rights.

I declare under my duty to tell the truth and penalty of perjury that to the best of my knowledge, all the information I have here given is correct and complete and I understand the legal consequences of testifying falsely to the authorities. Executed on this 2nd day of November 2026, at Laredo South Station

[redacted]

CERTIFICATE OF INTERPRETATION

My name is Krystal Gomez and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated: 11/2/2026

Krystal Gomez
[Signature]

Krystal M. Gómez
[Print Name]

REDACTED VERSION OF DOCUMENT PROPOSED TO BE FILED UNDER SEAL

I, C[redacted] R[redacted] T[redacted] A[redacted], declare as follows:

1. This testimony is based on my personal knowledge and the following facts are true to the best of my understanding and recollection.

2. I am from [redacted].

3. I speak Spanish.

4. I have been at Laredo South facility 3 days.

5. I traveled with my 16-year-old daughter across the border.

6. I entered the United States through the river and Border Patrol encountered us. They took us by car here to this facility.

7. They placed my daughter and me in separate rooms, but thank God the rooms are close together and at least I know where my daughter is.

8. The rooms are large, cement rooms with windows that face inward towards the immigration agents. I cannot see my daughter or hear or speak to her, but I take comfort knowing she is on the other side of the wall.

9. I am in a room with two adults and my daughter is alone.

10. We have a thin mat to sleep on and a thin mylar blanket. We do not get a pillow.

11. It is so cold in the rooms. There is freezing air vented into the pod.

12. The lights are on all night, they never lower them. There is no clock in the pod either, because of the constant lights we do not know whether it is day or night. In the morning they bring us a burrito and that's the way we learn that it is the morning.

13. My daughter is alone in her room. There is no one to speak to and there are no games, books, TV, nothing to do but sleep and think.

14. We have not been taken out since we arrived. We haven't seen the sun.

15. Once since we got here a man wearing purple came and allowed my daughter and I to be together for a short time. He took us into the office space where the agents work, the area our pod windows face.

16. He did some breathing exercises with us to help us to calm down. One time he took my daughter, but I was not allowed to join. The other time, he took both of us together into the processing area outside our cells. We were given thirty minutes together, and other than when I went with her to the doctor, I have not been with her aside from this thirty minutes. She is completely alone.

17. My daughter became sick when she arrived, she has a bad cough. She has been going regularly to the medic to get medicine for her cough. I was allowed to join her the first two visits, but after that, the other doctor would not call for me to join.

18. Some agents are fine, but one is unkind.

19. In each cell, there is a toilet partitioned by a waist-high wall and a sink, but there is no soap available. My daughter also has no soap in her cell. They provide us our meals in the cell, everything since we have arrived has been inside the same cell.

20. They give us burritos for each meal, breakfast and dinner. They give us no lunch and nothing between meals. My daughter cannot eat the food, it is of such poor quality, the burritos taste raw. She is hungry, she eats only a cookie and a juice that comes with the burrito two times a day. Then for the rest of the day, there is nothing, no food, no games, no one with her in her cell.

21. When we arrived, we could take one shower. They gave us just five minutes in a mobile bathroom to wash off. We had been traveling by foot and through the river, so all we wanted was a long shower.

22. Within those five minutes, we tried to brush our teeth with the toothbrush they provided. We have not gotten a shower or to brush our teeth since then.

23. After this we got our only phone call, a very quick call. Maybe God touched this agent's heart, because he gave us a few minutes to use the phone. They had taken our phones, but thankfully I memorized my wife's number and could use the one they provided. I called my wife to tell her that we are ok and we are being detained. Since then, we were transferred here and my daughter and I haven't been permitted to use a phone.

24. We have not been able to use the phone since we arrived at this facility. She wants so much to talk to her mom.

25. We love our home, but we had to leave. We want only a home and to provide a better life for our family.

I declare under my duty to tell the truth and penalty of perjury that to the best of my knowledge, all the information I have here given is correct and complete and I understand the legal consequences of testifying falsely to the authorities. Executed on this 3rd day of NOVEMBER 2026, at LAREDO SOUTH STATION

[redacted]

CERTIFICATE OF INTERPRETATION

My name is Krystal Gomez and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated: 11/2/2026

Krystal G

[Signature]

Krystal M. Gómez

[Print Name]

REDACTED VERSION OF DOCUMENT PROPOSED TO BE FILED UNDER SEAL

I, T[redacted] M[redacted], declare as follows:

1. This testimony is based on my personal knowledge and the following facts are true to the best of my understanding and recollection.

2. I am from [redacted].

3. I speak English and [redacted].

4. I have been at Del Rio CBP facility 6 days.

5. I crossed with my two daughters, [redacted], who is twelve years old and [redacted], who is four years old.

6. We were walking, looking for help, and a border patrol car went by. We didn't know who it was and out of fear, we hid. They turned around and picked us up then and drove us to a facility for processing, where we spent one night, then they took us here.

7. The officer asked why I left my country and I told them it was dangerous and we could not go back. They didn't give us the opportunity to explain further. My daughter just turned twelve, and her uncle arranged a marriage between her and a middle-aged man. Because this is a religious requirement, the government and police will not intervene for us, there is no one who will help my child. She will not have the right to say no to him. Her life will be thrown away.

8. They didn't explain anything about asylum or how we could get help. The agent gave us paperwork and explained that it was expedited removal paperwork, but that everyone must sign it and the paperwork applies to everyone, it wouldn't affect our case. They told me to sign but didn't tell me what would come next in our case or what would happen. We cannot return to our home country, we would be in danger there, my daughters would not get to have lives.

9. They're telling us they will deport us tomorrow to a country we've never been to, but we've never been interviewed, we've never seen a judge, we've never even gotten a phone call.

10. When we arrived, we were taken to a cement pod with a large window looking in towards the agents. There is a metal prison toilet and sink in the room, but no soap to wash our hands.

11. There is no privacy around the toilet, only a short partition covering two sides. The toilet is open in the front.

12. We have a very thin sleeping mat to place on the floor to sleep and foil blankets. We have no pillows.

13. At night, the lights stay on all night. It is quite difficult to sleep under the blinding lights. The mat is so thin it feels like we are sleeping directly on the cement floor.

14. Once a day they take us out of the cells to the agents' area, just outside the cell, where the kids can sit on benches by the cell door and draw for about thirty minutes.

15. We have not been allowed outside since arriving here, we haven't seen the sun. Twenty-four hours a day we are looking only at the walls of the cell.

16. We get a shower about every 48 hours and we can brush our teeth when we shower.

17. The food is horrible. We get three meals a day. They give us rice that is watery and oily and undercooked. The kids are not eating at all, they are hungry all the time.

18. The agents don't speak to us. They don't tell us how long we will be here, what will happen to us. Every minute in the cell is longer because we don't know if or when we will leave.

19. A child cannot stay in a room 24 hours a day. There is not even a coloring book for them.

20. We asked to use the phone and they told us that we get one call to the consulate and nothing else, but they have not even given us the opportunity to call the consulate. We want to call our family to tell them we are ok, but they do not allow us to

use a phone. They told us that when we get our call to the consulate, the consulate could contact our family.

21. They didn't give us a list of free legal services. They have not allowed us to call a lawyer.

22. No one tells us anything. We don't know what the process is, what our rights are, if we have any rights.

I declare under my duty to tell the truth and penalty of perjury that to the best of my knowledge, all the information I have here given is correct and complete and I understand the legal consequences of testifying falsely to the authorities. Executed on this 3rd day of November 2026, at DRRIOCBP.

[redacted]

REDACTED VERSION OF DOCUMENT PROPOSED TO BE FILED UNDER SEAL

I, Y[redacted] M[redacted] S[redacted], declare as follows:

1. This testimony is based on my personal knowledge and the following facts are true to the best of my understanding and recollection.

2. I am from [redacted].

3. I speak Spanish.

4. I came with my eight-year-old son. I have been at Del Rio CBP facility for 7 days.

5. My son and I crossed through the river. Border Patrol saw us, there were about fifteen officials. I was terrified. I was running and I fell and I hit my face, giving me black eyes and a gash and lump on my forehead.

6. When we first arrived at the processing facility, they took our bags and took everything out and laid it out on a table. I had $248. They had me turn around to search me, and when I turned back there was only $2. I asked where my money had gone and they told me to calm down and that they didn't need my money. I told them maybe this money is a small amount to them, but it means everything to us. They told me I should just be grateful, that I was lucky they were taking me to the hospital.

7. The officers took my son and me to the hospital to treat my injuries.

8. They took us from the hospital to this facility. They didn't tell us anything about what was happening, what would happen next. They didn't ask if we were afraid to return or why we came. The officer just yelled at us, you have to sign these papers! They never explained what we were signing.

9. We fled [redacted] because we were not safe there, we experienced some horrible things. My sixteen-year-old son lives in Louisiana.

10. No one has given us any opportunity to explain why we fled. They've told us nothing about the process, nothing about what will happen, how we can ask for help. No one has given us a list of free legal services. No one has given us a phone call.

11. They asked if I was going to get a lawyer and I told them yes, I want a lawyer. But they didn't give me any information, they didn't let me have a phone call.

12. They did not allow us to use the phone. All I want is to talk to my son. They told us all we get here is one call to the [redacted] consulate. For eight days, my family has not known if we are alive.

13. We cannot go back, but no one has given me any opportunity to explain this.

14. They placed me with my son in a cement pod with a large window facing the guards' area. They sit watching us from behind glass, watching computers with video feeds of our cells. The area outside our cell is similar to a control room in a prison and it's all we can see. There is no window facing out, we can't see the sun.

15. There is a toilet in the cell but it is covered only by a half wall on two side and open in the front, there is no real privacy. There are cameras in our pod that are always live and I am afraid to use the restroom, I try to hide myself and my son when he needs to use it.

16. There is water but no soap to wash our hands.

17. We have thin mats on the floor to sleep on.

18. My son got an allergic reaction, he got a rash across his face and chest. We saw a nurse who gave us some cream, but that night it got worse. At night he was itching and we went to a different doctor who did nothing for him. I believe he was having an allergic reaction to the mat. To protect him, I told him not to touch the mat and to sleep without the mylar blanket. At night I lie on my back and I tell him not to touch the mat but to lie on top of me, to sleep on my chest. His rash has gone down since we began sleeping this way, with me as his bed, protecting him.

19. There is nothing in the cell. No books, no TV, no toys, nothing to do except for wait, and no one tells us even how long we will be waiting.

20. There are people, caretakers, who come by once per day and take us from the cell for about thirty minutes into the guard's area. Sometimes he can draw during those thirty minutes. That is all he has.

21. We haven't seen the sun. We haven't been outside.

22. The only thing my son has outside the cell is these thirty minutes in a prison guard control room.

23. He is not getting enough food. He hates the food, I beg him to eat but he won't. If they ever give us anything he will eat, I take a tiny bite and give the rest to him.

24. Breakfast is a plain oatmeal without any flavor, it has a gelatinous texture.

25. They give us food three times a day, sometimes cookies between meal. They give us rice and beans, a vegetable, with some bread, and about three times in the last week they also gave us meat, I could not identify what kind of meat it was.

26. We've asked for a toothbrush but they haven't given us any. He showers every other day and I go every three days.

27. The lights are on day and night, 24 hours a day. The lights are bright and walls are white, even when we are awake the light is uncomfortable. We only know what time it is because the caretaker who takes us out of the cell thirty minutes a day sometimes puts the time on the wall.

28. The agents don't speak to us. They read our bracelet and give us an order or ignore us.

29. My son hasn't seen his brother since he was two. I want to take him from here, I want him to meet his brother, I dream of my son hugging his brother.

I declare under my duty to tell the truth and penalty of perjury that to the best of my knowledge, all the information I have here given is correct and complete and I understand the legal consequences of testifying falsely to the authorities. Executed on this 3rd day of November 2026, at Del Rio CBP.

[redacted]

[Name: _____]

CERTIFICATE OF INTERPRETATION

My name is Krystal Gomez and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated: 11/13/26

[Signature]

Krystal M. Gomez

[Print Name]

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

Jenny Flores, *et al.*,

Plaintiffs,

v.

Todd Blanche, Attorney General of the United States, *et al.*,

Defendants.

Case No. CV 85-4544-DMG-AGRx

[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR CLARIFICATION OF THE FLORES SETTLEMENT AGREEMENT REGARDING CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION

Presently before the Court is Plaintiffs' Motion to Clarify the Flores Settlement Agreement Regarding Confidential Attorney Client Communications.

Paragraphs 32, 37, and 24D of the Settlement guarantee class members a right to confidential communications with *Flores* class counsel.

IT IS HEREBY ORDERED AS FOLLOWS:

1. If any class member in Department of Homeland Security ("DHS") custody requests to call *Flores* counsel, including a request made through a parent or guardian, DHS must facilitate a confidential call to class counsel. The class member and their family members should be permitted reasonable time to conduct the call in a private room.
2. If class counsel requests a confidential legal call with a specific class member or their family member while they are in DHS custody, DHS must make reasonable efforts to facilitate a confidential legal call within 24 hours. Class counsel is not required to provide the class member's A number or the DHS facility at which they are being held to make such a request.

IT IS SO ORDERED

DATE:

HON. DOLLY M. GEE
CHIEF U.S. DISTRICT JUDGE