

## NOTICE OF CLASS ACTION SETTLEMENT

Notice to *Casa Libre v. Mayorkas* Class Members for Motion for Attorneys' Fees

This notice is directed to all Special Immigrant Juvenile petitioners, except Washington state petitioners who are members of the certified class in the case entitled *Moreno-Galvez v. Cuccinelli*, Case No.C19-0321RSL (U.S. District Court for the Western District of Washington), who have submitted or will submit Petitions for Amerasian, Widow(er), or Special Immigrant (Form I-360) ("SIJ Petitions") with the USCIS, and whose SIJ Petitions were not or in the future are not adjudicated within 180 days of being filed, including but not limited to petitioners who were issued a Request for Evidence ("RFE") or a Notice of Intent to Deny ("NOID") causing delay in the processing of their SIJ Petitions pursuant to 8 C.F.R. § 204.11(g)(1).

This notice is to inform you of a settlement regarding a motion for attorneys' fees in a class action lawsuit called *Casa Libre v. Mayorkas*, Case No. 2:22-cv-01510-ODW-JPR (C.D. Cal.). The *Casa Libre* lawsuit resulted in a judgment (Doc. No. 112) declaring that, to the extent USCIS's Tolling Provisions, as set forth at 8 C.F.R. §§ 103.2(b)(10)(i) and 204.11(g)(1), allow for adjudication of SIJ petitions beyond the 180-day adjudication deadline, those provisions are not in accordance with law. This means that even when a SIJ petitioner is issued an RFE or NOID, the government is still bound to adjudicate the petition in accordance with 8 U.S.C. § 1232(d), which provides: "All applications for special immigrant status under section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) shall be adjudicated by the Secretary of Homeland Security not later than 180 days after the date on which the application is filed."

Recently, the attorneys for the United States government and the attorneys representing the Plaintiffs entered into an agreement to settle attorney fees, expenses, and costs incurred by the attorneys who represented the Plaintiffs and class members

in this lawsuit (“Settlement”). Under the Settlement, USCIS will pay a sum of \$350,000 in attorneys’ fees, expenses, and costs. The full Settlement and a copy of this notice is available at:

<https://www.uscis.gov/laws-and-policy/other-resources/uscis-class-action-settlement-notice-and-agreements> and <http://www.centerforhumanrights.org>.

No monetary damages were awarded in this case, and because the claims in this lawsuit arose under the Administrative Procedure Act, 5 U.S.C. §§ 701–706, monetary damages were not available to Plaintiffs or class members.

In exchange for and effective upon receipt of payment of the agreed amount, Plaintiffs will release the United States government defendants from any and all claims by Plaintiffs and Plaintiffs’ attorneys for or arising from attorneys’ fees for work that has been performed or payment or reimbursement of expenses or costs that have been incurred in connection with this lawsuit, including but not limited to fees and non-taxable expenses pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, and taxable costs. Defendants and Plaintiffs and their counsel also agree not to refer to, rely on, or cite to the Settlement, or any discussions leading up to the Settlement, in any future litigation or other proceeding.

Before the Settlement can become final, it must be approved by the Court. The U.S. District Court for the Central District of California will review the proposed settlement and any objections from class members. Any class member may object to the proposed settlement of attorneys’ fees and costs. If you wish, you may object to the Settlement by submitting your objection in writing, via regular mail or email, to the class members’ lawyers, who will then share the objections with the Court. Any objection must include: (a) a written statement identifying the class member’s name, address, telephone number, and signature, and, if represented by counsel, the name, address, and telephone number of counsel; (b) a written statement explaining the class member’s objection and the reasons for such objection; (c) any

documentation in support of such objection; and (d) whether the class member wishes to present the objection to the Court at a hearing. The objection cannot be longer than 10 pages.

To send your objection by email, please email class members' lawyers and Defendants' lawyers at [admin@centerforhumanrights.org](mailto:admin@centerforhumanrights.org) and [CasaLibre.Admin@usdoj.gov](mailto:CasaLibre.Admin@usdoj.gov).

If you prefer to send your objection by regular mail, please send your objections to both class members' lawyers and Defendants' lawyers at:

Sarah Kahn

Center for Human Rights and  
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PO Box 770

Bell Gardens, CA 90201

*Counsel for Plaintiffs and the Class*

Alexa S. White

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*Counsel for Defendants*

To be timely, your objection must be received no later **than Friday, November 15, 2024**. If you do not make your objection by that date, you will lose your right to object. You are not required to send a letter if you have no objection to the settlement.

The Final Approval Hearing of the Class Action Settlement will be held on **Monday, December 16, 2024 at 1:30 p.m.** at the United States Courthouse located at 350 West First Street, Courtroom 5D, Los Angeles, CA 90012