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22 **UNITED STATES DISTRICT COURT**
23 **CENTRAL DISTRICT OF CALIFORNIA**

24 Al Otro Lado, Inc., *et al.*,
25 Plaintiffs,

26 v.

27 Elaine C. Duke, *et al.*,
28 Defendants.

Case No.: 2:17-cv-5111 JFW (JPRx)
Hon. John F. Walter (Courtroom 7A)

DECLARATION OF JOSEPH L. DE LEON IN SUPPORT OF PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

Hearing Date: December 11, 2017
Hearing Time: 1:30 p.m.

Pre-Trial Conf.: July 20, 2018
Trial: July 31, 2018

DECLARATION OF JOSEPH L. DE LEON

I, Joseph L. De Leon, declare as follows:

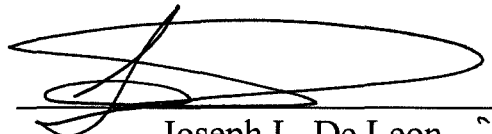
1. I am an associate of the law firm of Latham & Watkins LLP, and am admitted to practice before this Court. I am counsel of record for Plaintiffs Al Otro Lado, Inc., Abigail Doe, Beatrice Doe, Carolina Doe, Dinora Doe, Ingrid Doe and Jose Doe (collectively, "Plaintiffs"). This declaration is submitted in support of Plaintiffs' Motion for Class Certification. It is based on my own personal knowledge, and if called as a witness, I could and would testify competently to the facts set forth herein.

2. Attached as Exhibit A is a chart summarizing the contents of the concurrently-filed declarations of the named Plaintiffs and of the declarations that are attached as exhibits to the concurrently-filed Declaration of Faraz R. Mohammadi. I, working with other attorneys in my office, compiled this chart merely as a reference tool for the Court. While the Motion refers to Exhibit A as a cross-reference to certain declarations, Exhibit A is not itself intended to be evidence.

3. The declarants whose testimony is summarized in Exhibit A are noncitizens who (i) presented themselves at a port of entry along the U.S.-Mexico border, (ii) asserted an intention to seek asylum or expressed a fear of persecution in their home countries, and (iii) were denied access to the U.S. asylum process by U.S. Customs and Border Protection officers.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 13th day of November 2017 at Los Angeles, California.



Joseph L. De Leon

Exhibit A

Row	Name	Turnaway Date(s)	Port(s) of Entry	Treatment at Port of Entry	Reason for Seeking Asylum in The U.S.
1.	Doe, Abigail (7/7/2017)	5/24/2017	San Ysidro, CA	Misrepresentation, and coercion via threats of separating her from her children and keeping them at the port of entry overnight.	Fleeing from gang violence. Her husband Disappeared. The cartels threatened to kill her and her children.
2.	Doe, Beatrice (7/7/2017)	5/25/2017 5/25/2017 5/26/2017	Otay Mesa, CA San Ysidro, CA San Ysidro, CA	Misrepresentation, verbal insults, intimidation, and coercion via threats of separating her from her nephew.	Fleeing from cartel violence and domestic abuse.
3.	Doe, Carolina (7/7/2017)	5/18/2017	San Ysidro, CA	Misrepresentation, and coercion via threat of separating her and her minor daughter.	Fleeing from cartel violence. The cartel killed and dismembered her brother in law. They threatened to kill her and her family. The problems with the cartel stemmed from the fact that her husband was a police officer.
4.	Doe, Dinora (7/7/2017)	August, 2016 August 2016 (next day)	Otay Mesa, CA Otay Mesa, CA	Misrepresentation, light physical abuse, and coercion via threats of separating her from her daughter.	Fleeing from gang violence. 3 gang members raped her and her minor daughter, in front of each other, over 3 days.

Row	Name	Turnaway Date(s)	Port(s) of Entry	Treatment at Port of Entry	Reason for Seeking Asylum in The U.S.
5.	Doe, Ingrid (7/7/2017)	6/24/2017 6/24/2017	Otay Mesa, CA San Ysidro, CA	Misrepresentation.	Fleeing from gang violence and extreme domestic violence. Gang decapitated her mother and her three siblings in front of her. They also tried to kill her. Husband repeatedly raped her, threatened to kill her with guns and knives, and repeatedly beat her and her daughter.
6.	Doe, Jose (7/7/2017)	6/23/2017	Laredo, TX	Misrepresentation.	Fleeing from gang violence. The gang killed his wife's cousin. Attacked him with machetes. Threatened to kill him and rape his daughters.
7.	Exhibit A to Mohammadi Declaration (7/21/2017)	4/15/2017	Laredo, TX	Misrepresentation	Fleeing domestic violence from husband.
8.	Exhibit B to Mohammadi Declaration (7/21/2017)	April 2017 April 2017 (next day)	“El Nuevo” Bridge Lukeville, AZ	Misrepresentation, and verbal abuse.	Fleeing from gang violence after uncle was murdered.

Row	Name	Turnaway Date(s)	Port(s) of Entry	Treatment at Port of Entry	Reason for Seeking Asylum in The U.S.
		April 2017 (2 days after 1 st attempt)	El Paso, TX		
9.	Exhibit C to Mohammadi Declaration (7/25/2017)	7/22/2017	Laredo, TX	Accused of lying.	Fleeing from gang violence.
10.	Exhibit D to Mohammadi Declaration (7/4/2017)	5/22/2017 6/26/2017	San Ysidro, CA San Ysidro, CA	Misrepresentation, and verbal mockery.	Fleeing from domestic violence.
11.	Exhibit E to Mohammadi Declaration (7/19/2017)	7/16/2017	Eagle Pass, TX	Misrepresentation.	Fleeing from gang violence.
12.	Exhibit F to Mohammadi Declaration (11/1/2017)	10/30/2016 10/31/2016 11/1/2016 11/2/2016 Multiple attempts over next 2 months	San Ysidro, CA San Ysidro, CA San Ysidro, CA Otay Mesa, CA San Ysidro, CA	Misrepresentation.	Fleeing from gang violence. Problems with the gang started, because he was part of an organization aimed at deterring young adults from joining gangs.

Row	Name	Turnaway Date(s)	Port(s) of Entry	Treatment at Port of Entry	Reason for Seeking Asylum in The U.S.
13.	Exhibit G to Mohammadi Declaration (10/27/2017)	February 2017 February 2017	Otay Mesa, CA San Ysidro, CA	Misrepresentation, and mockery.	Fleeing from gang violence. The gang murdered her oldest son, molested her daughter, tried to kill her other son, and threatened to kill her and her entire family. She testified against gang members, but the gang member was released.
14.	Exhibit H to Mohammadi Declaration (10/31/2017)	February 2017 February 2017	Otay Mesa, CA San Ysidro, CA	Misrepresentation	Fleeing from gang violence. The gang murdered his brother, molested his sister, tried to recruit and kill him, and threatened to kill his entire family, after his mother testified against gang member, who was ultimately released.
15.	Exhibit I to Mohammadi Declaration (10/31/2017)	February 2017 February 2017	Otay Mesa, CA San Ysidro, CA	Misrepresentation	Fleeing from gang violence. The gang murdered live-in girlfriend's oldest son, molested girlfriend's daughter, tried to kill girlfriend's other son, and threatened to kill

Row	Name	Turnaway Date(s)	Port(s) of Entry	Treatment at Port of Entry	Reason for Seeking Asylum in The U.S.
					him and his family. Girlfriend testified against gang members, but the gang member was released.
16.	Exhibit J to Mohammadi Declaration (10/30/2017)	September 2016	Unclear	Intimidation, verbal abuse, extended involuntary confinement, and misrepresentation.	Fleeing from gang and cartel violence. His sister was murdered. He had multiple death threats against him. He was kidnapped and beaten every day for weeks. The problems with the gang stemmed in part from ideological differences: He and his family believed in Christianity, and the gang was against the Church. The problems with the cartel stem in part from the fact that He provided assistance to the Mexican government to help kidnap the cartel members that kidnapped him and others.

Row	Name	Turnaway Date(s)	Port(s) of Entry	Treatment at Port of Entry	Reason for Seeking Asylum in The U.S.
17.	Exhibit K to Mohammadi Declaration (10/30/2017)	~March 2017 ~March 2017 April 2017	San Ysidro, CA; "New port of entry" close to San Ysidro, CA; Tecate, CA	Misrepresentation and intimidation.	Fleeing from cartel violence and threats.
18.	Exhibit L to Mohammadi Declaration (10/30/2017)	2/10/2017	San Ysidro, CA	Misrepresentation, verbal mockery, and light physical abuse.	Fleeing from cartel violence. Violence was exacerbated after her mother was part of a sting operation that resulted in the capture of a cartel member. The cartel killed her father. Her family sought help from the police, Guatemalan President, and human right orgs to no avail.
19.	Exhibit M to Mohammadi Declaration (10/31/2017)	2/6/2017	San Ysidro, CA	Misrepresentation and light physical abuse.	Fleeing from cartel violence. Violence was exacerbated after her family was part of a sting operation that resulted in the capture of a cartel member.
20.	Exhibit N to Mohammadi Declaration (10/30/2017)	~11/25/2016; multiple attempts after 11/30/2016	San Ysidro, CA;	Misrepresentation	Fleeing after people attempted to murder him several times.

Row	Name	Turnaway Date(s)	Port(s) of Entry	Treatment at Port of Entry	Reason for Seeking Asylum in The U.S.
21.	Exhibit O to Mohammadi Declaration (11/6/2017)	1/2/2017 1/2/2017	Otay Mesa, CA; San Ysidro, CA.	Misrepresentation, and severe physical abuse.	Fleeing violence stemming from his LGBTQ identity and the fact that he was HIV positive
22.	Exhibit P to Mohammadi Declaration (11/6/2017)	1/28/2017; A few days after 1st Attempt; Same day as 2nd rejection	San Ysidro, CA; San Ysidro, CA; San Ysidro, CA	Misrepresentation, coercion via threats of taking away her children, and verbal abuse.	Fleeing from drug cartel violence.
23.	Exhibit Q to Mohammadi Declaration (11/7/2017)	November, 2016; November, 2016; December, 2016; January, 2017; February, 2017	San Ysidro, CA; San Ysidro, CA; San Ysidro, CA; San Ysidro, CA; San Ysidro, CA	Misrepresentation, and verbal abuse.	Fleeing from cartel related violence. Family members were murdered, and he was threatened many times.
24.	Exhibit R to Mohammadi Declaration (11/8/2017)	10/28/2016	Eagle Pass, TX	Misrepresentation, and coercion via threats of separating her from her children.	Fleeing death threats from the Mara Salvatrucha gang.
25.	Exhibit S to Mohammadi Declaration (11/9/2017)	4/11/2017	San Ysidro, CA	Verbal mockery, verbal abuse, light physical abuse, coerced to recant her fear via threats of separating her from her children, and coerced to sign voluntary withdrawal	Fleeing from domestic violence and sexual abuse

Row	Name	Turnaway Date(s)	Port(s) of Entry	Treatment at Port of Entry	Reason for Seeking Asylum in The U.S.
				form via verbal threats and intimidation	
26.	Exhibit T to Mohammadi Declaration (11/8/2017)	12/18/2016	Hidalgo, TX	Misrepresentation	Fleeing death threats from the Mara18 gang and continuing harassment from men
27.	Exhibit U to Mohammadi Declaration (11/10/2017)	11/24/2016	El Paso, TX	Misrepresentation, light physical abuse, and intimidation,	Fleeing danger in El Salvador
28.	Exhibit V to Mohammadi Declaration (6/12/2017)	May, 2017; May, 2017	Otay Mesa, CA San Ysidro, CA	Misrepresentation	Fleeing threats from a drug cartel