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

Al Otro Lado, Inc., *et al.*,

Plaintiffs,

v.

Elaine C. Duke, *et al.*,

Defendants.

No. 2:17-cv-05111-JFW (JPRx)
 Hon. John F. Walter

**CLASS REPRESENTATIVES'
 NOTICE OF MOTION AND
 UNOPPOSED MOTION TO
 PROCEED PSEUDONYMOUSLY**

Date: November 13, 2017
 Time: 1:30 p.m.
 Location: Courtroom 7A

TO DEFENDANTS AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on November 13, 2017, at 1:30 p.m., or as soon thereafter as this matter may be heard in Courtroom 7A of the above-referenced Court, located at 350 W. 1st Street, Los Angeles, California 90012, Plaintiffs Abigail Doe, Beatrice Doe, Carolina Doe, Dinora Doe, Ingrid Doe, and Jose Doe (collectively, “Class Representatives”) will and hereby do move for an order allowing them to prosecute this action pseudonymously and requiring Defendants to maintain the confidentiality of Class Representatives’ identities in their public filings (the “Motion”).

As explained in the accompanying Memorandum of Points and Authorities, (1) the use of pseudonyms is necessary to protect Class Representatives – each seeking asylum in the United States – from significant potential physical harm or retaliation from their persecutors, (2) Defendants face no prejudice if Class Representatives use pseudonyms in publicly-filed documents, and (3) the public interest weighs in favor of allowing Class Representatives to challenge governmental action pseudonymously.

Class Representatives’ motion is based upon this Notice of Motion and Motion, the attached Memorandum of Points and Authorities, the Declarations of Abigail Doe, Beatrice Doe, Carolina Doe, Dinora Doe, Ingrid Doe, and Jose Doe filed concurrently, all pleadings and papers filed with the Court in this action, and all other matters as may be presented to the Court at or before the hearing on this Motion.

This Motion is made following the conference of counsel pursuant to L.R. 7-3, which took place on October 3, 2017. (See ECF No. 55.) As explained in the joint statement filed by the parties, during the conference, Defendants’ counsel stated that they would not oppose Plaintiffs’ Motion but believe that the matter should be submitted for the Court’s determination of whether the Class

Representatives' need for anonymity outweighs the public's interest in knowing the identity of the litigants. (*Id.* at 5.)

Dated: October 16, 2017

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 Class Representatives move the Court for an Order permitting them to
4 proceed under pseudonyms and requiring Defendants to maintain the
5 confidentiality of their identities. Class Representatives so move because they are
6 seeking asylum in the United States due to their credible fears of physical injury
7 and death in their home countries, and risks to their safety will be unnecessarily
8 heightened should their identities and present whereabouts be exposed during the
9 course of this litigation.

10 Courts regularly permit asylum seekers to proceed under pseudonyms,
11 particularly where, as here, they challenge government action and where the
12 government will face no prejudice should the plaintiffs' identities be temporarily
13 shielded from public notice while they diligently pursue their right to seek
14 protection from persecution. Further, because of the very nature of claims of
15 persecution and corresponding fears of physical harm or retaliation, applicable
16 federal regulations require that the identity of asylum seekers be protected from
17 public disclosure.

18 Based on the special circumstances of this case, Class Representatives' need
19 for privacy outweighs any minimal potential prejudice to others. Defendants have
20 been provided with the Class Representatives' identifying information and will not
21 suffer any prejudice in defending against this action. In addition, the public has a
22 countervailing interest in ensuring that the litigation of Class Representatives'
23 challenge to the government's alleged misconduct proceeds, and forcing
24 vulnerable plaintiffs to disclose their identities may chill their willingness to
25 prosecute their claims. The balance of relevant factors thus heavily favors
26 permitting Class Representatives to remain anonymous in connection with public
27 filings in this action.

28

1 **II. ARGUMENT**

2 Although the Federal Rules of Civil Procedure generally require complaints
3 to include the names of all parties, *see* Fed. R. Civ. P. 10(a), it is well-established
4 that district courts have discretion to permit parties to proceed pseudonymously
5 when special circumstances justify anonymity. *See Does I thru XXIII v. Advanced*
6 *Textile Corp.*, 214 F.3d 1058, 1067 (9th Cir. 2000) (collecting cases); *Sealed*
7 *Plaintiff v. Sealed Defendant #1*, 537 F.3d 185, 189-90 (2d Cir. 2008) (collecting
8 cases).

9 In the Ninth Circuit, appearing under a pseudonym is appropriate when
10 “nondisclosure of the party’s identity ‘is necessary . . . to protect a person from
11 harassment, injury, ridicule, or personal embarrassment.’” *Advanced Textile*, 214
12 F.3d at 1067-68 (quoting *United States v. Doe*, 655 F.2d 920, 922 n.1 (9th Cir.
13 1981)); *see also Doe v. Amazon.com, Inc.*, No. 11-1709, 2011 WL 13073281, at *3
14 (W.D. Wash. Dec. 23, 2011) (risk of “physical harm presents the paradigmatic case
15 for allowing anonymity”). Courts should permit a party to proceed under a
16 pseudonym “when the party’s need for anonymity outweighs prejudice to the
17 opposing party and the public’s interest in knowing the party’s identity.”
18 *Advanced Textile*, 214 F.3d at 1068. As explained below, Class Representatives
19 need protection from severe harassment, injury and threats. At the same time,
20 Defendants cannot show that they will be prejudiced, or the public interest
21 undermined, if Class Representatives proceed under pseudonyms. Defendants do
22 not oppose this Motion.

23 **A. Pseudonyms Are Necessary to Protect Class Representatives from** 24 **Harm**

25 Where plaintiffs fear harm based on the disclosure of personal information,
26 the Ninth Circuit has instructed trial courts to consider “(1) the severity of the
27 threatened harm; (2) the reasonableness of the anonymous party’s fears; and (3) the
28 anonymous party’s vulnerability to such retaliation.” *Advanced Textile*, 214 F.3d

1 at 1068 (citations omitted). These concerns are particularly pronounced where, as
 2 here, the plaintiffs are asylum seekers who face significant physical threats and, in
 3 some cases, death. *See A.B.T. v. U.S. Citizenship & Immigration Servs.*, No. 2:11-
 4 cv-2108, 2012 WL 2995064, at *3 (W.D. Wash. July 20, 2012) (permitting asylum
 5 seekers challenging government action to proceed under pseudonyms because
 6 “[t]he severity of threatened harm is great . . . [if] plaintiffs may be persecuted,
 7 imprisoned under hostile conditions, tortured, or killed”).

8 All Class Representatives have fled or are attempting to flee their home
 9 countries because they were persecuted or feared that they would be persecuted if
 10 they remained. Thus, they fall within a particularly vulnerable class of noncitizens
 11 for whom confidentiality about the nature of their cases is particularly important.
 12 *See United Nations High Commissioner for Refugees, Advisory opinion on the*
 13 *rules of confidentiality regarding asylum information* (Mar. 31, 2005) at 3,
 14 *available at* <http://www.refworld.org/pdfid/42b9190e4.pdf>; *see also id.* at 2
 15 (“[P]rivacy and its confidentiality requirements are especially important for an
 16 asylum-seeker, whose claim inherently supposes a fear of persecution by the
 17 authorities of the country of origin and whose situation can be jeopardized if
 18 protection of information is not ensured.”); *id.* at 1 (“Effective measures need to be
 19 taken to ensure that information concerning a person’s private life does not reach
 20 the hands of third parties that might use such information for purposes
 21 incompatible with international human rights law.”).

22 Federal asylum regulations specifically protect the confidentiality of asylum
 23 applicants, including confidentiality about the fact that the individual filed an
 24 asylum application. *See* 8 C.F.R. §§ 208.6, 1208.6. DHS has acknowledged the
 25 importance of these confidentiality regulations to the future safety of asylum
 26 applicants:

27 As DHS recognizes, the confidentiality regulations are of utmost
 28 importance in protecting asylum applicants because the “regulations

1 safeguard information that, if disclosed publicly, could subject the
 2 claimant to retaliatory measures by government authorities or non-state
 3 actors in the event that the claimant is repatriated, or endanger the
 4 security of the claimant's family members who may still be residing in
 the country of origin."

5 *Anim v. Mukasey*, 535 F.3d 243, 253 (4th Cir. 2008) (quoting U.S. Citizenship &
 6 Immigration Servs. Asylum Div., U.S. Dep't of Homeland Sec., *Fact Sheet:*
 7 *Federal Regulations Protecting the Confidentiality of Asylum Applicants* (2005)).

8 A number of circuit courts also have recognized the importance of
 9 confidentiality for asylum applicants, allowing them to proceed with pseudonyms
 10 even through the appeals process in their asylum cases. *See, e.g., Doe v. Gonzales*,
 11 484 F.3d 445 (7th Cir. 2007); *Doe v. U.S. Dep't of Justice*, 867 F.2d 285 (6th Cir.
 12 1989). Indeed, in light of the distinct harm asylum seekers face if their identities
 13 are exposed, courts recognize that a breach of confidentiality may itself create
 14 grounds for asylum. *See, e.g., Anim*, 535 F.3d at 256 (remanding asylum case to
 15 Board of Immigration Appeals so that the petitioner could have the opportunity to
 16 present new claims for asylum based upon U.S. government's breach of her
 17 confidentiality); *see also Lin v. U.S. Dep't of Justice*, 459 F.3d 255, 268 (2d Cir.
 18 2006) (noting that violation of the confidentiality regulation may place an asylum
 19 applicant in even greater peril).

20 In a similar challenge by asylum seekers to the practices of a United States
 21 immigration agency, the district court for the Western District of Washington
 22 relied heavily on federal immigration regulations in permitting asylum-seeking
 23 plaintiffs to proceed anonymously:

24 Asylum seekers have the right to keep confidential any information
 25 contained in or pertaining to an asylum application that allows a third
 26 party to link the identity of the applicant to: (1) the fact that the
 27 applicant has applied for asylum; (2) specific facts or allegations
 28 pertaining to the individual asylum claim contained in an asylum
 application; or (3) facts or allegations that are sufficient to give rise to
 a reasonable inference that the applicant has applied for asylum. 8

1 C.F.R. §§ 208.6, 1208.6 (2012). . . . If the court denied plaintiffs’
 2 motion, the court would, in essence, be ordering plaintiffs and
 3 Defendants to disclose plaintiffs’ identities to the public. Given the
 4 clear mandate to protect asylum applicants and to prevent disclosure of
 5 their identities to the general public, the court has grave concerns of the
 6 role it would play in essentially requiring the parties to violate 8 C.F.R.
 7 §§ 208.6 1208.6.

8 *A.B.T.*, 2012 WL 2995064, at *5. The same considerations pertain here, and
 9 compel the same result.

10 Class Representatives have reasonable fears of severe physical harm that
 11 form the basis of their claims for asylum, as attested to in their concurrently filed
 12 declarations. (*See* Decl. of Abigail Doe (“A. Doe Decl.”) at ¶¶ 4-7 (describing
 13 disappearance of plaintiff’s husband and subsequent threats by armed men to
 14 murder plaintiff and her children in Mexico); Decl. of Beatrice Doe (“B. Doe
 15 Decl.”) at ¶¶ 4-8 (describing threats of murder by Mexican cartel members against
 16 plaintiff’s nephew and his family, and severe domestic violence against plaintiff
 17 and her children); Decl. of Carolina Doe (“C. Doe Decl.”) at ¶¶ 6-12 (describing
 18 threats by Mexican cartel members to murder plaintiff’s husband and acts of
 19 intimidation and stalking against plaintiff and her children); Decl. of Dinora Doe
 20 (“D. Doe Decl.”) at ¶¶ 3-7 (describing threats of murder by MS-13 against plaintiff
 21 and her daughter in Honduras; repeated gang rapes by MS-13 members of plaintiff
 22 and her daughter; and acts of intimidation by MS-13 members in Mexico after
 23 plaintiff and her daughter fled); Decl. of Ingrid Doe (“I. Doe Decl.”) at ¶¶ 6-9
 24 (describing severe domestic violence against plaintiff and her children, including
 25 beatings, rapes, and threats of death); Decl. of Jose Doe (“J. Doe Decl.”) at ¶¶ 4-8,
 26 15-16 (describing 18th Street gang’s threats to, extortion of, and machete attacks
 27 on plaintiff and his family in Honduras and risk of death if returned).)

28 Class Representatives remain at risk even after they are in the United States,
 as it is possible that their asylum applications would be denied, and they would be

1 returned to their home countries, where their persecutors remain. Some are fleeing
 2 persecution from Mexican cartel members and collaborators. (See A. Doe Decl.
 3 ¶¶ 4-7, B. Doe Decl. ¶¶ 3-7; C. Doe Decl. ¶¶ 6-13; I. Doe Decl. ¶¶ 3-4.) Others
 4 who have fled persecution by gangs in Honduras have been intimidated by
 5 individuals believed to be members of the same gang or other criminal cartels in
 6 Mexico. (See D. Doe Decl. ¶¶ 7, 20; J. Doe Decl. ¶¶ 2, 4-8, 17.) Because Class
 7 Representatives and their family members, including family members who
 8 continue to reside in Mexico, would risk exposure to future persecution and
 9 possibly death if the Class Representatives' identities were made public in filings
 10 before this Court, their interest in appearing anonymously in all public filings is
 11 great. Further, five of the Class Representatives are parents of minor children (see
 12 A. Doe Decl. ¶ 2; B. Doe Decl. ¶ 2; C. Doe Decl. ¶ 2; I. Doe Decl. ¶ 2; J. Doe
 13 Decl. ¶ 3), whose vulnerability to threatened harm is particularly significant. See
 14 *Advanced Textile*, 214 F.3d at 1068 (noting specific need to protect child
 15 plaintiffs).

16 Class Representatives should not be forced to choose between waiving their
 17 right to potentially life-preserving confidentiality and pursuing their right to seek
 18 asylum in the United States; nor should the Court require the exposure of their
 19 identities in a manner contrary to federal regulations. Class Representatives' need
 20 for protection from public exposure weighs heavily in favor of permitting them to
 21 proceed under pseudonyms.

22 **B. Defendants Will Not Be Prejudiced if Class Representatives Use**
 23 **Pseudonyms in Publicly-Filed Documents**

24 Granting Class Representatives' request for pseudonymity will not prejudice
 25 Defendants' "ability to litigate the case." *Advanced Textile*, 214 F.3d at 1069.
 26 Class Representatives do not seek to withhold their identities from Defendants, but
 27 only to protect themselves from public exposure that could lead to severe harm.
 28 The parties have filed a stipulation under which Defendants have been provided

1 access to Class Representatives' identifying information subject to constraints on
2 public disclosure. (ECF No. 57.)

3 Further, Class Representatives are challenging government action, and
4 "challeng[es] [to] the constitutional, statutory or regulatory validity of government
5 activity . . . involve no injury to the Government's 'reputation.'" *S. Methodist*
6 *Univ. Ass'n of Women Law Students v. Wynne & Jaffe*, 599 F.2d 707, 713 (5th Cir.
7 1979); *see also E.W. v. New York Blood Center*, 213 F.R.D. 108, 111 (E.D.N.Y.
8 2003) ("[T]he government is viewed as having a less significant interest in
9 protecting its reputation from damaging allegations than the ordinary individual
10 defendant."). Defendants will suffer no harm, nor will they face any barriers to
11 mounting a defense to Plaintiffs' claims, should Class Representatives proceed
12 under pseudonyms. Class Representatives' need for protection significantly
13 outweighs any potential prejudice to Defendants.

14 **C. The Public Interest Weighs in Favor of Allowing Class**
15 **Representatives to Challenge Government Action**
16 **Pseudonymously**

17 In contrast to Class Representatives' heightened interest in confidentiality,
18 the public's interest in knowing the identities of the Class Representatives is
19 minimal. While the issues that Plaintiffs raise in this lawsuit are a matter of
20 significant public concern, revealing the particular identities of the Class
21 Representatives will add little or nothing to the public's understanding of the
22 lawfulness of the U.S. government's alleged misconduct at issue in this case. *See*
23 *Advanced Textile*, 214 F.3d at 1068-69 (quoting *Doe v. Stegall*, 653 F.2d 180, 185
24 (5th Cir. 1981)) ("[P]arty anonymity does not obstruct the public's view of the
25 issues joined or the court's performance in resolving them.").

26 To the contrary, "lawsuits that enforce statutes and constitutional rights
27 generally benefit the public." *A.B.T.*, 2012 WL 2995064, at *6 (citing *Advanced*
28 *Textile*, 214 F.3d at 1073; *Plyler v. Doe*, 457 U.S. 202 (1982)). Thus,

1 “[c]onsidering the severity of the retaliatory harm in this case, forcing plaintiffs to
 2 disclose their identity would likely chill their willingness to challenge statutory and
 3 constitutional violations” and be contrary to public policy. *A.B.T.*, 2012 WL
 4 2995064, at *6; *accord Advanced Textile*, 214 F.3d at 1069 (“We also conclude,
 5 based on the extreme nature of the retaliation threatened against plaintiffs coupled
 6 with their highly vulnerable status, that plaintiffs reasonably fear severe retaliation,
 7 and that this fear outweighs the interests in favor of open judicial proceedings.”);
 8 *see also Lozano v. City of Hazleton*, 620 F.3d 170, 195 (3d Cir. 2010), *vacated and*
 9 *remanded on other grounds*, 131 S. Ct. 2958 (2011), *aff’d*, 724 F.3d 297 (3d Cir.
 10 2013), *cert. denied*, 134 S. Ct. 1391 (2014) (finding pseudonymity in the public
 11 interest because without it, plaintiffs would be “deterred from bringing cases
 12 clarifying constitutional rights”).

13 The public interest weighs in favor of granting Class Representatives’
 14 motion to proceed under pseudonyms so that Class Representatives may pursue
 15 their right to enforce access to the asylum system as is required under U.S. law.

16 * * *

17 Class Representatives’ need for protection from retaliation, and specifically,
 18 threats of severe bodily harm weighs strongly in favor of granting pseudonymity.
 19 In contrast, there is neither prejudice to the Defendants nor harm to the public
 20 should Class Representatives’ identities be protected from public view. The
 21 balance of factors overwhelmingly favors permitting Class Representatives to
 22 proceed under pseudonyms.

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1 **III. CONCLUSION**

2 For the foregoing reasons, Class Representatives respectfully request that
3 this Court grant their Motion to permit them to proceed under pseudonyms.

4
5 Dated: October 16, 2017

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

Al Otro Lado, Inc., *et al.*,

Plaintiffs,

v.

John F. Kelly, *et al.*,

Defendants.

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

DECLARATION OF ABIGAIL DOE

DECLARATION OF ABIGAIL DOE

I, ABIGAIL DOE, hereby declare as follows:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters. Out of fear for my life and the lives of my children, I am submitting this declaration using a pseudonym so I do not reveal my true identity and my current whereabouts. Further, I have withheld particular dates and names of places because I am afraid that my persecutors may be able to identify me and will harm me or my family as a result.

2. I am a female Mexican national. I have two children. They are 7 and 9 years old. Until recently, we lived in Central Mexico. In May 2017, my husband disappeared.

3. My husband worked transporting food and goods across Mexico via tractor-trailer. In May 2017, before his disappearance, my husband told me he was approached by individuals who wanted him to use his tractor-trailer to transport drugs for them. He said no. I believe that they threatened my husband that if he did not do what they said, that he or his family would be harmed. My husband sounded very worried when he told me about what had happened. He told me that he did not want to work for these individuals because he did not want to put my life, or the lives of our children, in danger.

4. One day in May, 2017, per his usual routine, my husband awoke early and left the house for a long delivery trip. By mid-morning, he had not called me, which was highly unusual and it worried me very much because of the threat the cartel made against him. Even though I tried many times over the next two days, I was unable to reach him. I feared the worst because he usually was in constant communication with me.

5. About two days after he disappeared, still unable to reach him, I went to the local governmental authorities to file a missing person's report. Because the

1 authorities told me I had to wait 72 hours to submit such a report, I was turned
2 away.

3 6. A few hours after trying to file the report, on my way to pick up my
4 children from school, I was stopped at gunpoint by three armed men in black head-
5 coverings in a black van or SUV. These men grabbed me and forced me into the
6 car. They told me that if I continued to ask about my husband's disappearance,
7 they would kill me and my children. They told me that if I continued to look for
8 him, that I would find him in pieces in a remote field. They warned me that if my
9 children and I wanted to stay alive, we must leave. I still do not know where my
10 husband is, and I fear that he was murdered because he refused to collaborate in
11 transporting drugs. Central Mexico is controlled by cartels, and primarily *La*
12 *Familia Michoacana* (Michoacan Family), the Zetas and the *Caballeros*
13 *Templarios* (the Knights Templar). I believe that members from one of these
14 cartels most likely killed my husband and I am afraid that they will kill my
15 children and me also.

16 7. The gunmen seemed to know where I lived, knew my phone number,
17 and knew what happened to my husband. I was terrified, confused, and incredibly
18 anxious. I called my parents for advice, and we decided that my only hope of
19 being safe and protecting the lives of my children was to seek asylum in the United
20 States.

21 8. I quickly gathered my children, packed some clothes, and boarded the
22 first available bus to Tijuana. The bus ride took nearly two days.

23 9. My children and I arrived in Tijuana on May 24 around 4:00 p.m. We
24 went immediately to what appeared to be an immigration processing line, which I
25 later discovered was the Port of Entry at San Ysidro.

26 10. When I reached the front of the line, I informed a person in a dark-
27 blue shirt who spoke Spanish that I wanted to apply for asylum. I told him about
28 my husband's disappearance and the threats to me and to my children. I explained

1 briefly what happened to our family and our fear of return. He escorted me to
2 different immigration officers inside of the building.

3 11. When I met with other officials, I repeated my desire to apply for
4 asylum, but I was not allowed to explain my circumstances in detail. I was
5 searched, photographed, and fingerprinted, as were my children.

6 12. I was next led into another room and asked to wait. Eventually, I was
7 approached by other officers who asked me to explain the nature of my husband's
8 disappearance. I was able to explain briefly that my husband had disappeared and
9 that I was abducted and threatened by men who I believe are members of a well-
10 known cartel. There are two major cartels in my community who are always
11 fighting over territory. I do not know which cartel made my husband disappear, or
12 threatened my children and me. I again repeated my desire to apply for asylum. I
13 told them I was scared for my life and for the lives of my children and that I did
14 not feel safe in Mexico.

15 13. The officers did not allow me to explain further and instead told me
16 that I did not qualify for political asylum in the United States. I tried to express in
17 greater detail the circumstances of why I wanted to apply for asylum but this was
18 met with the same response: I simply did not qualify.

19 14. The officers also said that they would keep me there all night if I kept
20 asking questions, that if I insisted on entering the United States, that my children
21 would be taken away from me. They did not explain why.

22 15. The officers told me that the only option I had would be to let the
23 Mexican government handle my situation. They explained that Mexican
24 authorities could help me relocate within Mexico and that they would help keep me
25 safe. They let me know I had two choices: I could pass through and have my
26 children taken away, or I could return to Mexico and seek help from the Mexican
27 government. I did not want to lose my children. And I did not understand what
28 the Mexican authorities had to do with my desire to apply for asylum, especially

1 because I had already asked for help from the authorities in my hometown, and
2 they had failed to help or protect us.

3 16. The officials gave me a document in English that I could not read or
4 understand. I asked what it meant and was told that it was so that "Mexican
5 authorities can help you," that it was "not a deportation form," and that "it was not
6 anything bad." They recorded me with a video camera and told me to say that I
7 agreed to accept the help of the Mexican authorities. They repeated this multiple
8 times, and at no point did they explain to me anything further about the document
9 or video.

10 17. I agreed to sign the document even though I did not understand what
11 it said. The document was not translated for me. I had been threatened with death
12 at gunpoint only two days before, and had taken a two-day bus ride across the
13 country. I was exhausted, confused, and frightened: not just for myself, but for my
14 children as well. I was afraid if I did not sign the document, the officers would
15 carry out their threats and take my children away from me.

16 18. Later, I was taken to a different office and the officers there orally
17 translated the document into Spanish. However, I really did not know if the
18 translation had been done correctly. I do not speak English and was not able to
19 confirm. I do not recall being asked any of the questions on the form by the
20 immigration officers and I do not recall giving the answers that the officers wrote
21 on the form. The form states that I said I do not have a fear of return to my home
22 country of Mexico. This is absolutely false. I was threatened by men at gunpoint
23 who I believe killed my husband and I am still terrified they will find me and my
24 family in Mexico. The authorities are unable to protect us and there is no one who
25 can keep us safe.

26 19. After I signed the documents, an immigration officer took me back
27 into Mexico and left me and my children to fend for ourselves. Initially, my
28 children and I stayed at a shelter in Tijuana because we had no money to stay

1 anywhere else. I met other families in the shelter who were also not permitted to
2 cross into the United States to apply for asylum.

3 20. Two weeks ago, the people who run the shelter told me I could not
4 stay there any longer. A lawyer from Al Otro Lado found a place for my children
5 and me to stay temporarily, but we cannot live here much longer. I cannot support
6 myself in Mexico because my children and I must remain in hiding to protect our
7 lives.

8 21. I still wish to seek asylum inside the United States, where my family
9 and I would be safe, and would like to try again. But I am afraid that if I try again,
10 I will simply be turned away again or be given the same choice by the officers –
11 that if I cross, I will lose my children.

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

14 Executed on July 7, 2017 at Tijuana, Mexico.

15
16
17 Abigail Doe
18 Abigail Doe
19

20
21 **CERTIFICATION**

22 I, Hilda Gissela Bonilla, declare that I am fluent in the English and Spanish
23 languages. On July 7, 2017, I read the foregoing declaration and orally translated
24 it faithfully and accurately into Spanish in the presence of the declarant. After I
25 completed translating the declaration, the declarant verified that the contents of the
26 foregoing declaration are true and accurate.

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

1 Executed on July 7, 2017 at Tijuana, Mexico.
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A handwritten signature in black ink, appearing to read 'H. Bonilla', is written over a horizontal line.

Hilda Gissela Bonilla

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Al Otro Lado, Inc., *et al.*,

Plaintiffs,

v.

John F. Kelly, *et al.*,

Defendants.

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

DECLARATION OF BEATRICE DOE

DECLARATION OF BEATRICE DOE

I, BEATRICE DOE, hereby declare as follows:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters. Because I am scared for my safety, I am submitting this declaration using a pseudonym so I do not reveal my true identity and my current whereabouts. Further, I have withheld particular dates and names of places because I am afraid that my persecutors may be able to identify me and will harm me or my family as a result.

2. I am a native and citizen of Mexico. I am 33 years old. I have three children. They are seven years old, eleven years old, and fifteen years old.

3. On May 24, 2017, I fled Southern Mexico with my three children and my nephew. My nephew is like a son to me because I have raised him since he was about three years old. His parents abandoned him shortly after he was born and he lived with his grandmother for about two years before coming to live with me.

4. For about the past year, my nephew was targeted by the Zetas, a dangerous drug cartel in Mexico that controls much of Southern Mexico including the place where we are from. My nephew worked with a group of young men selling goods. In the state in which I am from in Southern Mexico, the Zetas demand money from people who work in the market. The Zetas demand that the people in the market pay this fee, which they call the *cuota* ("fee"), in order to be able to work. If they fail to pay the *cuota*, then the Zetas will kill them for failing to obey and to use them as examples to others in the community.

5. The Zetas threatened my nephew by saying that if he did not pay the fees that they would beat him up or cut him into pieces and put him in a plastic bag. He paid the fees for about a year. He was afraid that if he did not continue to pay, that the men would kill him. The Zetas also threatened to harm his family

1 alleging that they knew where to find them. They made these threats to my nephew
2 so that he would continue to make payments.

3 6. After about six months, the demands for the fees became more
4 frequent, and they increased the amount he had to pay. When he was not able to
5 pay, the Zetas told him they would kill him and his family to punish him. This
6 happened around the same time that they began to pressure him into joining them.
7 My nephew understood this to mean that they wanted him to work for them.
8 Again, the Zetas told him that if he did not join them, that they would beat him up
9 and increase the fees. The Zetas beat up my nephew on at least two separate
10 occasions for not being able to pay the increased fees amount. He was reluctant to
11 tell me that the Zetas had beaten him because he knew how worried I would be. I
12 did not see the bruises on his body until several days later. I feel responsible for
13 him and treat him like he is my own son. When I learned that the Zetas were
14 targeting him, I was very concerned and was not able to sleep at night. I was afraid
15 that they would hurt him again.

16 7. To escape this violence, my children, my nephew and I all fled
17 Southern Mexico to seek asylum in the United States. My nephew told me that the
18 Zetas are looking for him in Southern Mexico. One of the young men who worked
19 with him called him after we unsuccessfully tried to seek asylum and told him that
20 the Zetas already knew that he fled and were looking for him to kill him.

21 8. We also fled Southern Mexico because I suffered terrible domestic
22 violence at the hands of my husband, the father of my children. In May, 2017, I
23 reported my husband to the Office of Integral Development for Families
24 (*Desarrollo Integral de la Familia*– “DIF”) and to the office of the Municipal
25 Agent (*Agente Municipal*) for the domestic violence. I reported him because I
26 could not stand his abuse any longer and wanted to protect my children. He would
27 beat me regularly, several times a month. I often had bruises on my body. These
28 agencies called him to present himself to speak about the situation, but he told

1 them that he would continue to do what he wanted with me and his children. I was
2 afraid that the beatings would worsen as a result of making a report to the
3 authorities. I left my house that same day and stayed at my mother's house. Two
4 days after I reported my husband, we left Southern Mexico and started our journey
5 to Tijuana, where I intended to ask for asylum in the United States.

6 9. We first attempted to seek asylum on May 25, 2017. We went to the
7 Otay Mesa Port of Entry. We walked up to the port and stood in line to enter. We
8 passed by the first security post. A man standing in a black uniform motioned for
9 us to go into one of two lines. He did not ask for any documents, and he did not
10 say anything to us. We passed through the turnstile and then encountered two
11 immigration officers in blue uniforms. One of the officers stood to the side and did
12 not say anything. The other officer asked for our documents. I told him that we
13 were from Mexico and showed him my Mexican identification card. He told me
14 that we needed other documents in order to enter the United States. He told me to
15 wait while he got another officer.

16 10. When the next officer came to talk to us, I told him that we wanted to
17 apply for asylum. This officer was also dressed in a blue uniform. I told him that
18 we were being threatened and wished to request asylum in the United States. He
19 listened to me and said that they did not provide that type of service at the Otay
20 Mesa Port of Entry, but that we should go to the San Ysidro Port of Entry instead.
21 One of the officers escorted us to the gate, and we left the Otay Mesa Port. As we
22 were leaving, the same officer who asked for my identification said that the
23 officers were tired of poor people coming to the United States.

24 11. We then took a taxi cab to the San Ysidro Port. The taxi driver
25 pointed to the entrance of the Port and told us where to go. We proceeded to the
26 Port until we encountered a large gate. There were immigration officers in blue
27 uniforms. We got in line. One of the immigration officers asked for our
28 documents, and I handed him my Mexican identification card. He asked me what

1 we were doing there and what we wanted. I told him that we needed help because
2 my life and the lives of my children and my nephew were in danger in Mexico. I
3 told him that I was afraid of my husband.

4 12. The immigration officer told me that many people from Veracruz,
5 Guerrero, Michoacan, and other states in Mexico had done the same exact thing –
6 come to the United States to ask for help. He asked me why we had to go to the
7 United States, and said that Mexico has 32 states and that we could have gone to
8 any of those states to be safe. He told me that the United States government had
9 no obligation to help us. He also told me that we did not have a right to enter the
10 United States because we were not born in the United States. He told me that I had
11 no rights. He told me that I should be asking for help from the Mexican
12 government.

13 13. This officer then led us into an office. Next, a female immigration
14 officer in a blue uniform walked into the room. She put gloves on and put my
15 children behind me. She told me to put my hands on my head. She spread my legs
16 and patted me down. When she did this, I cried out in pain. My husband had
17 beaten the side of my body, and the bruises were still fresh. She did the same to
18 my children. She told me to remove all accessories. She checked my hair as if she
19 was checking my hair for lice. She told me that she was checking my hair, which
20 was in a bun, for drugs. She told me it was for national security. She made sure
21 that I did not have anything sharp. She also checked our bags for drugs.

22 14. This officer did the same to my children. The officer instructed the
23 children to take off their sweaters and to empty their pockets. The officer also took
24 away the children's belts.

25 15. The officer then took us to a separate room next door. There were
26 two women and two men in this room. They all were speaking in English. The
27 officers asked us again why we were trying to go to the United States. I explained
28

1 that we were fleeing violence and that we wished to ask for asylum in the United
2 States.

3 16. I gave the officer each of my children's birth certificates. The officer
4 then asked about my nephew. I told the officer that he was my nephew. She
5 replied that I had probably kidnapped him. She said that if I did not provide
6 documentation proving that he was my nephew, that they would take him away
7 from me.

8 17. The officer then took a picture of me. I explained again that we were
9 trying to leave Mexico because we had been threatened and because I had suffered
10 domestic violence and was afraid for my life. The woman with the gloves on – the
11 one who had searched me and my children before – was walking around the room
12 saying that “it was always the same.”

13 18. As the immigration officers were interrogating me, another mother
14 and her two small children were brought into the room. A different female officer
15 also searched this mother and her children. The officer searched the mother by
16 touching her private parts and was aggressive. The mother was crying.

17 19. Next, the officer took my fingerprints and told me that we were now
18 going to speak to another officer. We sat and waited while the other mother in the
19 room was being harshly interrogated, in the same way. After about thirty minutes,
20 a male immigration officer came into the room and told us to follow him. They
21 took my nephew away to another room to talk to him separately.

22 20. My nephew told me later that the immigration officers asked him a lot
23 of questions about where his parents were, where he was from and how long he
24 had been living with me. The immigration officers asked my nephew if he was
25 willing to enter the United States if I stayed in Mexico. He said no and that he
26 wanted to stay with me. They told my nephew that if he still wanted to cross to the
27 United States, they were going to place him in the custody of Mexican authorities.
28 My nephew told the officers that he was afraid to go back to Mexico. The

1 immigration officers told him all the same things they had already told me – that it
2 did not matter that we were afraid, and that there were many other places for him
3 to live in Mexico.

4 21. The immigration officers asked me for my husband's name and told
5 me that they were going to take my nephew away from me unless I signed a
6 document that they placed in front of me. The officers told me that if I signed the
7 document, I would still have the opportunity in the future to get a work visa in the
8 United States. They said I did not have a right to be there, but if I insisted, that I
9 was going to go to jail. They said that for my own good, I should sign the
10 document and that it would not affect my record. When I asked the immigration
11 officer what he meant by "record," he started banging on the table and yelled at me
12 that I had to sign the document. I was afraid and felt that I did not have another
13 option but to sign the document. I told the officer that I did not understand what I
14 was signing because the document was in English and I only speak Spanish. The
15 only words I understood on the form were my name and the names of my children
16 and my nephew.

17 22. After I signed the document, the immigration officer took us from the
18 room, returned our belongings to us, and handed me the document that I had just
19 signed. As we left, he said that we were already in Tijuana and that we would be
20 safe there. We were then escorted to another office with Mexican immigration
21 officials, and we returned to Tijuana.

22 23. The same day, just a few hours after leaving the San Ysidro Port of
23 Entry, my nephew received a phone call from a friend in Southern Mexico who
24 told him that the Zetas were looking for him and that he should be careful. I called
25 my sister in Southern Mexico and explained what had happened. She told us to go
26 back to the Port of Entry and try again.

27 24. The next day, on May 26, 2017, we again went to the San Ysidro Port
28 of Entry very early in the morning to try for the third time to seek asylum in the

1 United States. I saw one of the same female immigration officers wearing a blue
2 uniform that I had seen the day before. The female officer recognized me and said,
3 “You again!?” The female immigration officer asked me how I could assure her
4 that my children were not going to become delinquents in the United States. She
5 told us that we had no right to ask for asylum, and no right to enter the United
6 States. She told me that if I tried to return, I would be put in jail for three years. I
7 told her that we were afraid to return to Mexico because we feared for our lives.
8 She said that this did not matter.

9 25. They took us to a different office, and they separated my nephew from
10 my children and me. More officers spoke to my nephew separately. I could not
11 hear what they were saying, but afterwards, he told me that they had again
12 threatened to transfer him to Mexican authorities and return him to Southern
13 Mexico. Later, they gave us food and then escorted us out of the office and back to
14 Mexico. We were very tired.

15 26. We returned to Tijuana, where we stayed in a shelter because we have
16 no money. Two weeks ago, the people who run the shelter said we could not stay
17 there any longer. A lawyer from Al Otro Lado found a place for us to stay
18 temporarily, but we cannot live here much longer. I cannot support myself in
19 Mexico because my children and I must remain in hiding to protect our lives.

20 27. I am afraid with every day that passes that the Zetas, or my husband,
21 will find us in Tijuana. My husband has called me since I have been in Tijuana
22 and told me that he knows I am here. Because it only took us about one day to
23 travel to Tijuana, we are very vulnerable staying here. I would like to try to cross
24 again with my family and ask for asylum in the United States, where my family
25 and I will be safe. But I am afraid that if I try a fourth time, they will turn us away
26 again or put me in jail.

27

28

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

3 Executed on July 7, 2017 at Tijuana, Mexico.
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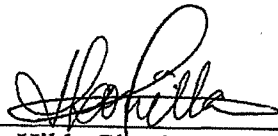
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6 BEATRICE Doe
Beatrice Doe
7

8 **CERTIFICATION**

9 I, Hilda Gissela Bonilla, declare that I am fluent in the English and Spanish
10 languages. On July 7, 2017, I read the foregoing declaration and orally translated
11 it faithfully and accurately into Spanish in the presence of the declarant. After I
12 completed translating the declaration, the declarant verified that the contents of the
13 foregoing declaration are true and accurate.

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

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20 Hilda Gissela Bonilla
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Al Otro Lado, Inc., *et al.*,

Plaintiffs,

v.

John F. Kelly, *et al.*,

Defendants.

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

DECLARATION OF CAROLINA DOE

DECLARATION OF CAROLINA DOE

I, Carolina Doe, hereby declare as follows:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters. Because I fear for my safety, I am submitting this declaration using a pseudonym so I do not reveal my true identity and my current whereabouts. Further, I have withheld particular dates and names of places because I am afraid that my persecutors may be able to identify me and will harm me or my family as a result.

2. I am a female Mexican national and was born in 1979. I have three children, one of whom is a U.S. citizen. They are 9, 15 and 18 years old. Until recently, we lived in Southern Mexico.

3. In May 2017, my brother-in-law (my husband's brother) was kidnapped, tortured and killed by members of a drug trafficking cartel. There are two primary criminal organizations in the state in which I live in Southern Mexico that traffic drugs and that are in a war with each other. These groups regularly kidnap and murder civilians and especially police officers, which is why I believe that members of a drug trafficking cartel targeted my brother-in-law. Also, my brother-in-law had already been kidnapped and severely beaten about one year before, in May 2016. During that incident, the cartel members told my brother-in-law that if he ceased investigating their activities, that they would leave him alone. However, he continued because that is his job.

4. One day at the police station, several of my husband's coworkers ran to him while he was working and told him that his brother, my brother-in-law, was being kidnapped. My husband ran to where his brother was being taken away in a van, just across the street from where he worked. My husband tried to follow the van but the men in the van started shooting at him. My brother in law's

1 dismembered body was found the same day he was kidnapped in garbage bags in a
2 cemetery. They targeted my brother-in-law because, like my husband, he was a
3 police officer. Police officers are frequently targeted by the cartels in our
4 community. We filed a police report the same day that my brother-in-law's body
5 was found. There was no substantial investigation.

6 5. My husband is a police officer in Southern Mexico. One day after my
7 brother-in-law was killed, my husband came home and showed me a picture on his
8 phone of two men. He told me that one of these individuals in the picture was one
9 of the men who had killed his brother. My husband recognized these men because
10 the two men were former police officers who had defected and were now working
11 for one of the cartels.

12 6. After my brother-in-law was kidnapped and murdered by the cartel,
13 members of a different cartel threatened my husband, both in person and over the
14 phone. We knew that the threats were from the second, different, cartel because
15 they demanded to know intelligence about the first cartel who had killed my
16 brother-in-law. I think that many people believe that police officers such as my
17 husband have information.

18 7. The threats to my husband were related to my brother-in-law's
19 murder. In particular, in May 2017, at my brother-in-law's funeral, members of
20 the other cartel approached my husband and demanded to know more information
21 about the cartel members who had kidnapped his brother. The cartels want to have
22 as much information as possible because information is power. They told my
23 husband that if he did not provide the information they had requested, he would
24 meet the same fate as his brother had: killed and put in bags. The next evening, my
25 husband and I saw a van drive by our house at least twice. It was the same van that
26 had been used to kidnap my brother-in-law.

27 8. My husband went into hiding at his parents' house because he was
28 afraid for his life.

1 9. Several days later, members of one of the cartels threatened me when
2 I was in town taking care of business. They demanded to know where my husband
3 was, and they reminded me that I had three girls. I understood this to be a threat to
4 my children and me.

5 10. Later that day, my children and I were followed by two men when I
6 left work. My children were with me at work that day because I was afraid for our
7 safety and I wanted them close. They were waiting outside of my work and
8 followed us as we rode home on the bus. I was frightened and got off at a different
9 stop instead of traveling to our normal stop to return home. The men followed us
10 off the bus and into a restaurant. They sat down next to us at the restaurant and
11 took pictures of us. The men then left the restaurant, and we immediately took a
12 taxi home.

13 11. The next evening, two cars stopped in front of my house, and five
14 men got out. Two of the men came onto my property while the other three men
15 waited outside. The two men used flashlights to search through the windows of
16 my home to see if anyone was inside. I hid with my daughters in the bathroom so
17 that the men would not see us. I was terrified and feared for my life and the lives
18 of my daughters.

19 12. Based on these incidents and the threats my family received, I decided
20 to flee with my children. We did not file another police report because we did not
21 think that the police would carry out an investigation, especially after no one had
22 been arrested following my brother-in-law's murder. Also, we were afraid that the
23 cartels would harm us in retaliation for bringing charges.

24 13. My husband also fled but did not tell anyone where he was going out
25 of fear for our family. The cartel members were actively looking for my husband,
26 so we decided to flee separately, in the hope that my daughters and I would be
27 safer. My daughters and I packed two bags and left in the middle of the night on
28 May 17, 2017. We took a bus to Mexico City and a plane to Tijuana the same day.

1 When we arrived in Tijuana, we went immediately to the San Ysidro Port of Entry.
2 We arrived at the San Ysidro Port of Entry at approximately 6:30 p.m.

3 14. My daughters and I walked for a long time on a bridge with a tunnel.
4 At the end of the bridge, there was a door with approximately six officers all
5 wearing dark navy blue uniforms. The officers asked me where we were going. I
6 told the officers that I wanted to apply for asylum. The officers directed us to an
7 area with cubicle stations.

8 15. There were other officers waiting at the cubicle stations who all had
9 the same uniform. One of the officers looked at my documents, including my U.S.
10 citizen daughter's U.S. birth certificate, her expired identification card from
11 Portland, Oregon, and her U.S. passport, which was also expired. After I explained
12 what had happened to my family and that we were afraid of returning, I was taken
13 to another room where a female immigration officer took my fingerprints and
14 searched us.

15 16. The officer then took my three children and me to a separate room.
16 Another officer came by and locked us in the room. No one explained to us what
17 was happening. We waited for someone to come back to the room but no one
18 came. We were exhausted having fled in the middle of the night, so we went to
19 sleep. The room only had mats on the floor and did not have beds.

20 17. The next morning, on May 18, 2017, I was taken to a large room with
21 a table. Two male officers sat on one side of the table. My children were told to
22 wait outside the room. The two men asked me questions in Spanish regarding why
23 I came from Southern Mexico, and I again explained what happened to my family
24 and me. The two men searched on the Internet regarding information about how
25 my brother-in-law was killed to confirm what I had told them, and one of them
26 mentioned an article he found about the murder that said my brother-in-law had
27 two brothers. I believed that the officer understood that my husband was also in
28 danger.

1 18. The two officers then talked amongst themselves in English, which I
2 did not understand as I only speak Spanish. One of the officers told me that based
3 on his experience, I would not receive asylum. He said that the protection I was
4 seeking in the United States could be provided by the Tijuana authorities.

5 19. The officer then asked if anyone was waiting to pick up my 15-year-
6 old U.S. citizen daughter after she crossed. I explained that her godfather, who is a
7 permanent resident, lived in Portland, Oregon. The officer said that my daughter
8 would not be taken to Portland, Oregon, and only would be taken as far as Los
9 Angeles, California. I explained that I could contact my daughter's godfather to
10 make arrangements, but the officer told me that the state would take her and place
11 my daughter in foster care until she turned 18. The officers did not give me the
12 opportunity to contact my daughter's godfather, and I did not want her separated
13 from her sisters and me and placed in foster care.

14 20. The officer then told me that if I was granted asylum, I could get my
15 daughter out of foster care, but that he was certain I would not be granted asylum
16 and that I would be deported. He said that I would not be allowed to return to the
17 United States for 10 years and therefore would not be able to see my daughter until
18 she became an adult.

19 21. The officer then told me that there was a way that I could get out of
20 there voluntarily so that my daughter would not be taken from me and placed in
21 foster care. He told me that unless I wanted them to take my daughter from me, I
22 had to make a statement on video showing that I was not afraid of returning to
23 Southern Mexico.

24 22. I did not want my daughter, who is only 15 years old, to be taken from
25 me and placed alone in foster care. I felt like I had no choice but to do what the
26 officer told me to avoid being separated from my daughter.

27 23. The two officers then went over the questions that they were going to
28 ask me on video and told me how to answer each question. One of the officers

1 read the questions from a laptop he had on the table. They recorded me using a
2 laptop. He asked me if I was scared to go back to Mexico, and I responded, "Yes."
3 He stopped me and instructed me to respond "No" to all of the questions if I
4 wanted to get out voluntarily and prevent the state from taking my minor U.S.
5 citizen daughter and putting her in foster care. The officers then went over the
6 questions with me twice and made me practice the answers before they turned on
7 the video camera.

8 24. Next, they turned on the video camera on the laptop and asked me the
9 same set of questions for a third time. I did not respond as they had instructed me
10 to do because the responses they told me to say were not true. I was afraid and
11 wanted to respond that I was very scared to return to Mexico. The officer then
12 repeated that the only way we could leave voluntarily was if I stated confidently on
13 video that I was not scared.

14 25. I was tired and scared. We had been locked in a room overnight, and I
15 felt like we were in jail. I did not think that I would be allowed to leave with all of
16 my daughters unless I did as they said. I believed I had no choice but to do what
17 they wanted or else my daughter would be taken from me. They continued to
18 pressure me to say what they wanted on video. I finally did what they told me to
19 do, and the officers were satisfied with my responses.

20 26. The officers then made me sign a document in English that had my
21 picture on it. The officers did not read the document to me in Spanish, nor did they
22 explain to me what the document meant. The one officer who said he was certain I
23 would not be granted asylum told me if I signed the document, it would keep me
24 from violating the law. I agreed to sign the document because I did not want to
25 violate the law and because I believed that my minor daughter would be taken
26 from me if I did not sign it.

1 27. I did not understand what I was signing, or what the document said. I
2 only understood that signing these documents was the only way to prevent them
3 from taking my daughter away from me.

4 28. I was very anxious and scared because I knew that we could not return
5 to Southern Mexico. My children and I fled our home in the middle of the night
6 because we were in fear for our lives. If we are forced to return to Southern
7 Mexico, I fear that we will meet the same fate as my brother-in-law: tortured,
8 mutilated, and killed. I am also worried that these men may find us in Tijuana. It
9 is this fear that I wished to explain to U.S. Immigration, including on the video, but
10 the officers kept telling me that I did not qualify for asylum and that my daughter
11 would be taken away from me if I did not sign the document.

12 29. After I signed the document, the officers brought my 18-year-old
13 daughter into the room. They told her that she had to sign the document that they
14 placed in front of her. She cannot read English either. They did not read the form
15 to her in Spanish or explain to her what the form meant. After leaving the San
16 Ysidro Port of Entry that day, my children and I went into hiding in a shelter in
17 Tijuana. We stayed in a shelter because we could not afford to stay anywhere else.
18 A few days after we left the port, I made arrangements with a family friend in San
19 Diego who came to Tijuana and walked my U.S. citizen daughter across the border
20 to the United States. My daughter is currently living with her aunt in Portland,
21 Oregon.

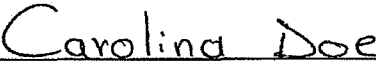
22 30. Two weeks ago, the people who run the shelter in Tijuana told me that
23 my children and I could not stay there any longer. A lawyer from Al Otro Lado
24 found a place for us to stay temporarily, but we cannot live here much longer.

25 31. I am afraid of staying in Mexico with my daughters because of the
26 threats that my family has received. We are not safe here. I have not seen or heard
27 from my husband in several weeks, and I fear for his safety. I want to apply for
28 asylum in the United States to save my family and me. However, I am afraid that

1 if we try to cross again, the officials will again turn us away or try to take my other
2 children from me.

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

5 Executed on July 7, 2017 at Tijuana, Mexico.

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8 
9 Carolina Doe

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12 **CERTIFICATION**

13 I, Hilda Gissela Bonilla, declare that I am fluent in the English and Spanish
14 languages. On July 7, 2017, I read the foregoing declaration and orally translated
15 it faithfully and accurately into Spanish in the presence of the declarant. After I
16 completed translating the declaration, the declarant verified that the contents of the
17 foregoing declaration are true and accurate.

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

20 Executed on July 7, 2017 at Tijuana, Mexico.

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22 
23 Hilda Gissela Bonilla
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28

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Al Otro Lado, Inc., *et al.*,

Plaintiffs,

v.

John F. Kelly, *et al.*,

Defendants.

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

DECLARATION OF DINORA DOE

DECLARATION OF DINORA DOE

I, Dinora Doe, declare as follows:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters. Because I am scared for my safety, I am submitting this declaration using a pseudonym so I do not reveal my true identity and my current whereabouts. Further, I have withheld particular dates and names of places because I am afraid that my persecutors may be able to identify me and will harm me or my family as a result.

2. I am a native and citizen of Honduras. I am 39 years old. I have four children. I have one son who is 21 years old, and three daughters who are 19, 18 and 17 years old. I currently reside in a cheap apartment in Tijuana, with my 18-year old daughter, Emilia. The apartment is not safe, and we hope that we can move soon to a place that is more secure. We are not safe here because we are in a dangerous neighborhood. We even sleep together in the same bed because we are so afraid at night.

3. My daughter and I fled Honduras for many reasons. In November 2015, we were targeted by the MS-13 gang, which controlled our neighborhood and wanted to take our house from us and force us to leave. I understood this to mean that they wanted us to leave the country. Our house was in MS-13 territory, and members of the gang wanted to live there. I think they wanted the house for one of their families to live in or they wished to conduct illegal activities there. I was living alone with my middle daughter, Emilia, who was 17 years old at the time. My other children are still living in Honduras with other family members. I separated from my husband about 7 seven years ago.

4. I received several notes from the gang saying that if we did not leave our house, they would kill us. One of the notes told me that we had to leave the house. Another note said that I had to leave the house and that the gang does not

1 give second chances. I quit my job after receiving another note, which said that if
2 we did not leave, my head would hang from the doorway of the front door. After I
3 quit, we fled to another city about 6 hours away by bus, where we remained in
4 hiding.

5 5. A few weeks later, my daughter and I returned to our home because I
6 had to pick up uniforms which belonged to my employer; if I did not return the
7 uniforms, then I would not be able to collect my last paycheck. When we walked
8 into the house, we found three MS-13 members there. They repeatedly raped my
9 daughter and me in front of each other for three days.

10 6. After we escaped, we stayed in many different hotels in San Pedro
11 Sula. A friend who lives in the U.S. sent me money so that we could flee the
12 country. By the middle of January 2016, we made it to a town in Southern
13 Mexico, where we spent the next six months living in a shelter. But we were not
14 safe there.

15 7. One day in July 2016, my daughter and I were at a park in the town
16 with a friend and her baby, when a group of about eight men approached us. I
17 knew that they were members of MS-13 because all of them had MS-13 tattoos.
18 Three of the men talked to us and told us that they knew that we were staying at
19 the shelter in the town. They told us they knew we were from Honduras. They said
20 the name of the man who ran the shelter, which confirmed that they really knew
21 where we were staying and that we were not safe. I was terrified and knew we had
22 to leave Mexico for the United States as soon as possible. We fled the town within
23 a few days.

24 8. My daughter and I first attempted to seek asylum in the United States
25 in August 2016. We went to the Otay Mesa port of entry in Tijuana. At around
26 8:00 am, we walked up to the entrance where we encountered a group of men in
27 uniforms. Some of them were standing and some of them were sitting behind a
28 desk. There were about four tall men in dark blue uniforms. I told one of the men

1 that I wanted to ask for asylum in the United States. Right after I said this, he
2 signaled for back up.

3 9. About five more officers then came to talk to us. One of these new
4 officers told me that there was no asylum in the United States. This same man told
5 us to go back to Mexico. I noticed that there were other people asking for asylum
6 who were also being turned away. I overheard them asking for asylum, but the
7 officers also told them that they could not get asylum in the United States.

8 10. Officers then escorted us out of the port. I thought that they were
9 going to take us somewhere else so that we could apply for asylum, but then I
10 realized that they were not going to let us in. We decided to wait outside the port.

11 11. A few hours later, at around 5:00 pm that same afternoon, we
12 approached the port entrance a second time. We walked up to the port, and I again
13 told the officers that we were from Honduras, and that we wanted to apply for
14 asylum. Again, there were a group of officers in dark blue uniforms. I did not
15 recognize any of the officers from earlier that day, so I hoped that we would have
16 better luck and that they would let us apply for asylum this time.

17 12. One of the officers told me that Central Americans did not understand
18 that there was no asylum in the United States for us. He stated this in perfect
19 Spanish. He told me that if we returned to the port again, they would transfer us to
20 Mexican officials who would deport us back to Honduras. Again, five officers
21 escorted us out of the port. I was becoming hopeless.

22 13. We waited outside the port. I knew we had to try again because
23 returning to Honduras was not an option for us. I considered trying again that
24 same day. However, we were tired and scared because it was getting dark, so I
25 decided that we should wait until the next morning.

26 14. While we were waiting outside the port, we saw many Mexican
27 officials around the entrance. I believe they were Mexican policemen based on the
28 uniforms they were wearing and the small Mexican flag badges on their sleeves.

1 15. The next morning, at around 7:00 am, we approached the port at Otay
2 Mesa to try to ask for asylum a third time. I told the first officer I encountered that
3 we wanted to apply for asylum because we were scared for our lives and could not
4 return to Honduras.

5 16. At the gate, one of the officers tried to separate me from my daughter.
6 They pulled me inside the gate while another officer stayed behind with my
7 daughter. The officers told me that I could pass through the port, but that I had to
8 leave my daughter behind. I told them that I could not leave her behind; I said that
9 she was just a child, and I told them that we had a right to apply for asylum. I told
10 them that what they were doing was illegal.

11 17. The officers told me that there was no asylum for us, but that I did not
12 seem to understand that. I continued to insist that we had a right to apply for
13 asylum, but they still did not let us in. The officers escorted us out of the port.
14 One of them tried to drag me by the arm.

15 18. After this, we went to my brother-in-law's house in Tijuana for
16 several days. We could not stay there for very long because there was not enough
17 space for us. We have very little money so we have moved several times since
18 then trying to find somewhere safe to stay.

19 19. Having been turned away so many times, we have not attempted to
20 ask for asylum in the U.S. again. I am afraid that the officers at the port will reject
21 us again or try to separate me from my daughter.

22 20. About a month ago, a woman called me and asked me what part of
23 Mexico I was in. I recognized her voice. She said she was calling to let me know
24 that her nephew, who was a gang member in Honduras, wanted to leave. I think
25 she was calling me under false pretenses to help the gangs find out where I was. I
26 am very afraid that gang members will find us if we remain in Mexico.

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

1 Executed on July 7, 2017 at Tijuana, Mexico.

2
3 Dinora Doe

4 Dinora Doe
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6

7 **CERTIFICATION**

8 I, Hilda Gissela Bonilla, declare that I am fluent in the English and Spanish
9 languages. On July 7, 2017, I read the foregoing declaration and orally translated
10 it faithfully and accurately into Spanish in the presence of the declarant. After I
11 completed translating the declaration, the declarant verified that the contents of the
12 foregoing declaration are true and accurate.

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

15 Executed on July 7, 2017 at Tijuana, Mexico.
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18 Hilda Gissela Bonilla

19 Hilda Gissela Bonilla
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Al Otro Lado, Inc., *et al.*,

Plaintiffs,

v.

John F. Kelly, *et al.*,

Defendants.

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

DECLARATION OF INGRID DOE

DECLARATION OF INGRID DOE

I, INGRID DOE, hereby declare as follows:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters. Out of fear for my life and the lives of my children, I am submitting this declaration using a pseudonym so I do not reveal my true identity and my current whereabouts. Further, I have withheld particular dates and names of places because I am afraid that my persecutors may be able to identify me and will harm me or my family as a result.

2. I am a 24-year old female Honduran national. I have two children. My daughter is three years old, and my son is one year old. I am six months' pregnant, and I am due in September. Until recently, my children and I lived in Honduras.

3. We fled Honduras because we had been harmed in the past and we feared for our lives. If we return to Honduras, my children and I will be killed.

4. In November 2009, members of the 18th Street Gang killed my mother and three siblings by cutting their necks with machetes. I came upon them killing my family in the house. They also threatened to kill me but I was able to escape.

5. The Honduran police took testimony about the murders and concluded that all of the murders were the result of a domestic dispute and took no further action.

6. I fled Honduras because my ex-boyfriend, Carlos, tried to kill my daughter and me. Carlos is the father to my son and also to the child that I am expecting. Carlos abused me for about two years. The abuse began about one year after we started our relationship at the end of 2014.

7. Carlos would rape me regularly, at times in front of my children. The abuse got more severe over the last year. He would heat up a knife and burn my

1 skin. He beat me with a belt. I have scars on my arms and my legs from the belt
2 buckle and the heated knives. He tried to kill me on numerous occasions. He
3 knew that I had nowhere to hide and that I was powerless.

4 8. The day before we fled, Carlos tried to kill me again. My daughter
5 was afraid and began to cry. He grabbed her and threw her across the room by the
6 arm. He lifted her into the air by her arm. He asked me if I wanted to see what he
7 could do to my daughter. I cried and implored him to stop hurting her. I told him
8 that he could hurt me but begged him not to hurt my daughter. He threw my
9 daughter on the bed and asked me if I wanted to have the same ending as my
10 mother. He began to beat me. He made me understand that I could not leave him.
11 He beat me in my stomach even though I was pregnant.

12 9. Carlos pointed the gun at my head. He threatened to kill me if I tried
13 to leave him.

14 10. We fled Honduras the next morning. I quickly gathered my children,
15 grabbed my documents, and we left. It took us about one week to travel to the
16 border between Guatemala and Mexico. After crossing the Guatemalan border, it
17 took us about four months to travel to Tijuana. We had to stay in Chiapas for
18 about two months because my son had health problems. It was very difficult for us
19 because the doctors in Chiapas refused to treat him because we did not have status
20 to remain in Mexico. Eventually, he was strong enough and we continued our
21 journey by bus to Tijuana, where I planned to ask for asylum in the United States.

22 11. My children and I arrived in Tijuana around June 10, 2017. We were
23 traveling with another woman and her daughter whom we had met on the journey.
24 This woman had told me about a shelter we could stay in when we arrived in
25 Tijuana. We have been staying at this shelter in Tijuana since we arrived almost
26 one month ago. I do not know how much longer we will be allowed to remain at
27 the shelter.

28

1 12. We first asked for asylum at the Otay Mesa Port of Entry in Tijuana
2 on the afternoon of June 24, about two weeks after we arrived in Tijuana. Another
3 mother, Rosa, and her three children were with us when we went to the port that
4 day. Rosa and her children are from Michoacan, Mexico. They fled their home
5 due to death threats and violence in Michoacan.

6 13. When we arrived at the port entrance, Rosa was in front with her three
7 children, and I was behind them, with my two children. Two officers in grey
8 uniforms asked for Rosa's documents. Rosa showed the officers their Mexican
9 identification documents and stated that they were there to ask for asylum. One of
10 the officers then said that there was no asylum at that port and that asylum had
11 ended. Both officers were white and spoke good Spanish. Rosa asked the officers
12 why there was no more asylum. One of the officers responded that a new law had
13 passed which meant no more asylum. Rosa left the port with her children.

14 14. After Rosa left the port entrance, I approached the same officers. I
15 told them that I wished to speak to an immigration officer. One of the officers
16 asked me why. I told him that I was there to apply for asylum. He then told me to
17 step aside and wait.

18 15. After about a half hour, the same officer who had told me to wait said
19 that they could not assist me. He told me to go to another port at San Ysidro, and
20 that the officers there could help me.

21 16. Later that afternoon, we arrived at the port at San Ysidro. We
22 approached the port entrance, where there were three officers, all male. Two of
23 them spoke good Spanish, and one of them did not.

24 17. I told them that I wished to apply for asylum. One of the officers told
25 me to step to the side. The officers spoke among themselves in English. One of
26 them asked me what I was doing there. Again, I told him that I was there to ask for
27 asylum. The officer told me that there was no asylum there and that I could not
28 pass through the port because I did not have any documents. I told him a third

1 time that I wished to ask for asylum. I told him that I could not go back to my
2 country because we would be killed. The officer responded that there was a new
3 law in the United States that meant no asylum. Again, the officer told me that
4 because I did not have the correct documents, I did not have the right to enter the
5 United States.

6 18. A different officer then escorted my children and me out of the port
7 and back to Mexico. He led me by my arm. We returned to the shelter where we
8 have been staying ever since.

9 19. I still wish to seek asylum inside the United States, where my family
10 and I will be safe, and would like to try again. But I am afraid that if I try again, I
11 will simply be turned away again. I have also heard that sometimes U.S.
12 immigration officers separate mothers from their children.

13 20. We cannot stay near the border much longer because we are only
14 allowed to stay at the shelter temporarily. I am terrified to leave the shelter to look
15 for another place to stay with my children. I know of no other place where I would
16 be able to stay. I am afraid that my ex-partner or members of 18th Street Gang
17 will find us and kill us.

18
19 I declare under penalty of perjury under the laws of the United States of
20 America that the foregoing is true and correct.

21 Executed on July 7, 2017 at Tijuana, Mexico.

22
23
24 Ingrid Doe
Ingrid Doe
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CERTIFICATION

I, Hilda Gissela Bonilla, declare that I am fluent in the English and Spanish languages. On July 7, 2017, I read the foregoing declaration and orally translated it faithfully and accurately into Spanish in the presence of the declarant. After I completed translating the declaration, the declarant verified that the contents of the foregoing declaration are true and accurate.

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

Executed on July 7, 2017 at Tijuana, Mexico.

A handwritten signature in black ink, appearing to read 'H. Bonilla', is written over a horizontal line.

Hilda Gissela Bonilla

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v.

John F. Kelly, *et al.*,

Defendants.

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

DECLARATION OF JOSE DOE

DECLARATION OF JOSE DOE

I, JOSE DOE, hereby declare as follows:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters. Out of fear for my life and the lives of my children and other family members, I am submitting this declaration using a pseudonym so I do not reveal my true identity and my current whereabouts. Further, I have withheld particular dates and names of places because I am afraid that my persecutors may be able to identify me and will harm me or my family as a result.

2. I am a 42-year old male national and citizen of Honduras. I am currently residing in an apartment with a member of my wife's family in Monterrey, Mexico. This is temporary housing; I cannot stay indefinitely. I am staying here because I am not able to afford to live anywhere else. I also have no legal status in Mexico and cannot work. I left Honduras because my family and I were threatened by the notorious 18th Street Gang ("18th Street"). I am afraid to return to Honduras.

3. Before I left, I lived in a town on the outskirts of San Pedro Sula, Honduras, with my wife, our two daughters (now ages 15 and 20), and our son (now age 8). My wife's nephew (now 17) also stayed with us. My wife and I were never formally married, but have lived together as man and wife for many years and are fully committed to each other.

4. For many years, I operated a small family business selling bananas from a pushcart in my neighborhood. Sometime in 2012, 18th Street began targeting my business for extortion. The gang told me that if I did not make weekly payments they would harm me or my family. After this demand, I paid the organization weekly in order to continue running my business and out of fear for my life. Though I made the extortion payments for many months, I eventually fell

1 behind. Because of this, 18th Street members surrounded me and brutally attacked
2 me with a machete, hacking at my arms, legs, and head. I thought I was going to
3 die. I have visible scars along my arms and skull to this day.

4 5. I could not report the attack to the police because in my
5 neighborhood, the police often work with the 18th Street and do not protect people
6 from the gang. This is well-known in Honduras. After recovering from the attack,
7 I avoided the gang by not selling along my usual business route. My wife and I
8 opened a small juice business near our house to augment our income. By 2014,
9 18th Street members learned about our juice business and again began demanding
10 payments, this time imposing a daily payment requirement. They told me that they
11 would hurt me again or harm my family if I did not pay. I was very frustrated and
12 scared.

13 6. The 18th Street also harassed my wife's cousin, a 20-year-old woman
14 who lived nearby. In 2016, she was kidnapped and found dead after resisting the
15 gang. The 18th Street previously murdered two of my wife's uncles. The 18th
16 Street also extorted money from another relative that owned a small grocery store.
17 Their presence in our lives was steady and terrifying.

18 7. In August 2016, the 18th Street threatened to kidnap my two teenage
19 daughters. The gang told me and one of my relatives that they wanted to make my
20 two daughters "women" of the 18th Street, meaning that they would be affiliated
21 with the gang as "girlfriends" of members and subjected to sexual violence at their
22 hands. After this time, the gang would frequent the house asking for them. After
23 the murder of my wife's cousin, we did not let our daughters or son leave the house
24 for fear that the same thing would happen to them. We kept our daughters
25 sequestered in the house at all times. Again, we could not turn to the police
26 because they are very corrupt and take payments from the gang to look the other
27 way. The police would not have done anything to protect us.
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1 8. In November 2016, a former member of the gang came up to me on
2 the street and told me that 18th Street was planning to come to my house that
3 evening, kill me, and kidnap my daughters. Fearing for our lives, my wife, my
4 three children, and my nephew all immediately fled our home in Honduras for the
5 U.S. border. We took more than a dozen buses to evade the 18th Street, and
6 eventually reached Nuevo Laredo, Mexico on November 21, 2016.

7 9. My wife, my children, my nephew, and I all presented ourselves at the
8 Laredo Port of Entry as a family and jointly requested political asylum. U.S.
9 immigration officials told us in a very aggressive tone that we should instead apply
10 for asylum in Mexico and told us that only Mexico could help us. We repeated our
11 desire to apply for asylum in the United States many times, but we were rejected
12 each time. Eventually, after at least a half hour, authorities relented and allowed
13 all six of us to enter the office inside the port entrance.

14 10. Once inside the office, immigration officers asked us for our basic
15 identifying information. During this questioning, I explained that I was not my
16 daughters' or son's biological father but technically their stepfather. This led one
17 officer to yell out "what are we going to do with him, he is not part of the family?"
18 This hurt me very much, as I have been the only father in my children's lives since
19 my daughters were thirteen and six years old, respectively, and my son just four
20 months old. They refer to me as their father, and along with their mother, I am their
21 legal guardian.

22 11. The officers then separated me from my family, took them into a
23 separate room, and told me to take off my belt and shoes, handcuffing my wrists
24 and shackling my ankles. After some time had passed, immigration officers
25 escorted me past the room where my family was waiting. As I walked by, my
26 family saw me in shackles, causing my youngest daughter to cry. This was the last
27 time I ever saw them.
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1 12. I was interviewed by U.S. officials for many hours. I affirmed my
2 desire to apply for asylum because I do not feel safe anywhere in Honduras.
3 Throughout the interview, the immigration officer told me that I should not feel
4 safe in America, that gangs exist there as well, and that what happened to me in
5 Honduras could also happen to me in the United States. I reaffirmed my desire to
6 apply for asylum in the United States, along with my family.

7 13. I was eventually sent to a detention center in Texas, where I stayed for
8 four months. I was given a Credible Fear Interview, which I passed. I remained in
9 detention thereafter. On May 5, 2017, I had an asylum merits hearing, at which I
10 was unrepresented. I was unable to present any evidence because I was detained
11 and I did not have a lawyer. I was denied asylum and other forms of relief. Both
12 the judge and the government attorney told me that I should just go back to
13 Honduras and that because my claim was related to gangs I would definitely lose
14 any appeal. This made me feel hopeless and, without any attorney to guide me, I
15 believed what they told me and decided not to appeal. Having now spoken with
16 my attorneys, I wish to reopen my case, and pursue a claim for asylum.

17 14. While I was in detention, I learned that very soon after passing their
18 Credible Fear Interviews, my wife, our children, and nephew had been released in
19 the United States pending adjudication of their asylum claims. My wife, three
20 children, and nephew are all now living in Texas. I am thankful that they are all
21 safe in the United States.

22 15. I was deported to Honduras on May 26, 2017, without any of my
23 documents. I was terrified that because I was sent back to Honduras, the gang
24 would find me. I am certain that were I to return to my neighborhood, the gang
25 would seek retribution against me for taking my children to safety and keeping my
26 daughters from being their “women”.
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1 16. I also believe that, in retribution for my fleeing, the gang would seek
2 vengeance on me and my family. I think this would be more severe than what they
3 have already done to me—I believe they would kill me. I have heard stories of
4 gangs meting out such violence for people who escape or otherwise resist the gang.
5 In our neighborhood in 2015, 18th Street forced two girls to abandon the area and
6 flee. They returned after a few months, unable to stay anywhere else. Within a
7 month, 18th Street murdered them. I am afraid that if I were forced to return, I
8 would suffer the same fate. I am also afraid that, because the gang has such
9 extensive reach throughout the country, that there is nowhere I could safely hide.
10 Because of this, I cannot safely return to Honduras. Scared for my life, within
11 days of being returned to my town, I fled the country.

12 17. I again traveled through Honduras and Guatemala, again taking many
13 buses to avoid detection. I returned to Nuevo Laredo on June 22, 2017, and was
14 immediately surrounded by multiple menacing individuals who approached me in
15 a threatening manner. I do not know who they were exactly, but I believe them to
16 be members of a drug cartel. They asked me for my “clave,” which I understood
17 to mean identification or code, to prove that I lived in Nuevo Laredo. I had no
18 such identification, and, because I was an outsider, I felt extremely threatened and
19 that my life was in danger. I was able to flee by getting into a taxi.

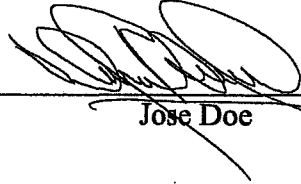
20 18. The day after this terrifying encounter, on June 23, 2017, I presented
21 myself at the Laredo Port of Entry for a second time. I immediately informed the
22 U.S. immigration officer at the gate that I wished to apply for asylum. Multiple
23 other officers overheard this request and informed me that I could not pass because
24 no one was in the office to handle my application. They also told me that I needed
25 a visa to apply for asylum, and without one I would have to remain in Mexico. I
26 refused to leave, and instead stayed and continued to assert my desire to apply for
27 asylum.
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1 19. After about ten minutes, the immigration officers relented and
2 escorted me inside. Once inside, an immigration officer again told me that in order
3 to apply for asylum, I needed a visa: not a tourist or commercial visa, but a special
4 type of visa without which I could not apply for asylum. I have never heard of
5 such a visa. When I informed them that I was represented by counsel, he told me
6 that perhaps my lawyers could help me obtain such a visa. I was then sent back to
7 Nuevo Laredo, where I was again approached by aggressive individuals who asked
8 for my “clave.” I felt extremely unsafe and took the first available bus to
9 Monterrey, approximately two hours away. I am currently staying with relatives of
10 my wife, though I cannot stay much longer because the house is cramped and I do
11 not have the status to live legally in Mexico.

12 20. I want to renew my asylum application. I cannot go back to Honduras
13 because the 18th Street will kill me as retribution for fleeing. It is also very
14 dangerous in Nuevo Laredo, and I am afraid that U.S. immigration officials will
15 again turn me away. If that happens, given my prior experiences, I believe I would
16 be in severe danger of harm in Nuevo Laredo.
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2 I declare under penalty of perjury under the laws of the United States of
3 America that the foregoing is true and correct.

4 Executed on July 7, 2017 at Monterrey, Mexico.
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10 **CERTIFICATION**

11 I, Angelo Romans-Taylor Guisado, declare that I am fluent in the English
12 and Spanish languages. On July 7, 2017, I read the foregoing declaration and
13 orally translated it faithfully and accurately into Spanish in the presence of the
14 declarant. After I completed translating the declaration, the declarant verified that
15 the contents of the foregoing declaration are true and accurate.

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

18 Executed on July 7, 2017 at Monterrey, Mexico.
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22 Angelo Romans-Taylor Guisado
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

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

v.
John F. Kelly, *et al.*,
Defendants.

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

**[PROPOSED] ORDER GRANTING
CLASS REPRESENTATIVES'
MOTION TO PROCEED
PSEUDONYMOUSLY**

1 On October 16, 2017, Plaintiffs Abigail Doe, Beatrice Doe, Carolina Doe,
2 Dinora Doe, Ingrid Doe and Jose Doe (the “Class Representatives”) filed an
3 unopposed Motion to Proceed Pseudonymously (the “Motion”). After a full
4 consideration of the duly noticed Motion and all other papers before the Court, and
5 having considered any argument of counsel, and for good cause shown, the Court
6 grants the Motion.

7 **IT IS HEREBY ORDERED** that:

- 8 1. The Motion is GRANTED; and
- 9 2. The Class Representatives may prosecute this action using
10 pseudonyms; and
- 11 3. Defendants are ordered to maintain the confidentiality of Class
12 Representatives’ identities in their public filings.

13 **IT IS SO ORDERED.**

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15 Date: _____

16 Hon. John F. Walter
United States District Court Judge
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