

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

USAMA JAMIL HAMAMA, et al.,

Petitioners and Plaintiffs,

v.

REBECCA ADDUCCI, et al.,

Respondents and Defendants.

Case No. 2:17-cv-11910

Hon. Mark A. Goldsmith
Mag. David R. Grand

Class Action

ORDER REGARDING CLASS NOTICE

After Petitioners and Respondents submitted to this Court a joint draft of a proposed Class Notice regarding the Court's January 2, 2018 Opinion & Order, Dkt. 191, the Court conducted a telephonic status conference on January 19, 2018, regarding disputed language and procedures for distribution of the Class Notice. This Order documents the Court's decision on those topics.

1. The Court hereby confirms its approval of the Class Notice submitted by the parties to the Court following the telephonic status conference on January 19, 2018, and attached as Exhibit A.

Procedures for Posting and Distribution of the Class Notice

2. Respondents shall distribute the Class Notice to all detained Primary Class members.

3. In each detention facility at which members of the putative Primary Class are detained, ICE shall post the Class Notice in common areas accessible to all detained Primary Class Members in accordance with the following schedule, which was orally ordered by the Court at the January 19, 2018 status conference. The Class Notice shall remain posted during the pendency of this litigation.

(a) For detention facilities at which ICE maintains an on-site presence, the Class Notice shall have been posted on or before January 20, 2018;

(b) For detention facilities at which ICE does not maintain a physical presence but which houses Primary Class members for whom a bond hearing has been scheduled for January 22, 2018, the Class Notice shall have been posted on or before January 20, 2018;

(c) For all other detention facilities at which Primary Class members are detained, the Class Notice shall have been posted on or before January 21, 2018.

4. On or before January 24, 2018, ICE shall distribute a paper copy of the Class Notice to each member of the Primary Class in ICE detention.

5. Respondents shall provide Petitioners with the name and A-number of each individual to whom ICE distributed the Class Notice. Respondents may fulfill this obligation by providing Petitioners either with a list of all individuals served or with individual delivery or receipt documents, so long as those documents are legible and include both names and A-numbers. Respondents may either provide specific dates on which the Class Notice was distributed to each individual or provide a statement that the Class Notice was distributed to “on or before” a particular date to all Primary Class Members whose names are set out on a list.

6. A Primary Class Member with an open individual habeas petition, listed in Exhibit A of the Joint Statement of Issues, Dkt. 198, shall have three weeks from the latest date provided in ¶ 5 (i.e. the specific date of service for that individual or the “on or before” date by which listed Primary Class Members were served) to decide whether to dismiss his or her individual habeas petition, in accordance with this Court’s Order Regarding Further Proceedings (Dkt. 203).

7. Petitioners shall provide Respondents with an Arabic translation of the Class Notice, which Respondents shall ensure is available to any Primary Class Member who requests it from his or her ICE Officer.

8. Petitioners and Respondents shall agree on a version of the Class Notice to distribute to members of the Primary Class detained after the date of this Order.

SO ORDERED.

Dated: January 23, 2018
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on January 23, 2018.

s/Karri Sandusky
Case Manager