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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

Maria Sandra RIVERA, on behalf of herself as an individual and on behalf of others similarly situated,

Plaintiff-Petitioner,

v.

Eric H. HOLDER, Jr., Attorney General of the United States; Juan P. OSUNA, Director, Executive Office for Immigration Review, United States Department of Justice; Jeh JOHNSON, Secretary of Homeland Security; Thomas S. WINKOWSKI, Principal Deputy Assistant Secretary for United States Immigration and Customs Enforcement; Nathalie R. ASHER, Director, Seattle Field Office of United States Immigration and Customs Enforcement; Lowell CLARK, Warden, Northwest Detention Center; and the UNITED STATES OF AMERICA,

Defendants-Respondents.

Civil Action No.

DECLARATION OF MATT ADAMS  
IN SUPPORT OF PLAINTIFF-  
PETITIONER’S MOTION FOR  
CLASS CERTIFICATION

I, Matt Adams, declare as follows:

1           1.       I am an attorney at law, admitted in the State of Washington and currently  
2 employed by Northwest Immigrant Rights Project (NWIRP) in Seattle, Washington. I am  
3 counsel of record for Plaintiff in this case.

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5           2.       I am an attorney at law, admitted in the State of Washington and I am employed  
6 as the Legal Director for Northwest Immigrant Rights Project's (NWIRP), at 615 Second Ave.,  
7 Ste. 400, Seattle, Washington, 98104. I have been working as an immigration attorney at NWIRP  
8 for the last sixteen years. From June 1998 to July of 2005, I worked at NWIRP's Eastern  
9 Washington office, in Granger, Washington, first as a Staff Attorney and later as the Directing  
10 Attorney of that office. In June of 2005, I became the Litigation Director, working out of  
11 NWIRP's Seattle office. In July of 2006, I assumed my current position as Legal Director of  
12 NWIRP. In this role, I am responsible for supervising all attorneys and legal staff and directing  
13 all litigation by NWIRP on behalf of clients before the federal district courts and the Court of  
14 Appeals.  
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17           3.       I have extensive experience on cases focusing on immigrant rights. During the  
18 last sixteen years, I have litigated cases and personally argued on behalf of immigrants before  
19 Immigration Judges; the Board of Immigration Appeals; Federal District Courts, including the  
20 Eastern and Western Districts of Washington; and the Ninth Circuit Court of Appeals. I have  
21 represented prevailing petitioners before Ninth Circuit Court of Appeals in the following  
22 published cases: *Duran-Gonzales v. DHS*, 702 F.3d 504 (9th Cir. 2013) (Court of Appeals  
23 reversed its prior opinion, finding that class members benefit from retroactivity test where  
24 agency changes rules pursuant to Supreme Court's decision in *Brand X*); *Chay Ixcot v. Holder*,  
25 646 F.3d 1202 (9th Cir. 2011) (vacating reinstatement order as unlawful retroactive bar to  
26 asylum claim); *Lopez-Birrueta v. Holder*, 633 F.3d 1211 (9th Cir. 2011) (rejecting agency's  
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1 restrictive interpretation of battery for purposes of establishing eligibility for cancellation of  
2 removal for victims of domestic violence); *Cortez-Guillen v. Holder*, 623 F.3d 933 (9th Cir.  
3 2010) (holding that agency is bound by elements as laid out in plain language of statute with  
4 regards to the realistic probability test, and accordingly, Alaskan coercion statute does not  
5 categorically qualify as aggravated felony crime of violence); *Bromfield v. Mukasey*, 543 F.3d  
6 1071 (9th Cir. 2008) (establishing a pattern and practice of persecution targeting gay men in  
7 Jamaica); *Mandujano-Real v. Mukasey*, 526 F.3d 585 (9th Cir. 2008) (finding that petitioner's  
8 concession while unrepresented did not preclude him from challenging legal basis on appeal and  
9 further holding that ID theft conviction did not constitute aggravated felony theft conviction);  
10 *Suazo Perez v. Mukasey*, 512 F.3d 1222 (9th Cir. 2008) (finding that domestic violence statute in  
11 question did not categorically constitute a deportable offense); *Hosseini v. Gonzales*, 471 F.3d  
12 953 (9th Cir. 2006) (granting relief under the Convention Against Torture to asylum applicant  
13 who had been charged as having being engaged in terrorist activities); *Hernandez-Guadarrama*  
14 *v. Ashcroft*, 394 F.3d 674 (9th Cir. 2005) (holding that the government could not rely on the  
15 statements made by witnesses where the government deported those witnesses); *Perez-Gonzalez*  
16 *v. Ashcroft*, 379 F.3d 783 (9th Cir. 2004) (preventing government from reinstating prior  
17 deportation order where person had a pending application for residence along with the  
18 corresponding waiver); *Garcia-Lopez v. Ashcroft*, 334 F.3d 840 (9th Cir. 2003) (requiring DHS  
19 to afford full effect to modification of conviction from felony to misdemeanor); and *Castro-*  
20 *Cortez v. INS*, 239 F.3d 1037 (9th Cir. 2001) (prohibiting retro-active application of  
21 reinstatement to person who were deported prior to change in law).  
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4. I also have experience as a class action litigator. I have litigated five class actions  
on behalf of immigrants: *Khoury v. Asher*, 3 F.Supp.2d 877 (W.D. Wash. 2014) (class

1 certification granted and declaratory relief on behalf of class, detained immigrants unlawfully  
2 subjected to mandatory detention); *B-H- v. USCIS*, Case No. C11-2108RAJ (W.D. Wash. 2013)  
3 (nation-wide challenge to asylum work authorization denials); *Roshandel v. Chertoff*, 554 F.  
4 Supp. 2d 1194 (W.D. Wash. 2008) (successful class action on behalf of 450 naturalization  
5 applicants); *Duran Gonzales v. U.S. Dep't of Homeland Sec.*, 239 F.R.D. 620 (W.D. Wash.  
6 2006) (certification granted for circuit-wide class); *Franco-Gonzalez v. Holder*, Case No. 2:10-  
7 02211-DMG (C.D. Cal. 2011), 2011 U.S. Dist. LEXIS 158130 (C.D. Cal. Nov. 21, 2011)  
8 (granting class certification) and 2013 U.S. Dist. LEXIS 186258 (C.D. Cal. Apr. 23, 2013)  
9 (granting permanent injunction ordering the government to provide free legal representation to  
10 immigrants with serious mental disabilities). I am currently counsel of record in a proposed  
11 nationwide class on behalf of children who are placed in immigration proceedings without legal  
12 representation. *J.E.F.M., et al. v. Holder, et al.*, 14-01026 (W.D. Wash.).

15           5.       I have twice been awarded the American Immigration Lawyers' Association Jack  
16 Wasserman Memorial Award for Excellence in litigation; most recently, in 2014 for my work on  
17 the litigation team in *Franco-Gonzalez v. Holder*, establishing the right to counsel for detained  
18 persons with serious mental disorders. I have also received 2008 Access to Justice Leadership  
19 Award, from the Washington State Bar Access to Justice Board, and the 2005 Washington State  
20 Chapter AILA Award for Most Significant Impact in Pro Bono Litigation.

22           6.       Neither myself, NWIRP, or our co-counsel are receiving reimbursement from the  
23 individual plaintiffs or class members in this case. All counsel in this case are qualified and  
24 capable of adequately and fairly representing the interests of the class.  
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1 I declare under penalty of perjury under the laws of the United States and the State of  
2 Washington that the foregoing is true and correct and that this declaration was executed on  
3 October 16, 2014 in Seattle, Washington.  
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6 s/Matt Adams  
7 MATT ADAMS  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 16, 2014, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system. I further certify that copies of the same will be served, via United States Postal Service, Certified Mail, Return Receipt Requested, to the following on October 17, 2014:

Natalie Asher  
Field Office Director, Seattle Field Office  
U.S. Immigration & Customs  
Enforcement  
12500 Tukwila International Blvd.  
Seattle, WA 98168

Lowell Clark  
Warden  
Northwest Detention Center  
123 East J St.  
Tacoma, WA 98421

Eric J. Holder, Jr.  
Attorney General for the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Jeh Johnson  
Secretary, U.S. DHS  
Department of Homeland Security  
Washington, DC 20528

Juan Osuna  
Director,  
Exec. Office for Immigration Review  
5107 Leesburg Pike, Suite 2600  
Falls Church, VA 20530

Thomas Winkowski  
Principal Deputy Assistant Secretary,  
U.S. Immigration & Customs Enforcement  
c/o Office of the General Counsel  
U.S. Department of Homeland Security  
Washington, DC 20528

United States of America  
c/o Annette Hayes  
Acting U.S. Attorney for W.D. Washington  
700 Stewart Street, Suite 5220  
Seattle, WA 98101

Dated: October 16, 2014, at Seattle, Washington.

/s/ Sarah Dunne  
Sarah Dunne, WSBA No. 34869

Attorney for Plaintiff