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16                                   **UNITED STATES DISTRICT COURT**  
 17                                   **SOUTHERN DISTRICT OF CALIFORNIA**

18   Al Otro Lado, Inc., *et al.*,  
 19                                   Plaintiffs,  
 20                                   v.  
 21   Kevin K. McAleenan,<sup>1</sup> *et al.*,  
 22                                   Defendants.

Case No.: 17-cv-02366-BAS-KSC

**PLAINTIFFS' NOTICE OF  
 MOTION AND MOTION FOR  
 PROVISIONAL CLASS  
 CERTIFICATION**

Hearing Date: October 28, 2019

**NO ORAL ARGUMENT UNLESS  
 REQUESTED BY THE COURT**

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<sup>1</sup> Acting Secretary McAleenan is automatically substituted for former Secretary Nielsen pursuant to Fed. R. Civ. P. 25(d).

CENTER FOR CONSTITUTIONAL RIGHTS

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1     **PLAINTIFFS’ MOTION FOR PROVISIONAL CLASS CERTIFICATION**  
2                                     **AND NOTICE THEREOF**

3             PLEASE TAKE NOTICE that on Monday, October 28, 2019, at a time the  
4 Court deems proper, Plaintiffs will and hereby do move to provisionally certify a  
5 provisional class of all non-Mexican noncitizens who were denied access to the U.S.  
6 asylum process before July 16, 2019 as a result of the Government’s metering policy  
7 and continue to seek access to the U.S. asylum process. This motion is based on the  
8 attached memorandum of points and authorities. The parties conferred on September  
9 19, 2019 regarding this motion, but were unable to resolve their dispute regarding the  
10 motion.

11  
12 Dated: September 26, 2019

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25 By: */s/ Stephen M. Medlock*  
26             Stephen M. Medlock

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**CERTIFICATE OF SERVICE**

I certify that on September 26, 2019, I served a copy of the foregoing document by filing it document with the Clerk of Court through the CM/ECF system, which will provide electronic notice and an electronic link to this document to all attorneys of record.

*/s/ Stephen M. Medlock*  
*Counsel for Plaintiffs*