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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-5111-JFW (JPRx)  
 Hon. John F. Walter (Courtroom 7A)

**DECLARATION OF MELISSA CROW IN SUPPORT OF PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

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

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

**DECLARATION OF MELISSA CROW**

I, Melissa Crow, declare under penalty of perjury as follows:

1. I am the Litigation Director of the American Immigration Council (“Immigration Council”) in Washington, DC and have personal knowledge of the matters stated herein.

2. I submit this declaration in support of Plaintiffs’ Motion for Class Certification in *Al Otro Lado, et al. v. Duke, et al.*, Case No. 2:17-cv-5111, for the purpose of outlining the Council’s relevant experience and qualifications in the area of immigration law and to demonstrate adequate class representation.

3. Established in 1987, the Immigration Council is a national, not-for-profit organization that works to strengthen America by honoring our immigrant history and shaping how America thinks about and acts towards immigrants and immigration. We employ a diverse set of strategies, including policy advocacy, litigation, research, and communications. Through these strategies, we stand up for sensible and humane immigration policies that reflect fundamental American values; we insist that our immigration laws be enacted and implemented in a way that honors fundamental rights; we work to achieve justice and fairness for immigrants under the law; and we strive to educate policy makers and the general public about the enduring contributions of America’s immigrants.

4. In recent years, the Immigration Council has served as counsel in a number of successful class actions seeking to protect the rights of noncitizens. These include: *Ngwanyia v. Ashcroft*, 302 F. Supp. 2d 1076 (D. Minn. 2004) (certified nationwide class of asylees seeking lawful permanent residence); *B-H- v. USCIS*, No. C11-2108RA (W.D. Wash. settlement approved November 4, 2013) (certified nationwide class of asylum applicants seeking work authorization); *Duran Gonzalez v. DHS*, No. CV 06-1411 (W.D. Wash. settlement approved Jul. 21, 2014) (certified Ninth Circuit-wide class challenging DHS’ refusal to allow removed or deported individuals to apply for adjustment of status under 8

1 U.S.C. § 1255(i)); *Brown v. CBP*, No. 15-cv-01181 (N.D. Cal. settlement approved  
 2 October 5, 2016) (nationwide putative class action challenging Customs and  
 3 Border Protection's extensive delays in processing FOIA requests).

4 5. Currently, the Immigration Council is litigating the following class  
 5 actions: *J.E.F.M. v. Lynch*, 837 F.3d 1026 (9th Cir. 2016), petition for rehearing  
 6 and rehearing en banc filed Dec. 5, 2016 (seeking recognition of right to appointed  
 7 counsel for nationwide class of unrepresented children in immigration  
 8 proceedings); *Doe v. Johnson*, No. 15-00250 (D. Ariz. class certification granted  
 9 January 11, 2016) (challenging deplorable conditions in Customs and Border  
 10 Protection detention facilities in Border Patrol's Tucson Sector); *Mendez-Rojas*  
 11 *v. Johnson*, No. 2:16-cv-01024 (W.D. Wash. class certification granted January 10,  
 12 2017, available at 2017 WL 1397749) (challenging obstacles to meeting the one-  
 13 year filing deadline for asylum applications); *Northwest Immigrant Rights Project*  
 14 *v. USCIS*, No. 2:15-cv-00813-JLR (W.D. Wash. class certification granted July 18,  
 15 2017) (challenging delays by U.S. Citizenship and Immigration Services in  
 16 adjudicating asylum seekers' initial applications for employment authorization);  
 17 *Ali v. Trump*, et al., No. 2:17-cv-00135 (D. Wash. proceedings stayed ) (putative  
 18 class action challenging Trump Administration's travel ban).

19 6. The team of Immigration Council attorneys working on this case  
 20 includes Karolina Walters and me.

21 7. I received my J.D. degree from New York University School of Law  
 22 in 1994 and am admitted to practice law in New York, the District of Columbia,  
 23 the U.S. District Court for the District of Columbia, the U.S. Courts of Appeals for  
 24 the First, Fourth, Fifth, Ninth and Eleventh Circuits, and the U.S. Supreme Court.  
 25 I am admitted to practice before this Court *pro hac vice*.

26 8. I have practiced immigration law since 2000. During that time, I have  
 27 personally litigated cases and/or supervised law students in litigating cases on  
 28 behalf of noncitizens before immigration judges, the Board of Immigration

1 Appeals, and federal district courts. I have also litigated cases on behalf of amici  
 2 curiae before the First, Fourth, Fifth, Ninth and Eleventh Circuit Courts of  
 3 Appeals, the Board of Immigration Appeals, and state courts.

4 9. In my current position, I have served as co-counsel (admitted *pro hac*  
 5 *vice*) in both *B-H- v. USCIS* and *Brown v. CBP*. I currently serve a class counsel  
 6 (admitted *pro hac vice*) in *J.E.F.M. v. Lynch*, *Doe v. Johnson*, and *Northwest*  
 7 *Immigrant Rights Project v. USCIS*.

8 10. From November 2007 to January 2010, I was a partner with Brown,  
 9 Goldstein & Levy, LLP, a prominent public interest and civil rights law firm in  
 10 Baltimore, Maryland. In that capacity, I served as lead counsel in collective  
 11 actions on behalf of noncitizens, including *Gonzalez Corrado et al. v. Tempo, Inc.*  
 12 *et al.*, No. 1:2008cv02759 (collective action on behalf of immigrant workers  
 13 seeking unpaid wages under Fair Labor Standards Act), and *Lopez et al. v. NTI,*  
 14 *LLC et al.*, No. 8:2008cv01579 (collective action on behalf of immigrant workers  
 15 seeking unpaid wages under Fair Labor Standards Act), both in the U.S. District  
 16 Court for the District of Maryland. As a result of my work on *Lopez et al. v. NTI,*  
 17 *LLC et al.*, the firm received the Outstanding Achievement Award in the Field of  
 18 Immigrant and Refugee Rights from the Washington Lawyers' Committee for  
 19 Civil Rights and Urban Affairs.

20 11. Prior to entering private practice, I taught for a total of four years in  
 21 the Safe Harbor Clinic at Brooklyn Law School and the International Human  
 22 Rights Clinic at American University's Washington College of Law. In both  
 23 positions, I supervised second and third-year law students on immigration court  
 24 cases. I also spent a year as the Gulf Coast Policy Attorney at the National  
 25 Immigration Law Center in Washington, DC, where I undertook a range of  
 26 litigation on behalf of immigration workers in post-Katrina New Orleans, including  
 27 serving as co-counsel (admitted *pro hac vice*) in *Castellanos-Contreras et al. v.*  
 28 *Decatur Hotels, LLC*, 622 F.3d 393 (E.D. La. 2010) (collective action on behalf of

1 immigrant workers seeking unpaid wages under Fair Labor Standards Act). In  
2 addition, I worked as an associate in the Washington, DC office of Foley Hoag  
3 LLP, where I handled immigration matters for foreign governments and  
4 represented asylum seekers on a pro bono basis.

5 12. Karolina Walters, who graduated from American University's  
6 Washington College of Law in 2009, is a staff attorney at the American  
7 Immigration Council. Prior to joining the Immigration Council, she was the  
8 Associate Director of the American Bar Association's Section of Civil Rights and  
9 Civil Liberties, a staff attorney at the Mexican American Legal Defense and  
10 Educational Fund, and a litigation associate with the law firm of Fried, Frank,  
11 Harris, Shriver & Jacobson, LLP in New York City. She has worked on a number  
12 of civil rights impact litigation cases, including *Jornaleros de Las Palmas v. City*  
13 *of League City*, 2013 WL 2180013 (S.D. Tex. 2013), which challenged a municipal  
14 anti-solicitation ordinance under the First and Fourteenth Amendments; *Texas v.*  
15 *Holder*, 888 F. Supp. 2d 113 (D.D.C. 2012), where she represented Latina  
16 plaintiffs and voter registration organizations in a challenge to federal preclearance  
17 of Texas's voter ID law; *Fisher v. Univ. of Tex.*, 133 S. Ct. 2411 (2013), where she  
18 represented amici in a Fourteenth Amendment Equal Protection action; and *Shelby*  
19 *Cnty., Ala. v. Holder*, 133 S. Ct. 2612 (2013), where she represented amici in a  
20 challenge to the constitutionality of Section 5 of the Voting Rights Act.

21 13. Both Karolina and I have committed substantial time and resources to  
22 representing the proposed class in this case. The Immigration Council has been  
23 heavily involved in the investigation and litigation of this matter for over a year  
24 and has sufficient resources to vigorously prosecute the case. Neither the  
25 Immigration Council, Karolina nor I are receiving reimbursement from the  
26 Plaintiffs or putative class members in this case.

27 I am aware of no conflicts of interest between myself, Karolina, the  
28 Immigration Council, and any members of the class.

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

3 Executed this 13th day of November 2017 at Washington, District of  
4 Columbia.

5  
6 /s/ Melissa Crow  
7 Melissa Crow  
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