

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND, SOUTHERN DIVISION**

J.O.P., *et al.*,

Plaintiffs,

v.

U.S. Department of Homeland Security, *et al.*,

Defendants.

Civil Action No.

8:19-CV-01944-SAG

**CLASS COUNSEL'S EMERGENCY MOTION  
TO ENFORCE THE SETTLEMENT AGREEMENT**

The Settlement Agreement, approved by this Court in November 2024, prohibits removal of any Class Member from the United States, provided that the Class Member has a pending asylum application with Defendant U.S. Citizenship and Immigration Services (“USCIS”). On or around March 15, 2025, Defendant U.S. Immigration and Customs Enforcement (“ICE”) removed Cristian,<sup>1</sup> a 20-year-old Class Member from Venezuela, with a pending asylum application, to a maximum security prison in El Salvador, in clear violation of the Settlement Agreement. The Government has represented that Cristian’s removal was effectuated pursuant to the President’s Proclamation of March 15, 2015, titled *Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren de Aragua*. Class Counsel seek the Court’s intervention to order Defendants to remedy this violation of the Settlement Agreement and prevent any further such violations.

This motion does not implicate the merits of any Class Member’s asylum application. Nor does the motion ask the Court to determine the scope of the Government’s removal authority under the Alien Enemies Act (“AEA”). The Court does not need to decide whether the AEA applies to any Class Member. By this motion, Class Counsel simply seeks to enforce the existing Settlement Agreement such that all Class Members can receive the benefits of the Agreement that Defendants voluntarily entered with terms they represented to the Court are fair and reasonable.

In support of this motion, Class Counsel rely on their memorandum and supporting declarations, filed contemporaneously with this motion.

A proposed order is attached.

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<sup>1</sup> Class Counsel has filed, contemporaneously with this motion, a motion to proceed using a pseudonym for the Class Member’s real name.

**DRAFT; ATTORNEY WORK-PRODUCT**

Dated: April 14, 2025

Respectfully submitted,

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