

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 25-cv-1163

D.B.U., *et al.*,

Petitioners-Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as President of the United States, *et al.*,

Respondents-Defendants.

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**DECLARATION OF DANIEL A. GALINDO IN SUPPORT OF PETITIONERS-  
PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

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I, Daniel A. Galindo, hereby declare:

1. I am an attorney at the American Civil Liberties Union Foundation (“ACLU”) Immigrants’ Rights Project, and I am co-counsel for Petitioners in this case. I make this declaration to describe my qualifications and those of one of my ACLU colleagues, Lee Gelernt, as well as my colleagues at the American Civil Liberties Union of Colorado (“ACLU of Colorado”).
2. I am Senior Staff Attorney at the ACLU Immigrants’ Rights Project, where I have worked since 2018. My experience includes immigrants’ rights litigation in federal and state courts, and criminal defense in state courts.
3. I graduated from Stanford Law School in 2012, then clerked for Judge David O. Carter of the U.S. District Court for the Central District of California and Judge Kermit V. Lipez of the U.S. Court of Appeals for the First Circuit. I am a member of the New York and California bars and am admitted to practice at the Supreme Court, the U.S. Court of Appeals for the Ninth Circuit, and the U.S. District Courts for the Southern District of Texas, the Southern and Northern Districts of California, the Southern District of New York, and the District of Columbia. Prior to working at the ACLU, I was a public defender at the Neighborhood Defender Service of Harlem.
4. I have served as counsel in immigrants’ rights cases before the Supreme Court, the U.S. Courts of Appeals for the Ninth, and D.C. Circuits, and in numerous district courts around the country, as well as state courts. Examples include: *Dep’t of State v. Muñoz*, 144 S. Ct. 1812 (2024) (amicus counsel of record) (addressing constitutional interests of

a U.S. citizen the denial of a visa to her spouse); *Ramon v. Short*, 2020 MT 69, 399 Mont. 254, 460 P.3d 867 (argued) (no authority under state law for state officers to hold people on ICE immigration detainers); *Innovation L. Lab v. Wolf*, 951 F.3d 986, 987 (9th Cir. 2020) (granting in part and denying in part stay of preliminary injunction against government immigration policy known as “Migration Protection Protocols”), vacated as moot by 5 F.4th 1099 (9th Cir. 2021); *A.I.I.L. v. Sessions*, 19-cv-00481-JAS (D. Az. filed Oct. 3, 2019) (damages action on behalf of separated immigrant families). My cases as class counsel include *Ms. L. v. ICE* (involving the Trump administration’s family separation practice), *P.J.E.S. by & through Escobar Francisco v. Wolf*, F. Supp. 3d 492 (D.D.C. 2020) (granting preliminary injunction against policy blocking unaccompanied minors’ access to asylum, injunction later stayed and vacated as moot after government withdrawal of policy) and *Huisha-Huisha v. Mayorkas*, 27 F.4th 718, 721 (D.C. Cir. 2022) (upholding in part order enjoining policy of banning asylum seekers from United States based on COVID-19; injunction later vacated after government end of policy).

### Lee Gelernt

5. Lee Gelernt has been an attorney with the American Civil Liberties Union since 1992. He currently holds the positions of Deputy Director of the ACLU’s national Immigrants’ Rights Project, and Director of the Project’s Program on Access to the Courts. Mr. Gelernt graduated from Columbia Law School in 1988.
6. Mr. Gelernt is a member of the New York bar, and he is admitted to practice in the U.S. Supreme Court, the U.S. Courts of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth and Eleventh Circuits, and the U.S. District Courts for the Eastern District of New York and the Eastern District of Michigan. He has argued dozens of notable immigrants’ rights cases at all levels of the federal court system, including in the U.S. Supreme Court, the U.S. Courts of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Eighth, Ninth, and Eleventh Circuits, and in numerous district courts around the country.
7. Mr. Gelernt has served as lead counsel, or argued in, many class action immigration cases, including recently *Ms. L. v. ICE* (involving the Trump administration’s family separation practice), and in a series of cases involving classes of long-term U.S. residents subject to deportation to countries where they feared death, persecution, or other harms. *See Hamama v. Adducci*, 258 F. Supp. 3d 828, (E.D. Mich. 2017), *vacated and remanded by* 912 F.3d 869 (6th Cir. 2018); *Devitri v. Cronen*, 290 F. Supp. 3d 86 (D. Mass. 2017); *Ibrahim v. Acosta*, No. 17-CV-24574, 2018 WL 582520 (S.D. Fla. Jan. 26, 2018); *Nak Kim Chhoeun v. Marin*, No. 17-CV-01898, 2018 WL 571503 (C.D. Cal. Jan. 25, 2018); *see also P.J.E.S. v. Wolf*, 502 F. Supp. 3d 492 (D.D.C. 2020); and *Huisha-Huisa v. Mayorkas*, 560 F. Supp. 3d 146 (D.D.C. 2021).
8. Mr. Gelernt is also lead counsel in numerous systemic cases challenging the federal government’s efforts to restrict noncitizens from accessing asylum. *See, e.g., East Bay Sanctuary Covenant v. Barr*, 964 F.3d 832 (9th Cir. 2020) (affirming injunction of bar on asylum for individuals who transit through third country); *Capital Area Immigrants’ Rights Coal. v. Trump*, 471 F. Supp 3d 25 (D.D.C. 2020) (vacating same bar); *East Bay Sanctuary Covenant v. Trump*, 950 F.3d 1242 (9th Cir. 2020) (affirming injunction of ban

of asylum for noncitizens entering between ports of entry); *East Bay Sanctuary Covenant v. Trump*, 932 F.3d 742 (9th Cir. 2018) (denying stay of same injunction), *stay denied*, 586 U.S. 1062 (2018); *M.A. v. Mayorkas*, No. 23-CV-1843 (D.D.C. filed June 23, 2023); *Las Ams. Immigration Advoc. Ctr. v. Dep't of Homeland Sec.*, No. 24-CV-1702 (D.D.C. filed June 12, 2024). 9. Mr. Gelernt has also testified as an expert before both the U.S. Senate and House of Representatives on immigration issues. He served as a law clerk to the Honorable Frank M. Coffin, formerly of the First Circuit Court of Appeals. In addition to his work at the ACLU, Mr. Gelernt is an adjunct professor at Columbia Law School, and for many years taught at Yale Law School as an adjunct.

#### ACLU of Colorado

9. Sara Neel is the managing attorney and senior staff attorney of the ACLU of Colorado. She is a 2005 graduate of Indiana Robert H. McKinney School of Law and has worked for the ACLU of Colorado since 2011. She has litigated civil rights and civil liberties matters, including matters involving immigrants' rights and criminal justice matters, for 20 years. Ms. Neel has served as counsel in many cases brought as class actions including *Ryan v. Bimestefer*, No. 17-cv-00904-KLM (D. Colo) (class action on behalf of thousands of low-income Coloradans who suffered from Hepatitis C and were denied access to life-saving treatment due to Colorado Medicaid restrictions), *Hodgkins v. Frontier Airlines*, No. 19-cv-03469-RM-MEH (D. Colo) (challenge to Frontier Airlines policy denying its employees basic accommodations for pregnancy and breastfeeding), *Weikert v. Elder*, No. 20-cv-03646-RBJ (D. Colo) (litigation to require sheriff to comply with COVID-19 public health guidelines and provide adequate protection from the virus for inmates in the jail), *Winston v. Polis*, 2020CV031823 (Den. Cty.) (class action to compel the Colorado Department of Corrections to protect medically vulnerable incarcerated people from COVID-19); *Aragon v. Raemisch*, No. 17-cv-01744-RBJ (D. Colo.) (litigation against the Colorado Department of Corrections for its failure to provide treatment for Hepatitis C to prisoners throughout the state).
10. Anna I. Kurtz is a senior staff attorney at the ACLU of Colorado, where she has worked since 2020. She is a 2017 graduate of Harvard Law School. Ms. Kurtz has litigated civil rights and civil liberties matters, including matters involving immigrants' rights, since she joined the ACLU. Ms. Kurtz has served as counsel in *Nash v. Mikesell*, No. 2023-CA-589 (Colo. Ct. App.) (challenging the legality of ICE detainers under 287(g) agreements in Colorado) and *Nash v. Mikesell*, No. 2019-CV-30051 (Teller Cty).
11. Emma Mclean-Riggs is a senior staff attorney at the ACLU of Colorado, where she has worked since 2023. She is a 2017 graduate of the University of California Berkeley School of Law. Ms. Mclean-Riggs has litigated civil rights and civil liberties matters, including matters involving criminal justice issues, since she joined the ACLU. Ms. Mclean-Riggs has served as counsel in *Lopez v. Lucero*, No. 2024-CV-30471 (Pueblo D.Ct.) (granting habeas for unconstitutional convictions); *Tafoya v. Lucero*, No. 2024-CV-30488 (Pueblo D.Ct.) (granting habeas for unconstitutional convictions), *Martinez v. Lucero*, No. 2024-CV-30485 (Pueblo D.Ct.) (granting habeas for unconstitutional convictions), and *Thorpe v. Lucero*, No. 2024-CV-30534 (Pueblo D.Ct.) (granting habeas for unconstitutional convictions).

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

Executed in Brooklyn, NY.

Dated: April 12, 2025

/s/ Daniel A. Galindo  
DANIEL A. GALINDO