

MATTHEW SESSIONS (BAR NO. 307098)
E-Mail: msessions@allenmatkins.com
JOSEPH L. MCGEADY (BAR NO. 308408)
E-Mail: jmcgeady@allenmatkins.com
ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP
2010 Main Street, 8th Floor
Irvine, California 92614-7214
Phone: (949) 553-1313
Fax: (949) 553-8354

SUSAN E. COLEMAN (BAR NO. 171832)
E-Mail: scoleman@bwslaw.com
DEANN R. RIVARD (BAR NO. 177482)
E-Mail: drivard@bwslaw.com
BURKE, WILLIAMS & SORESENSEN, LLP
444 South Flower Street, Suite 2400
Los Angeles, California 90071-2953
Phone: (213) 236-0600
Fax: (213) 236-2700

Attorneys for Defendant
THE GEO GROUP, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

HUGO GONZALEZ, JOSE BACA,
ERICK LOPEZ, MARIO
MANJARREZ, and RICARDO
SANDOVAL GUADARRAMA, on
behalf of themselves and all others
similarly situated,

Plaintiffs,

vs.

THE GEO GROUP, INC., et al.,

Defendants.

Case No. 2:22-cv-04014-JGB-ACCV

[CLASS ACTION]

Honorable Jesus G. Bernal

**THE GEO GROUP, INC.'S
OPPOSITION TO MOTION TO
INTERVENE FOR THE LIMITED
PURPOSE OF UNSEALING COURT
RECORDS**

Date: March 2, 2026
Time: 9:00 a.m.
Ctrm: 1

Complaint Filed: 06/10/2022
Trial Date: 04/14/2026

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1 **I. INTRODUCTION**

2 Proposed Intervenors' Motion to Intervene is a belated attempt by a non-party
3 to relitigate sealing determinations that the Court made long ago. The Court
4 specifically found both "good cause" and "compelling reasons" to allow the parties
5 to file under seal at least 66 exhibits that implicate the safety of those who live and
6 work at the Adelanto Facility, the privacy of those same people, and unique national
7 security interests. *See* Dkt. Nos. 61, 80 & 113. Now, more than fifteen months after
8 the Plaintiffs filed the most recent Application to File Under Seal, (Dkt. No. 90), the
9 Proposed Intervenors seek to intervene for the limited purpose of "enforce[ing]
10 GEO's existing obligation to demonstrate why records should be sealed." Dkt. No.
11 121-1 at 10:2–3. And as noted in the Defendant's concurrently filed Opposition to
12 the Proposed Intervenor's Motion to Unseal, the Proposed Intervenors failed to meet
13 their burden to show why the Court should reverse its prior sealing orders, making
14 the present motion blatantly futile. Thus, the motion is untimely and unnecessary.
15 The Court should therefore exercise its substantial discretion to deny the Proposed
16 Intervenors' Motion to Intervene.

17 **II. FACTUAL BACKGROUND**

18 GEO Group Inc. ("Defendant" or "GEO") is a publicly traded company
19 contracted by governments around the world to provide correctional and community
20 reentry services. It is contracted by the U.S. Immigration and Customs Enforcement
21 ("ICE") agency to provide detention and processing services at the Adelanto
22 Facility. Under its contract with the U.S. Government, GEO operates the Adelanto
23 Facility in a highly controlled environment governed by ICE's Performance-Based
24 National Detention Standards ("PBNDS") as well as site-specific Standard
25 Operating Procedures designed to maintain the safety of detainees, staff, and the
26 public. GEO has operated the Adelanto Facility under its contract with the federal
27 government since 2011.

28

1 In June 2022, Plaintiffs filed this class action lawsuit alleging state law tort
2 and statutory claims against GEO arising out of an incident that took place at the
3 Facility on June 12, 2020. Discovery required disclosure of sensitive documents,
4 including private medical records, personally identifying information of detainees,
5 and GEO's sensitive security protocols. As a result, the Court granted the parties'
6 Stipulated Protective Order ("Protective Order"), which prohibited either party's
7 attorneys from publicly disclosing "confidential" documents. Dkt. No. 29.

8 The parties submitted some of these confidential documents to the Court in
9 support of different motions. *See, e.g.*, Dkt. Nos. 55, 57, 60, 64, 73, 76, 85, 88 &
10 91. To maintain their confidentiality pursuant to the Protective Order, the parties
11 filed six Applications to File Documents Under Seal (collectively, "Sealing
12 Applications") pursuant to Local Rule 79-5.2.2. *See* Dkt. Nos. 56, 60, 71, 76, 85, 87
13 & 90.¹ This Court found "good cause" or "compelling reasons" to grant each
14 request. Dkt. Nos. 61, 80 & 113. Since then, the parties have relied on the sealing
15 orders in continuing to litigate this case. Nothing has changed to justify overturning
16 these sealing orders.

17 Now, months after the Court ruled on the motions attaching the records at
18 issue and just months before trial (currently set for April 2026), the Proposed
19 Intervenor seek to intervene for the limited purpose of unsealing over 60 records.

20 **III. ARGUMENT**

21 **A. The Court Should Deny the Proposed Intervenor's Motion to** 22 **Intervene Because It Is Untimely.**

23 The Proposed Intervenor's motion is untimely and should be denied on that
24 basis alone. The district court can grant permissive intervention only "[o]n timely
25 motion." Fed. R. Civ. P. 24(b)(1); *see also Empire Blue Cross & Blue Shield v.*
26 *Janet Greeson's a Place for Us, Inc.*, 62 F.3d 1217, 1219 (9th Cir. 1995) (holding
27

28 ¹ The Application filed at Dkt. No. 85 is identical that filed at Dkt. No. 87.

1 motions to intervene to disclose sealed records must be timely). “In the context of
2 permissive intervention . . . [the court] analyze[s] the timeliness element more
3 strictly than [it] do[es] with intervention as of right.” *LULAC v. Wilson*, 131 F.3d
4 1297, 1308 (9th Cir. 1997). The timeliness requirement is directed to the sound
5 discretion of the district court. *See NAACP v. New York*, 413 U.S. 345, 366 (1973).

6 A court properly denies a motion to intervene when, based on the totality of
7 the circumstances, the motion is not timely. *See Smith v. L.A. Unified Sch. Dist.*,
8 830 F.3d 843, 854 (9th Cir. 2016). In analyzing this issue, the district court should
9 consider “(1) the stage of the proceeding at which an applicant seeks to intervene;
10 (2) the prejudice to other parties; and (3) the reason for and length of the delay.” *Id.*
11 (quoting *United States v. Alisal Water Corp.*, 370 F.3d 915, 921 (9th Cir. 2004)); *see*
12 *also Mountain Top Condo. Ass’n v. Stabbert Master Builder, Inc.*, 72 F.3d 361, 369
13 (3d Cir. 1995) (“[Regarding the first prong, the] critical inquiry is: what proceedings
14 of substance on the merits have occurred?”).

15 The Proposed Intervenorors give no compelling justification for bringing their
16 Motion to Intervene well over a year after the parties initially filed the Sealing
17 Applications at issue here. *Cf. Estate of Nunez v. County of San Diego*, 386 F. Supp.
18 3d 1334, 1338 (S.D. Cal. 2019) (noting non-party may move *ex parte* to intervene
19 for the specific purpose of opposing applications to seal). They merely state that
20 this Court’s Local Rules do not limit the time for a non-party to unseal a document.
21 *See* Dkt. No. 121 at 9:21–23. This does not explain or justify their delay.

22 The Sealing Applications were, in some cases, pending for nine months
23 before the Court ruled upon them, yet the Proposed Intervenorors waited until *after*
24 these rulings to seek intervention. Had they intervened earlier and the Court
25 concluded no good cause or compelling reasons justified sealing certain records,
26 then GEO would have exercised its right to not file unredacted versions on the
27 public docket. *See* C.D. Cal. L.R. 79-5.2.2(a) para. 4 (“If the Application is
28 denied . . . the document(s) proposed to be filed under seal will not be considered by

1 the Court . . . unless the Filing Party files an unredacted version”); *see also*
2 *R&G Mortg. Corp. v. FHLMC*, 584 F.3d 1, 35 (1st Cir. 2017) (“[T]he timeliness
3 inquiry centers on how diligently the putative intervenor has acted once he has
4 received actual or constructive notice of *the impending* threat.” (emphasis added)).
5 Instead, GEO has relied on the Court’s rulings on the Sealing Applications in
6 litigating this case throughout discovery, motion practice, and settlement strategy.

7 Therefore, Proposed Intervenors’ claim that granting the Motion to Intervene
8 will not prejudice GEO because they “seek only to enforce GEO’s existing
9 obligation to demonstrate why records should be sealed” is far from true. Dkt. No.
10 121-1 at 10:2–3. GEO already met its burden to warrant sealing. And the Court
11 appropriately issued sealing orders to that effect. GEO then reasonably relied on the
12 Court’s sealing orders. Allowing intervention would substantially frustrate that
13 reliance and prejudice GEO at this stage of the proceedings.

14 The Proposed Intervenors contend that their Motion to Intervene comes “just
15 five months after this Court granted the applications to seal most of the documents.”
16 Dkt. No. 121-1 at 9:16–17. Although it is true that this Court found, in July 2025,
17 “compelling reasons to seal” 37 of the 66 exhibits at issue here, (Dkt. No. 113, at 3),
18 the Proposed Intervenors give no explanation for waiting sixteen months after the
19 Court found “good cause” to seal the first set of confidential exhibits, (Dkt. No. 61),
20 and fifteen months after the Plaintiff filed the most recent Application to File
21 Documents Under Seal, (Dkt. No. 90), to intervene.

22 Proposed Intervenors cite *San Jose Mercury News, Inc. v. U.S. Dist. Ct.*, 187
23 F.3d 1096 (9th Cir. 1999) for the proposition that “delays measured in years have
24 been tolerated where an intervenor is pressing the public’s right of access to judicial
25 records.” *Id.* at 1101 (dictum) (citing *Beckman Indus., Inc. v. Int’l Ins. Co.*, 966 F.2d
26 470, 471 (9th Cir. 1992) and *Pub. Citizen v. Liggett Grp., Inc.*, 858 F.2d 775, 785
27 (1st Cir. 1988)). *Beckman* involved intervenors seeking to modify a “blanket
28 protective order” issued by the district court. *Beckman*, 966 F.2d at 471. There, the

1 intervenors sought to discover deposition transcripts from a resolved action in
2 federal court that were relevant to a related state court case. *Id.* at 472. As the court
3 in *Beckman* explained, such blanket orders are inherently subject to challenge and
4 modification, as the party resisting disclosure generally has not made a
5 particularized showing of good cause with respect to any individual document. *Id.*
6 at 476. Unlike in *Beckman*, the Proposed Intervenor here seek to overturn the
7 Court’s six prior rulings that the parties’ Sealing Applications were supported by
8 “good cause” and “compelling reasons” as to the 66 documents that were sealed.

9 Proposed Intervenor’s invocation of the public’s right of access does not cure
10 this prejudice. Generalized curiosity or interest in detention-related oversight does
11 not justify reopening settled sealing determinations in a private civil action,
12 especially where the Proposed Intervenor’s had ample opportunity to seek access
13 earlier. Nor does “public interest” permit a non-party to use intervention as an
14 end-run around the procedural safeguards that govern access to sensitive and
15 confidential information—including materials concerning security, safety, and
16 privacy—and whose disclosure carries real-world consequences.

17 The Proposed Intervenor waited to file their Motion to Intervene until after
18 this Court substantially engaged with the merits of this case. And because Proposed
19 Intervenor do not seek to challenge a blanket protective order sealing certain
20 documents (*cf. Beckman Indus.*, 966 F.2d at 471; *Pub. Citizen*, 858 F.2d at 785), the
21 cases they rely upon are inapposite. Instead, they seek to intervene to challenge this
22 Court’s several well-considered sealing orders granting the parties’ Sealing
23 Applications. *See* Dkt. Nos. 61, 80 & 113. The Motion to Intervene should be
24 denied.

25 **B. Even If the Court Finds the Proposed Intervenor’s Motion Is**
26 **Timely, It Should Deny the Motion as a Matter of Discretion.**

27 “Even if an applicant satisfies th[e] threshold requirements [of permissive
28 intervention], the district court has discretion to deny” the motion. *Donnelly v.*

1 *Glickman*, 159 F.3d 405, 412 (9th Cir. 1998); *see also Orange v. Air Cal.*, 799 F.2d
2 535, 539 (9th Cir. 1986) (“Permissive intervention is committed to the broad
3 discretion of the district court.”). In ruling on a motion to intervene, the court
4 should consider “whether parties seeking intervention will significantly contribute to
5 the full development of the underlying factual issues . . . and to the just and
6 equitable adjudication of the legal questions presented.” *Spangler v. Pasadena City*
7 *Bd. of Educ.*, 552 F.2d 1326, 1329 (9th Cir. 1977).

8 As discussed in the Defendant’s concurrently filed Opposition to the
9 Intervenor’s Motion to unseal, the Proposed Intervenor’s arguments are without
10 merit, and their intervention in this case would be futile. None of the Proposed
11 Interveners explain how their involvement will contribute to the full development of
12 the facts or the just adjudication of the legal questions presented. Indeed, the
13 Proposed Interveners’ Motion to Intervene and Motion to Unseal, (Dkt. Nos. 121 &
14 122), only serve to distract the parties from the merits of this case at a time when
15 they are exploring resolution and simultaneously preparing for upcoming trial. The
16 Court should exercise its substantial discretion to deny the Motion to Intervene.

17 **IV. CONCLUSION**

18 For the foregoing reasons, Defendant respectfully requests that this Court
19 deny the Proposed Interveners’ Motion to Intervene.

20
21 Dated: February 16, 2026

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

22
23
24 By: /s/ Matthew T. Sessions

MATTHEW T. SESSIONS
Attorneys for Defendant
THE GEO GROUP, INC.

CERTIFICATE OF COMPLIANCE

The undersigned, counsel of record for Defendant The Geo Group, Inc., certifies that this brief contains 1,898 words (excluding the caption, the table of contents, the table of authorities and the signature block) which complies with the word limit of L.R. 11-6.1.

Dated: February 16, 2026

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

By: /s/ Matthew T. Sessions

MATTHEW T. SESSIONS
Attorneys for Defendant
THE GEO GROUP, INC.