

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS**

MARIA ALEJANDRA CELIMEN SAVINO,  
JULIO CESAR MEDEIROS NEVES, and all  
those similarly situated,

Petitioners-Plaintiffs,

v.

STEVEN J. SOUZA,

Respondent-Defendant.

Case No. 1:20-cv-10617 WGY

**BRIEFING FOR HEARING, APRIL 9, 2020**

On April 7, 2020, the Court ordered a hearing for April 9, 2020 at 2:00 PM to address the following:

The Court inquires whether given the number of cells and the common areas in the detention facility there is some number of detainees who might occupy the facility and yet be adequately spaced? Much like a nursing home or retirement facility. The views of physicians and public health professionals will be gratefully received.

ECF 55.

Shortly thereafter, Plaintiffs filed a Motion for Expedited Informal Discovery, ECF 57, seeking discovery into the questions raised by the Court. The Court granted that motion in part, ordering Defendant to produce certain information by 2:00 PM on April 8, 2020. ECF 60. Notwithstanding the Court's order, Defendant has not produced further information. Nor has Defendant filed any such information as of the filing time of this document, approximately one hour prior to the hearing on April 9, 2020.

Despite the lack of information from Defendant—the only party with ready access to the information sought by the Court—Plaintiffs have endeavored to gather information that will be helpful to addressing the Court’s queries. Plaintiffs have gathered expert declarations from several individuals, which are listed below and attached as exhibits to this filing.

Attached hereto as **Exhibit A** is the Supplemental Declaration of Dr. Matthew Gartland, Attending Physician in the Division of General Internal Medicine at Brigham and Women’s Hospital in Boston, MA, and Pediatrics at Newton Wellesley Hospital, Newton, MA.

Attached hereto as **Exhibit B** is the Declaration of Dr. Frederick L. Altice, professor of Medicine (Infectious Diseases), Epidemiology (Microbial Diseases), and Public Health, and a clinician, clinical epidemiologist, and intervention and implementation researcher at Yale University School of Medicine and School of Public Health.

Attached hereto as **Exhibit C** is the Declaration of Dr. Mary T. Bassett, physician, epidemiologist and the director of the François-Xavier Bagnoud (FXB) Center for Health and Human Rights and FXB Professor of the Practice of Health and Human Rights in the department of Social and Behavioral Science at the Harvard T.H. Chan School of Public Health.

\* \* \*

Plaintiffs request that the Court allow Plaintiff to supplement this filing with further information and briefing on any issues following the hearing and any production of information from Defendant.

April 9, 2020  
Respectfully Submitted,

/s/ Oren Sellstrom  
Oren Nimni (BBO #691821)  
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† Admitted *pro hac vice*.

**CERTIFICATE OF SERVICE**

I hereby certify that, on April 9, 2020 a copy of the foregoing document was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of this court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF system.

Date: April 9, 2020

/s/ Oren Nimni  
Oren Nimni (BBO #691821)