IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MARGARITO CASTAÑON NAVA, et al.,	)	
Plaintiffs,	)	**No. 18-cv-3757**
v.	)	**Judge Jeffrey I. Cummings**
DEPARTMENT OF HOMELAND SECURITY, et al.,	)	
Defendants.	)	

ORDER

After review of defendants' memorandum in response to the Court's 10/14/25 order [232], defendants' memorandum in response to the Court's 10/24/25 order regarding equitable relief [237], and plaintiffs' brief in support of their motion for placement of potential class members on alternatives to detention [238], the Court orders as follows:

(1) The parties shall promptly meet and confer regarding the six individuals referenced on page six of plaintiffs' submission [238 at 6] whom defendants concede were subject to warrantless or collateral arrests pursuant to I-200s issued in the field and who remain in the United States. If the parties agree (as plaintiffs allege) that these individuals were arrested in violation of the terms of the Settlement Agreement, they shall promptly be released from custody without conditions. If defendants assert that one or more of these individuals were properly arrested, the parties shall file by 5:00 p.m. on 11/7/25 a joint status report stating their respective positions with respect to each individual and attaching each individual's I-213 and I-200 forms along with their Notices to Appear;

(2) In their 10/31/25 submission, plaintiffs assert that "Defendants have only produced arrest records for 21 individuals of 67 they reviewed." [238 at 6]. To the extent that they have not done so already, defendants shall produce to plaintiffs' counsel the arrest records of the remaining forty-six individuals referenced above by 9:00 a.m. on 11/5/25 and they shall thereafter promptly meet and confer regarding whether these individuals were arrested in violation of the terms of the Settlement Agreement. If the parties agree that one or more of these individuals were arrested in violation of the terms of the Settlement Agreement, they shall promptly be released from custody without conditions. If defendants assert that one or more of these individuals were properly arrested, the parties shall state their respective positions with respect to each individual and attach each individual's I-213 and I-

200 forms along with their Notices to Appear within their 11/7/25 joint status report;

(3) Consistent with their 10/29/25 memorandum [232 at 2], defendants shall by 3:00 p.m. on 11/7/25 produce to plaintiffs on an attorney's eyes-only basis pursuant to the protective order [159], the name, A-number, country of origin, and date of arrest for the approximately 3,000 individual arrested between 6/11/25 and 10/7/25, inclusive of those arrested under Operation Midway Blitz.[1] The parties shall confirm defendants' compliance with this directive in their 11/7/25 joint status report;

(4) On or before 3:00 p.m. on 11/7/25, defendants shall confirm to plaintiffs' counsel that the "[a]pproximately 600 detained individuals" referenced in defendants' 10/29/25 memorandum [232 at 3], who "are not subject to mandatory detention and do not have final orders of removal" have been designated by ICE as "No ICE Threat Level." The parties shall confirm defendants' compliance with this directive in their 11/7/25 joint status report; and

(5) Plaintiffs shall state in the parties' 11/7/25 joint status report whether they would like for their cross-motion for placement of potential class members on alternatives to detention to be considered under the standards of Federal Rule of Civil Procedure 60(b)(5).

The Court will address these matters and plaintiffs' cross-motion at the in-court status hearing that is scheduled for 11/12/25 at 11:00 a.m. If attorneys for one or both sides wish to appear by remote video conference, they shall meet and confer and notify the Court. The Court will accommodate such requests as long as each side has one or more attorneys who will be physically present in court for the hearing.

Date: November 3, 2025

Jeffrey I. Cummings
United States District Court Judge

[1] The Court understands that this report may require updating and additional review, and the Court directs defendants to make any such updates in the weekly reports that defendants are required to provide pursuant to this Court's 10/20/25 order [222 at 2-3].