

## Winston & Strawn Secures \$1 Million ICE Settlement and National Changes to Agency Policy

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Winston & Strawn secured a ground-breaking settlement of a high-profile civil rights case brought against Immigration and Customs Enforcement (“ICE”), a federal agency, on behalf of 22 Latino plaintiffs residing in the New York area, all of whom were subjected to pre-dawn unconstitutional home raids by ICE. The settlement requires ICE to make unprecedented national policy changes, grants plaintiffs \$1 million in damages and attorneys’ fees, and provides immigration relief to eight individual plaintiffs. The *Aguilar* case has generated substantial press, including several articles in *The New York Times*.

The raids arose out of an ICE policy created in 2006 called “Operation Return to Sender,” in which agents were ordered to increase their quota of arrests of alleged alien fugitives with outstanding deportation orders by 800 percent over the course of a single year. Accordingly, ICE began implementing pre-dawn raids in Latino homes where fugitives supposedly resided, and arrested not only those fugitives (to the extent they were in fact present), but anyone else found in the home, including citizens and lawful permanent residents.

The *Aguilar* plaintiffs challenged the constitutionality of the pre-dawn raids on Fourth and Fifth Amendment grounds, and also sought damages in tort. Along with co-counsel from Latino Justice, the litigation commenced in 2007 and pressed aggressively through substantial motion practice and nearly one hundred depositions. The Winston & Strawn team, working alongside the Center for Constitutional Rights and Latino Justice, threw itself into full trial-preparation mode. Just weeks before the trial, ICE agreed to the historic settlement.

The Winston & Strawn trial team was led by partners Aldo Badini, Kelly Librera, and George Mastoris, and included associate Diana Hughes.

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