

**UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT**

RICHARD WEST AND JOSEPH
BRUYETTE, individually and on behalf of a
class of similarly situated persons;

Plaintiffs,

v.

AL GOBEILLE, Vermont Secretary of
Human Services, MARTHA MAKSYM,
Vermont Deputy Secretary of Human
Services, MICHAEL TOUCHETTE,
Vermont Department of Corrections
Commissioner, BENJAMIN WATTS,
Vermont Department of Corrections Health
Services Director, in their official capacities,
and CENTURION OF VERMONT, LLC,

Defendants.

Civil Action No.

**DECLARATION OF JAMES DIAZ
IN SUPPORT OF PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

I, James Diaz, declare under penalty of perjury and in accordance with the laws of the United States and of Vermont that:

1. I am one of the attorneys for the Plaintiffs in this matter. I am a member in good standing of the Bar of the State of Vermont and the Bar of this Court.

2. I received a bachelor of arts degree from New York University in 2006 and my juris doctor from the Boston College Law School in 2012.

3. In 2012 I was selected as the Vermont Poverty Law Fellow for which I worked as a staff attorney at Vermont Legal Aid, a non-profit legal services organization focused on civil legal needs of


those who cannot otherwise afford a lawyer. In 2014, I transitioned to work as a staff attorney in the Disability Law Project of Vermont Legal Aid. In both positions I represented low-income Vermonters and Vermonters with disabilities in a variety of administrative and courtroom proceedings.

4. In 2015, I began my position as a staff attorney for the American Civil Liberties Union of Vermont (ACLU-VT). The ACLU-VT is a non-partisan membership organization that works to defend the individual rights and liberties guaranteed in the United States and Vermont Constitutions through litigation, lobbying, and public education. The ACLU has more than 8,000 members in Vermont and millions of members, activists, and supporters nationwide.

5. As one of two ACLU-VT staff attorneys, I am responsible for all stages of litigation, with or without cooperating attorneys: finding, evaluating, and developing potential cases; communicating with clients/potential clients; researching possible claims and legal strategies; drafting demand letters and public records requests; drafting pleadings, motions, and amicus briefs; engaging in discovery; presenting oral argument; and engaging in settlement negotiations. The ACLU-VT's docket is exclusively in the areas of civil rights, civil liberties, and open government.

5. The ACLU-VT has committed resources to this litigation and will continue to do so. We spent time consulting on relevant issues of law with co-counsel and assisting in drafting the Complaint and the Motion for Class Certification. We have already spent many hours on this case and we will continue to devote the time and resources to this case through conclusion.

DATED: 5/17/19, in Montpelier, Vermont.


James Diaz