

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

TROY WRAGG, MICHAEL SCRONIC,  
LEONARD BOGDAN, and ELIEZER SOTO-  
CONCEPCION, individually and on behalf of  
all others similarly situated,

*Petitioners,*

v.

DAVID E. ORTIZ, in his capacity as Warden  
of the Federal Correctional Institution, Fort Dix,  
and MICHAEL CARVAJAL, in his capacity as  
Director of the Bureau of Prisons,

*Respondents.*

Civil Action No. 1:20-cv-05496-RMB

**DECLARATION OF TESS BORDEN**

I, Tess Borden, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct to the best of my knowledge:

1. I am an attorney at the American Civil Liberties Union of New Jersey Foundation, and counsel for Petitioners.
2. Attached hereto as Exhibit A is a true and correct copy of a document that I obtained from an attorney who has a client incarcerated at Fort Dix. On information and belief, it is the document described by Petitioner Scronic in Paragraph 11 of his declaration filed on May 4, 2020.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 6, 2020

/s/ Tess Borden  
Tess Borden  
American Civil Liberties Union  
of New Jersey Foundation  
570 Broad Street, 11th Floor  
P.O. Box 32159  
Newark, NJ 07102  
tborden@aclu-nj.org  
(973) 854-1733

# Exhibit A

**NOTICE TO THE INMATE POPULATION**

**DATE:** April 11, 2020  
**FROM:** D. Ortiz, Warden  
**SUBJECT:** **Protecting Yourself and Others**

In order to maintain the health of staff and inmates, the following is expected from ALL inmates:

- Wash hands with soap and water for at least 20 seconds.
- Avoid touching your eyes, nose, and mouth with unwashed hands.
- Clean and disinfect all surfaces with the approved chemical.
- Cover your cough/sneeze with tissue, immediately throw tissue in the trash and wash your hands.
- **Wear your surgical face masks!** Since Social Distancing is not possible in this environment, masks will help keep you and others from spreading viruses.
- Report symptoms (coughing, sneezing, fever, fatigue, etc.) to Health Services and/or any staff.

We ALL must do our part in protecting ourselves and others from spreading COVID-19!

