

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,
Plaintiff,

U.S. v. Maryland



MR-MD-003-003

v.

STATE OF MARYLAND: HARRY R. HUGHES,
Governor of the State of Maryland;
MARYLAND DEPARTMENT OF HEALTH AND
MENTAL HYGIENE; ADELE WILZACK,
Secretary, Maryland Department of
Health and Mental Hygiene; MARYLAND
MENTAL RETARDATION AND DEVELOPMENTAL
DISABILITIES ADMINISTRATION; LOIS M.
MESZAROS, Director, Maryland Mental
Retardation and Developmental
Disabilities Administration; LINDA K.
GUSTAFSON, Regional Director, Maryland
Mental Retardation and Developmental
Disabilities Administration for Central
Maryland; HARRY G. BECK, JR.,
Superintendent, the Rosewood Center,

Civil Action No.

Defendants.

CONSENT DECREE

1) This case was filed by the plaintiff on January 17, 1985, pursuant to the Civil Rights of Institutionalized Persons Act of 1980, 42 U.S.C. §1997.

2) To avoid prolonged litigation and without making any admissions on the merits, the plaintiff and defendants entered into a Settlement Agreement on January 17, 1985, and have consented to the incorporation of that Agreement into this Consent Decree.

3) The Court has jurisdiction over this action pursuant to 28 U.S.C. §1345.

4) The United States has standing to initiate this action pursuant to 42 U.S.C. §1997a and has met all prefiling requirements stated in that statute.

5) The Court has examined the Settlement Agreement entered into between the parties and has determined that it is a fair and appropriate resolution of the case.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1) Pursuant to the joint motion of the parties, the Settlement Agreement entered into between the parties on January 17, 1985, which is attached hereto, is approved and entered by the Court and is part of this Consent Decree as if fully set out herein.

2) This Consent Decree shall be applicable to and binding upon all the parties, their officers, agents, servants, employees, assigns, and their successors, and upon those persons in active concert or participation with them who receive actual notice of this Decree.

3) The Court shall continue its jurisdiction of this matter until further notice. Any party may apply at any time for such further order as may be necessary or appropriate for the construction, implementation, enforcement, or termination of this Consent Decree. Any party may move for such further relief as the interests of justice in this case may require.

Upon consideration of the foregoing, this Consent Decree is hereby entered as the judgment of this Court.

IT IS SO ORDERED this ____ day of _____, 1985, at _____, Maryland.

UNITED STATES DISTRICT JUDGE