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United States District Court, E.D. Pennsylvania.

Terri Lee HALDERMAN

v.

PENNHURST STATE SCHOOL AND HOSPITAL,
et al.

No. CIV. A. 74-1345. | Aug. 27, 1997.

Opinion

MEMORANDUM

BRODERICK, Senior District J.

*1 On March 28, 1994, this Court issued a Memorandum and Order finding that the Commonwealth of Pennsylvania and Philadelphia County were in contempt for having violated the Court's Consent Decree of 1985. 154 F.R.D. 594 (E.D.Pa.1994) The Court made specific findings of fact concerning each violation and set forth a series of fines to be imposed in the event of a failure to

comply with the Consent Decree. Upon the recommendation of the parties, a Special Master was appointed on May 12, 1994.

On August 5, 1997, the Special Master submitted his 24th Status Report. This Report presents convincing evidence that substantial compliance is being achieved.

At a conference with the Court on May 7, 1997, attended by counsel for the parties and the Special Master, the Court announced its intention to terminate its intervention by having the defendants achieve substantial compliance with the Court's Orders on or before December 31, 1997. The Special Master's Report clearly indicates that the Court's goal is achievable.

The Court does not hesitate to point out that substantial compliance is being achieved, without the Court having to resort to the imposition of fines or other sanctions. The Court would be remiss, however, if it failed to state that the work of the Special Master, Mr. Tony Records, has been outstanding. He has been aided in his endeavors by the determination and desires of all the parties in this litigation to enable every member of the *Pennhurst* class to fully achieve his or her full potential.