

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

U.S. DISTRICT COURT
SO. DIST. AL.
MOBILE, AL. 36601
JUL 24 2 18 PM '96
FILED
CLERK'S OFFICE

KEVIN P. ROOKS, et al.,

Plaintiffs,

vs.

TOMMY HERRING, et al.,

Defendants.

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CIVIL ACTION 92-0316-M

Rooks & U.S. v. Herring



JC-AL-007-005

ORDER

On July 11, 1996, counsel for all parties filed a Joint Motion to Dismiss (Doc. 187). In telephone conferences held on June 25 and 27, 1996 (Docs. 185 and 186) and in the Joint Motion to Dismiss, counsel state that all of the terms of the Consent Decree dated September 27, 1994 (Doc. 140) have been substantially complied with and request the Court to dismiss this action; however, the parties also request the Court to retain jurisdiction over the payment of attorneys' fees as set out in paragraph 154 (page 36) and Appendix D of the Consent Decree.

After consideration, the Court finds that Defendants have complied with all of the terms of the Consent Decree with the exception of the payment of attorneys' fees and GRANTS the Joint Motion to Dismiss. The Court retains jurisdiction solely for the

purpose of ensuring, if necessary, Defendants' compliance with paragraph 154 of the Consent Decree pertaining to the payment of attorneys' fees, the last payment of which is to be paid not later than September 27, 1998. The parties are ORDERED to notify the Court immediately as soon as the entire fee has been paid.

Except as herein set out, this action is DISMISSED.

DONE this 24th day of July, 1996.

Bert W. Milling Jr.

BERT W. MILLING, JR.
UNITED STATES MAGISTRATE JUDGE