

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case Number 76-6086-CV-Hoeveler

OLLIE CARRUTHERS, et al.,

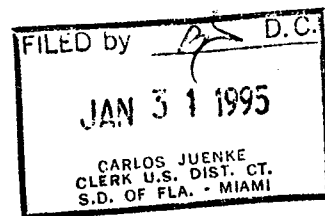
Plaintiffs,

v.

RON COCHRAN, et al.,

Defendants.

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Cochran  
9/20/96  
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ORDER APPROVING SETTLEMENT AGREEMENT AND DISMISSING CASE

This case came before the court on the Stipulation for Entry of Consent Decree agreed to by the parties on July 27, 1994. The court held a fairness hearing on class objections to the consent decree on January 20, 1995. After consideration and review of the class objections, the court finds that the consent decree is fair and reasonable as to all parties.

Notice to the class was provided by publication and posting to the extent demonstrated by the record. None of the parties or counsel present at the fairness hearing on January 20, 1995 contended that the matter should not proceed to conclusion due to failure of adequate notice.

There has been a shared understanding of principles by counsel for the parties herein which is reflected in a binding agreement entered into by and among the parties on July 27, 1994 (as amended and approved). That agreement is incorporated herein by reference; it is approved by the court and, pursuant to these understandings and the court's approval, all parties conclude that there is no need to further litigate this cause. A true original of the

agreement is attached to this order as Exhibit A.

Late requests by class members for exclusion from the settlement will be accepted within thirty days of the entry of this order. Requests for exclusion filed after the expiration of the thirty day period, however, will be rejected.


In view of the above, it is hereby ORDERED, ADJUDGED, AND DECREED, and the parties do consent, that the attached stipulation and agreement of settlement be entered as a consent order in this case and be binding upon the parties on both sides as well as their successors in interest and in office; that this cause be dismissed; that the court will retain jurisdiction pursuant to the terms of the agreement (for a reasonable period of time) for the purpose of implementation and enforcement of the agreement and such other matters as may be germane to the effective administration of the agreement.

It is further ORDERED that, for the period described in the agreement, Professor Howard Messing will continue to serve as Special Master and Mr. John Tiederberg will continue to serve as the court's Monitor. Magistrate Judge Lurana Snow is appointed to act, when requested by the parties and in the absence of the Special Master, to resolve such problems as may arise during the remaining workout period during which this court will retain jurisdiction.

It is further ORDERED that as of January 20, 1995, with the dismissal of this case as an active file, there shall be no additional fines as the parties will be proceeding under the

consent agreement. The Clerk of this court is presently holding fine payments made by Broward County. It has been the purpose of this court to use the fine monies to benefit the citizens and county government of Broward in ways agreeable to the parties herein; the court retains jurisdiction over these funds during the workout period above described and pending further orders of this court.

DONE AND ORDERED in chambers in Miami, this 27<sup>th</sup> day of January 1995.

  
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WILLIAM M. HOEVELER  
SENIOR UNITED STATES DISTRICT JUDGE

Copies furnished to parties and counsel of record.