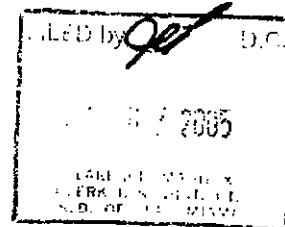


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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 04-20516-CIV-Jordan/Brown



JUDITH HANEY, LIAT MAYER, JAMIE LOUGHNER, DARCY SMITH, and AMANDA WELLS, individually and on behalf of a Class of all others similarly situated,

Plaintiffs,

v.

MIAMI-DADE COUNTY; CHARLES J. MCRAE, individually and in his official capacity as Acting Director of the MIAMI-DADE COUNTY CORRECTIONS AND REHABILITATION DEPARTMENT, CAPTAIN B. FULLER, Individually and in her official capacity as the Facility Supervisor of the Women's Detention Center, ACTING CAPTAIN M. ALADRO, individually and in his official capacity as Facility Supervisor of the Pre-Trial Detention Center; and MIAMI-DADE COUNTY CORRECTIONS AND REHABILITATION DEPARTMENT OFFICERS JANE DOES 1 THROUGH 150;

Defendants.

~~XXXXXXXXXX~~ ^{cfp} AGREED ORDER AND JUDGMENT OF DISMISSAL

This matter came on for a Fairness Hearing on September 23, 2005, as set forth in the Order entered April 18, 2005. Plaintiff Class was represented by Class Counsel Mark E. Merin of the Law Office of Mark E. Merin and Randall C. Berg, Jr. of the Florida Justice Institute; Defendants were represented by Jeffrey P. Ehrlich, Assistant County Attorney.

After considering the submissions of the parties, including the Stipulated Motion for Preliminary Approval of Provisional Settlement Class and Settlement of Class Action, together with the extensive exhibits attached thereto; the unopposed Application of Class Counsel for Approval of Stipulated Attorney's Fees and Reimbursement of Costs; the Parties' Joint Submission in Support of Final Approval of Stipulated Settlement; the Submission from the Class Claims Administrator; and the Arguments of Counsel, it is hereby

ORDERED, and ADJUDGED AS FOLLOWS:

1. On April 18, 2005, this Court entered its Order preliminarily approving settlement of the above-captioned class action. Since the entry of the Court's preliminary Order, in accordance with the Stipulation of Settlement as proved to the satisfaction of the Court, the requisite notice of Settlement, with opt-out and objection information, was published in the *New Times* (May 26, 2005, June 2, 2005, and June 9, 2005), the *Miami Herald* (June 1, 2005, and June 4, 2005), *El Nuevo Herald* (June 1, 2005, and June 4, 2005, in Spanish), the *South Florida Sun-Sentential* (May 30, 2005, and June 4, 2005), the *Miami Times* (June 8, 2005, and June 15, 2005), and the *Key West Citizen* (June 1, 2005, and June 4, 2005), broadcast by radio in three languages on WHYI FM 100.7 (Anglo), WPOW FM 96.5 (urban), WEDR FM 99.1 (Urban), WRTO FM 98.3 (Hispanic), WXDJ FM 95.7 (Hispanic), and WJCC 1700 (Creole); and notice of the Settlement and approved claim forms were posted by First Class U.S. Mail to the last known address of each person in groups one and two of the settlement class. Both the published notice and the mailed notice specified that claim forms had to be delivered to the Claims Administrator, post marked not later than September 1, 2005.

2. Both the published and mailed notices specified that any person who chose to object to the Settlement, either personally or through counsel, and desired to appear at the Fairness

Hearing, was required to submit a Notice of Intention to Appear, together with written arguments in support of any objection, by September 1, 2005. No written objections were received by the Court. Furthermore, although opportunity was given by the Court to voice objections at the time of the Fairness Hearing, no objections were stated by any member of the class or representative of any such class member.

3. The Court is satisfied from all of the memoranda of law, declarations, and exhibits submitted to the Court, that the Stipulation of Settlement is, and the Court now finds, that the Stipulation of Settlement is fair and finally approves it as such. The Stipulation of Settlement is incorporated herein by this reference as if set out in full.

4. The members of the settlement class include all of the following:

- a. All females arrested on municipal ordinance, infraction or misdemeanor charges not involving violence, drugs or weapons who were transported to the Women's Detention Center and strip searched prior to their first appearance from March 5, 2000, until April 11, 2004, excluding females strip searched on "probable cause" reported in writing on an incident form; and
- b. All females arrested on charges relating to prostitution included on the list of prostitution charges attached as Exhibit 5 to the Stipulation of Settlement, who were strip searched prior to first appearance from March 5, 2000, until February 8, 2005, when the practice of strip searching all females charged with prostitution was officially terminated; and
- c. All persons arrested felony charges or on charges relating to violence, drugs or weapons who were strip searched, prior to their first appearances,

* One class member, Ana Martin, ^{Page 3 of 6} filed an untimely motion to opt ^{of} out of the settlement. Her motion is addressed in a separate order.

without a written authorization for the strip search having been first obtained from a supervising officer from March 5, 2000, until February 28, 2005, the date when the policy of strip searching detainees prior to obtaining a written authorization was terminated.

5. Persons who previously commenced civil litigation challenging the legality of any strip search at Miami-Dade Department of Corrections and Rehabilitation jails during the class period and have prevailed, settled or had their complaints denied on their merits, and persons who have given timely notice of their election to be excluded from the settlement class are not included in the settlement class.

6. With the exception of any individuals who submitted timely requests to the Court to opt-out of the Stipulation of Settlement (the Court is not aware of any such requests), all claims and complaints of the named representative plaintiffs, together with all persons in the settlement class, are now dismissed with prejudice as to all of the Released Persons defined to include the defendants and their predecessors, successors, and/or assigns, together with past, present and future officials, employees, representatives, attorneys and/or agents of the COUNTY OF MIAMI-DADE. Claims and complaints of such persons are now forever barred, and all settlement class members are enjoined from asserting against any Released Person or persons any and all claims which the settlement class members had, have, or may have in the future arising out of the facts alleged in the Complaint.

7. Each Released Person is released from the claims which any settlement class member has had or may in the future have against any such Released Person arising out of the facts in the Complaint.

8. This Court explicitly finds that the Stipulation of Settlement, which is now made final by this Judgment, was entered into in good faith, is reasonable, fair and adequate, and is in the best interest of the Class. The Court expressly approves payment to Class Counsel the Law Office of Mark E. Merin, Caspers, Meadows, Schwartz & Cook, and the Florida Justice Institute, Inc. of the amount of One Million Dollars (\$1.0 million) as and for attorney's fees for the representation of the settlement class members herein, to be paid as provided in the Stipulation of Settlement, together with costs not to exceed One Hundred Thousand Dollars (\$100,000) itemized by Class Counsel and submitted to defendants for review.

9. The Court further explicitly approves payment from the payment fund of a total of Three Hundred Thousand Dollars (\$300,000) to be divided among the representative plaintiffs, as specified in the Stipulation of Settlement. The Court finds the amount is fair and adequate in view of the damages suffered by the representative plaintiffs and the efforts they expended in litigating this case in the several years since the underlying events occurred which gave rise to the filing of the Complaint.

10. Pursuant to the Stipulation of Settlement, defendants have allocated Six Million, Two Hundred Fifty Thousand Dollars (\$6.25 million) to pay verified claims, the representative plaintiffs, Class Counsel, the Claims Administrator, and to reimburse Class Counsel's costs. Claims have been submitted to and, in accordance with the claims processing procedure specified in the Stipulation of Settlement, will be reviewed, valued, and paid by the Claims Administrator as soon as practicable following the effective date of this Judgment, meaning the date it is entered and becomes final. The Judgment will be deemed final only upon the expiration of the time to appeal or, if a Notice of Appeal is filed, upon exhaustion of all appeals and petitions for Writ of Certiorari.

11. The Court reserves continuing and exclusive jurisdiction over the parties in this action, including defendants and all settlement class members, to administer, supervise, and construe and enforce the settlement in accordance with the terms for the mutual benefit of all of the parties.

12. It is further ordered, adjudged and decreed that the Complaint in this action be dismissed with prejudice and that Judgment be and the same hereby is entered pursuant to the terms of this Order.

6th day of October

Done and Ordered in Miami, Florida, Miami-Dade County this ~~23rd~~ day of ~~September~~,
2005.

Adalberto Jordan

Honorable Adalberto Jordan
United States District Court Judge

copies to: all counsel of record