

ORIGINAL

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Atlanta

OCT -6- 2004

THOMAS, Clerk
Thomas
Deputy Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

)
FREDERICK HARPER, individually and on)
behalf of all present and future inmates in the)
the Fulton County Jail in Atlanta, Georgia)

Plaintiffs,)

v.)

CIVIL ACTION FILE
NO. 1:04-CV-1416 MHS

DEPUTY TYRONE BENNETT, individually;)
and FULTON COUNTY, GEORGIA; FULTON)
COUNTY BOARD OF COMMISSIONERS,)
KAREN HANDEL, Chairperson, ROB PITTS,)
TOM LOWE, EMMA I. DARNELL, NANCY A.)
BOXILL, WILLIAM "BILL" EDWARDS,)
Members; JACQUELINE BARRETT, individually))
and in their official capacities,)

Defendants.)
_____)

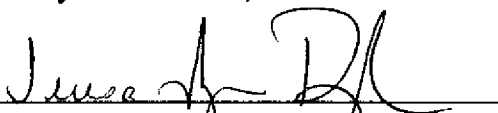
**MOTION FOR CONSENT ORDER CONDITIONALLY
CERTIFYING CLASS**

Pursuant to Federal Rule of Civil Procedure 6(b), Defendants Fulton County, Georgia; Fulton County Board of Commissioners, Karen Handel, Chairperson, Rob Pitts, , Tom Lowe, Emma I. Darnell, Nancy A. Boxill, and William "Bill" Edwards, members, (collectively the "Defendants"), hereby move the Court for an

consent order conditionally certifying class. For the Court's convenience, a proposed order granting the requested consent order is attached to this motion.

WHEREFORE, the Fulton County Defendants respectfully request their Consent Order Conditionally Certifying Class be granted.

Respectfully submitted this 6th day of October, 2004.



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Richard L. Robbins

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FREDERICK HARPER, individually and on
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KAREN HANDEL, Chairperson, ROB PITTS,
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Defendants.

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CERTIFICATE OF COMPLIANCE

I do hereby certify that the foregoing document has been prepared in 14
point Times New Roman font and complies with Local Rule 5.1 and 7.1.

This 6th day of October, 2004.



Teresa Wynn Roseborough

CERTIFICATE OF SERVICE

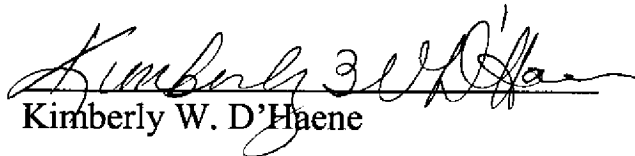
This is to certify that I have this day served a copy of the within and foregoing **MOTION FOR CONSENT ORDER CONDITIONALLY CERTIFYING CLASS** has been served upon the counsel of record by first class mail properly addressed as follows:

Stephen B. Bright
Joshua R. Lipman
Vanessa Buch
Southern Center for Human Rights
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This 6th day of October, 2004.


Kimberly W. D'Haene