

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
COVINGTON DIVISION
CIVIL ACTION NO. 05-79-WOB**

JAMES HOLLINGSWORTH, ET AL.

PLAINTIFFS

v.

CAMPBELL COUNTY, KENTUCKY, ET AL.

DEFENDANTS

PROPOSED ORDER

This matter is before the Court on the parties' Joint Motion for Order Provisionally Certifying Class, Preliminarily Approving Settlement, Approving Forms and Distribution of Notice, and Scheduling Date for Final Fairness Hearings. The Court has reviewed the Plaintiffs' qualifications for class status; finds that Plaintiffs satisfy the requirements for class certification as required by Civil Rule 23(a) and 23(b)(2); and therefore rules that class certification is appropriate.

The Court has been regularly kept abreast of the parties' efforts to resolve the issues raised in the Complaint. The Court has reviewed the Settlement Agreement and Proposed Consent Decree submitted by the parties, as well as the notices the parties have prepared and the parties' plans for distributing such notices. The Court preliminarily approves the terms of the proposed settlement, and also approves the notices and the plans for distributing the notices.

IT IS HEREBY ORDERED as follows:

The class of persons currently incarcerated at the Campbell County Detention Center and all persons who will be incarcerated there in the future is provisionally certified pursuant to Civil Rule 23(b)(2).

James Hollingsworth is appointed the representative of the aforementioned class.

Robert B. Newman is appointed legal counsel for the aforementioned class.

The Settlement Agreement and Proposed Consent Decree is preliminarily approved.

The parties shall begin distributing notice of the fairness hearing to members of the class, in accordance with the notices and forms submitted as part of their Joint Motion. The Summary Notice shall be published once in the Kentucky Post and once in the Campbell County Recorder prior to the Final Fairness Hearing, which will be held on _____, 2005.

Defendant Campbell County shall bear the expense of said publications.

In addition, Defendant Campbell County shall post a copy of the Settlement and Proposed Consent Decree in each cell at the Campbell County Detention Center, as well as in the lobby of the Campbell County Detention Center. Should any inmate at the Campbell County Detention Center wish to send comments regarding the Proposed Consent Decree, the Campbell County Detention Center shall provide one sheet of writing paper to the inmate for that purpose.

Notices shall be accomplished on or before _____.

IT IS SO ORDERED, this _____ day of November, 2005.

William O. Bertelsman, Judge

Agreed To By:

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