

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

SHERRY ENGLAND, et al,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 09-CV-407-JHP TLW
)	
SHERIFF OF DELAWARE COUNTY,)	
in his official capacity,)	
)	
Defendant.)	

JOURNAL ENTRY OF JUDGMENT UPON AGREED SETTLEMENT

THIS MATTER comes before the Court on the Joint Motion for Entry of Judgment Upon Agreed Settlement (Dkt. 363). Plaintiffs appear by and through their lead attorneys of record, R. THOMAS SEYMOUR and GRAHAM, ALLEN & BROWN, PLLC. Defendant, Sheriff of Delaware County, in his official capacity, appears by and through its lead attorney of record, COLLINS, ZORN & WAGNER, P.C. Upon being advised that the parties have reached a full and final settlement of this action, and that the Board of County Commissioners for Delaware County has authorized entry of a consent judgment in the amount of Thirteen Million Five Hundred Thousand Dollars (\$13,500,000), the Court finds as follows:

1. That the Court has subject matter jurisdiction of this lawsuit and the parties.
2. That the parties have reached a full and final settlement of this lawsuit with no liability admitted on behalf of Defendant Sheriff of Delaware County in his Official Capacity, or the Board of County Commissioners of Delaware County or Delaware County.
3. That the Board of County Commissioners of Delaware County has formally authorized settlement of Plaintiffs' lawsuit in the amount of Thirteen Million Five Hundred Thousand Dollars (\$13,500,000), and all Plaintiffs have agreed to the terms of the settlement, which

are set forth and reduced to judgment herein, hereby settling all claims that were brought or could have or should have been brought against the Defendant Sheriff of Delaware County in his Official Capacity, or the Board of County Commissioners of Delaware County or Delaware County, and all other Releasees as defined below, arising from or relating in any way to the conduct alleged in the original Complaint, or in the First, Second, Third, Fourth or proposed Fifth Amended Complaint or any related conduct of the Releasees alleged to have occurred since the filing of the original Complaint, or the First, Second, Third, Fourth or proposed Fifth Amended Complaint, as those claims exist as of the filing of this JOURNAL ENTRY OF JUDGMENT UPON AGREED SETTLEMENT.

4. That Plaintiffs, on behalf of themselves, their heirs, successors and assigns, hereby release and forever discharge the Defendant, Sheriff of Delaware County in his Official Capacity, and the Board of County Commissioners of Delaware County, and Delaware County, office holders whether state or county, and their past or present board members, employees, agents, representatives, affiliates, successors, assigns and all other persons, firms, corporations that are or may be liable to any extent for any or all claims of any kind or character whatsoever (herein individually "Releasee" and collectively "Releasees"), arising from or relating in any way to the conduct alleged in the proposed Fifth Amended Complaint or any related conduct of the Releasees alleged to have occurred since the filing of the original Complaint, or the First, Second, Third, Fourth or proposed Fifth Amended Complaint, which Plaintiffs, individually and in all other capacities, now have or under any circumstances could or might have had against any Releasee as of the filing of this JOURNAL ENTRY OF JUDGMENT UPON AGREED SETTLEMENT (herein the "Released Claims).

5. That payment of Thirteen Million Five Hundred Thousand Dollars (\$13,500,000) is inclusive of all attorneys fees, liens, and costs, and all medical, dental, doctor, chiropractic, mental health, attorney, hospital and health care provider liens.
6. That if this Judgment were against an individual, it would be payable in full immediately. Because of the Statutes of the State of Oklahoma, the paying entity, the Board of Commissioners for Delaware County, will pay the Judgment in three (3) equal annual installments, by April 30 of each year, beginning in 2013. Post judgment interest rate is fixed at 2.5 percent per annum, and shall begin to accrue the date this Journal Entry of Judgment is filed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Joint Motion for Judgment Upon Agreed Settlement of the parties is hereby granted. Judgment is hereby entered against the Defendant in the amount of Thirteen Million Five Hundred Thousand Dollars (\$13,500,000), and payable as follows:

- a. Cynthia Craig, for her alleged injuries, damages, retaliation, and claim for wrongful incarceration, shall receive Three Million Three Hundred Seventy Five Thousand Dollars (\$3,375,000).
- b. Jacquelyn Blossom (now Cheek), for her alleged injuries and damages, shall receive Two Million One Hundred Sixty Thousand Dollars (\$2,160,000).
- c. Marie Watson, for her alleged injuries and damages, shall receive Two Million One Hundred Sixty Thousand Dollars (\$2,160,000).
- d. Amy Johnson, or her alleged injuries and damages, shall receive One Million Six Hundred Twenty Thousand Dollars (\$1,620,000).

- e. Rebecca Blossom, for her alleged injuries and damages, shall receive One Million Six Hundred Twenty Thousand Dollars (\$1,620,000).
- f. Jamie Dale Fry-Cook, for her alleged injuries and damages, shall receive One Million Two Hundred Fifteen Thousand Dollars (\$1,215,000).
- g. Kimberly Bledsoe, for her alleged injuries and damages, shall receive Four Hundred Five Thousand Dollars (\$405,000).
- h. Katrina Rogers (now Hardegree), for her alleged injuries and damages, shall receive Two Hundred Seventy Thousand Dollars (\$270,000).
- i. Jessica Rodas (now Hurtado), for her alleged injuries and damages, shall receive Two Hundred Two Thousand Five Hundred Dollars (\$202,500).
- j. Billie Jo Gandert, for her alleged injuries and damages, shall receive One Hundred One Thousand Two Hundred Fifty Dollars (\$101,250).
- k. Tamela Taylor, for her alleged injuries and damages, shall receive One Hundred One Thousand Two Hundred Fifty Dollars (\$101,250).
- l. Sherry England, for her alleged injuries and damages, shall receive Sixty Seven Thousand Five Hundred Dollars (\$67,500).
- m. Debbie Back James, for her alleged injuries and damages, shall receive Sixty Seven Thousand Five Hundred Dollars (\$67,500).
- n. Tammy Beavers, for her alleged injuries and damages, shall receive Sixty Seven Thousand Five Hundred Dollars (\$67,500).
- o. Laurice Anderson, for her alleged injuries and damages, shall receive Sixty Seven Thousand Five Hundred Dollars (\$67,500).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that, in consideration of this consent judgment and the payments to be made hereunder, Plaintiffs, on behalf of themselves, their heirs, successors and assigns, release and forever discharge Releasees from any liability for the Released Claims as of the filing of this JOURNAL ENTRY OF JUDGMENT UPON AGREED SETTLEMENT.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that payment of Thirteen Million Five Hundred Thousand Dollars (\$13,500,000) is inclusive of all attorneys fees, liens and costs and all medical, dental, doctor, chiropractic, mental health, attorney, hospital and health care provider liens.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Judgment shall bear a fixed interest rate of 2.5 percent per annum, and interest shall begin to accrue the date this Journal Entry of Judgment is filed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that no liability has been admitted by or found against Defendant Sheriff of Delaware County in his Official Capacity, or the Board of County Commissioners of Delaware County or Delaware County, and they have advised the Court they have consented to the entry of this Judgment and agreed to its terms in order to avoid the risk of further time, expense, and monetary exposure associated with this case.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Board of County Commissioners of Delaware County will pay the Judgment in accordance with Oklahoma Statutes Title 62 Section 365.5 in three equal annual payments, by April 30 each year, beginning in 2013 to the trust account of Seymour Law Firm (or any successor thereof as directed by R. Thomas Seymour). Upon payment of any portion of this Judgment to the trust account of Seymour Law Firm (or any successor thereof as directed by R. Thomas Seymour), Releasees shall be released from any

and all claims under this Judgment as to that portion of the Judgment paid to such trust account.

IT IS SO ORDERED this 1st day of December, 2011.


James H. Payne
United States District Judge
Northern District of Oklahoma

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