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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA

12 EMILY ROBINSON, et al.,

13 Plaintiffs,

14 vs.

15 SACRAMENTO COUNTY, et al.,

16 Defendants.

CASE NO: CIV.S-04-1617 FCD/PAN

**ORDER AND JUDGMENT OF
DISMISSAL**

17 KIMBERLY KOZLOWSKI, et al.,

18 Plaintiffs,

19 vs.

20 SACRAMENTO COUNTY, et al.,

21 Defendants.

CASE NO: CIV.S-04-2381 FCD DAD

22 This matter came on regularly for a Fairness Hearing on March 2, 2007, in Courtroom 2 of
23 the above-entitled Court, the Honorable Frank C. Damrell, Jr. presiding. Plaintiff Class was
24 represented by Class Counsel Mark E. Merin of the Law Office of Mark E. Merin; and Defendants
25 were represented by Terence J. Cassidy of the law firm of Porter, Scott, Weiberg & Delehant.

26 After considering the submissions of the parties, including the Stipulated Motion for
27 Preliminary Approval of Provisional Settlement Class and Settlement of Class Action, together with
28 the extensive exhibits attached thereto; the unopposed Application of Plaintiffs' Class Counsel for

1 Award of Attorneys' Fees and Costs; the Joint Submission of the Parties in Support of Final
2 Approval of the Stipulation of Settlement; the arguments of counsel; and the submission from the
3 Class Claims Administrator,

4 IT IS NOW ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

5 1. On August 11, 2006, this Court entered its order preliminarily approving settlement
6 of the above-captioned consolidated class action. Since the entry of the Court's Preliminary Order,
7 in accordance with the Stipulation of Settlement as proved to the satisfaction of the Court, the
8 requisite notice of the Settlement, with opt-out and objection information, was published in the
9 Sacramento Bee on September 11, 21, and 24, 2006, in the Sacramento News and Review on
10 September 14, 21, and 28, 2006, and in the Conic Press News on October 20, 2006. The notice of
11 the Settlement and approved claimforms, were posted by First Class Mail to the last-known address
12 of each person in the Settlement Class. Both the published notice and the mailed notice specified
13 that Claim Forms had to be delivered to the Claims Administrator, postmarked no later than January
14 8, 2007.

15 2. Both the published and mailed notices specified that any person who chose to object
16 to the Settlement, either personally or through counsel, and desired to appear at the Fairness
17 Hearing, was required to submit a Notice of Intention to appear, together with written arguments in
18 support of any objection, by February 16, 2007. Nowritten objections were received by the Court.
19 Furthermore, although opportunity was given by the Court to voice objections at the time of the
20 Fairness Hearing, no objections were stated by any member of the Class or representative of any
21 such Class Member.

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

26 4. The "Settlement Class" includes: all of those persons who are members of the
27 following defined class and/or sub-classes who, during the class period from January 1, 1998, to and
28 including October 1, 2004, were booked at Sacramento County Juvenile Hall, assigned to a Unit,

1 and strip searched at the facility:

- 2 a. All juveniles booked and assigned to a Unit at Sacramento County Juvenile
3 Hall and strip searched, including juveniles strip-searched in groups, during
4 the Class Period;
- 5 b. The sub-class of juveniles who, during the Class Period, were booked on
6 misdemeanor, infraction, ordinance violation, or other non-felony offenses
7 not involving violence, drugs or weapons, assigned to a Unit, and strip
8 searched during the period of their incarceration;
- 9 c. The sub-class of all juveniles who, during the Class Period, were booked at
10 Sacramento County Juvenile Hall on felony charges not involving violence,
11 drugs or weapons, assigned to a Unit, and strip searched during the period of
12 their incarceration.

13 5. Persons who previously commenced civil litigation challenging the legality of any
14 strip search at the Sacramento County Juvenile Hall during the class period and have prevailed,
15 settled or had their complaints denied on their merits, and persons who have given timely notice of
16 their election to be excluded from the Settlement Class are not included in the Settlement Class.

17 6. With the exception of the individuals who submitted timely requests to the Court to
18 opt out of the Stipulation of Settlement, all claims and complaints of the named representative
19 Plaintiffs, together with all persons in the Settlement Class, are now dismissed with prejudice as to
20 all of the Released Persons defined to include all Defendants, their predecessors, successors, and/or
21 assigns, together with past, present and future officials, employees, representatives, attorneys and/or
22 agents of the County of Sacramento or Sacramento County Probation Department. Claims and
23 complaints of such persons are now forever barred, and all Settlement Class Members are enjoined
24 from asserting against any released persons any and all claims which the Settlement Class Members
25 had, have, or may have in the future arising out of the facts alleged in the complaints.

26 7. Each Released Person is released from the claims which any Settlement Class
27 Member has had or may in the future have against any such Released Persons arising out of the facts
28 in the complaints.

