



Jl-DE-001-009

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JOHN A. and MARY B., et al., )  
Plaintiffs, )  
v. )  
MICHAEL N. CASTLE, et al., )  
Defendants. )

C.A. No. 90-200 (RRM)

STIPULATION AND AGREEMENT FOR SETTLEMENT  
AND ENTRY OF CONSENT DECREE

This action was filed on May 1, 1990, alleging various deprivations of the constitutional rights of children in the operation of Ferris School and Bridge House. The defendants denied the allegations.

On stipulation, on May 19, 1992 this action was certified as a class action pursuant to Fed. R. Civ. P. 23(b)(1), to be maintained on behalf of two subclasses, defined as "all youth who are now or in the future will be confined to the Ferris School" and "all youth who are now or in the future will be confined to the New Castle County Detention Center". (D.I. 25.)

Negotiations then began toward a settlement. However, an impending trial date would have diverted the attention and energies of the parties and their counsel before negotiations could conclude and, accordingly, the matter was dismissed without prejudice on May 3, 1993. (D.I. 36, as signed 5/3/93.)

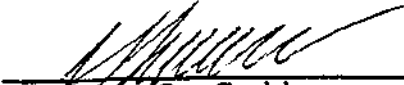
The parties have now achieved a negotiated basis for resolution of this litigation, in full settlement of all claims and without admission of fault. Their counsel, signing below, are authorized to enter into this Stipulation And Agreement, on the following terms:

1. Consent Agreement And Decree. The parties have negotiated the terms of a proposed Consent Decree respecting the further operation of Ferris School and the New Castle County Detention Center, which proposed decree as agreed is attached hereto at Tab 1.

2. Attorney's fees and expenses. The Consent Decree does not resolve the issue of plaintiffs' claims for attorneys' fees and costs pursuant to 42 U.S.C. §1988. Plaintiffs' reserve the right to present an application in that regard, in accordance with the Local District Rules and the Federal Rules of Civil Procedure.

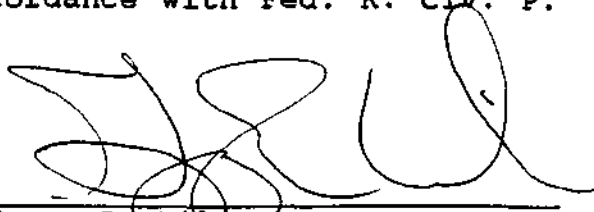
3. Preliminary and final judicial approval. Promptly following the execution of this Stipulation And Agreement, counsel shall jointly apply to the Court for entry of an Order vacating the earlier dismissal, granting preliminary approval of the proposed settlement, setting the date and time for a hearing for final consideration and review of the settlement, and approving a form of

notice to the class thereon, in accordance with Fed. R. Civ. P.  
23(e).



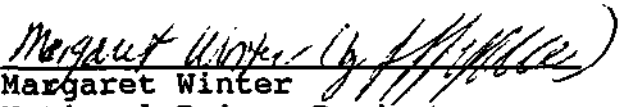
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