

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Civil Action No.
)	1:09-CV-0119-CAP
STATE OF GEORGIA, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

**NOTICE OF TERMINATION OF SETTLEMENT AGREEMENT
AND JOINT REQUEST TO CLOSE CASE**

On October 21, 2010, upon the parties’ joint request, the Court administratively closed this case [doc. no. 175] while the parties implemented their Settlement Agreement [doc. no. 7-2]. Plaintiff and Defendants hereby jointly notify the Court that the Settlement Agreement terminated, by its terms, on January 15, 2014.

Section IV.E of the Agreement provides that “[t]he Agreement shall terminate five years from the Effective Date.” This section contemplates that the State will attain substantial compliance prior to termination. With the exception of the discharge and transition planning provisions in Section III.F.1, 3, 4, and 5d of the Settlement Agreement, the parties agree that the State has attained substantial compliance. The parties further agree that the discharge and transition planning provisions contained in Section III.F.1, 3, 4, and 5d of the Settlement Agreement in

this case are subsumed within Section III.D of the 2010 Settlement Agreement entered in the related case, Civil Action No. 1:10-CV-249 [*see* doc. no. 112].

The parties also agree that effective implementation of the discharge and transition planning terms are essential to compliance with the 2010 Settlement Agreement and will be subject to the Court's jurisdiction and enforcement, if necessary, in Civil Action No. 1:10-CV-249.

There is no further need for the Court to retain jurisdiction for purposes of enforcing the now-terminated Settlement Agreement in this case. Accordingly, the parties respectfully ask the Court to close this case permanently.

Respectfully submitted, this 5th day of February, 2014.

(signatures on following pages)

FOR PLAINTIFF:

SALLY QUILLIAN YATES
United States Attorney
Northern District of Georgia

/s/ Aileen Bell Hughes
AILEEN BELL HUGHES
Georgia Bar No. 375505
Assistant United States Attorney
Northern District of Georgia

600 United States Courthouse
75 Spring Street, SW
Atlanta, GA 30303
Telephone: (404) 581-6302
Facsimile: (404) 581-6163
Email: Aileen.Bell.Hughes@usdoj.gov

JOCELYN SAMUELS
Acting Assistant Attorney General
Civil Rights Division

EVE HILL
Senior Counselor
Civil Rights Division

JONATHAN M. SMITH
Chief
Special Litigation Section

MARY R. BOHAN
Deputy Chief
Special Litigation Section

KATHERINE HOUSTON
Trial Attorney

U.S. Department of Justice
Civil Rights Division
Special Litigation Section
950 Pennsylvania Avenue, NW
Washington, DC 20530
Telephone: (202) 305-2302
Facsimile: (202) 514-0212

FOR DEFENDANTS:

SAMUEL S. OLENS
Attorney General
Georgia Bar No. 033887

DENNIS R. DUNN
Deputy Attorney General
Georgia Bar No. 234098

SHALEN S. NELSON
Senior Assistant Attorney General
Georgia Bar No. 636575

JENNIFER DALTON
Senior Assistant Attorney General
Georgia Bar No. 614120

State Law Department
40 Capitol Square, S.W.
Atlanta, Georgia 30334
Telephone: (404) 656-3357
Facsimile: (404) 463-1062
Email: jnaunas@law.ga.gov

/s/ Mark H. Cohen

(with express permission)

MARK H. COHEN
Special Assistant Attorney General
Georgia Bar No. 174567

Troutman Sanders LLP
5200 Bank of America Plaza
600 Peachtree Street, N.E.
Atlanta, Georgia 30308
Telephone: (404) 885-3597
Facsimile: (404) 962-6753
Email: mark.cohen@troutmansanders.com

JOSH BELINFANTE
Special Assistant Attorney General
Georgia Bar No. 047399

Robbins Ross Alloy Belinfante Littlefield
LLC
999 Peachtree Street, N.E., Suite 1120
Atlanta, GA 30309
Telephone: (678) 701-9381
Facsimile: (404) 856-3250
Email: josh.belinfante@robbinsfirm.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this *Notice of Termination of Settlement Agreement and Joint Request to Close Case* was electronically filed with the Clerk of Court using the CM/ECF system, which serves notification of such filing to all counsel of record.

This 5th day of February, 2014.

/s/ Aileen Bell Hughes

AILEEN BELL HUGHES

Georgia Bar No. 375505

Assistant United States Attorney

Northern District of Georgia