

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

ANTONIO LEATHERWOOD, ERIC)
HOWARD, JERRY SANFORD, JOHN)
LEVINS, MICHAEL PATRICK, and,)
individually and on behalf of all present and)
future HIV-positive inmates in the Limestone)
Correctional Facility in Capshaw, Alabama,)
Plaintiffs,)

v.)

DONAL CAMPBELL, Commissioner of the)
Alabama Department of Corrections, RONALD)
CAVANAUGH, Director of Treatment Alabama)
Department of Corrections, BILLY MITCHEM,)
Warden of Limestone Correctional)
Facility, DAVID WISE, Deputy Warden,)
Defendants.)

CIVIL ACTION

No. CV-02-BE-2812-W

CLASS ACTION

PARTIES' JOINT MODIFICATION OF SETTLEMENT AGREEMENT

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Counsel for Defendants,
Alabama Department of
Corrections; Donal
Campbell; Ronald
Cavanaugh; Billy Mitchem,
Warden of Limestone
Correctional Facility, David
Wise, Deputy Warden

Dated: November 29, 2004

SOUTHERN CENTER for HUMAN RIGHTS

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E-mail: rights@sohr.org Web site: <http://www.sohr.org>

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Director

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November 23, 2004

Charles Crook
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Legal Counsel
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RE: Leatherwood, et. al. v. Campbell, et. al.

Dear Charles:

I believe the following letter memorializes our conversation on November 22, 2004. Pursuant to our conversation, the following provisions of the *Leatherwood, et. al. v. Campbell, et. al.* Consent Decree have been modified. These provisions include:

7.2. If HIV infected prisoners refuse the dose, counseling shall be provided and the record shall document this counseling. HIV infected prisoners who miss doses on three consecutive days shall be seen by the prescribing physician and counseled **except those patients on Keep On Person medication**. A record of such counseling shall be maintained.

15.1. All sick call slips shall be triaged daily for degree of urgency. The triage system for sick-call slips, medical complaint forms, and medical grievance forms shall conform with NCCHC guideline P-E-07.

Once I receive a signed copy from you, I will forward a copy of these agreed upon changes to Dr. Joseph Bick and Magistrate Judge John Ott. Please feel free to contact me at: (404) 688-1202, should you have any further questions or concerns. You can fax the signed copy of the letter to: (404) 688-9440. Have a nice Thanksgiving holiday.

BY: Joshua R. Lipman
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Date: 11/24/04
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Billy Mitchem, Warden of Limestone Correctional Facility;
David Wise, Deputy Warden

cc:
Dr. Joseph Bick
Magistrate Judge John Ott