

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

EDWARD BRAGGS, et al.,)	
)	
Plaintiffs,)	
)	CIVIL ACTION NO.
v.)	2:14cv601-MHT
)	(WO)
JEFFERSON S. DUNN, in his)	
official capacity as)	
Commissioner of)	
the Alabama Department of)	
Corrections, et al.,)	
)	
Defendants.)	

PHASE 2A ADA FINAL SETTLEMENT APPROVAL ORDER

Based upon the representations of counsel at the fairness hearing held in open court on June 2, 2017, on the proposed settlement of the plaintiffs' mental-health claims under the Americans with Disabilities Act and § 504 of the Rehabilitation Act of 1973, and upon consideration of the proposed settlement, the joint motion for approval of the proposed settlement, the objections to the proposed settlement, and other related filings; and with the

understanding that an opinion will follow explaining the court's reasoning, it is ORDERED as follows:

(1) An injunctive-relief settlement class, defined as "any current or future inmate in the physical custody of ADOC who has a disability as defined in 42 U.S.C. § 12102 and 29 U.S.C. § 705(9)(B) relating to or arising from mental disease, illness, or defect," is certified under Federal Rule of Civil Procedure 23(a) and (b)(2).

(2) The Southern Poverty Law Center, the Alabama Disabilities Advocacy Program, and the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz are appointed as class counsel to represent the settlement class under Federal Rule of Civil Procedure 23(g).

(3) The objections to the settlement agreement (doc. nos. 1214, 1216, 1219, 1221, 1224, 1231, and 1238) are overruled.

(4) The joint motion for approval of the proposed settlement (doc. no. 1175) is granted, and the settlement agreement (doc. no. 1100) is approved.

(5) The parties' stipulations (doc. nos. 560, 563, 575, 576, 638, 696, 719, 1197, and 1239) are adopted.

(6) The settlement agreement (doc. no. 1100) is entered as a consent decree.

(7) The temporary restraining order entered on January 19, 2017 (doc. no. 1124), which, until now, has remained in effect, is lifted; however, the deadlines established in the proposed settlement (doc. no. 1100) are effective as of January 19, 2017.

(8) United States Magistrate Judge John Ott is appointed as arbitrator pursuant to § VIII of the consent decree.

(9) Plaintiffs' motion for attorneys' fees (doc. no. 1271) is granted.

(10) By no later than noon on July 12, 2017, the parties are to meet and confer and submit to the court a plan for providing notice to class members of the entry of this consent decree and for ensuring that they have access to the decree during its pendency. In particular, the notice must describe in lay terms that

are understandable to the extent possible to a person of limited education, the accommodation-request, grievance, and arbitration processes set out in the decree.

DONE, this the 28th day of June, 2017.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE