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JUN 18 1985

RICHARD H. WEARE, CLERK
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

CHARLES BLACK, et al.,)	
)	
Plaintiffs,)	No. CIV 84-111 PHX CAM
)	
vs.)	O R D E R
)	
JAMES D. RICKETTS, et al.,)	
)	
Defendants.)	
)	

14 Having received and considered the oral testimony and evidence
15 presented to this Court from February 7, 1985 through April 11, 1985;
16 the Stipulated Settlement Agreement, filed May 9, 1985; the Notice to
17 Class of Proposed Settlement, filed May 16, 1985; the Objections by the
18 plaintiff inmates, filed May 31, 1985 and June 4, 1985, this Court finds
19 and concludes as follows:

20 After approximately two months of a hotly contested trial on the
21 allegations in this matter, the parties presented this Court with a
22 stipulated settlement agreement covering all of the issues presented,
23 with the exception of attorneys' fees and costs.

24 Having been presented with weeks of testimony and numerous
25 exhibits; having reviewed the current state of the law as exemplified
26 by recent decisions of both the United States Supreme Court and the

1 Ninth Circuit Court of Appeals; and considering the objections filed by
2 the plaintiff inmates, this Court finds the stipulated settlement
3 agreement to be in the best interest of all concerned parties. This
4 finding is further based upon the provision in the agreement for an
5 independent monitor who will observe, through unobstructed access to the
6 institution, the implementation and operation of the policies and
7 practices set forth in the settlement agreement. Accordingly, this
8 Court accepts the stipulated settlement agreement, filed May 9, 1985,
9 and will adopt it as its Order.

10 In regard to the remaining issue of attorneys' fees and costs in
11 this action, the parties should attempt to resolve this matter among
12 themselves and file a stipulated agreement on this matter by no later
13 than Monday, July 8, 1985. If they are unable to reach an accord on
14 this issue, a request for attorneys' fees and costs shall be filed no
15 later than Monday, July 15, 1985. A response to the request must be
16 filed no later than Monday, July 22, 1985. A reply may be filed no
17 later than Friday, July 26, 1985. If necessary, a hearing on this
18 matter may be held on Tuesday, July 30, 1985, at 10:00 a.m..

19 Finally, subsequent to the resolution of the fees and costs in this
20 action, the parties shall file a stipulated form of judgment on the
21 issues in this action.

22 Based upon the foregoing,

23 IT IS ORDERED that the Stipulated Settlement Agreement, filed May
24 9, 1985, is hereby adopted as the Order of this Court.

25 IT IS FURTHER ORDERED that the parties attempt to resolve the issue
26

1 of costs and attorneys' fees among themselves and file a stipulated
2 agreement on this matter no later than Monday, July 8, 1985. If an
3 accord cannot be reached, requests for attorneys' fees and costs shall
4 be filed no later than Monday, July 15, 1985. Responses to the requests
5 must be filed no later than Monday, July 22, 1985. Replies may be filed
6 no later than Friday, July 26, 1985. If necessary, a hearing on this
7 matter will be held on Tuesday, July 30, 1985, at 10:00 a.m..

8 Dated this 17 day of June, 1985.

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11 C. A. Muecke,
12 U.S. District Court Judge
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